



PLANNING COMMISSION REGULAR MEETING

October 17, 2018 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission
3. Public Invited to be heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Planning Commission.

Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three (3) minutes. Public comments are expected to be constructive. Written comments are welcome and should be given to the secretary prior to the start of the meeting. Written materials will not be accepted during the meeting in the interest of time.

B. CONSENT CALENDAR*

1. Approval of minutes of September 19, 2018

C. BOARD ACTION

1. Public Hearing – Final Major Subdivision - Windsor Villages at Ptarmigan – Tom Muth, Windsor Investments LTD, applicant/ Jon Sweet, TST Consulting Engineers, applicant's representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner
2. Recommendation to Town Board - Final Major Subdivision - Windsor Villages at Ptarmigan – Tom Muth, Windsor Investments LTD, applicant/ Jon Sweet, TST Consulting Engineers, applicant's representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner
3. Public Hearing – A zoning proposal to create The Brands East Planned Unit Development Overlay District – Martin Lind, Manager, Eagle Crossing Windsor, LLC, owner / Mitch Black, Norris Design, owner's representative
 - Quasi-judicial

The Town of Windsor will make reasonable accommodations for access to town services, programs, and activities, and will make special communication arrangements for persons with disabilities. Please call 970-674-2400 by noon on the Thursday prior to the meeting to make arrangements.

- Staff presentation: Paul Hornbeck, Senior Planner
4. Recommendation to Town Board – A Zoning proposal to create The Brands East Planned Unit Development Overlay District – Martin Lind, Manager, Eagle Crossing Windsor, LLC, owner / Mitch Black, Norris Design, owner's representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner
 5. Preliminary Site Plan – Eagle Crossing Subdivision 4th Filing, Lot 4 Site Plan (Apartment Complex) – Larry Buckendorf/Morgan Kidder, Fossil Ridge Holdings, LLC, owner / Daniel Hull, LandOne Engineering, LLC, owner's representative
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Senior Planner
 6. Preliminary Major Subdivision – The Ridge at Harmony Road, 3rd Filing – Jeff Mark, The Landhuis Company, applicant
 - Quasi-judicial
 - Staff presentation: Millissa Berry, Senior Planner
 7. Public Hearing – An Ordinance Amending Section 17 of the Town of Windsor Municipal Code regarding Landscape Requirements
 - Legislative
 - Staff presentation: Paul Hornbeck, Senior Planner
 8. Recommendation to Town Board – An Ordinance Amending Section 17 of the Town of Windsor Municipal Code regarding Landscape Requirements
 - Legislative
 - Staff presentation: Paul Hornbeck, Senior Planner

D. COMMUNICATIONS

1. Communications from the Planning Commission
2. Communications from the Town Board liaison
3. Communications from the staff
 - a. Site Plan: Windsor Commons Lot 5 Block 2 -Total Directional Services

E. ADJOURN

* Please note that items on the Consent Calendar will not be discussed unless requested by the Planning Commissioners or by applicants who have business listed on the Consent Calendar.

Upcoming Meeting Dates

<u>Wednesday, October 17, 2018</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, November 7, 2018</u>	7:00 P.M.	Regular Planning Commission meeting**

Wednesday, November 21, 2018 7:00 P.M. CANCELLED due to Thanksgiving holiday

Wednesday, December 5, 2018 7:00 P.M. Regular Planning Commission meeting**

** Does not include any Planning Commission work sessions which may be requested and may also be scheduled for these dates.



PLANNING COMMISSION REGULAR MEETING

September 19, 2018 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Chairman Schick called the regular meeting of the Planning Commission to order at 7:00 p.m.

1. Roll Call

The following Planning Commission members were present:

	Gale Schick
	Doug Dennison
Absent	Kelly Hall
	Victor Tallon
	Jerry Bushelman
	Dan Foreman
	Travis Yingst
Absent	Cindy Scheuerman
Alternate	

Town Board Liaison	Barry Wilson
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Also Present:

Planning Director	Scott Ballstadt
Planner I	Devin King
Deputy Town Clerk	Amanda Mehlenbacher

2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission

Mr. Tallon moved to approve the agenda as presented; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows; Yeas – Schick, Dennison, Tallon, Bushelman, Foreman, Yingst; Nays – None Motion carried.

3. Public Invited to be heard

Mr. Schick opened the meeting up for public comment to which there was none.

B. CONSENT CALENDAR*

1. Approval of minutes of September 5, 2018

Mr. Tallon moved to approve the consent calendar as presented; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Dennison, Tallon, Bushelman, Foreman, Yingst; Nays – None Motion carried.

C. BOARD ACTION

1. Public Hearing – An Ordinance Amending Section 16-19-10(b) of the Town of Windsor Municipal Code to allow accessory storage in the General Commercial zone district

- Legislative
- Staff presentation: Devin King, Planner I

Mr. King reported that at the August 27, 2018 work session, this amended language addressing outdoor storage and display is in response to the need from commercial users for accessory outdoor storage in the General Commercial zone district and the effort to accommodate that need while maintaining the “small town feel” that citizens, Town Board and Planning Commission have expressed as important. As Windsor continues to grow and larger retail establishments look to our commercial areas to locate, the code will need to appropriately address such accessory outdoor uses in the General Commercial zone district to maintain the character of our commercial corridors while allowing the incidental storage and display that is common with retail establishments.

During the recent August 27, 2018 work session, the Town Board members indicated that screening and location requirements would need to play a key role in keeping all accessory outdoor storage out of view from public rights-of-way and residential uses. When combined with the parking and landscaping standards already in place, the proposed amended language will achieve the goal of keeping outdoor storage and display areas to an appropriate and aesthetically pleasing level. It requires the materials to be opaque and predominately match the principal building while prohibiting the use of chain link fencing. In addition, the language also mandates that it be oriented away from major streets like Main Street. Buffers from residential uses are already addressed in the landscape standards and parking requirements will further keep the amount of outdoor storage to a reasonable size.

Three categories of accessory uses are proposed to distinguish the difference in storage versus display versus seasonal sales. Storage is pertaining only to the materials or equipment used in the course of business, such as pallets, loading equipment and inventory of goods. Display is pertaining to the incidental display of merchandise, an example of which would be grills or lawnmowers outside along the wall of the principal building. Lastly, seasonal sales is in relation to the seasonal sales specifically related to a season such as plant, Christmas tree or pumpkin sales.

This language would require that these accessory uses be reviewed during the site plan process to ensure compliance.

The Town Board is scheduled to review the Planning Commission recommendation on the proposed code amendment on September 24, 2018.

Staff recommends Planning Commission forward to Town Board a recommendation of approval of the proposed amendment to Municipal Code Section 16-19-10(b) to address accessory commercial outdoor storage in the General Commercial zone district.

Mr. Tallon inquired how this change might affect stores such as Ace Hardware when a portion of their parking lot is taken up by their landscape nursery.

Mr. Ballstadt responded that they tried to account for the greenhouse and seasonal sales separately from outdoor storage. Items such as grills that are stored outside would fall under the display category and landscape materials would be considered seasonal. Items that are stored behind the building would need to be screened. In regards to stores such as Ace Hardware they should fit within the 60 day duration for seasonal displays and parking requirements.

Mr. Schick questioned the 60 day duration for seasonal displays.

Mr. Bushelman inquired if the Ordinance would apply to only future businesses or all current businesses that put up displays.

Mr. Ballstadt stated that it would apply to the new site plans that staff reviews. As for the existing businesses if they exceed the time frame allotted, it could be looked at as a non-conforming use. Once businesses took down their seasonal displays, the business would need to comply with the new regulation when the display was brought out the next season.

Mr. Tallon moved to close the public hearing; Mr. Bushelman seconded the motion. Roll call on the vote resulted as follows: Yeas – Schick, Dennison, Tallon, Bushelman, Foreman, Yingst; Nays – None; Motion carried.

2. Recommendation to Town Board – An Ordinance Amending Section 16-19-10(b) of the Town of Windsor Municipal Code to allow accessory storage in the General Commercial zone district

- Legislative
- Staff presentation: Devin King, Planner I

Mr. Dennison inquired if they should address the 60 day duration for seasonal displays.

Mr. Ballstadt stated staff could reach out to businesses prior to Town Board consideration to determine the length of time displays are out. Mr. Ballstadt felt that anywhere between 60 and 90 days would be an adequate length of time.

After discussion, the Commission agreed to see how the 60 day duration works out.

Mr. Tallon moved to forward a recommendation of approval to the Town Board amending section 16-19-10(b) of the Town of Windsor Municipal Code to allow accessory storage in the General Commercial zone district; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows: Yeas – Schick, Dennison, Tallon, Bushelman, Foreman, Yingst; Nays – None; Motion carried.

D. COMMUNICATIONS

1. Communications from the Planning Commission

Mr. Dennison inquired if there would be enough Board Members in attendance for the October 3, 2018 Planning Commission meeting.

Mr. Ballstadt responded that they have decided to cancel the October 3, 2018 Planning Commission meeting and the next meeting will be held on October 17, 2018.

2. Communications from the Town Board liaison

None

3. Communications from the staff

Mr. Ballstadt requested if any of the Board Members had any questions pertaining to the APA Conference to please reach out to staff.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:12 p.m.

Deputy Town Clerk, Amanda Mehlenbacher



MEMORANDUM

Date: October 17, 2018
To: Planning Commission
From: Paul Hornbeck, Senior Planner
Re: Public Hearing and Recommendation to Town Board – Final Major Subdivision – Windsor Villages at Ptarmigan – Tom Muth, Windsor Investments LTD, applicant/ Jon Sweet, TST Consulting Engineers, applicant's representative
Location: West of and adjacent to LCR 5; approximately 620-feet north of SH 392
Items #: C.1.C.2

Background / Discussion

The applicant Mr. Tom Muth of Windsor Investments LTD, represented by Mr. Jon Sweet of TST Consulting Engineers, has submitted a major subdivision application known as Windsor Villages at Ptarmigan. The subdivision encompasses approximately 103 acres and is zoned Residential Mixed Use (RMU) and Limited Industrial (IL).

Preliminary Plat characteristics:

- 117 single-family residential lots;
- Average lot size of 7,346 square feet;
- 23 acres of public right-of-way dedication
- 48 acre future development tract master planned for commercial and multifamily uses
- Offsite improvements will include widening of LCR 5 from SH 392 to LCR 32E and roundabouts on LCR 5 at Oakmont Drive and LCR 32E

The applicant held a neighborhood meeting on June 14, 2018, in accordance with Chapter 16, Article XXXI of the Municipal Code. There were approximately seventeen neighbors in attendance. Please see the enclosed neighborhood meeting notes for discussion topics and responses. The applicant subsequently coordinated an additional follow-up neighborhood meeting on September 13, 2018. Approximately 50 neighbors attended this meeting to discuss and address neighbor concerns regarding LCR 5 improvements.

The Planning Commission approved the preliminary major subdivision on July 18, 2018, subject to the following conditions:

1. All outstanding Planning Commission and staff comments shall be addressed on the Final Plat.
2. The Final Plat shall depict the right-of-way for Oakmont Drive shifted north [west] to ensure it is dedicated solely from property controlled by the applicant.

The applicant has continued to address the remaining comments and has since shifted the LCR 5 right-of-way at Oakmont Drive further to the west to reduce impacts to the Ptarmigan Subdivision. Furthermore, the applicant has made an effort to shift the majority of the right-of-way impact to his own property to the west, while also minimizing negative impacts to the adjacent Yeager property to the southwest of the Oakmont Drive intersection.

Relationship to Comprehensive Plan

The application is consistent with the following Goals of the Comprehensive Plan:

Chapter 5b: Growth Framework

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c Residential Areas Framework Plan:

Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Relationship to Strategic Plan

The application is consistent with the following Focus Areas and Initiatives of the Strategic Plan:

Area of Focus: Trails & Open Space

Initiative: Construct trails

The subject application will include trail improvements adjacent to LCR 5 and Westgate Drive

Area of Focus: Roads & Traffic

Initiative: Implement priorities in the Road Improvement Plan

The subject application includes road improvements to LCR 5 identified in the Road Improvement Plan

Notification

The following notifications were completed in accordance with the Municipal Code:

A neighborhood meeting was held on June 14, 2018 with notifications sent as follows:

- May 30, 2018 – affidavit of mailing to property owners within 300 feet
- June 3, 2018 – display ad published in the newspaper

Although not required by the Municipal Code, the applicant also coordinated a subsequent neighborhood meeting on September 13, 2018 and notified the Ptarmigan Homeowner's Association.

Public hearings scheduled for October 17, 2018 and October 22, 2018 with notifications as follows:

- October 17, 2018 - affidavit of mailing to property owners within 300 feet
- October 17, 2018 - display ad published in the newspaper
- October 22, 2018 - affidavit of mailing to property owners within 300 feet
- October 22, 2018 - display ad published in the newspaper

Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval of the final major subdivision to the Town Board subject to the following conditions:

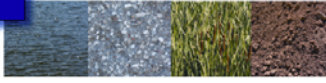
1. To the extent the approved plans for improvements to LCR 5 require construction of improvements within right-of-way not yet owned by the Developer or not otherwise acquired by the Town, all such right-of-way shall be acquired and dedicated by the Developer to the Town prior to commencement of any such improvements within said right-of-way.
2. All improvements to the intersection of LCR 5 and Oakmont Drive shall be completed and approved by the Town prior to the issuance of any building permits for single family residential development.
3. Street trees shall be incorporated into the landscape plan on both east and west sides of LCR 5 in order to mitigate the loss of any existing trees.
4. All remaining Planning Commission and staff comments shall be addressed prior to recording the subdivision plat.
5. The subdivision development agreement shall be executed prior to recording the subdivision plat.

Attachments

Neighborhood meeting summary

Presentation slides

cc: Tom Muth, Windsor Investments, LTD, applicant
Jon Sweet, TST Consulting Engineers, applicant's representative



Report for Neighborhood Meeting for Windsor Villages at Ptarmigan Rezoning and Major Subdivision

Meeting Date: June 14th, 2018 at 6pm

Meeting Location: Windsor Severance Fire Station #3

Report Date: July 6th, 2018

Overview:

The June 14th Neighborhood Meeting was attended by a total of seventeen (17) people from fifteen (15) different households, all within the Ptarmigan Subdivision (the subdivision east of the project). Both sign in sheets are attached to this report. Exhibits presented to the attendees included:

- A preliminary site plan of the proposed development.
- Expanded plan views of round-a-bouts on County Road 5 and 32E and Oakmont.
- Rezoning Exhibit.
- Cross section elevations comparing existing Country Road 5 with proposed street improvements for County Road 5.

The main concerns brought to our attention were:

- Increased traffic noise and congestion.
- How project construction will impact existing traffic patterns and access to existing subdivision.
- Project installation time line.
- Potential impact on property values.
- The proposed lot sizes and density.
- Would plant material be installed to mitigate the loss of existing trees along CR 5?
- What is the ultimate cross section of CR 5, and how much green space is there?
- Will there be improvements to existing sound wall to reduce road noise?

Information conveyed to the residents in response to those concerns was the following:

- Planting material with lower canopies and evergreen species, would help mitigate some of the traffic noise, however there are areas along CR5 that may not be appropriate for additional planting.
- Additional lanes, round-a-bouts and additional left turn lanes at CR-5 / 392 would improve traffic the existing traffic condition.



- The project will fulfill town planting standards along CR 5 road improvements on the west side of the street.
- Existing sound walls would remain the responsibility of either the home owner or the Ptarmigan HOA, depending on where the sound wall was located.

Please contact me with any questions on the above information.

Thanks,



Brian Williamson
Landscape Architect / Planner
TST Consulting Engineers, Inc.



Paul Hornbeck

From: Cork Chicota <corkchicota@juno.com>
Sent: Tuesday, July 17, 2018 10:46 AM
To: Paul Hornbeck
Cc: Ian McCargar; Dennis Wagner; Scott Ballstadt; Kim Emil; Doug Roth; Stacy Johnson; Scott Ballstadt; corkchicota@juno.com
Subject: RE: Oakmont Extension

Paul:

Thank you for sending me the Preliminary Plat of Windsor Villages at Ptarmigan. Would you please add to your comments and conversation and present to the Planning Commission tomorrow on July 18, 2118, the following.

As it pertains to the Yeager Property:

Currently, it is not confirmed of the exact type or location for access to the Yeager Property (18.25 acres) from County Road 5 or from State Highway 392. In the event that these access points are denied or restricted, then the Yeager Property may be considered "land locked" under Colorado State Law. Therefore, is requested that all departments of the Town of Windsor be aware that these conditions that now exist and plan for the future. As such, access to the Yeager Property shall be made available by the Town of Windsor from the Oakmont Street Extension. It is requested that the access point to the Yeager Property be in line with the alignment of "Street B" as an intersection, with all easements and right of way provided as necessary. In addition, all utilities and considerations for fire and life safety should be applied to this access point. Please have all of these items shown in detail on the drawings or verbalized in the narrative of the Final Plat.

Thank you,
Cork

Mr. M. J. Cork Chicota, President, CEO & COB
MJC DEVELOPMENT, INC.
7566 Parkview Mtn.
Littleton, CO 80127-3829
Office: 303-973-8590
Fax: 303-973-8672
Cell: 303-908-5502
E-Mail: corkchicota@juno.com

----- Original Message -----

From: Paul Hornbeck <phornbeck@windsorgov.com>
To: 'Cork Chicota' <corkchicota@juno.com>
Cc: Ian McCargar <imccargar@windsorgov.com>, Dennis Wagner <dwagner@windsorgov.com>, Scott Ballstadt <sballstadt@windsorgov.com>, "Kim Emil" <kemil@windsorgov.com>, Doug Roth <droth@windsorgov.com>, Stacy Johnson <sjohnson@windsorgov.com>, Shane Hale <shale@windsorgov.com>
Subject: RE: Oakmont Extension
Date: Tue, 17 Jul 2018 15:54:26 +0000

Cork,

The preliminary plat is attached. An applicant can submit a final plat for review immediately after preliminary plat approval but it must be submitted within one year unless an extension of the preliminary plat approval is requested and granted by Planning Commission. The re-configuration of Oakmont will be required to be shown on the final plat application. Unfortunately we are unable to add your name as representative of the owner because we rely on the county assessor ownership data for the public hearing notifications.

Regards,

Paul Hornbeck

Senior Planner

Town of Windsor

Dir: 970-674-2410

From: Cork Chicota [mailto:corkchicota@juno.com]

Sent: Monday, July 16, 2018 5:49 PM

To: Paul Hornbeck

Cc: Ian McCargar; Dennis Wagner; Scott Ballstadt; Kim Emil; Doug Roth; Stacy Johnson; Shane Hale

Subject: RE: Oakmont Extension

Paul:

Thank you for your reply below.

Would you please send to me by email the Preliminary Plat that is now scheduled for action by the Planning Commission on 7/18.

What are the timing requirements for the applicant for a Final Plat Submittal, after the the approval of the Preliminary Plat?

Are the new drawings for the re-configuration of Oakmont required to be sent to you prior to the Final Plat submittal, for review and comments, or simultaneously?

I have signed up with Notify Me.

Would you please add my name to notifications of public meetings concerning this Property as the "Representative Of The Owner".

Thank you,

Cork

Mr. M. J. Cork Chicota, President, CEO & COB

MJC DEVELOPMENT, INC.
7566 Parkview Mtn.
Littleton, CO 80127-3829
Office: 303-973-8590
Fax: 303-973-8672
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To: 'Cork Chicota' <corkchicota@juno.com>, Ian McCargar <imccargar@windsorgov.com>

Cc: Dennis Wagner <dwagner@windsorgov.com>, Scott Ballstadt <sballstadt@windsorgov.com>, Kim Emil <kemil@windsorgov.com>, Doug Roth <droth@windsorgov.com>, Stacy Johnson <sjohnson@windsorgov.com>, Shane Hale <shale@windsorgov.com>

Subject: RE: Oakmont Extension

Date: Mon, 16 Jul 2018 23:13:11 +0000

Cork,

We have not received any drawings showing the re-configuration of Oakmont Drive so we are unable to send at this time. The preliminary plat is scheduled for action by Planning Commission on 7/18. Note there is no public hearing associated with preliminary plat review. A condition of approval will be included that the re-configuration of Oakmont occur with the final plat submittal. We do not maintain a separate list of parties to be contacted regarding certain hearings but you can utilize the "[Notify Me](#)" feature of the website to receive notification of Planning Commission and Town Board meetings, which would allow you to review meeting agendas. Additionally surrounding property owners with 300 feet are sent notification of public hearings based on county assessor records.

Paul Hornbeck

Senior Planner

Town of Windsor

Dir: 970-674-2410

From: Cork Chicota [<mailto:corkchicota@juno.com>]

Sent: Monday, July 16, 2018 4:38 PM

To: Ian McCargar

Cc: Dennis Wagner; Scott Ballstadt; Kim Emil; corkchicota@juno.com; Paul Hornbeck; Doug Roth; Stacy Johnson; Shane Hale

Subject: Oakmont Extension

To all Parties:

Thank you for your time during our meeting on June 25, 2018. At the conclusion of that meeting it is my understanding that Mr. Tom Mouth decided he was going to direct his civil engineers and land planners to re-configure the alignment of the Oakmount Extension so it will be completely off the Yeager Property. In addition, Mr. Jon Sweet, of TST Consulting Engineers, told me that that the road and all impacts from this road, including the water run off, swales, detention ponds and underground pipe will also be removed and have no direct effect on the Yeager Property. No right of way or easements shall be required from the Yeager Property. All of this is acceptable.

As an effected party that will be impacted by the road, its exact location and its engineering design, it would be greatly appreciated if the Town would please keep me informed of all new designs. Please send the preliminary or proposed drawings and verbal descriptions and calculations for water control and management. Please send me this information prior to any proceedings for a final approval.

It is hereby requested that all information of any kind be made available and sent to me as soon as possible or when it is presented or in the possession of the Town. This done under the Town of Windsor Public

Information Disclosure Policy to inform all effected parties of new or changed plans, the Colorado Freedom Of Information Act, The Colorado Open Records Act and the Colorado Sunshine law, as they may apply.

In an effort to attempt to prevent any further delays with the alignment plan and construction of the Oakmont Extension, I will attempt to work closely with the Town. Upon review of any new information, in the event there are any concerns pertaining to any item, I will respond back to the Town as soon as possible.

Please inform me if the Town will hold any additional Public Meetings concerning the re-alignment and redesign of the Oakmont Extension. Pleas add my name to the contact list for "parties to be informed".

Thank you for your assistance in this matter.

Cork Chicota

Mr. M. J. Cork Chicota, President, CEO & COB

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From: Ian McCargar <imccargar@windsorgov.com>

To: 'Cork Chicota' <corkchicota@juno.com>

Cc: Dennis Wagner <dwagner@windsorgov.com>, Scott Ballstadt <sballstadt@windsorgov.com>, Kim Emil <kemil@windsorgov.com>

Subject: RE: Town of Windsor; Yeager easements and right-of-way acquisition

Date: Thu, 12 Jul 2018 20:55:51 +0000

Cork, attached is a depiction prepared by the Engineering Department for your review. Please advise if you need anything further.

Ian D. McCargar

Town Attorney

Town of Windsor

Dir: 970-674-2492 | www.windsorgov.com

Follow Us www.windsorgov.com/socialmedia

From: Cork Chicota [<mailto:corkchicota@juno.com>]

Sent: Thursday, July 12, 2018 12:10 PM

To: Ian McCargar

Cc: Dennis Wagner; Scott Ballstadt; Kim Emil; corkchicota@juno.com

Subject: Town of Windsor; Yeager easements and right-of-way acquisition

Ian:

I am in receipt of your email and the attached drawings which you sent yesterday, thank you.

Would you please arrange for TST, or the correct person or department within the Town to send to me an overall site improvement drawing, showing all of these easements and ROW's on one drawing and their exact locations relative to the property lines of the Yeager property. Something like a preliminary ALTA drawing.

It is hereby requested that the Town now proceed immediately with obtaining a full appraisal for the Yeager Property and specifically the values of all the ROW and easements that are being requested from the Yeager Family Holdings. In doing so, please hire a Commercial Appraiser, with background and experience in appraising retail commercial property and single family home lots and subdivisions.

In addition please have the appraiser have comparable comparison data on ROW's and easements located at primary intersections, such as county and state highway intersections next to commercial property, especially located anywhere in Larimer County, Colorado. It would also be good to have the appraiser draw and quote from

the Denver Regional Council of Governments (DRCOG) data base, for their information on ROW and easement purchases at major intersections.

Thank you for your assistance. I look forward to working with you and accomplishing our mutual objectives.

Cork

Mr. M. J. Cork Chicota, President, CEO & COB

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Littleton, CO 80127-3829

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To: "Cork Chicota (corkchicota@juno.com)" <corkchicota@juno.com>

Cc: Dennis Wagner <dwagner@windsorgov.com>, Scott Ballstadt <sballstadt@windsorgov.com>, Kim Emil <kemil@windsorgov.com>

Subject: Town of Windsor; Yeager easements and right-of-way acquisition

Date: Wed, 11 Jul 2018 18:53:44 +0000

Cork, attached are drawings presented to us by TST, reflecting the land area the Town wishes to acquire from your clients. You will note that, in addition to the roadway-related right-of-way, we are seeking easements for utilities as well, including utility easements for the Fort Collins-Loveland Water District and South Fort Collins Sanitation District. These easements will be assigned to the Districts, and will take the form ordinarily required by the Districts.

Although we have talked by phone about my approach to these acquisitions, I want to lay it out for you in writing. In general, the Town will either negotiate for the required land acquisition, or will acquire it by eminent domain if we are unable to reach an agreement on all components. All Town costs associated with this effort will be borne by both Muth and Yeager in the form of a special fee on the two properties in question. The special fee will reflect the benefit conferred on each property through the Town's ROW acquisition costs, but will not include any benefit to the Town's roadway system as defined in its approved roadway improvement plan.

<![if !supportLists]>1. <![endif]>**Negotiations with Yeager.** I am gathering information on recent right-of-way acquisition costs in the vicinity, and will base my initial offers on recent experience with similar projects. I am allotting about 60 days for negotiations, and will indulge only so much back-and-forth, before arranging for an appraisal. **If you want an appraised value for the Town's negotiations with your clients, please advise right away.**

<![if !supportLists]>2. <![endif]>**Payment to Yeager.** Assuming we reach a deal over the entire acquisition, the Town will pay your clients in accordance with those terms. It may be in a lump-sum, or it may be temporary easements first, with the permanent easements valued separately and paid later. Any payments to your clients will be subject to the same reimbursement terms as applicable to Mr. Muth.

<![if !supportLists]>3. <![endif]>**Eminent domain.** If I am unable to reach an acceptable agreement with your clients, I will initiate eminent domain proceedings to take the property for public purposes. I reserve the right to retain special counsel to do so. All costs associated with the eminent domain case will be borne by the property owners per the evaluation formula described below. I will attempt to time the immediate possession determination to anticipate development of the Muth parcel during the 2019 building season.

<![if !supportLists]>4. <![endif]>**Evaluation of relative property benefit.** In order to impose a special fee on the two property owners, the Town will need to make a determination of the benefit specially conferred on each property. This determination can be done by appraisal or by some other legitimate means. I'm leaning toward taking the total developable square footage of each owner's parcels served by the acquisitions and splitting the Town's acquisition costs in proportion to those factors. To the extent the Town's roadway system is improved through these acquisitions, the Town's share will be deducted from the total before we apply the factors for each property owner. **If your clients want to use an appraisal methodology, advise right away.**

<![if !supportLists]>5. <![endif]>**Recovery of special fee.** Each landowner will be required to pay its share of the ROW acquisition costs at the time a development proposal is approved. For Mr. Muth, that will likely coincide with final plat recordation for Ptarmigan West, unless the costs have not been determined as of that time. In any event, the reimbursement terms will be captured in an agreement for each ownership entity, and recorded in the County records. The Town will consider early payment in lieu of interest that will accrue on the special fee balance while your clients are awaiting development approval. This is similar to the system adopted for the I-25/392 development fee that applies to development of your clients' property.

I want to be clear going into this reimbursement for the acquisitions within the Yeager property will take place in the context of conferring a special benefit on each property. The Town's exercise of eminent domain powers is conditional, per the foregoing. Please discuss this with your clients, and advise if you have any concerns going forward.

Ian D. McCargar

Office of the Town Attorney

Town of Windsor

301 Walnut Street | Windsor, CO 80550

Dir: 970-674-2492 | Off: 970-674-2400 | Fax: 970-674-2456

imccargar@windsorgov.com

www.windsorgov.com

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Richard S. Gast
Jeffrey J. Johnson
Daniel C. Muffly
Peter J. Dauster*
Ryan S. Thorson*
Benjamin D. Kramer
Anda Lincoln Stephenson
Daniel M. St. John II*

**Also Licensed In Wyoming*



323 S. College Avenue, Suite 1
Fort Collins, CO 80524
(970) 482-4846 Phone
(970) 692-5886 Direct
(970) 482-3038 Fax
jjohnson@gjmlawfirm.com
www.gjmlawfirm.com

July 18, 2018

Via Hand Delivery

Paul Hornbeck, Senior Planner
Town of Windsor, Planning Department
301 Walnut Street
Windsor, CO 80550

RE: Preliminary Subdivision – Windsor Villages at Ptarmigan

Dear Mr. Hornbeck:

Our office represents Windsor Investments, Ltd. in connection with the preliminary plat submittal for Windsor Villages at Ptarmigan (“Windsor Villages”). Our office is in receipt of an email from Mr. M. J. Cork Chicota dated July 17, 2018 to the Town. It is our understanding that Mr. Chicota has requested that your office communicate the substance of his email to the Planning Commission at a hearing this evening, July 18, 2018. This letter is in response to Mr. Chicota’s email.

We disagree with the statements and requests submitted by Mr. Chicota regarding the Yeager property. The statements are both factually misleading and legally incorrect. Our client submits the following for consideration:

1. The Windsor Villages proposal will not render the Yeager property land locked in any manner whatsoever. Windsor Villages has provided access to the Yeager property from the public right of way to be constructed and known as Oakmont Drive. We understand that the Town requires such access consistent with Colorado law, and Windsor Villages provides such access. The Yeager property will not be landlocked as a result of the Windsor Villages project.
2. The Yeagers have not submitted a site specific development plan or any development proposal. The Windsor Villages project in no way prevents the Yeagers from proceeding with a site specific development plan, and no way whatsoever prevents access to a public right of way.
3. The alignment of Oakmont Drive, and a provision for public access to the Yeager property, is a part of the Master Plan approved last year. Since its inception, Windsor Villages has planned public access for the Yeager property.

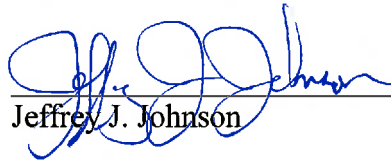
4. Mr. Chicota, or any property owner for that matter, is unable to request a specific access point across an adjoining parcel of private land – especially when such land owner is in no way landlocked and has no specific use or site development plan. Thus, the request that access to the Yeager parcel align with “Street B” on the Preliminary Plat is without substance. Windsor Villages objects to any such suggestion or request.
5. You may be aware that Windsor Villages has discussed access and other joint development improvements with Mr. Chicota on behalf of the Yeagers. Windsor Villages proceeded in good faith to reach a mutually agreeable plan which it believes would have benefitted both Windsor Villages and the Yeager property. The parties were unable to reach agreement. So Windsor Villages modified the Oakmont Drive in a manner that still provides future public access to the Yeager property but is otherwise independent of joint development cooperation at this time. Any statements by Mr. Chicota to the contrary are incorrect.

Please submit this letter to the Planning Commission for consideration of the context of Mr. Chicota’s email statements.

Very truly yours,

GAST JOHNSON & MUFFLY PC

By:



Jeffrey J. Johnson

JJJ:cnw

cc: Mr. Tom Muth
Mr. Ian McCargar, Town Attorney

PTARMIGAN VILLAS

**Mr. Tom Muth
c/o TST Consulting Engineers
748 Whalers Way, Suite 200
Fort Collins, CO 80525**

**TST Consulting Engineers
748 Whalers Way, Suite 200
Fort Collins, CO 80525
Attn: Mr. Brian Williamson**

**Mr. Paul Hornbeck
City of Windsor
Attn: Planning Dept
301 Walnut
Windsor, CO 80550**

**Mr. Lew Gaiter
Larimer County Commissioners
200 West Oak, Suite 2200
Fort Collins, CO 80521**

**Mr. Steve Johnson
Larimer County Commissioners
200 West Oak, Suite 2200
Fort Collins, CO 80521**

**Mr. Tom Donnelly
Larimer County Commissioners
200 West Oak, Suite 2200
Fort Collins, CO 80521**

**Ms. Kristie Melendez
Mayor, City of Windsor
301 Walnut
Windsor, CO 80525**

*Received
8/20/18
[Signature]*

August 18, 2018

**Re: Rezoning of Ptarmigan Business Park and proposed
realignment of CO RD 5 on west boundary of Ptarmigan
Subdivision**

Dear Sirs:

We object to Windsor's proposed rezoning of the vacant property generally west of CO RD 5 between CO 392 and CO RD 32 E to residential and the proposed reconstruction of CO RD 5 for the following reasons:

- 1. The applicant uses the name of "The Villages at Ptarmigan" confusing as it is similar to our name, Ptarmigan Villas. Our name has been in constant use for over 20 years. It will also be confusing in that the "real" residential Ptarmigan is east of CO Rd 5. This appropriation of the name Ptarmigan for another residential development is objectionable and may conflict with the intellectual property rights of the existing Ptarmigan residential subdivision.**
- 2. The rezoning involves the construction of a traffic circle which in its practical effect will bring CO Rd 5 as close as 11 feet to the existing privacy wall on the west side of Ptarmigan and will encroach some 50ft or so eastward into the existing Oakmont entrance of Ptarmigan.**
- 3. This encroachment will destroy the existing street scape of the west side of the Ptarmigan subdivision and can only have a negative effect on Ptarmigan values, particularly those homes adjacent to CO RD 5.**

4. The road plans do not include a northbound bicycle lane. This is a safety issue because of lack of sight line due to the steep hill between Oakmont and CO RD 32 E. Since bikers will be forced to use a northbound lane of CO RD 5 inevitably efficient traffic flow will be compromised.

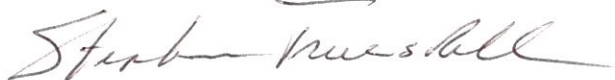
We recognize CO RD 5 requires expansion and improvement. But why should Ptarmigano bear the burden of this road expansion when there is available land on the west side of CO RD 5 for a very slight deviation to the west? Recently Ptarmigan improved its Oakmont entrance at very substantial cost much of which will be destroyed.

From our viewpoint, this rezoning can only be acceptable if CO Rd 5 is deviated slightly to the west. The result would be that the eastern edge of the redesigned road would be the same as the present CO RD 5 pavement. Moving the road west would preserve the existing Ptarmigan entrance, save the large cottonwoods, preserve some existing undergrounds and perhaps reduce road costs by utilizing some of existing CO RD 5 road base.

The road improvements should include a sidewalk/bike lane on the east side of CR 5 and that any landscape destroyed in the road work be reasonably replaced.

Thank for your attention.

The Board of Ptarmigan Villas



by its president
Stephanie Truesdell
7426 Tamarisk Drive
Fort Collins, CO 80528
stephanieatruesdell@gmail.com

To: Windsor Planning Commission

From: Mark Earley

Subject: Windsor Villages at Ptarmigan

My comments are the following:

1. Traffic Control

- a. What is the planned detour route for LCR 5 traffic during the widening of LCR 5 to 4 lanes between CO Hwy 392 and LC R 32E.
- b. What signage is planned to divert traffic from the local roads of The Ptarmigan Association.
- c. If LCR 3 is part of the detour plan, what safety measures will be in place between LCR 32E and CO Hwy 392. Specifically at the intersections of LCR3 and WATSON DR, Vardon Way E, and CO Hwy 392.
- d. Based on the response to the above additional comments/questions may be asked

Thanks for your consideration,

Mark Earley

Board Member: PTARMIGAN PID20

August 23, 2018

Dear Mr. Hornbeck,

As property owners in Ptarmigan Country Club off CR5. Oakmont entrance, we strongly feel a huge error in planning has been made and needs immediate adjustment/correction.

This error involves the planned traffic circle at Oakmont and CR5, as proposed the location is too far East and should be moved West to avoid destroying our entrance as little as possible, as well as preserving the life of the huge cottonwood tree (likely 150 plus years old) at the entrance of CR5 and Oakmont.

We request in the strongest terms possible your immediate full review and correction as outlined in this letter.

Please respond in writing to all Ptarmigan homeowners as soon as possible.

Thank you for your attention to this matter.

Patty and Jerry Gold

5105 Nelson Court

Fort Collins, CO 80528

jerrygold@live.com

307-772-1623

The Ptarmigan Woods Homeowners Assn.

August 30, 2018

Re: Letter of August 18, 2018 from the Ptarmigan Villas

(Re-zoning of Ptarmigan Business Park and proposed realignment of Co. Rd. 5 on west boundary of Ptarmigan Subdivision)

TO ALL CONCERNED,

Each of you received the above-mentioned letter from the Ptarmigan HOA Villas. The Board of the Woods at Ptarmigan submit this letter in complete support and agreement with their concerns. We thank the Board of the Villas for their timely submission of their concerns.

The Board of the Woods are likewise vitally concerned with the encroachment the traffic circle causes into the Oakmont entrance, but especially, the closeness it forces the traffic to the homes surrounding the Circle. Traffic forced to within 10 or 11 feet of the entrance walls, and consequently much closer to the homes adjacent to the Circle, most certainly will cause further concentration of noxious and toxic exhaust emissions entering those homes. This effect creates a health risk that must be addressed. We would suggest either eliminating the Traffic Circle or at least moving it somewhat Westward to relieve that concentration of exhaust emissions. Any reasonable increase in space from the entrance walls would be beneficial!

In today's atmospheric conditions, we all must be alert and aware of everyone's lung and cardio vascular health in everything we do!

Respectfully Submitted,

THE WOODS AT PTARMIGAN HOA BOARD

Cc: Ptarmigan Master Homeowners Assoc., The Ptarmigan Villas Homeowners Assoc.

August 28, 2018

Re: Rezoning of Ptarmigan Business Park and proposed realignment of CO RD 5 on west boundary of Ptarmigan Subdivision

Dear Sirs:

We object to Windsor's proposed rezoning of the vacant property generally west of CO RD 5 between CO 392 and CO RD 32 E to residential and the proposed reconstruction of CO RD 5 for the following reasons:

1. The applicant uses the name of "The Villages at Ptarmigan" confusing as it is similar to our name, Ptarmigan Villas. Our name has been in constant use for over 20 years. It will also be confusing in that the "real" residential Ptarmigan is east of CO RD 5. This appropriation of the name Ptarmigan for another residential development is objectionable and may conflict with the intellectual property rights of the existing Ptarmigan residential subdivision.
2. The rezoning involves the construction of a traffic circle which in its practical effect will bring CO RD 5 as close as 11 feet to the existing privacy wall on the west side of Ptarmigan and will encroach some 50ft or so eastward into the existing Oakmont entrance of Ptarmigan.
3. This encroachment will destroy the existing street scape of the west side of the Ptarmigan subdivision and can only have a negative effect on Ptarmigan values, particularly those homes adjacent to CO RD.
4. The road plans do not include a northbound bicycle lane. This is a safety issue because of the lack of sight line due to the steep hill between Oakmont and CO RD 32 E. Since bikers will be forced to use a northbound lane of CO RD 5, inevitable efficient traffic flow will be compromised.

We recognize CO RD 5 requires expansion and improvement, but why should Ptarmigan bear the burden of this road expansion when there is available land on the west side of CO RD 5 for a very slight deviation to the west? Recently, Ptarmigan improved its Oakmont entrance at very substantial cost, much of which will be destroyed.

From our viewpoint, this rezoning can only be acceptable if CO RD 5 is deviated slightly to the west. The result would be that the eastern edge of the redesigned road would be the same as the present CO RD 5 pavement. Moving the road west would preserve the existing Ptarmigan entrance, save the large cottonwoods, preserved some existing undergrounds and perhaps reduce road costs by utilizing some existing CO RD 5 road base.

The road improvements should include a sidewalk/bike lane on the east side of CR RD 5 and that any landscape destroyed in the road work be reasonable replaced.

Thank you for your attention.

Bill and Lisa Warner

Residents, Ptarmigan Villas

Handwritten signatures of Bill and Lisa Warner. The signature for Bill is in blue ink and the signature for Lisa is in red ink.

By its president

Stephanie Truesdell

7426 Tamarisk Drive

Fort Collins, CO 80528

stephanieatruesdell@gamil.com



Report for Neighborhood Meeting for Windsor Villages at Ptarmigan Rezoning and Major Subdivision

Meeting Date: September 13, 2018

Report Date: October 11, 2018

Overview:

The September 13th Neighborhood Meeting was well attended by approximately 55 people. A sign in sheet was not kept as this was an additional public meeting, not required by the Windsor Municipal Code. This meeting was structured as a presentation with question and answer at the end of each section.

The presentation was introduced by Mr. Tom Muth, developer of the Windsor Villages Project, and previous developer of the Ptarmigan Subdivision. Mr. Muth gave some background on his involvement on the original Ptarmigan Subdivision, his current connection to the existing subdivision. He outlined the process for rezoning this parcel to make it more compatible with the existing subdivision to density transition that will happen on the western side of CR5.

Mr. Williamson then took the audience through the details of the project. Topics covered:

- Overview of the project
- Lot and Tract sizes and quantities
- Town of Windsor road classification per Town Master Plan
- Explanation of CR 5 road cross sections and evolution of the cross sections
- Explanation of CR 5 and CR 32E Roundabout
- Explanation of CR 5 and Oakmont Roundabout

Questions / Issues /Discussion Topics:

Round-a-bout at 32E and CR 5

- Will new CR5 be same height as old CR5? -Yes
- Where is the bike lane in relation to the round-a-bout? Bike lane identified
- How far away is the new alignment of CR 5 from the northern sound wall on the east side? About 11.5'
- Is there a median from Oakmont to the south? -Yes
- What is the grey area around the edge of the medians and the round-a-bouts? - Truck apron with 6" curb and 2.5% gradual grade back from road.
- How does the Round-a-bout operate? – Explanation of traffic patterns through the Round-a-bout
- Will the utility boxes, on the east side of CR 5 and at the north end of the sound wall, have to be relocated? -No
- Will any trees on the NW corner of hole six be affected by the CR5 expansion and 32E round-a-bout? - We will remove the smallest evergreen, closest to proposed County Road 5.
- How many lanes in each round-a-bout? 2 lanes each North and South, 1 lane East West.



Round-a-bout Oakmont and CR 5

- Does Windsor require access from the Villages at Ptarmigan new subdivision at Oakmont? -Yes
- Concern was expressed about:
 - Heavy trucks being 20' from existing homes with new round-about configuration and truck aprons.
 - Incursion into Ptarmigan neighborhood by new round-a-bout design.
 - Undue burden placed on Ptarmigan residents (burden was unspecified).
 - Depreciation of property value. - Property value will increase with further construction, public infrastructure improvements and new businesses and amenities provided.
- Is there any recourse to change current round-a-bout design at Oakmont? This question was deferred to the Town of Windsor. Mr. Ballstadt, Director of Planning with the Town of Windsor answered, there were no current plans to change or amend the Town requirements for widening CR 5 or changing the required round-about.
- Support for the round-a-bout at Oakmont was expressed by several audience members who are frustrated with the current configuration.
- One audience member noted that they were encouraged by the option to go west on Oakmont and not have to deal with the 392 intersection, other members of the audience concurred.
- What are the impacts of the new round-a-bout to the adjacent NE and SE property owners? - Explanation of the physical encroachment on HOA property.
- What will the west side wall height be? Approximately 6' Height
- Can the round-about be moved to the west?
 - One property owner proposed moving the round-about to the west so that new construction would not disturb existing ROW inside the Ptarmigan neighborhood.
 - One property owner proposed removing the Oakmont connection to CR 5 entirely. This idea had no support from the Town of Windsor and there was opposition expressed by several of the audience members present.

CR 5 from Oakmont Round-a-bout and road realignment to 392

- Will existing trees on east side be removed? - Trees are to be removed, all are located in the existing Town of Windsor ROW, and determined to be in decline or at the end of their life cycle by the Town Forester.
- How close will new travel lanes be to existing sound wall on Ptarmigan side? - no closer than 20'
- Will new trees be planted to mitigate the loss of shade and noise abatement? - Possibly.
- Will homeowners be subsidized for planting trees on their own property to mitigate loss of existing cottonwoods on east side of CR 5? Possible, will require more discussion and research.

General Questions



- What is the size of the new homes to be built? - Not sure of product size, but generally homes will be priced in the \$550,000 range.
- Will there be any cooperation between the I-225 widening project and the CR 5 widening project? -No, not at this time.
- What will the construction schedule be in terms of shutting down CR 5 for the widening project? The round-a-bout at 32 E will be the first to be constructed, allowing access to Westgate and providing a bypass around the anticipated construction at Oakmont and the widening of CR 5. S
- When will construction begin on this project. -Grading for the development will hopefully start early to mid-winter of 2018 /19.

Conclusion:

Mr. Tom Muth spoke at the end of the meeting, thanking the audience for participating and being part of the process. He emphasized that this meeting was not required by the Town, but held at his direction and expense, and the goal was to create a dialogue and try to find common ground with the existing Ptarmigan community. To that end, Mr. Muth committed to moving the road and both the Oakmont and 32E roundabouts to the west by 10'. This was received well by the room, as indicated by cheers and applause.

Please contact me with any questions on the above information.

Thanks,



Brian Williamson
Landscape Architect / Planner
TST Consulting Engineers, Inc.





Preliminary Major Subdivision

Windsor Villages at
Ptarmigan

Paul Hornbeck, Senior Planner

Planning Commission October 17, 2018



Major Subdivision

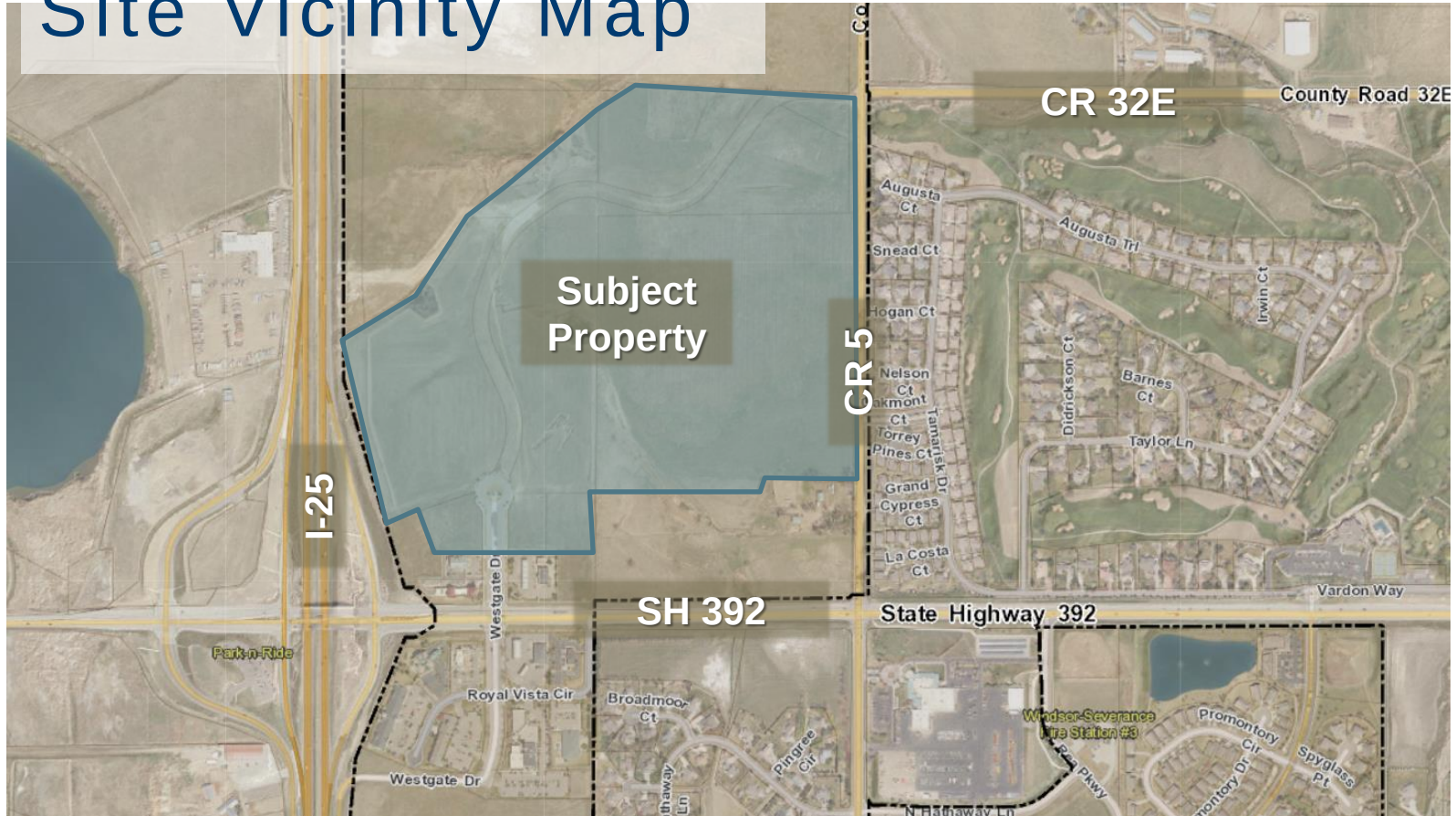
Article IV of Chapter 17 of the Municipal Code outlines the purposes of the Major Subdivision process, including:

Sec. 17-4-10. Purpose.

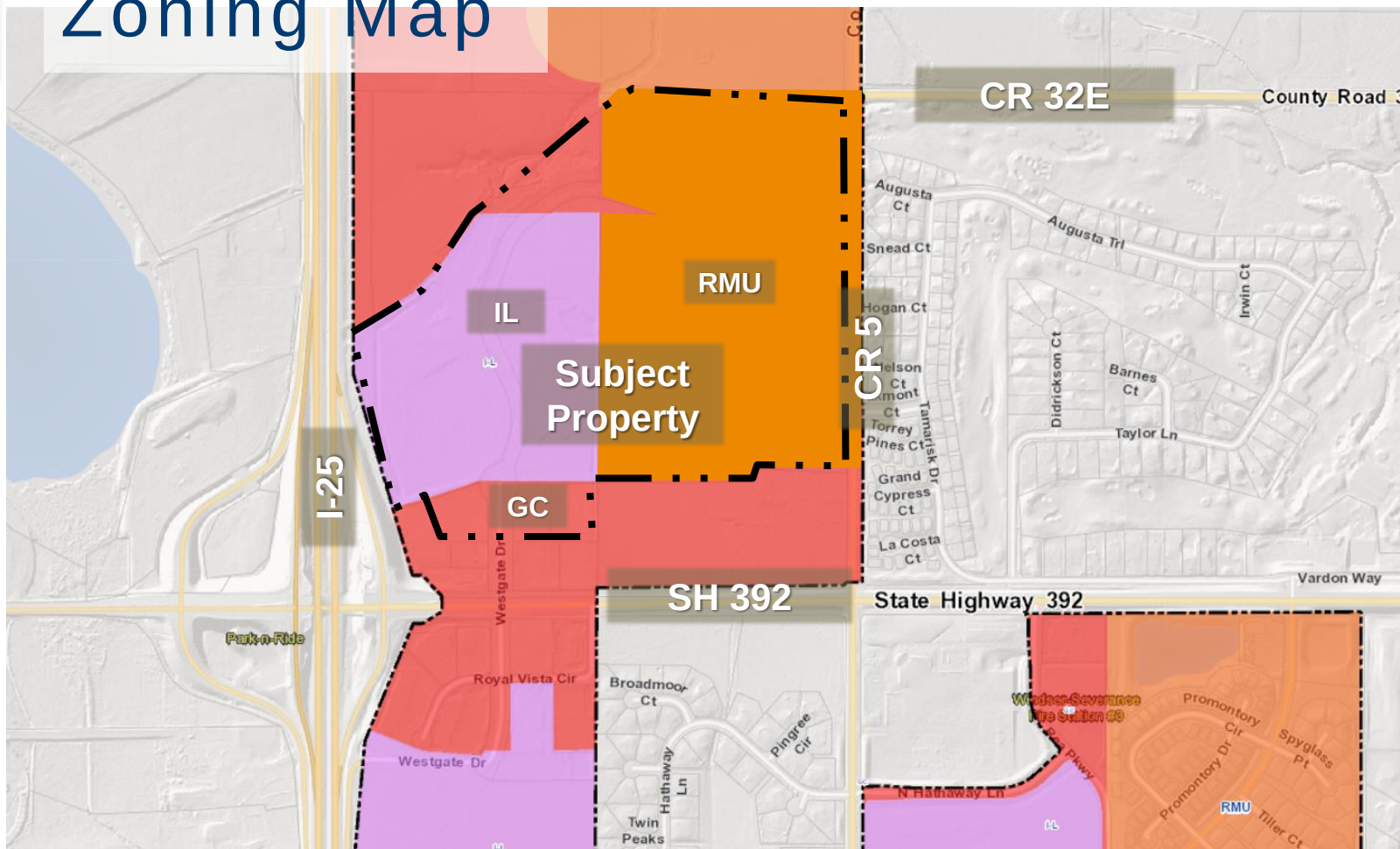
The purposes of the major subdivision procedure are:

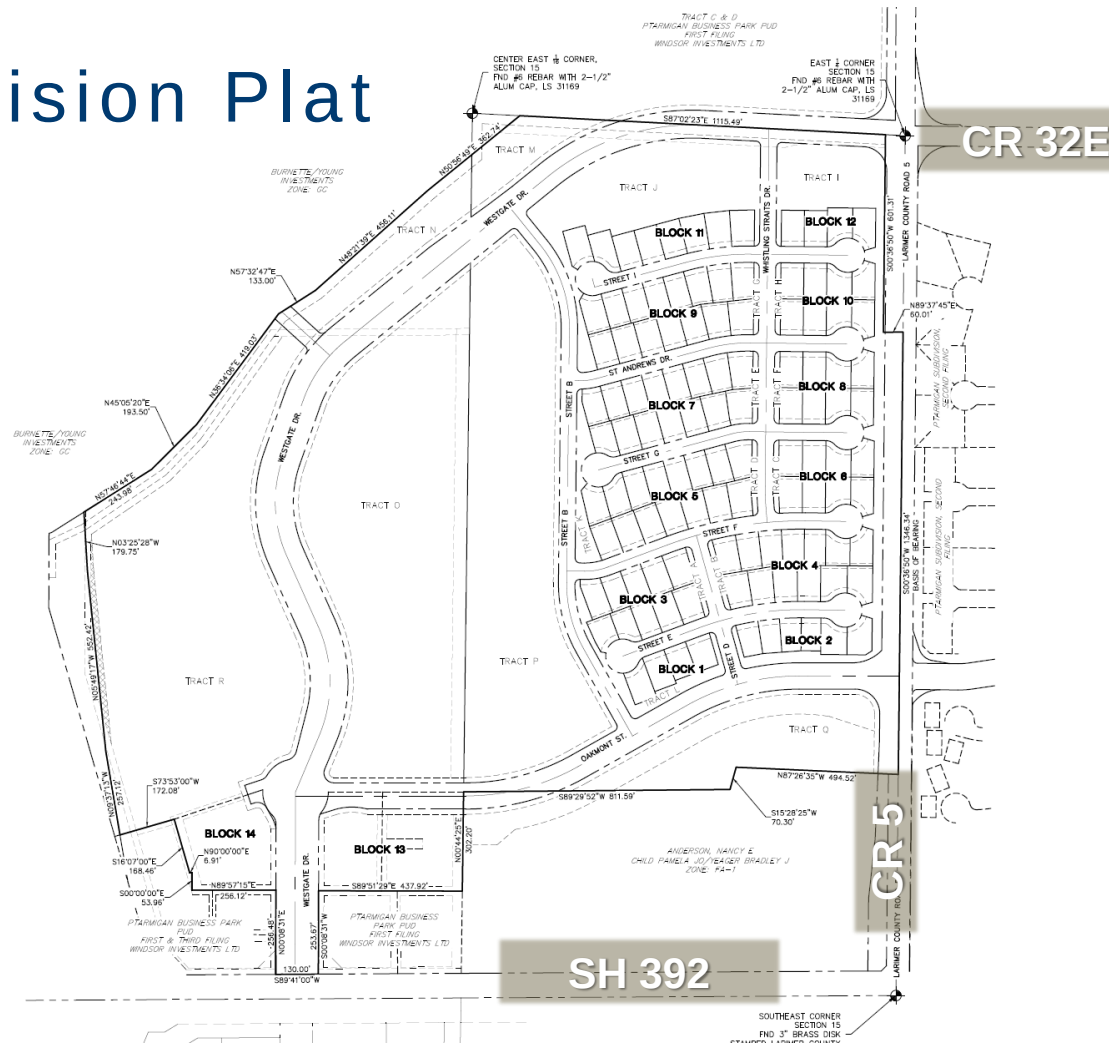
To divide or reconfigure a parcel or parcels of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.

Site Vicinity Map

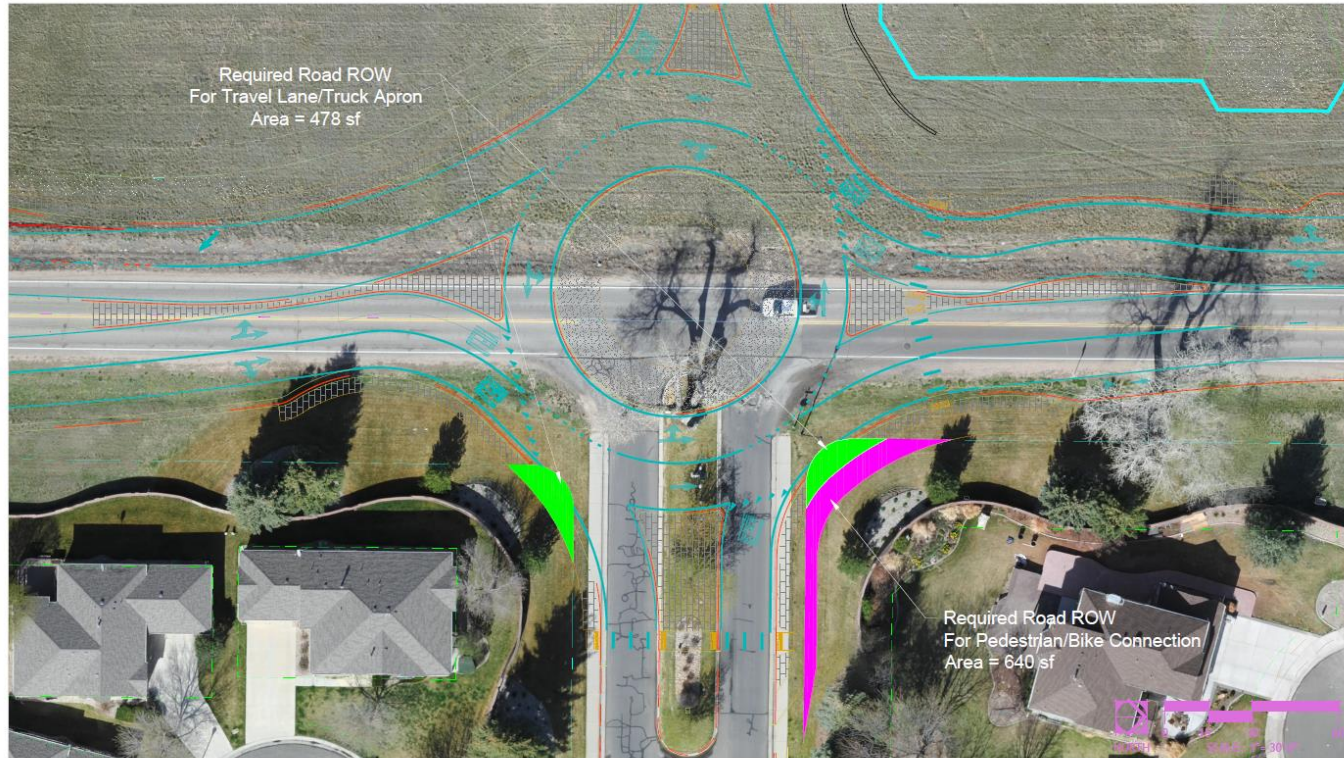


Zoning Map





Oakmont Roundabout Exhibit





Comprehensive Plan Conformance

Chapter 5b: Growth Framework

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c Residential Areas Framework Plan:

Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.



Comprehensive Plan Conformance

Chapter 5b: Growth Framework

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c Residential Areas Framework Plan:

Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.



Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval of the final major subdivision to the Town Board subject to the following conditions:

1. To the extent the approved plans for improvements to LCR 5 require construction of improvements within right-of-way not yet owned by the Developer or not otherwise acquired by the Town, all such right-of-way shall be acquired and dedicated by the Developer to the Town prior to commencement of any such improvements within said right-of-way.
2. All improvements to the intersection of LCR 5 and Oakmont Drive shall be completed and approved by the Town prior to the issuance of any building permits for single family residential development.



Recommendation

3. Street trees shall be incorporated into the landscape plan on both east and west sides of LCR 5 in order to mitigate the loss of any existing trees.
4. All remaining Planning Commission and staff comments shall be addressed prior to recording the subdivision plat.
5. The subdivision development agreement shall be executed prior to recording the subdivision plat.



Preliminary Major Subdivision

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation



MEMORANDUM

Date: October 17, 2018
To: Planning Commission
From: Paul Hornbeck, Senior Planner
Re: Public Hearing and Recommendation to Town Board – A Zoning proposal to create a Planned Unit Development (PUD) overlay district on approximately 57 acres known as Eagle Crossing Subdivision 4th Filing Lots 5-9 and Lot 12 and Tracts A and C and Eagle Crossing Subdivision 6th Filing, Lot 2, also known as Brands East PUD – Martin Lind, Eagle Crossing Windsor, LLC, owner/ Mitch Black, Norris Design, applicant's representative
Item #: C.3 C.4

Background / Discussion

The applicant Mr. Martin Lind of Eagle Crossing Windsor, LLC, represented by Mr. Mitch Black of Norris Design, is proposing to create a Planned Unit Development (PUD) overlay zoning district on approximately 57 acres known as Brands East PUD.

In accordance with Article XXIII of Chapter 16 of the Municipal Code, the intent of PUD regulations is, among other things, to “provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.” A complete copy of the Article XXIII PUD regulations is attached for further reference.

The subject rezoning application will create a PUD overlay district which constitutes an amendment to the Town's Official Zoning District Map and the development standards approved with the PUD will be applied to future land use applications within the PUD district. This PUD proposes variations to allowed uses; site, architectural, and landscape design standards; and development review processes. The tables below provide a comparison of all proposed changes in those categories, followed by staff analysis below each table.

Permitted Uses	
Existing	Proposed
General Commercial (GC) Allowed Uses: (1) Drive-in restaurants. (2) Grocery stores and supermarkets. (3) Gasoline service stations. (4) Car washes. (5) Commercial lodging. (6) Restaurants and bars. (7) Outdoor sales areas, such as garden shops. (8) Automobile sales and service establishments,	<i>Note: The uses proposed in the PUD are generally consistent with GC zoning with a few exceptions. Notable exceptions are listed below. A full list of allowed uses can be found in the attached Brands East PUD.</i> Artisan and/or craft foundry, manufacturing, warehousing, and/or retail sales. (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.). Limited outdoor fabrication of products may

including used car lots. (9) Lumber and building supply yards. (10) Public, private, commercial and private group outdoor recreational facilities. (11) Bowling alleys. (12) Business and professional offices. (13) Places of assembly (small). (14) Places of assembly (large). (15) Other similar uses as defined in Section 16-2-20 of this Chapter	be permitted subject to a conditional use grant. Art gallery, studio, and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to a conditional use grant. Educational facility incorporated into another structure or site plan. Manufacture and preparation of food products; with on-site retail sales Manufacture of electronic instruments and services, including repairs and limited assembly. Multiple-family dwelling, possibly including but not limited to apartments, condos, townhomes, row homes, paired homes (duplexes), which may or may not be a part of a mixed-use building. Paired homes may not make up more than 20% of the units in any given site plan. Multiple-family dwelling projects shall provide at the time of site plan and/or plat, 12.5 square feet of non-residential uses per dwelling unit integrated into the multiple-family dwelling development. In no event will the non-residential use within a multiple-family dwelling development be less than 2,500 square feet. Warehouses, distribution, and wholesale uses associated with retail and pick-up sales.
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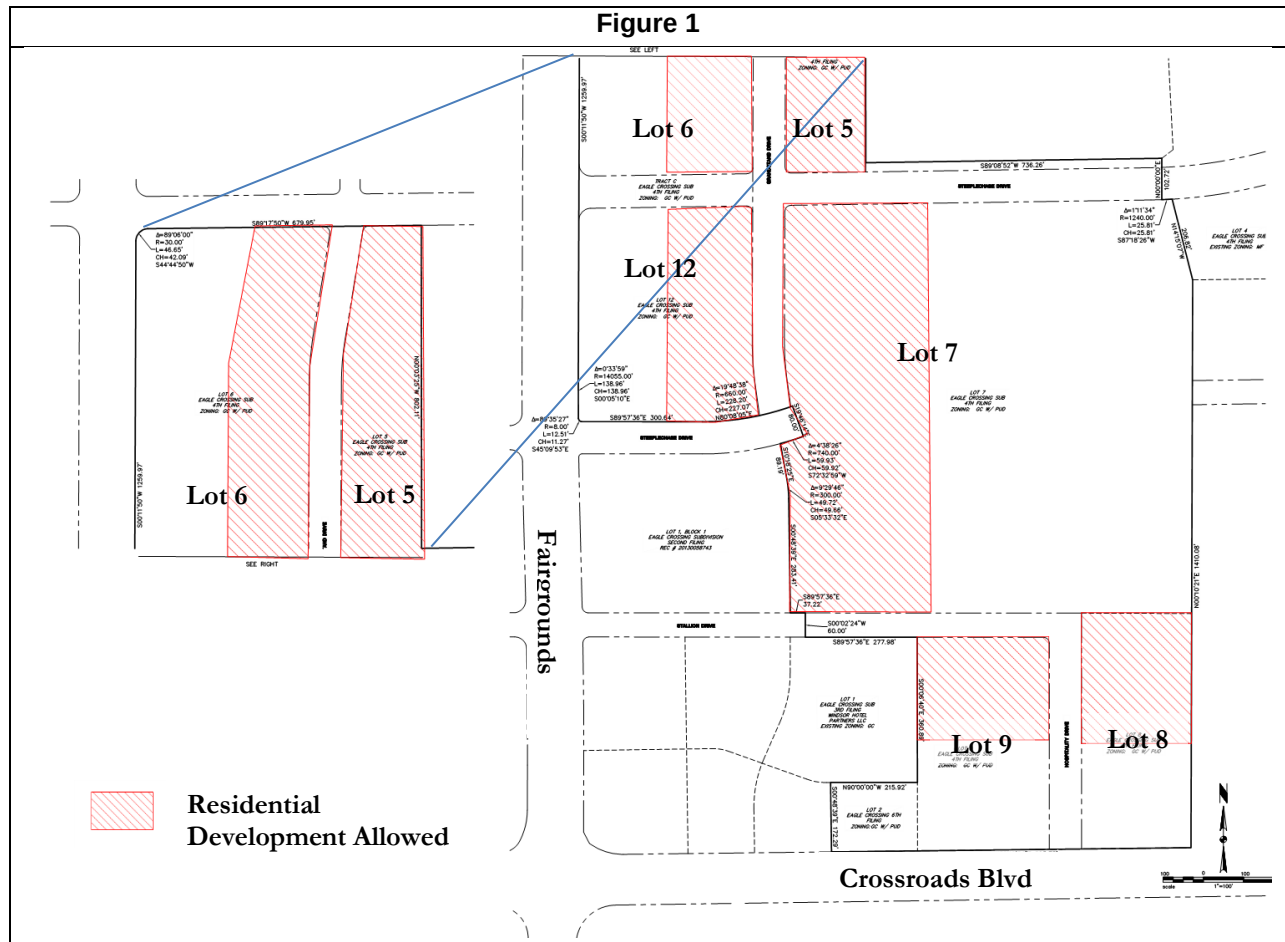
The Business Assistance Agreement approved by Town Board for this development stated that the “developers proposes to build (or cause to be built) approximately 1.2 million square feet of high-end, mixed-use, master-planned development consisting of major and minor retail anchor stores, mixed-use retail, multi-family apartment facilities, Class “A” offices spaces, a limited-service hotel, a full service hotel, pad sites for nationally recognized retailers and restaurants and a light industrial space...” The land uses listed in the PUD are generally consistent with the vision contained in the Agreement and with the vision of a mixed use neighborhood center.

Residential uses integrated into the development can be a vital part of creating a vibrant, mixed use neighborhood center. However, without a limitation on the amount and/or nature of residential development, there’s a risk residential development could become the dominant land use, with little commercial development. The language proposed by the applicant in the PUD would require 12.5 square feet of non-residential use with each residential unit be integrated with the residential project. While this will ensure residential projects include a non-residential component, The ratio appears to be too low to achieve the vision of the project that’s been presented as it does not ensure developable land

would be preserved to build the major anchor stores, office space, and other uses contained in the Business Assistance Agreement. As an example, the Eagle Crossing/ Fossil Ridge apartment complex recently approved to the east on 16.5 acres features 407 units and would require approximately 5,000 square feet of non-residential development under this ratio. As a point of reference, Fuzzy's Taco Shop in the vicinity is a 7,400 square foot building.

Staff does not doubt the sincerity of the applicant's intention to bring the mix of uses consistent with the vision expressed for Brands East. The concern is that if the property were to be sold or other unforeseen events arise there is no assurance land will be retained for commercial development. To address this concern, staff recommends one of the following options, in addition to the ratio of 12.5 square feet of non-commercial development per residential unit:

1. Limiting residential development to areas without prime commercial development potential as shown in Figure 1 below; or
2. Requiring a minimum of 150,000 square feet of nonresidential uses to be built or receive site plan approval prior to approval of residential development.



Development Standards Comparison		
	Existing Standard	Proposed PUD Standard
Building Setbacks		
Adjacent to Crossroads & Fairgrounds	25'	25'
Front Setback	25'	20' (0' for pedestrian oriented development)
Side and Rear Setback	20'	15' (0' for pedestrian oriented development)
Building Height		
Height	55' General Commercial 30' Commercial Corridor Plan	130' for office, residential, and hotels. 55' for all other uses
Density		
Maximum Dwelling Units	0	1000
Floor Area Ratio (FAR)	Not stated	0.5 gross FAR for PUD
Landscape Buffers		
Fairgrounds Buffer Width	25'	20'
All other buffers	Per Municipal Code	Per Municipal Code
Exceptions	None	Reductions allowed for pedestrian oriented development
Non-Residential Lot Size		
Minimum Lot Area	20,000 sf.	No minimum
Residential Development Standards		
Residential Lot Area	1400 s.f. per unit	700 s.f. per unit
Livable Open Space Per Dwelling Unit	450 s.f. per unit	225 s.f. per unit
Open Space		
Required Percentage	20%	10%
Parking		
Shared Parking	Not allowed	Parking reductions allowed based on shared uses with differing peak parking demands
Design Standards		
Architectural, site design, and landscape standards.	Commercial Corridor Plan	PUD Architectural Design Guidelines (Note: Proposed standards are generally consistent with or exceed current Town Standards so they are not listed here)

The development standards proposed with the PUD are generally in keeping with the expressed goals of the Brands East development and are minor modifications from current code requirements. A few of the modifications are more considerable and are worth highlighting:

- Building heights up to 130' for office, residential, and hotels and 55' for all other uses (30' maximum allowed by Commercial Corridor Plan currently)
- A 0' setback for pedestrian oriented development interior to the site

- Allowance for reductions in required parking based on shared parking between uses at off-peak times (e.g. residential parking demand is highest overnight while office parking demand is highest during the day, allowing for some shared parking)
- Reduced livable open space required for multifamily development (e.g. recreation amenities or areas, clubhouse, etc.)

Process Comparison		
	Existing Standard	Proposed PUD Standard
Variance to Standards		
Process for approval	Variance to Municipal Code requires Board of Adjustment approval. Waiver to Commercial Corridor Plan requires Planning Commission Approval.	Director of Planning may administratively approve alternative standards if alternative is substantially-equivalent to standard at issue. Decision may be appealed to Planning Commission.
Review Timelines		
Project review	Current practice is 1 st submittal is reviewed in 3-6 weeks. Subsequent submittals are typically reviewed faster.	Two week review period required for all submittals.
Review Process		
Subdivision	Dedication of right-of-way or subdivision of more than 5 lots requires major subdivision application with Planning Commission recommendation to Town Board action.	All subdivisions shall be minor subdivisions administratively reviewed unless dedicating or vacating right-of-way. No Planning Commission or Town Board action.
Qualified Commercial/ Industrial Site Plan	Administratively reviewed with project information included as communications item to Town Board.	Administratively reviewed with no communication to Town Board.
Site Plan (typically multifamily development)	Requires Planning Commission recommendation and Town Board action.	Administrative review only.
Signage		
Master Sign Plan	Master Sign Plan is only used by property owner to impose more restrictive	Master Sign Plan, to be reviewed by Planning Commission, may allow for signs that vary from Municipal Code requirements.

A number of variations to land use application reviews are proposed by the PUD. Such changes may be considered under the Municipal Code's PUD standards, which are "intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development."

Review Timeframes

One proposed PUD standard which varies from current practice is a mandated land use review time period for Town reviews of two weeks for site plans. Currently, the first submittal of development applications are typically reviewed in three to six weeks depending on volume of other reviews at the

time. Subsequent submittals are typically reviewed in shorter timeframes. Projects are generally scheduled in the order they are received, with commercial and industrial projects given priority over residential projects.

The applicant has indicated the two week review timeframe is necessary in order to achieve parity with the Loveland Brands project in attracting development. The Town has entered into similar agreements previously regarding reviews of Water Valley and the Great Western Industrial Park; however, such agreements were made when the volume of land use applications was much lower than today. Mandated review timeframes, especially two weeks, can present challenges to the Town given current volume of development reviews. On-call planning review by outside contractors may make this more feasible, but such services may not always be available while the Town will be locked into the review timeframes indefinitely. Additionally, on call planning reviews will not increase the speed of reviews by outside referral agencies or other Town reviewing departments, which are integral to the development review process. Such agreements also create a precedent where other projects may expect similar treatment and can create conflict if multiple high priority projects (e.g. Colorado National Sports Park) are received at the same time.

If Planning Commission is inclined to recommend approval of mandated review timeframes, staff recommends a three to four week review period for site plans and the inclusion of submittal deadlines that align with current department review procedures.

Administrative Approval of All Subdivisions

The PUD proposes simplifying land use reviews in a number of ways, including making future subdivision applications and standard site plans administrative reviews. Under the current municipal code requirements, a major subdivision is classified as any subdivision involving six or more lots and requires public notification and public hearings before Planning Commission and Town Board. Standard site plans (i.e. those other than commercial/ industrial) currently require Planning Commission and Town Board approval.

Master Sign Plans

Another simplification is allowing Planning Commission to review and approve a Master Sign Plan, which could allow signs to exceed Municipal Code requirements. Currently signs exceeding Code requirements require variance approval by the Board of Adjustment based on a finding of a hardship unique to the property. This is similar to the recently approved amendment to the RainDance PUD to allow for signage that may vary from Municipal Code requirements.

Public Comments

The applicant's representatives held a neighborhood meeting on August 7, 2018. There was one neighbor in attendance. Please refer to the enclosed meeting summary for topics discussed at the meeting.

Relationship to Comprehensive Plan

The application is consistent with the following Goals and Objectives of the Comprehensive Plan:

Chapter 5.d Commercial and Industrial Areas Framework Plan:

Goal: Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c Residential Areas Framework Plan:

Goal: Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Objective 4 Foster a diversity of housing types and sizes through coordinated land use planning and zoning.

Relationship to Strategic Plan

Priorities include economic sustainability and vitality, infrastructure, quality of life, safety and small town feel.

Notification

The following notifications were completed in accordance with the Municipal Code:

Notifications for the August 7, 2018 neighborhood meeting were as follows :

- July 20, 2018 – affidavit of mailing to property owners within 300 feet
- July 22, 2018 – display ad published in the paper

Public Hearing notifications for Planning Commission and Town Board public hearings were as follows:

- October 2, 2018 - property posted with a notification sign
- October 2, 2018 - legal notice posted on the Town of Windsor website
- October 5, 2018 - legal ad published in the Tribune
- September 27, 2018 – affidavit of letters mailed to the adjacent property owners

Recommendation

Staff recommends that Planning Commission forward to Town Board a recommendation of approval of the Planned Unit Development subject to the following conditions of approval:

1. All outstanding Planning Commission and staff comments be addressed.
2. Residential development shall be limited by one of the following methods:
 - a. To areas shown in Figure 1; or
 - b. By requiring a minimum of 150,000 square feet of nonresidential uses to be built or receive site plan approval prior to approval of residential development.
3. Mandated review timeframes shall be eliminated or modified to reflect a three to four week review period for site plans and submittal deadlines that align with current development review procedures.

Attachments

Municipal Code PUD Standards
Application Materials
Neighborhood Meeting Summary
Brands East PUD
Staff PowerPoint

copy: Martin Lind, applicant
Mitch Black, applicant's representative
Dave Thorpe, applicant's representative
Stewart Loewenstein, applicant's representative

ARTICLE XXIII - Planned Unit Development Regulations

Sec. 16-23-10. - Intent.

- (a) The planned unit development (hereinafter called PUD) provisions contained herein are intended to provide for the planning and development of substantial tracts of land, suitable in location and character for the uses proposed, as unified and integrated entities in accordance with detailed development plans.
- (b) Such planned unit developments are to be permitted as amendments to the Official Zoning District Map upon approval of a specific development proposal which complies with the requirements and standards set forth in this Chapter.
- (c) The regulations contained herein, which are based on sound comprehensive planning principles, are adapted to unified planning and development and are intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development.
- (d) Specifically, the PUD provisions are intended to further the following objectives:
 - (1) To provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.
 - (2) To encourage unity and diversity in land development, resulting in convenient and harmonious groupings of uses, structures and common facilities, varied type, design and layout of housing and other buildings and appropriate relationships of open spaces to intended uses and structures.
 - (3) To encourage unified and planned development of a site without customary subdivision into single lots and without specific application of the district regulations as provided for individual lots, subject to the regulations set forth herein.
 - (4) To provide for and encourage the preservation and enhancement of desirable natural landscape and other features unique to a development site.
 - (5) To provide reasonable standards and criteria by which the specific proposals for a PUD can be evaluated.
 - (6) To provide a procedure which can relate the design and layout of unified residential, commercial or industrial developments to the particular site and demand for such development in a manner consistent with the preservation of property values within established residential areas.

Sec. 16-23-20. - General location and planning requirements.

- (a) Relation to major transportation system. Planned development districts shall be so located with respect to major streets and highways or other transportation facilities as to be directly accessible without creating traffic on minor streets in residential areas outside such districts.
- (b) Relation to public utilities and community facilities. Planned development districts shall be so located in relation to public utilities and community facilities and services, either existing or to be available by the time development reaches the stage where they will be required, that such facilities can be provided at reasonable public cost.
- (c) Relation to general pattern of urban development. Planned development districts shall be planned and located in general compliance with the Comprehensive Development Plan and shall relate the major elements of the urban pattern, including housing, commercial facilities and principal places of employment, by physical proximity of major streets so as to provide for the convenience and amenity of residents of the community and reduce general traffic congestion by a close relationship between origins and destinations.

Sec. 16-23-30. - Physical character of site.

The site shall be suitable for the development proposed without hazards to structures, occupants or any property from probability of flooding on the site or on adjacent lands, erosion or deposition of eroded material on adjacent lands, subsidence of the soil or other dangerous conditions. Soil, groundwater level, drainage and topography shall be appropriate to both kind and pattern of use intended.

Sec. 16-23-40. - Site planning; external relationships.

- (a) Vehicular access. Entrances and exits for vehicles shall be designed to encourage smooth traffic flow with minimum hazards to passing traffic or to traffic entering or leaving the development. Merging or turnout lanes may be required where anticipated traffic flows from or to the planned development indicate the need for such lanes. In no case shall streets within a planned development district connect to streets outside the district in such a way as to encourage use of any minor streets for through traffic.
- (b) Perimeter setback and screening. If topographical or other barriers do not provide adequate buffer between the planned development and adjacent uses, structures on the perimeter of the planned development shall be set back a distance equal to the minimum setback requirement of the adjoining district or shall be permanently screened by fences, walls or plantings as required to sufficiently protect the privacy and amenity of adjacent uses, to protect the planned development from potentially adverse external influences, such as a major street or highway and as necessary to make transition from adjoining districts.

Sec. 16-23-50. - Modifications of subdivision regulations.

- (a) The improvements required under Article X of Chapter 17, including streets, storm drainage, sanitary sewerage and potable water systems, shall be provided in each type of planned unit development.
- (b) The requirements and standards for the construction of streets and utilities set forth in the subdivision regulations shall be subject to modification where the plan and program for a PUD make adequate provision for vehicular and pedestrian access and circulation, recreation, utility and service needs of the tract when fully developed and occupied and which also provide such covenants, easements or other legal documents and provisions as will assume conformity to and successful implementation of the plan.



APPLICATION PACKET REZONING

The following checklist is intended to provide an outline for applicants to ensure a complete submittal and to avoid processing delays due to inadequate information. Land use applications shall include all items listed in the following checklist. If an item is not checked as included in the submittal, a detailed narrative statement outlining reasons why the item has not been submitted shall be included. Lack of such statement or required item shall constitute an incomplete submittal and shall be rejected by the Town. Please review Chapter 16 Article V of the Town of Windsor Municipal Code for complete application and procedural requirements.

APPLICATION SUBMITTAL REQUIREMENTS:

1

Planning
Department
Checklist

Applicant
Checklist

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Completed checklist. Items not checked are explained in the narrative

Completed Land Use Application (attached)

Application fee consistent with the Town of Windsor Fee Schedule

A completed rezoning petition and justification statement

A deed or legal instrument identifying the applicant's interest in the property

All required drawings and supportive information per the Municipal Code

All submittals shall follow the Town's Submittal Requirements and File Naming Conventions available from the Planning Department

REZONING MAP REQUIREMENTS:

2

Planning
Department
Checklist

Applicant
Checklist

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Drawing dimensions shall be twenty-four by thirty-six (24x36) inches. All drawings shall be made with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet

Date of preparation, the scale, a symbol designating true north and zoning

Vicinity map

Legal description (*township, range, section, lot, block, subdivision*)

Each ownership within and adjacent to the property

Existing and proposed zoning classification

Applicant revisions block (*includes fields for date, initials, description*)

Appropriate certification blocks as provided by the Planning Department

A description of all developed on-site property, including its use and total acreage

The location and dimensions of all existing and proposed easements and rights-of-way

Revised 8/1/2016



APPLICATION PACKET LAND USE APPLICATION

1

The Town of Windsor Planning Department reserves the right to reject incomplete submittals, per the application checklist and Municipal Code requirements for all applications. Please submit completed application and materials to planningtechs@windsorgov.com. Staff will review the submittal and advise you of its completeness for processing.

2

APPLICATION TYPE:

- ☐ Annexation
☐ Master Plan
☒ Rezoning
☐ Minor Subdivision
☐ Lot Line Adjustment
☐ Major Subdivision
☐ Site Plan

SUBTYPE:

(for Major Subdivisions and Site Plans only)

- ☐ Preliminary
☐ Final
☐ Qualified Commercial/Industrial
☐ Administrative

Project Name*: Brands East PUD Overlay

Legal Description*: See PUD Overlay Cover Sheet

Address/Location*: Northeast Corner of Fairgrounds Ave. and Crossroads Blvd. in Windsor, CO

Existing Zoning: Proposed Zoning:

3

OWNER:

Name(s)*: Martin Lind, Manager

Company: Eagle Crossing Windsor, LLC

Address*: 1625 Pelican Lakes Pt. Suite 201, Windsor, CO 80550

Phone #: (970) 686-5828

Email*: mlind@watervalley.com

APPLICANT (Owner or Owner's Representative):

Name*: Mitch Black

Company: Norris Design

Address*: 1101 Bannock Street, Denver, CO 80204

Phone #: (303) 892-1166

Email*: mblack@norris-design.com

AUTHORIZED REPRESENTATIVE:

Name:

Company:

Address:

Phone #:

Email:

4

All correspondence will only be sent to those listed above. It is the sole responsibility of those listed to distribute correspondence to other applicable parties.

I hereby depose and state under the penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my knowledge.

Signature:

Date: 08/07/17

(Proof of owner's authorization is required with submittal if signed by Applicant)

Print Name: Martin Lind, Manager of Eagle Crossing Windsor, LLC

*Required fields

Land Title Guarantee Company
CUSTOMER DISTRIBUTION

Date: July 27, 2017

Our Order Number: FCIF25151292

Property Address: EAGLE CROSSING FOURTH FILING, WINDSOR, CO 80550

WATER VALLEY LAND COMPANY LLC/TROLLCO

Attn: LARA WYNN

1625 PELICAN LAKES POINT #201

WINDSOR, CO 80550

lwynn@watervalley.com

If you have any inquiries or require further assistance, please contact [Ft. Collins Customer Care](#)

Phone: 970-282-3649

Email Address: customercare@ltgc.com

Property Information Binder

CONDITIONS AND STIPULATIONS

1. Definition of Terms

The following terms when used in this Binder mean:

- (a) "Land": The land described, specifically or by reference, in this Binder and improvements affixed thereto which by law constitute real property;
- (b) "Public Records": those records which impart constructive notice of matters relating to said land;
- (c) "Date": the effective date;
- (d) "the Assured": the party or parties named as the Assured in this Binder, or in a supplemental writing executed by the Company;
- (e) "the Company" means Old Republic National Title Insurance Company, a Minnesota stock company.

2. Exclusions from Coverage of this Binder

The company assumes no liability including cost of defense by reason of the following:

- (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; taxes and assessments not yet due or payable and special assessments not yet certified to the Treasurer's office.
- (b) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
- (c) Title to any property beyond the lines of the Land, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
- (d) Mechanic's lien(s), judgment(s) or other lien(s).
- (e) Defects, liens, encumbrances, adverse claims or other matters: (a) created, suffered or agreed to by the Assured; (b) not known to the Company, not recorded in the Public Records as of the Date, but known to the Assured as of the Date; or (c) attaching or creating subsequent to the Date.

3. Prosecution of Actions

- (a) The Company shall have the right at its own costs to institute and prosecute any action or proceeding or do any other act which in its opinion may be necessary or desirable to establish or confirm the matters herein assured; and the Company may take any appropriate action under the terms of this Binder, whether or not it shall be liable thereunder and shall not thereby concede liability or waive any provision hereof.
- (b) In all cases where the Company does not institute and prosecute any action or proceeding, the Assured shall permit the Company to use, at its option, the name of the Assured for this purpose. Whenever requested by the Company, the Assured shall give the Company all reasonable aid in prosecuting such action or proceeding, and the Company shall reimburse the Assured for any expense so incurred.

4. Notice of Loss - Limitation of Action

A statement in writing of any loss or damage for which it is claimed the Company is liable under this Binder shall be furnished to the Company within sixty days after such loss or damage shall have been determined, and no right of action shall accrue to the Assured under this Binder until thirty days after such statement shall have been furnished, and no recovery shall be had by the Assured under this Binder unless action shall be commenced thereon with two years after expiration of the thirty day period. Failure to furnish the statement of loss or damage or to commence the action within the time hereinbefore specified, shall be conclusive bar against maintenance by the Assured of any action under this Binder.

5. Option to Pay, Settle or Compromise Claims

The Company shall have the option to pay, settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Binder, or to pay the full amount of this Binder. Such payment or tender of payment of the full amount of the Binder shall terminate all liability of the Company hereunder.

6. Limitation of Liability - Payment of Loss

(a) The liability of the Company under this Binder shall be limited to the amount of actual loss sustained by the Assured because

of reliance upon the assurances herein set forth, but in no event shall the liability exceed the amount of the liability stated on the face page hereof.

(b) The Company will pay all costs imposed upon the Assured in litigation carried on by the Company for the Assured, and all costs and attorneys' fees in litigation carried on by the Assured with the written authorization of the Company.

(c) No claim for loss or damages shall arise or be maintainable under this Binder (1) if the Company after having received notice of any alleged defect, lien or encumbrance not shown as an Exception or excluded herein removes such defect, lien or encumbrance within a reasonable time after receipt of such notice, or (2) for liability voluntarily assumed by the Assured in settling any claim or suit without written consent of the Company.

(d) All payments under this Binder, except for attorney's fees as provided for in paragraph 6(b) thereof, shall reduce the amount of the liability hereunder pro tanto, and no payment shall be made without producing this Binder or an acceptable copy thereof for endorsement of the payment unless the Binder be lost or destroyed, in which case proof of the loss or destruction shall be furnished to the satisfaction of the Company.

(e) When liability has been definitely fixed in accordance with the conditions of this Binder, the loss or damage shall be payable within thirty days thereafter.

7. Subrogation Upon Payment or Settlement

Whenever the Company shall have settled a claim under this Binder, all right of subrogation shall vest in the Company unaffected by any act of the Assured, and it shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Binder not been issued. If the payment does not cover the loss of the Assured, the Company shall be subrogated to the rights and remedies in the proportion which the payment bears to the amount of said loss. The Assured, if requested by the Company, shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect the right of subrogation, and shall permit the Company to use the name of the Assured in any transaction or litigation involving the rights or remedies.

8. Binder Entire Contract

Any action or actions or rights of action that the Assured may have or may bring against the Company arising out of the subject matter hereof must be based on the provisions of this Binder. No provision or condition of this Binder can be waived or changed except by a writing endorsed or attached hereto signed by the President, a Vice President, the Secretary, an Assistant Secretary or other validating officer of the Company.

9. Notices. Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at 400 Second Avenue South, Minneapolis, Minnesota 55401, (612) 371-1111.

10. Arbitration

Unless prohibited by applicable law, either the Company or the insured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association.

ANTI-FRAUD STATEMENT: Pursuant to CRS 10-1-128(6)(a), it is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

This anti-fraud statement is affixed and made a part of this policy.

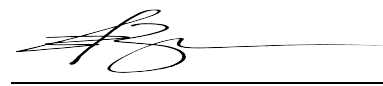
Issued through the Office of:
LAND TITLE GUARANTEE COMPANY
3033 E 1ST AVE #600
DENVER, CO 80206
303-850-4165

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
a Stock Company
400 Second Avenue South
Minneapolis, Minnesota 55401
612) 371-1111


John E. Freyer, Jr., President




Mark Bilbrey, President


Rande Yeager, Secretary

Land Title Guarantee Company Representing Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: FCIF 25151292

Policy Number: PIB25151292.2397022

Liability: \$25,000.00

Fee: \$500.00

Subject to the exclusions from coverage, the limits of liability and other provisions of the Conditions and Stipulations hereto annexed and made a part of this Binder,

**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
a Corporation, herein called the Company,**

GUARANTEES

EAGLE CROSSING WINDSOR, LLC, A COLORADO LIMITED LIABILITY COMPANY

Herein called the Assured, against loss, not exceeding the liability amount stated above, which the assured shall sustain by reason of any incorrectness in the assurance which the Company hereby gives that, according to the public records as of July 21, 2017 at 5:00 P.M.

1. Title to said estate or interest at the date hereof is vested in:

EAGLE CROSSING WINDSOR, LLC, A COLORADO LIMITED LIABILITY COMPANY

2. The estate or interest in the land hereinafter described or referred to covered by this Binder is:

A FEE SIMPLE

3. The land referred to in this Binder is situated in the State of Colorado, County of Larimer, described as follows:

NOTE: THE FOLLOWING LEGAL DESCRIPTION IS PRELIMINARY AND IS SUBJECT TO CHANGE .

A PORTION OF TRACT B; EAGLE CROSSING SUBDIVISION SECOND FILING, TOWN OF WINDSOR, COUNTY OF LARIMER, STATE OF COLORADO

TRACT A AND A PORTION OF TRACT B, EAGLE CROSSING THIRD FILING, TOWN OF WINDSOR, COUNTY OF LARIMER, STATE OF COLORADO

4. The following documents affect the land:

Land Title Guarantee Company Representing Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: FCIF 25151292

Policy Number: PIB25151292.2397022

- 1) EXISTING LEASES OR TENANCIES, IF ANY.
- 2) RIGHT OF WAY EASEMENT AS GRANTED TO BOARD OF COUNTY COMMISSIONERS IN INSTRUMENT RECORDED APRIL 12, 1879, IN BOOK L AT PAGE [44](#).
- 3) RESERVATIONS BY THE UNION PACIFIC RAILROAD COMPANY OF:
 - (1) ALL COAL AND OTHER MINERALS UNDERLYING SUBJECT PROPERTY,
 - (2) THE EXCLUSIVE RIGHT TO PROSPECT FOR, MINE AND REMOVE COAL AND OTHER MINERALS, AND
 - (3) THE RIGHT OF INGRESS AND EGRESS AND REGRESS TO PROSPECT FOR, MINE AND REMOVE COAL AND OTHER MINERALS, AND RIGHT OF MAINTAIN RAILWAY AS ESTABLISHED ALL AS CONTAINED IN DEED RECORDED JULY 16, 1907, IN BOOK 150 AT PAGE [86](#).
- 4) RIGHT OF WAY EASEMENT AS GRANTED TO WYCO PIPE LINE CO IN INSTRUMENT RECORDED MARCH 10, 1947, IN BOOK 830 AT PAGE [273](#).
- 5) TERMS, CONDITIONS AND PROVISIONS OF SURFACE OWNERS AGREEMENT RECORDED MAY 01, 1958 IN BOOK 1065 AT PAGE [548](#).
- 6) RIGHT OF WAY EASEMENT AS GRANTED TO AMERICAN TELEPHONE AND TELEGRAPH CO IN INSTRUMENT RECORDED MARCH 29, 1968, IN BOOK 1382 AT PAGE [398](#).
- 7) RIGHT OF WAY EASEMENT AS GRANTED TO POUDRE VALLEY RURAL ELECTRIC ASSOCIATION, INC. IN INSTRUMENT RECORDED AUGUST 25, 1975, IN BOOK 1660 AT PAGE [293](#).
- 8) TERMS, CONDITIONS AND PROVISIONS OF NOTICE RECORDED NOVEMBER 10, 1984 IN BOOK 2298 AT PAGE [1414](#).
- 9) RIGHT OF WAY EASEMENT AS GRANTED TO CITY OF LOVELAND IN INSTRUMENT RECORDED OCTOBER 06, 1989, UNDER RECEPTION NO. [89046234](#).
- 10) RIGHT OF WAY EASEMENT AS GRANTED TO CITY OF LOVELAND IN INSTRUMENT RECORDED DECEMBER 07, 1989, UNDER RECEPTION NO. [89056293](#).
- 11) TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED APRIL 23, 2003 AT RECEPTION NO. [2003-0049766](#).
- 12) RIGHT OF WAY EASEMENT AS GRANTED TO TOWN OF WINDSOR IN INSTRUMENT RECORDED DECEMBER 17, 2003, UNDER RECEPTION NO. [2003-0157945](#).
- 13) TERMS, CONDITIONS AND PROVISIONS OF SURFACE USE AGREEMENT RECORDED DECEMBER 23, 2004 AT RECEPTION NO. [2004-0122867](#).
- 14) MATTERS AS SET FORTH ON ANNEXATION MAP RECORDED APRIL 23, 2003 AT RECEPTION NO. [2003-049765](#)

Land Title Guarantee Company Representing Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: FCIF 25151292

Policy Number: PIB25151292.2397022

- 15) TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED APRIL 23, 2003 AT RECEPTION NO. [20030049766](#) AND APRIL 30, 2013 AT RECEPTION NO. [20130032447](#).
- 16) TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT RECORDED APRIL 19, 2006 AT RECEPTION NO. [20060028632](#).
- 17) TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT RECORDED APRIL 19, 2006 AT RECEPTION NO. [20060028633](#).
- 18) TERMS, CONDITIONS AND PROVISIONS OF BLANKET EASEMENT AGREEMENT RECORDED JULY 10, 2006 AT RECEPTION NO. [2006-0051348](#).
- 19) RESERVATIONS AS CONTAINED IN WARRANTY DEED RECORDED JULY 19, 2006 UNDER RECEPTION NO. [2006-0054238](#).
- 20) RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED MARCH 04, 2011, UNDER RECEPTION NO. [20110014614](#).
- 21) RIGHT OF WAY EASEMENT AS GRANTED TO TOWN OF WINDSOR IN INSTRUMENT RECORDED OCTOBER 24, 2012, UNDER RECEPTION NO. [20120074695](#).
- 22) TERMS, CONDITIONS AND PROVISIONS OF DEVELOPMENT AGREEMENT RECORDED JULY 31, 2013 AT RECEPTION NO. [20130058742](#).
- 23) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EAGLE CROSSING SUBDIVISION SECOND FILING RECORDED JULY 31, 2013 UNDER RECEPTION NO. [20130058743](#).
- 24) RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED SEPTEMBER 09, 2013, UNDER RECEPTION NO. [20130069272](#).
- 25) TERMS, CONDITIONS AND PROVISIONS OF COVENANT NOT TO COMPETE RECORDED SEPTEMBER 09, 2013 AT RECEPTION NO. [20130069273](#).

Land Title Guarantee Company Representing Old Republic National Title Insurance Company

PROPERTY INFORMATION BINDER

Order Number: FCIF 25151292

Policy Number: PIB25151292.2397022

26) TERMS, CONDITIONS AND PROVISIONS OF ACCESS, TEMPORARY CONSTRUCTION AND REIMBURSEMENT AGREEMENT RECORDED SEPTEMBER 09, 2013 AT RECEPTION NO. [20130069365](#).

27) TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF AGREEMENT RECORDED SEPTEMBER 09, 2013 AT RECEPTION NO. [20130069366](#).

28) TERMS, CONDITIONS AND PROVISIONS OF EXCLUSIVE AGREEMENT RECORDED OCTOBER 01, 2013 AT RECEPTION NO. [20130074966](#).

29) RIGHT OF WAY EASEMENT AS GRANTED TO POUDRE VALLEY RURAL ELECTRIC ASSOCIATION, INC. IN INSTRUMENT RECORDED NOVEMBER 01, 2013, UNDER RECEPTION NO. [20130081785](#).

30) TERMS, CONDITIONS AND PROVISIONS OF ORDER RECORDED FEBRUARY 05, 2015 AT RECEPTION NO. [20150006994](#) AND [20150006995](#) AND [20150006996](#).

31) TERMS, CONDITIONS AND PROVISIONS OF GRANT OF EASEMENT RECORDED DECEMBER 14, 2015 AT RECEPTION NO. [20150083743](#).

32) TERMS, CONDITIONS AND PROVISIONS OF MATTERS AS SET FORTH ON SURVEY RECORDED OCTOBER 21, 2016 AT RECEPTION NO. [20160072136](#).

33) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EAGLE CROSSING SUBDIVISION THIRD FILING RECORDED MAY 09, 2017 UNDER RECEPTION NO. [30383](#).

34) DEED OF TRUST DATED JUNE 17, 2016, FROM EAGLE CROSSING WINDSOR, LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF LARIMER COUNTY FOR THE USE OF NORTHSTAR BANK OF COLORADO TO SECURE THE SUM OF \$21,400,000.00 RECORDED JUNE 21, 2016, UNDER RECEPTION NO. [20160039625](#).

ASSIGNMENT OF RENTS, LEASES AND OTHER INCOME RECORDED JUNE 21, 2016 AT RECEPTION NO. [20160039626](#)
AND COLLATERAL ASSIGNMENT OF DECLARATIONS OF COVENANTS IMPOSING AND IMPLEMENTING A PROJECT IMPROVEMENT FEE

Eagle Crossing Windsor, LLC
1625 Pelican Lakes Point, Suite 201
Windsor, CO 80550

REZONING PETITION

I, the undersigned, being President of Eagle Crossing Windsor, LLC and the owner of the property described as Tracts A through G of Eagle Crossing Subdivision, Fourth Filing, situate in Section 35, Township 6 North, Range 68 West, of the 6th Principal Meridian; Town of Windsor, County of Larimer, State of Colorado, containing 67.7 acres more or less, hereby request a change in zoning from Light Industrial (LI) to General Commercial (GC), and do hereby pay the required fee.

Date

August 7, 2017

Owners Signature



Martin Lind, President

Mailing Address

1625 Pelican Lakes Point,
Suite 201
Windsor, CO 80550

August 9, 2017

Mr. Scott Ballstadt
Planning Director
Town of Windsor
301 Walnut Street
Windsor, CO 80550

Re: The Brands East Planned Unit Development Overlay District

Dear Mr. Ballstadt,

On behalf of our client, we are pleased to submit this Planned Unit Development (PUD) Overlay application for the Brands East project.

The following list of consultants comprise the development team on this project:

Applicant

Water Valley Land Company
Martin Lind
1625 Pelican Lakes Point, Ste. 201
Windsor, CO 80550
970.686.5828
mlind@watervalley.com

Architect:

Yaeger Architecture
Chaz Prunte
7780 West 119th Street
Overland Park, KS 66213
913.742.8000
rprunte@yainc.com

Entitlements/Landscape Architecture:

Norris Design
Mitch Black
1101 Bannock Street
Denver, CO 80204
303.892.1166
mblack@norris-design.com

Civil Engineer:

TST Inc.
John Meyers
748 Whalers Way, Ste. 200
Fort Collins, CO 80525
970.226.0557
jmeyers@tstinc.com

Project Introduction:

Per the approved Business Assistance Agreement, the Brands East is envisioned as a +/- 1,2 million sf neighborhood mixed-use, master planned development .

The Brands East site, located north of crossroads boulevard and east of Fairgrounds Avenue, is planned to have a variety of land uses and densities, possibly including but not limited to major and minor anchors, mixed-use retail, multi-family apartment facilities, class "A" office spaces, limited service hotel, a full-service hotels, pad sites for nationally recognized retailers and restaurants, and a light industrial space.

This Planned Unit Development (PUD) Overlay applies to a portion of the area included in the Business Assistance Agreement. The boundaries of the PUD Overlay are shown on sheet 3 of the PUD.

Located across Fairgrounds Ave. From the Brands site in the City of Loveland, the project leverages existing investments in The Ranch, the Fort Collins - Loveland Airport, I-25, and other public projects to further activate the I-25 Corridor, creating unique and identifiable environments to live, work, and play in Windsor.

The current underlying zoning for The Brands East is Light Industrial, which is in the process of being rezoned to General Commercial. This PUD Overlay proposes modifications to the underlying zoning to bring the Brands East zoning into general alignment with the Brands and Brands West, as well as into alignment with the above stated vision for the site

Written Explanation of the Community Benefit

.

The Brands East project is fundamentally consistent with the objectives cited in the Town of Windsor Municipal Code Section 16-23-10(d) for PUD Overlays as outlined below:

1. *To provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.*

The Brands East will be designed to incorporate a flexible mixture of uses, which will be integrated to create contextually appropriate building and pedestrian relationships.

2. *To encourage unity and diversity in land development, resulting in convenient and harmonious groupings of uses, structures and common facilities, varied type, design and layout of housing and other buildings and appropriate relationships of open spaces to intended uses and structures.*

The Brands East is envisioned to be the eastern portion of the all three Brands properties. As such, the PUD includes design standards to bring it into an appropriate degree of alignment with the two other Brands projects located to the west, while still maintaining a unique Brands East character and form.

3. *To encourage unified and planned development of a site without customary subdivision into single lots and without specific application of the district regulations as provided for individual lots, subject to the regulations set forth herein.*

A Major Subdivision is currently under review for the Brands East, including portions of the Brands East beyond the limits of this PUD Overlay. This PUD Overlay has been developed to provide additional or revised development standards for portions of the site so that they may form a harmonious eastern edge of the Brands properties.

4. *To provide for and encourage the preservation and enhancement of desirable natural landscape and other features unique to a development site.*

Landscape standards are included in this PUD Overlay. Various streetscapes will be enhanced and incorporated into the overall site design.

5. *To provide reasonable standards and criteria by which the specific proposals for a PUD can be evaluated.*

The Brands East PUD Overlay provides standards and criteria which relate to the standards applied to The Brands and Brands West projects in Loveland to the Brands East site in Windsor. These have been designed to be contextually appropriate standards for the project vision, ensuring an appropriate degree of flexibility for the Brands East as it develops.

6. *To provide a procedure which can relate the design and layout of unified residential, commercial or industrial developments to the particular site and demand for such development in a manner consistent with the preservation of property values within established residential areas.*

The Brands East PUD Overlay has been designed to ensure an appropriate level of design and site planning standards are used at the property. The PUD area does not abut any existing residential areas, but is instead bordered by various commercial or industrial uses, as well as vacant land.

We look forward to continue working with the Town of Windsor during the review and approval process for this application. Please contact me if you have any questions or if you need additional information.

Sincerely,
Norris Design



Mitch Black
Principal

August 8, 2018

Planning Department
Paul Hornbeck
Town of Windsor
301 Walnut Street
Windsor, CO 80550

Re: The Brands East Planned Unit Development Neighborhood Meeting Summary

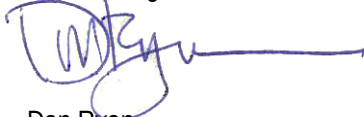
Dear Mr. Hornbeck,

A Neighborhood Meeting was held the evening of August 7th at 5:30 at the Pelican Lakes Golf Clubhouse, as advertised. One local individual attended (please see attached sign-in sheet). Representatives of the applicant, the Town, the planner, and the architect were also present.

Mr. Lowenstein of Water Valley summarized key points of the PUD application, as well as other Water Valley projects outside of the PUD boundary.

We look forward to working with the Town during the review and approval process for this application. Please contact me or Dave Thorpe if you have any questions or if you need additional information.

Sincerely,
Norris Design



Don Ryan
Senior Associate

THE BRANDS EAST

PLANNED UNIT DEVELOPMENT

BEING A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 6 NORTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
TOWN OF WINDSOR, COUNTY OF LARIMER, STATE OF COLORADO

SHEET INDEX:

- SHEET 1: COVER SHEET
- SHEET 2: NOTES
- SHEET 3: PUD REZONING MAP
- SHEET 4: CONCEPTUAL MASTER PLAN
- SHEET 5: CONCEPTUAL MASTER PLAN
- SHEET 6: MODIFICATIONS TO CODE
- SHEET 7: LANDSCAPE STANDARDS
- SHEET 8: ARCHITECTURAL STANDARDS
- SHEET 9: ARCHITECTURAL STANDARDS
- SHEET 10: PERMITTED USES

LEGAL DESCRIPTION:

A PLAT OF A PARCEL OF LAND LOCATED IN THE TOWN OF WINDSOR, COUNTY OF LARIMER, STATE OF COLORADO; BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF EAGLE CROSSING FOURTH FILING EXCEPT LOTS 1-4 AND INCLUDING LOT 2, EAGLE CROSSING SIXTH FILING.

SAID TRACT CONTAINS 56.63 ACRES (2,466,737 SQUARE FEET) MORE OR LESS AND IS SUBJECT TO ALL RIGHT-OF-WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.

OWNER'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL THE OWNERS, LIENHOLDERS, AND HOLDERS OF ANY OWNERSHIP INTEREST AS DEFINED BY THE TOWN OF WINDSOR, OF THE LAND DESCRIBED HEREON, HAVE CAUSED SUCH LAND TO BE REZONED AS INDICATED ON THIS PLAT. THE WITHIN REZONING PLAT IS SUBMITTED IN ACCORDANCE WITH THE WINDSOR MUNICIPAL CODE. IT IS HEREBY ACKNOWLEDGED THAT ALL CONSTRUCTION, USE AND DEVELOPMENT OF THIS PROPERTY WILL BE IN STRICT ACCORDANCE WITH THIS REZONING PLAT. IT IS FURTHER ACKNOWLEDGED THAT DEVIATION FROM THIS REZONING PLAT WITHOUT THE EXPRESS WRITTEN CONSENT OF THE TOWN OF WINDSOR MAY RESULT IN REVOCATION OF THE TOWN'S APPROVAL OF THE REZONING PLAT, DENIAL OF BUILDING PERMITS, REFUSAL TO ISSUE CERTIFICATES OF OCCUPANCY, INJUNCTIVE RELIEF PROHIBITING USE OF THE PROPERTY AND OTHER REMEDIES AVAILABLE TO THE TOWN UNDER THE WINDSOR MUNICIPAL CODE AND OTHER APPLICABLE LAWS OF THE STATE OF COLORADO. KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED HAVE CAUSED SAID LAND TO BE LAID OUT AND REZONED UNDER THE NAME OF **THE BRANDS EAST**.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS THE ____ DAY OF _____, 20__.

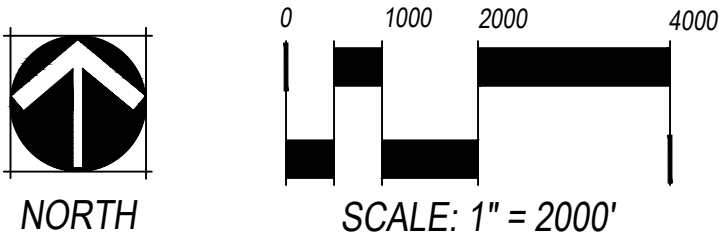
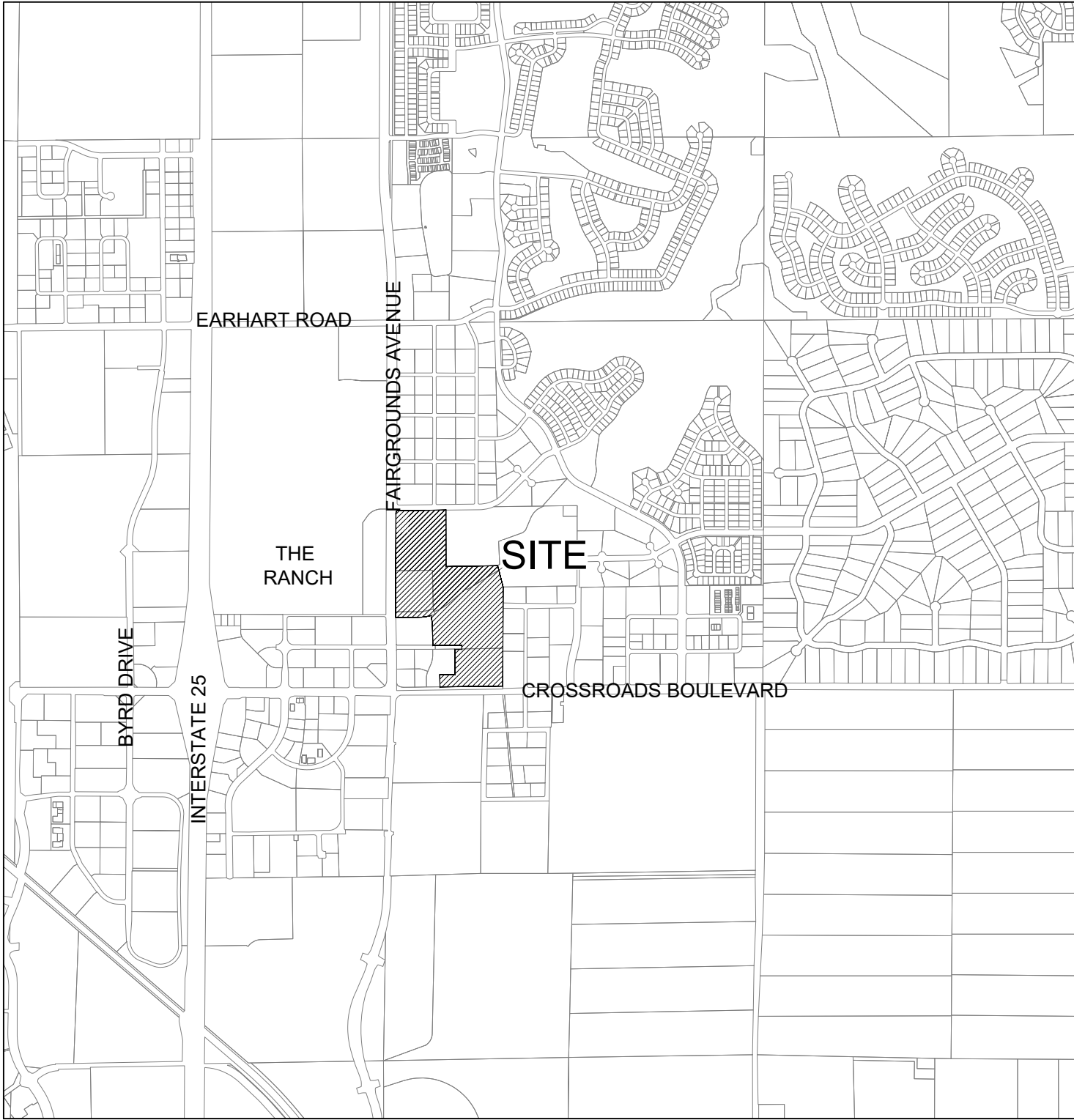
NOTARIAL CERTIFICATE

STATE OF COLORADO
COUNTY OF WELD JSS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____, THIS ____ DAY OF _____, 20__.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

VICINITY MAP

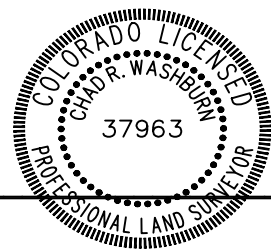


SURVEYOR CERTIFICATE

I, CHAD R. WASHBURN, CERTIFY THAT THIS MAP OF LAND PROPOSED TO BE REZONED WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION FROM EXISTING DOCUMENTS OF RECORD, AND THAT THE SAME IS TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

LS. COLORADO REG. NO. _____

CHAD R. WASHBURN
COLORADO PROFESSIONAL
LAND SURVEYOR PLS#37963



BASIS OF BEARING STATEMENT

CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4 AS BEARING N89°20'51" A DISTANCE OF 1,285.51 FEET, BEING MONUMENTED ON THE WEST BY A 2 1/4" ALUMINUM CAP, PLS NO. 31169, ON THE EAST BY A 2 3/4" ALUMINUM CAP, PLS NO. 31169, AND CONSIDERING ALL BEARINGS HEREIN RELATIVE THERETO.

NOTICE OF OTHER DOCUMENTS

ALL PERSONS TAKE NOTICE THAT CERTAIN DOCUMENTS HAVE BEEN EXECUTED PERTAINING TO THIS DEVELOPMENT, WHICH CREATE CERTAIN RIGHTS AND OBLIGATIONS OF THE DEVELOPMENT, THE DEVELOPER AND/OR SUBSEQUENT OWNERS OF ALL OR PORTIONS OF THE DEVELOPMENT SITE, MANY OF WHICH OBLIGATIONS CONSTITUTE PROMISES AND COVENANTS THAT RUN WITH THE LAND. THESE DOCUMENTS ARE OF RECORD AND ARE ON FILE WITH THE DIRECTOR OF PLANNING OF THE TOWN OF WINDSOR AND SHOULD BE CLOSELY EXAMINED BY ALL PERSONS INTERESTED IN PURCHASING ANY PORTION OF THE DEVELOPMENT SITE.

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT A REZONING MAP OF THE PROPERTY DESCRIBED HEREIN WAS APPROVED BY ORDINANCE NO. _____ OF THE TOWN OF WINDSOR PASSED AND ADOPTED ON THE ____ DAY OF _____, 20__, A.D. AND THAT THE MAYOR OF THE TOWN OF WINDSOR, AS AUTHORIZED BY SAID ORDINANCE, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID REZONING MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

MAYOR

ATTEST: _____
TOWN CLERK

PLANNING COMMISSION APPROVAL

APPROVED THIS THE __DAY OF _____, 20__.

CHAIRMAN,
WINDSOR PLANNING COMMISSION

TOWN MANAGER'S APPROVAL

APPROVED THIS THE __DAY OF _____, 20__.

TOWN MANAGER

ENGINEERING DEPARTMENT APPROVAL

APPROVED THIS THE __DAY OF _____, 20__.

DIRECTOR OF ENGINEERING

PLANNING DEPARTMENT APPROVAL

APPROVED THIS THE __DAY OF _____, 20__.

DIRECTOR OF PLANNING

CHECKED BY: MB & DR
DRAWN BY: DT & ML & DJ

PROJECT VISION:

PER THE APPROVED BUSINESS ASSISTANCE AGREEMENT, THE BRANDS EAST IS ENVISIONED AS A +/- 1.2 MILLION SF NEIGHBORHOOD MIXED-USE, MASTER PLANNED DEVELOPMENT .

THE BRANDS EAST SITE, LOCATED NORTH OF CROSSROADS BOULEVARD AND EAST OF FAIRGROUNDS AVENUE, IS PLANNED TO HAVE A VARIETY OF LAND USES AND DENSITIES, POSSIBLY INCLUDING BUT NOT LIMITED TO MAJOR AND MINOR ANCHORS, MIXED-USE RETAIL, MULTI-FAMILY APARTMENT FACILITIES, CLASS "A" OFFICE SPACES, A LIMITED SERVICE HOTEL, A FULL-SERVICE HOTEL, PAD SITES FOR NATIONALLY RECOGNIZED RETAILERS AND RESTAURANTS, AND A LIGHT INDUSTRIAL SPACE.

THIS PLANNED UNIT DEVELOPMENT (PUD) OVERLAY APPLIES TO A PORTION OF THE AREA INCLUDED IN THE BUSINESS ASSISTANCE AGREEMENT. THE BOUNDARIES OF THE PUD OVERLAY ARE SHOWN ON SHEETS 3 AND 4 OF THIS PUD.

LOCATED ACROSS FAIRGROUNDS AVE. FROM THE BRANDS SITE IN THE CITY OF LOVELAND, THE PROJECT LEVERAGES EXISTING INVESTMENTS IN THE RANCH, THE FORT COLLINS - LOVELAND AIRPORT, I-25, AND OTHER PUBLIC PROJECTS TO FURTHER ACTIVATE THE I-25 CORRIDOR, CREATING UNIQUE AND IDENTIFIABLE ENVIRONMENTS TO LIVE, WORK, AND PLAY IN WINDSOR.

STATEMENT OF APPLICABLE CODES AND GUIDELINES:

IN ANY CASE WHERE THIS PUD OVERLAY IS INCONSISTENT WITH THE COMMERCIAL CORRIDOR PLAN, WINDSOR MUNICIPAL CODE, OR OTHER STANDARDS OR REGULATIONS ADOPTED OR APPROVED BY THE TOWN IN CHAPTERS 16 AND 17 OF THE WINDSOR MUNICIPAL CODE, THIS PUD OVERLAY SHALL CONTROL. THIS PUD SHALL NOT BE DEEMED AN AMENDMENT OF ANY INTERGOVERNMENTAL AGREEMENTS ADDRESSING DEVELOPMENT OF THE PROPERTY. THIS PROPERTY IS NOT SUBJECT TO THE DESIGN STANDARDS FOR THE I-25 CORRIDOR.

AT THE TIME OF PLAT/SITE PLAN THE DEVELOPER(S) MAY, AT THEIR SOLE DISCRETION, FOLLOW THE STANDARDS HEREIN OR MAY FOLLOW THE THEN CURRENT TOWN CODE.

FLEXIBILITY IN INTERPRETATION OF DEVELOPMENT STANDARDS:

THE DIRECTOR OF PLANNING MAY ADMINISTRATIVELY APPROVE AN ALTERNATIVE STANDARD THAT DIFFERS FROM THE PUD OVERLAY STANDARDS IF THE DIRECTOR OF PLANNING DETERMINES THAT THE APPLICANT'S PROPOSED ALTERNATIVE IS SUBSTANTIALLY-EQUIVALENT TO THE STANDARD AT ISSUE. THE BURDEN OF PROVING ELIGIBILITY FOR APPROVAL SHALL BE UPON THE APPLICANT. THE PUD STANDARD SHALL BE PRESUMED APPLICABLE UNLESS AND UNTIL OVERCOME BY THE APPLICANT.

THE APPLICANT SHALL PROVIDE THE TOWN A NARRATIVE OF THE REQUESTED CHANGE, INCLUDING AN EXPLANATION OF WHY THE CHANGE IS NECESSARY AND HOW IT IS CONSISTENT WITH THE LARGER VISION FOR THE BRANDS EAST. THE APPLICANT SHALL ALSO SUBMIT PROPOSED FINDINGS OF FACT SUPPORTING THE CHANGE.

IN MAKING A DETERMINATION, THE DIRECTOR OF PLANNING SHALL RENDER A WRITTEN DECISION, CONTAINING A STATEMENT OF FINDINGS AND CONCLUSIONS WHICH SHALL BE PROVIDED TO THE APPLICANT AND RETAINED IN THE PERMANENT DEVELOPMENT APPLICATION FILE.

ANY DECISION OF THE DIRECTOR OF PLANNING UNDER THIS PROVISION MAY BE APPEALED BY THE APPLICANT TO THE PLANNING COMMISSION BY THE FILING OF A NOTICE OF APPEAL WITHIN TWENTY-EIGHT (28) DAYS OF THE DIRECTOR OF PLANNING'S WRITTEN DECISION. FAILURE TO OBSERVE THE 28-DAY DEADLINE WILL BE DEEMED A WAIVER OF ALL OBJECTIONS TO THE DIRECTOR OF PLANNING'S DECISION. THE APPEAL WILL BE SCHEDULED BY THE PLANNING DEPARTMENT WITHIN 90 DAYS OF THE NOTICE OF APPEAL. THE SOLE QUESTION FOR THE PLANNING COMMISSION ON APPEAL SHALL BE WHETHER THE DIRECTOR OF PLANNING ABUSED HIS/HER DISCRETION IN REACHING THE DECISION.

REVIEW TIMELINES:

THIS PROJECT IS SUBJECT TO THE FOLLOWING PROCESSES:

1. TWO (2) WEEK REVIEW PERIODS FOR EACH SUBSEQUENT SITE DEVELOPMENT PLAN (SDP) SUBMITTAL, WITH AN ANTICIPATED (3) THREE ROUNDS OF REVIEW PER SITE DEVELOPMENT PLAN (SDP) OR SUBDIVISION APPLICATION.
2. A SDP APPLICATION MAY BE REVIEWED IN LESS TIME OR HAVE FEWER ROUNDS OF REVIEW IF THE FULL PROCESS IS NOT REQUIRED, AS DETERMINED BY THE TOWN OF WINDSOR. DEVELOPMENT APPLICATIONS THAT CONTAIN MASTER LEVEL STUDIES SHALL BE SUBJECT TO A THREE (3) WEEK REVIEW PERIOD FOR THE FIRST ROUND OF REVIEW.
3. THIRD PARTY REFERRAL AGENCY REVIEW TURNAROUND TIMES ARE OUTSIDE OF WINDSOR'S CONTROL.
4. ANY SUBMITTAL THAT IS INCOMPLETE SUCH AS NEGLECTING TO PROVIDE REQUESTED STUDIES, DRAWINGS OTHER INFORMATION IS NOT SUBJECT TO REVIEW TIMELINES. THE SUBMITTAL MAY BE REJECTED OR PUT ON HOLD UNTIL REQUESTED DOCUMENTS ARE PROVIDED AND TIMELINE RESTARTS.
5. FIVE ADDITIONAL REVIEW DAYS SHALL BE ADDED FOR SUBMITTALS MEETING THE FOLLOWING CRITERIA:
 - 5.a. ANY SUBMITTAL THAT EXCEEDS 150 PLAN SHEETS.
 - 5.b. IF MULTIPLE BRANDS EAST SUBMITTALS ARE MADE THE SAME WEEK, EXCEPT IN THE CASE OF MINOR SUBDIVISION PLATS RUNNING CONCURRENT WITH SITE PLANS.

ADMINISTRATIVE REVIEW OF SITE PLAN AND PLATS:

AFTER THE INITIAL MAJOR SUBDIVISION FOR THE BRANDS EAST, ALL SUBSEQUENT SUBDIVISIONS WITHIN PUD BOUNDARY THAT DO NOT DEDICATE OR VACATE RIGHT OF WAY TO OR FROM THE TOWN ARE SUBJECT TO THE PROCESS FOR A MINOR SUBDIVISION REVIEW, EXCEPT AS MODIFIED BY THIS PUD OVERLAY BELOW:

- ALL SITE PLANS GENERALLY CONSISTENT WITH THIS PUD OVERLAY SHALL BE SUBJECT TO ADMINISTRATIVE SITE PLAN OR QUALIFIED COMMERCIAL/INDUSTRIAL SITE PLAN REVIEW AND DO NOT REQUIRE PLANNING COMMISSION OR TOWN BOARD APPROVALS.
- EASEMENTS, TRACTS, OR LOTS MAY BE DEDICATED TO THE TOWN OR OTHER ENTITIES THROUGH A MINOR SUBDIVISION PLAT.
- THERE SHALL BE NO LIMIT TO THE NUMBER OF LOTS CREATED THROUGH THE MINOR SUBDIVISION PROCESS.
- THERE SHALL BE NO TIME LIMITATIONS ON THE FREQUENCY OF SUBDIVIDING PROPERTY THROUGH THE MINOR SUBDIVISION PROCESS.

MASTER SIGN PLAN:

ALL SIGNS WITHIN THE PROPERTY OTHER THAN THOSE REQUIRED BY TOWN TRAFFIC CONTROL STANDARDS SHALL COMPLY WITH THE MUNICIPAL CODE, UNLESS OTHERWISE SPECIFIED IN THIS PUD OVERLAY. PRIOR TO THE ERECTION OF ANY SIGN WITHIN THE DEVELOPMENT THAT IS NOT OTHERWISE SPECIFIED IN THIS PUD OVERLAY, A MASTER SIGN PLAN SHALL FIRST RECEIVE APPROVAL BY THE TOWN'S PLANNING COMMISSION TO CREATE A GENERALLY CONSISTENT IMAGE VISIBLE FROM PUBLIC ROADWAYS. SIGNAGE ALLOWED UNDER THE MASTER SIGN PLAN MAY VARY FROM THE MUNICIPAL CODE SIGN REGULATIONS, WHICH STATES "THE REGULATIONS CONTAINED IN THIS ARTICLE ARE INTENDED TO PROTECT PROPERTY VALUES, CREATE A MORE ATTRACTIVE BUSINESS CLIMATE, ENHANCE AND PROTECT THE PHYSICAL APPEARANCE OF COMMERCIAL AND INDUSTRIAL AREAS, PREVENT THE DETERIORATION OF AREAS OF SCENIC AND NATURAL BEAUTY AND, IN GENERAL, PROMOTE A DESIRABLE COMMUNITY ENVIRONMENT THROUGH THE REGULATION OF EXISTING AND PROPOSED OUTDOOR SIGNS. THESE REGULATIONS ARE FURTHER INTENDED TO REDUCE POTENTIAL TRAFFIC HAZARDS FROM DISTRACTING AND OBSTRUCTING SIGNS AND TO REDUCE HAZARDS THAT MAY BE CAUSED BY SIGNS PROJECTING OVER PUBLIC RIGHTS-OF-WAY," AND SHOULD STRIVE TO CREATE A CONSISTENT BRAND AND THEME BETWEEN THE BRANDS AND THE BRANDS EAST SITES BUT SHALL BE CONSISTENT WITH THE INTENT OF THE MUNICIPAL CODE SIGN REGULATIONS. IN NO CASE SHALL POLE MOUNTED SIGNS BE PERMITTED.

TRANSPORTATION:

PRIOR TO THE ESTABLISHMENT OF ANY LAND USE THAT DEVIATES MATERIALLY FROM THE ASSUMPTIONS IN THE TRAFFIC STUDY PREPARED BY DELICH ASSOCIATES DATED JUNE 2018, THE DEVELOPER WILL AT ITS SOLE EXPENSE PRESENT AN UPDATED TRAFFIC STUDY OR COMPETENT SUPPLEMENTAL MATERIAL THAT INCORPORATES THE PROPOSED LAND USE.

RIGHT OF WAY IMPROVEMENTS:

ANY ENCROACHMENTS, IMPROVEMENTS OR FEATURES (INCLUDING BUT NOT LIMITED TO LIGHTING, SIGNAGE, PEDESTRIAN FURNITURE, ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, AND OTHER ELEMENTS) SHALL BE SUBJECT TO TOWN-ISSUED PERMIT(S).

VESTING:

THE BUSINESS ASSISTANCE AGREEMENT APPLICABLE TO THIS PROJECT IS VESTED THROUGH DECEMBER 31, 2047. THE PROVISIONS IN THIS PUD OVERLAY SHALL COINCIDE WITH THE BUSINESS ASSISTANCE AGREEMENT AND SHALL BE VESTED THROUGH DECEMBER 31, 2047.

Planning | Landscape Architecture | Project Promotion

NORRIS DESIGN

1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

THE BRANDS EAST

PLANNED UNIT DEVELOPMENT
WINDSOR, COLORADO

OWNER:
EAGLE CROSSING
WINDSOR, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:

Y

YAEGER
ARCHITECTURE

YAEGER
ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

ENGINEER:

TST

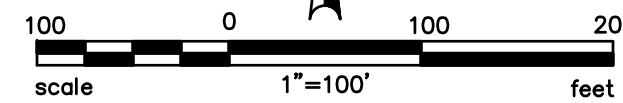
TST, INC.
748 WHALERS WAY
SUITE 200
FORT COLLINS, CO
80525
970.226.0557

DATE:
08/09/17 SUB-01
05/08/18 SUB-02
07/17/18 SUB-03
09/18/18 SUB-04
09/20/18 SUB-05

SHEET TITLE:
NOTES

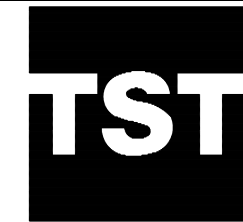
2 OF 10

NOT FOR CONSTRUCTION



DRAWN	JMJ
CHECKED	CRW
DESIGNED	JMJ
FILENAME	PUD_SURVEY

PUD REZONING MAP



TST, INC.
CONSULTING ENGINEERS
748 Whalers Way
Suite 200 Fort Collins
Colorado 80525
Phone: 970.226.0557

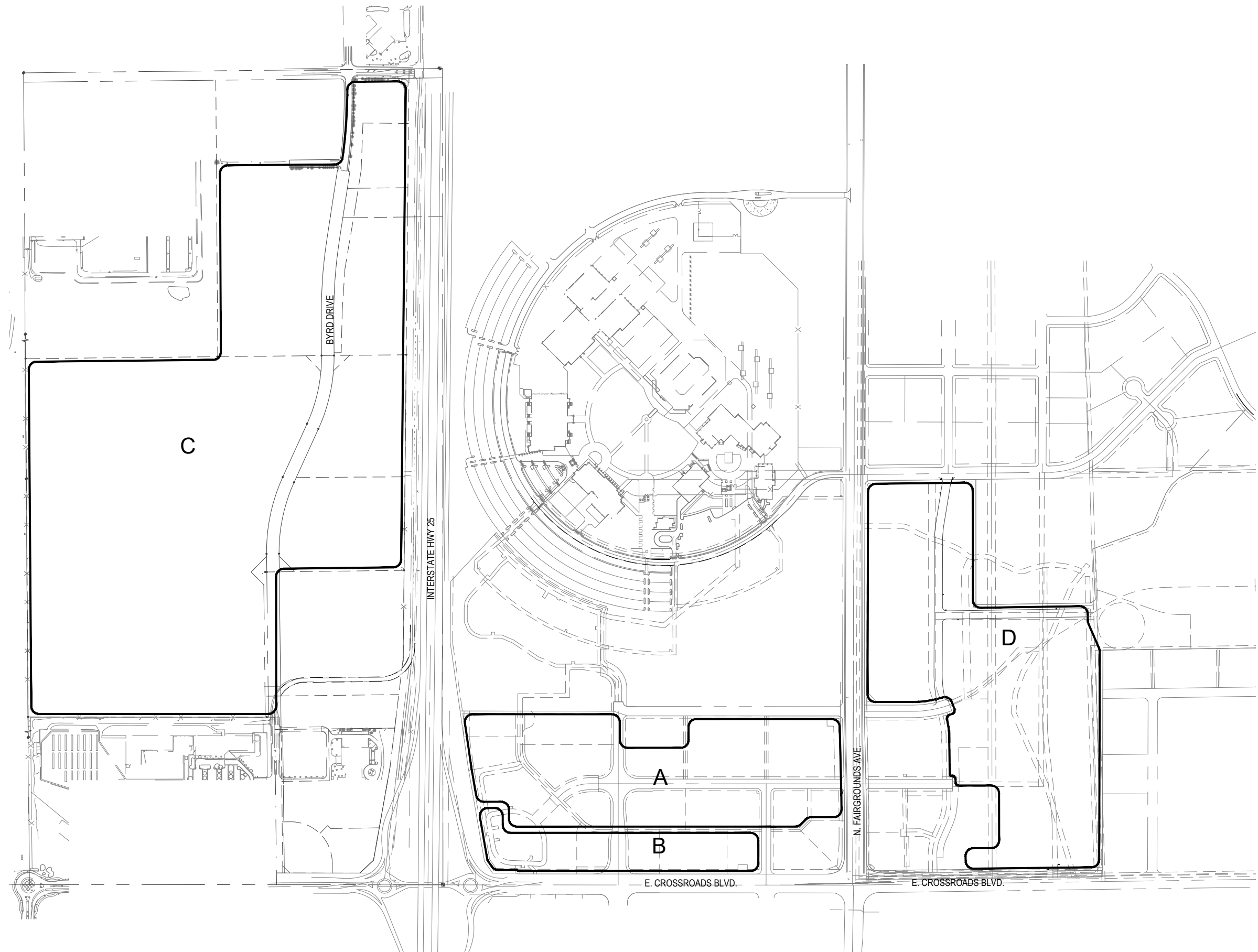
JOB NO. 732.0046.00

SCALE 1" = 100'

DATE AUGUST 17, 2018

SHEE

VICINITY MAP



REFER TO NOTE 1 BELOW FOR ADDITIONAL INFORMATION.

N.T.S.

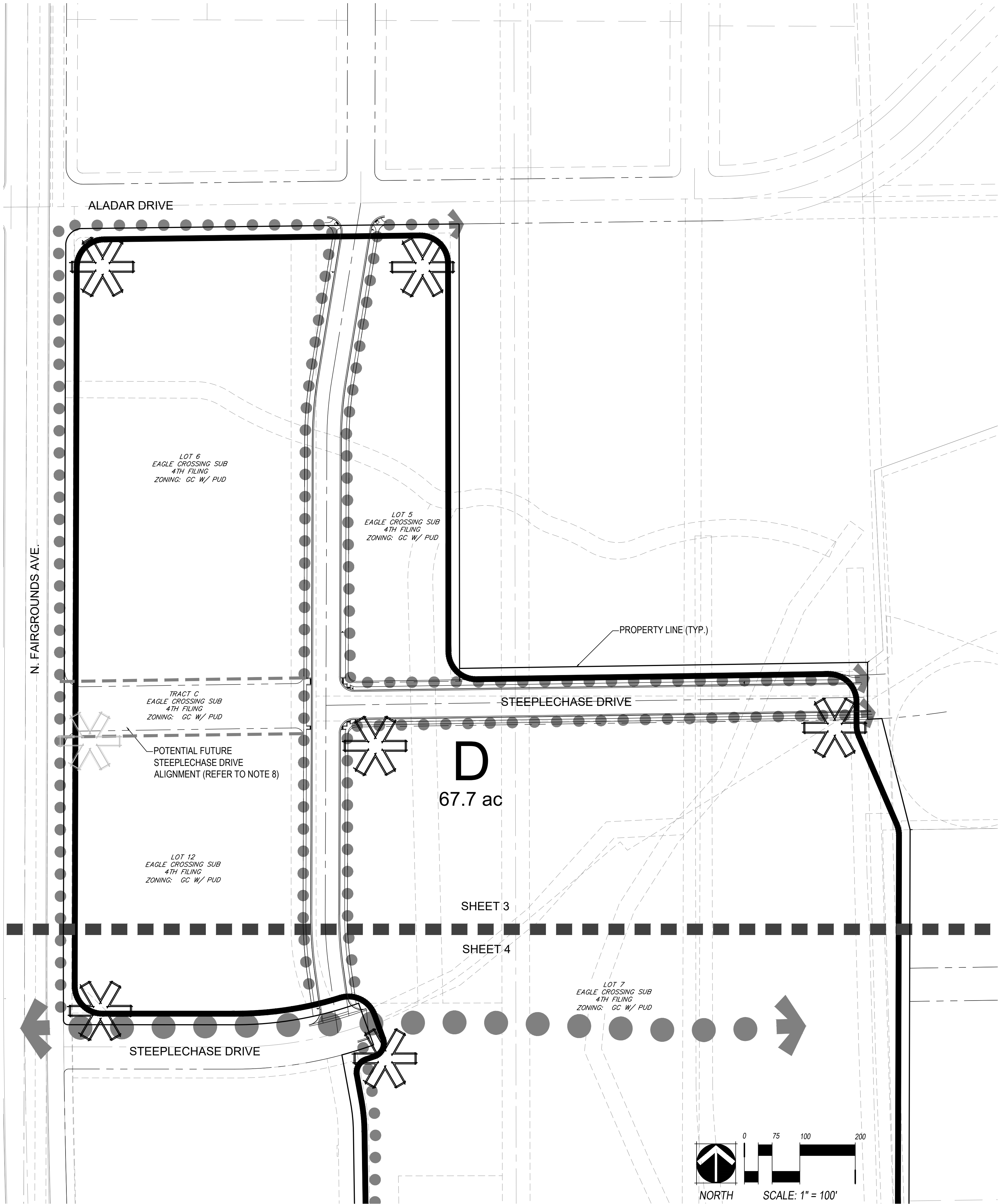
LEGEND

- PRIMARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
- SECONDARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
- PLANNING AREA BOUNDARY
- BRANDS EAST FREESTANDING SIGNS
- SIGN LOCATION IF STEEPLECHASE DRIVE IS VACATED

NOTES

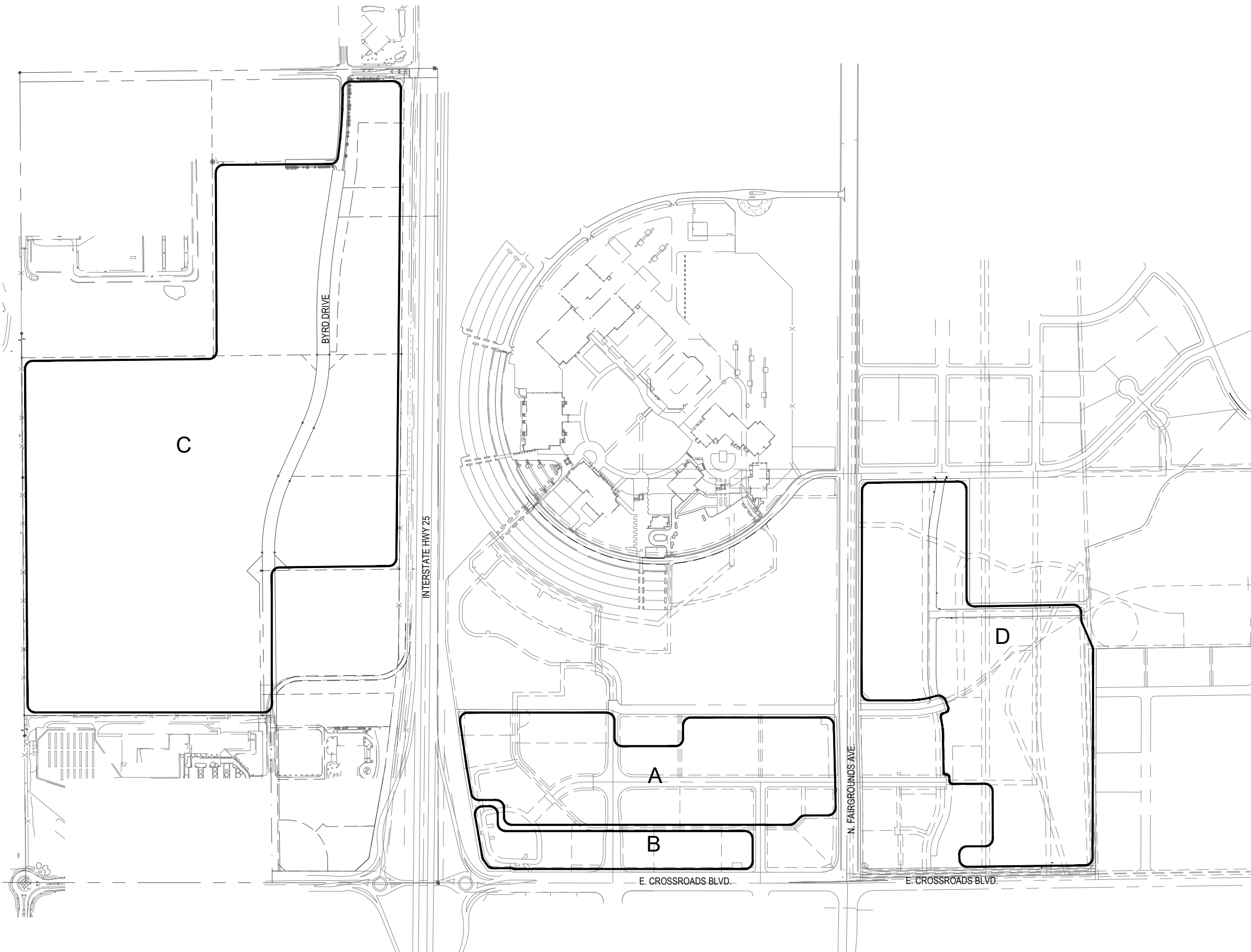
- THE BRANDS EAST IS ENVISIONED AS A UNIQUE BUT CONNECTED PROJECT TO THE BRANDS AND THE BRANDS WEST PROJECTS IN THE CITY OF LOVELAND. PLANNING AREAS A, B, AND C SHOWN ABOVE ARE WITHIN THE BRANDS AND THE BRANDS WEST FLEXIBLE ZONING OVERLAY DISTRICT (FZOD) IN THE CITY OF LOVELAND. PLEASE REFER TO THAT DOCUMENT FOR ADDITIONAL INFORMATION ON PLANNING AREAS A, B, AND C. FOR OVERALL PROJECT CONTINUITY, THE PLANNING AREAS IN THIS PUD OVERLAY HAVE BEEN DESIGNATED TO FUNCTION IN CONCERT WITH THOSE IN THE BRANDS AND BRANDS WEST FZOD.
- PHASING WILL BE COMPLETED IN A LOGICAL MANNER WITH THE EXTENSION OF INFRASTRUCTURE AS DEVELOPMENT OCCURS OVER TIME.
- EXISTING INTERIOR LOT LINES WILL BE REPLACED AS NECESSARY WITH FUTURE PLATS.
- CLASSIFICATION OF ALL ROADS INTERNAL TO THIS PUD OVERLAY WILL BE DETERMINED WITH FUTURE LAND USE APPLICATIONS.
- THE LOCATION AND TYPE OF FREESTANDING SIGNS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE WITH A FUTURE MASTER SIGN PLAN AND/OR PLATS/SITE PLANS. NO LESS THAN THE NUMBER OF SIGNS SHOWN ON THIS PUD SHALL BE PERMITTED.
- ANY OFF-SITE SIGNS WILL BE SUBJECT TO A CONDITIONAL USE GRANT.
- TO BE CONSISTENT WITH THE CHARACTER ESTABLISHED ON PAGE 6.
- IF STEEPLECHASE DRIVE IS REALIGNED TO THIS CONFIGURATION, PEDESTRIAN CORRIDORS WILL APPROPRIATELY ADJUST.
- AT FULL BUILDOUT OF THE BRANDS EAST SITE, THERE WILL BE ENHANCED PEDESTRIAN CROSSINGS BETWEEN THE BRANDS EAST AND THE BRANDS SITES AT THE INTERSECTIONS OF FAIRGROUNDS AVE AND CROSSROADS BLVD AND THE INTERSECTION OF FAIRGROUNDS AVE AND RODEO DR., WHICH WILL BE CONSTRUCTED WITH THE LOGICAL EXTENSION OF INFRASTRUCTURE AND ASSOCIATED IMPROVEMENTS TO ADJACENT RIGHT-OF-WAY. FINAL DESIGN OF IMPROVEMENTS WILL BE DETERMINED AT TIME OF FINAL PLAT AND/OR SITE PLAN. IF STEEPLECHASE DR. IS VACATED AT THE INTERSECTION OF FAIRGROUNDS AVE. AND RODEO DR., THE ENHANCED CROSSING SHOWN AT THIS LOCATION MAY APPROPRIATELY ADJUST AS NEEDED.
- IF THE PORTION OF STEEPLECHASE DR. THAT CURRENTLY INTERSECTS FAIRGROUNDS AVE. AT RODEO DR. IS VACATED, AND IF THE REMAINDER OF STEEPLECHASE DR. IS REALIGNED TO EXTEND TO FAIRGROUNDS AVE., THE SIGN CURRENTLY SHOWN AT THE NORTHEAST CORNER OF FAIRGROUNDS AVE. AND STEEPLECHASE DR. MAY BE RELOCATED TO THE CORNER OF FAIRGROUNDS AVE. AND THE POTENTIAL FUTURE STEEPLECHASE DR. REALIGNMENT (EITHER THE NORTH OR SOUTH SIDE OF STEEPLECHASE DR.).
- IF STEEPLECHASE DR. IS VACATED, THESE PUD STANDARDS SHALL APPLY TO ANY OR ALL PORTIONS OF THE VACATED ROW WITHIN OR ADJACENT TO THE BRANDS EAST SITE.

BRANDS EAST - AREA D



NOT FOR CONSTRUCTION

VICINITY MAP



REFER TO NOTE 1 BELOW FOR ADDITIONAL INFORMATION.

N.T.S.

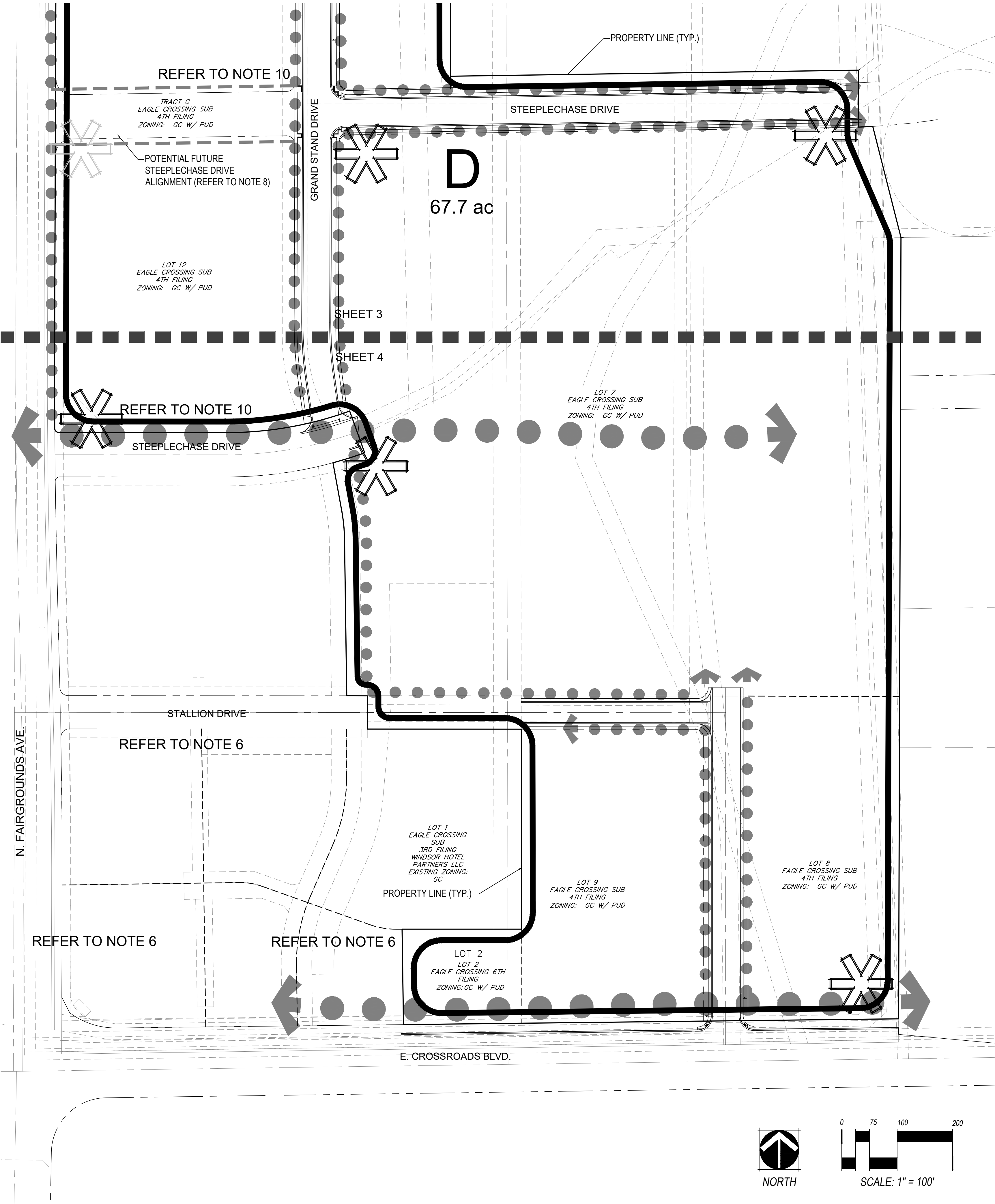
LEGEND

- PRIMARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
- SECONDARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
- PLANNING AREA BOUNDARY
- BRANDS EAST FREESTANDING SIGNS
- SIGN LOCATION IF STEEPLECHASE DRIVE IS VACATED

NOTES

- THE BRANDS EAST IS ENVISIONED AS A UNIQUE BUT CONNECTED PROJECT TO THE BRANDS AND THE BRANDS WEST PROJECTS IN THE CITY OF LOVELAND. PLANNING AREAS A, B, AND C SHOWN ABOVE ARE WITHIN THE BRANDS AND THE BRANDS WEST FLEXIBLE ZONING OVERLAY DISTRICT (FZOD) IN THE CITY OF LOVELAND. PLEASE REFER TO THAT DOCUMENT FOR ADDITIONAL INFORMATION ON PLANNING AREAS A, B, AND C. FOR OVERALL PROJECT CONTINUITY, THE PLANNING AREAS IN THIS PUD OVERLAY HAVE BEEN DESIGNATED TO FUNCTION IN CONCERT WITH THOSE IN THE BRANDS AND BRANDS WEST FZOD.
- PHASING WILL BE COMPLETED IN A LOGICAL MANNER WITH THE EXTENSION OF INFRASTRUCTURE AS DEVELOPMENT OCCURS OVER TIME.
- EXISTING INTERIOR LOT LINES WILL BE REPLACED AS NECESSARY WITH FUTURE PLATS.
- CLASSIFICATION OF ALL ROADS INTERNAL TO THIS PUD OVERLAY WILL BE DETERMINED WITH FUTURE LAND USE APPLICATIONS.
- THE LOCATION AND TYPE OF FREESTANDING SIGNS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE WITH A FUTURE MASTER SIGN PLAN AND/OR PLATS/SITE PLANS. NO LESS THAN THE NUMBER OF SIGNS SHOWN ON THIS PUD SHALL BE PERMITTED.
- ANY OFF-SITE SIGNS WILL BE SUBJECT TO A CONDITIONAL USE GRANT.
- TO BE CONSISTENT WITH THE CHARACTER ESTABLISHED ON PAGE 6.
- IF STEEPLECHASE DRIVE IS REALIGNED TO THIS CONFIGURATION, PEDESTRIAN CORRIDORS WILL APPROPRIATELY ADJUST.
- AT FULL BUILDOUT OF THE BRANDS EAST SITE, THERE WILL BE ENHANCED PEDESTRIAN CROSSINGS BETWEEN THE BRANDS EAST AND THE BRANDS SITES AT THE INTERSECTIONS OF FAIRGROUNDS AVE AND CROSSROADS BLVD AND THE INTERSECTION OF FAIRGROUNDS AVE AND RODEO DR., WHICH WILL BE CONSTRUCTED WITH THE LOGICAL EXTENSION OF INFRASTRUCTURE AND ASSOCIATED IMPROVEMENTS TO ADJACENT RIGHT-OF-WAY. FINAL DESIGN OF IMPROVEMENTS WILL BE DETERMINED AT TIME OF FINAL PLAT AND/OR SITE PLAN. IF STEEPLECHASE DR. IS VACATED AT THE INTERSECTION OF FAIRGROUNDS AVE. AND RODEO DR., THE ENHANCED CROSSING SHOWN AT THIS LOCATION MAY APPROPRIATELY ADJUST AS NEEDED.
- IF THE PORTION OF STEEPLECHASE DR. THAT CURRENTLY INTERSECTS FAIRGROUNDS AVE. AT RODEO DR. IS VACATED, AND IF THE REMAINDER OF STEEPLECHASE DR. IS REALIGNED TO EXTEND TO FAIRGROUNDS AVE., THE SIGN CURRENTLY SHOWN AT THE NORTHEAST CORNER OF FAIRGROUNDS AVE. AND STEEPLECHASE DR. MAY BE RELOCATED TO THE CORNER OF FAIRGROUNDS AVE. AND THE POTENTIAL FUTURE STEEPLECHASE DR. REALIGNMENT (EITHER THE NORTH OR SOUTH SIDE OF STEEPLECHASE DR.).
- IF STEEPLECHASE DR. IS VACATED, THESE PUD STANDARDS SHALL APPLY TO ANY OR ALL PORTIONS OF THE VACATED ROW WITHIN OR ADJACENT TO THE BRANDS EAST SITE.

BRANDS EAST - AREA D



NOT FOR CONSTRUCTION

CHECKED BY: MB & DR
DRAWN BY: DT & ML & DJ

MODIFICATIONS TO TOWN OF WINDSOR CODES AND DESIGN STANDARDS:

EXISTING STANDARD		PROPOSED STANDARD	JUSTIFICATION
SETBACKS AND OFFSETS			
LOCAL OR COLLECTOR RIGHT-OF-WAY	25'	20' (0' FOR PEDESTRIAN ORIENTED DEVELOPMENT)	SETBACKS ON FAIRGROUNDS AVE WILL BE CONSISTENT WITH THOSE ESTABLISHED IN THE BRANDS AND BRANDS WEST FLEXIBLE ZONING OVERLAY DISTRICT. IN CONDITIONS WHERE A 0' SETBACK OCCURS, ADEQUATE ALTERNATIVE UTILITY EASEMENTS WILL BE PROVIDED AT THE TIME OF THE SITE PLAN OR FINAL PLAT. PEDESTRIAN-ORIENTED DEVELOPMENTS INCLUDE BUT ARE NOT LIMITED TO: PEDESTRIAN PATHWAYS, DECKS, PATIOS, CAFE SEATING AREAS, TREE GRATES, PERGOLAS OR SHADE STRUCTURES. PEDESTRIAN-ORIENTED DEVELOPMENTS GENERALLY ENTAIL MORE URBAN DEVELOPMENT PATTERNS WHERE BUILDINGS ARE TYPICALLY LOCATED CLOSER TO THE STREET. WHERE NECESSARY, UTILITIES ARE TO BE LOCATED IN THE REAR OF THE LOT WHEN 0' LOT LINES ARE USED.
SIDE AND REAR PROPERTY LINE	20'	15' (0' FOR PEDESTRIAN ORIENTED DEVELOPMENT)	
FAIRGROUNDS AVE	25'	20'	
CROSSROADS BLVD	25'	30'	SETBACKS ON CROSSROADS BLVD WILL BE CONSISTENT WITH THOSE ESTABLISHED IN THE BRANDS AND BRANDS WEST FLEXIBLE ZONING OVERLAY DISTRICT. IN CONDITIONS WHERE A 0' SETBACK OCCURS, ADEQUATE ALTERNATIVE UTILITY EASEMENTS WILL BE PROVIDED AT THE TIME OF THE SITE PLAN OR FINAL PLAT.
HEIGHT			
HEIGHT	55' (GENERAL COMMERCIAL/ 30' (COMMERCIAL CORRIDOR PLAN)	130' FOR OFFICE, RESIDENTIAL, AND HOTELS, UP TO A MAXIMUM ELEVATION OF 5165', WHICHEVER IS GREATER. ALL OTHER USES SHALL BE A MAXIMUM OF 55'.	THE CHARACTER ENVISIONED FOR PLANNING AREA D REQUIRES A HIGHER LEVEL OF DENSITY THAN IS PERMITTED UNDER THE CURRENT ZONING. TO ACHIEVE THIS DENSITY, IN SOME CASES BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING.
DENSITY			
MAXIMUM DWELLING UNITS	NOT STATED IN CODE	1,000 DWELLING UNITS	CURRENTLY, NO ADDITIONAL SEWER CAPACITY TO SUPPORT RESIDENTIAL USE NOR OTHER ADDITIONAL UTILITIES EXIST FOR THE BRANDS EAST SITE. SHOULD CAPACITY BE ADDED AT ANY TIME IN THE FUTURE, MULTIFAMILY RESIDENTIAL USES ARE PERMITTED AT THE SHOWN DENSITY.
FLOOR AREA RATIO (FAR)	NOT STATED IN CODE	0.5 GROSS FAR FOR THE PUD OVERLAY AS A WHOLE	THE CURRENT OVERLAY ZONING ENVISIONED THE BRANDS EAST AS AN INDUSTRIAL PROPERTY. THE INCREASE IN DENSITY IS NECESSARY TO CREATE THE MIXED USE DENSITY AS SHOWN IN THE PROJECT VISION.
BUFFER YARDS			
SIZE OF BUFFER YARDS	VARIES	BUFFER YARDS SHALL BE DEFINED AS A LANDSCAPED AREA BETWEEN INCOMPATIBLE USES, AS WELL AS LANDSCAPED AREA BETWEEN A USE AND AN ARTERIAL, COLLECTOR, LOCAL, AND/OR PRIVATE ROAD THAT FUNCTIONS AS A LOCAL ROAD. BUFFER YARDS SHALL BE PROVIDED IN ACCORDANCE WITH THE CURRENT TOWN STANDARDS AND ANY SUBSEQUENT AMENDMENTS EXCEPT THAT THE FAIRGROUNDS AVE. BUFFER YARDS MAY BE REDUCED TO 20' WHERE A BUFFER YARD IS REQUIRED BETWEEN INCOMPATIBLE USES. THE RESPONSIBILITY FOR PROVIDING THE BUFFER YARD WILL FALL TO THE INCOMING/ DEVELOPING INCOMPATIBLE USE. THE SIZE OF THE BUFFER YARD AND THE REQUIRED AMOUNT OF BUFFER YARD LANDSCAPING MAY BE ADMINISTRATIVELY REDUCED OR WAIVED FOR PEDESTRIAN-ORIENTED DEVELOPMENT.	THIS STANDARD WILL ALLOW NECESSARY FLEXIBILITY FOR CONFIGURATION OF PARKING FIELDS, PAD SITES, VEHICULAR CIRCULATION, AND OTHER ELEMENTS THROUGHOUT THE BRANDS EAST.
USES			
PERMITTED USES	GENERAL COMMERCIAL ZONE	SEE SHEET 9	THE CHARACTER ENVISIONED FOR PLANNING AREA D REQUIRES A MIX OF USES INCLUDING RESIDENTIAL AND RECREATIONAL USES.
NON-RESIDENTIAL LOT SIZE			
MINIMUM LOT AREA	20,000 SF	NO MINIMUM LOT SIZE	THE ALLOWANCE OF THE REGULATION FOR NO MINIMUM LOT SIZE IS NECESSARY AS SMALLER LOT USERS MAY DESIRE A VARIETY OF INDIVIDUAL SITE SIZES WITHIN THE BRANDS EAST.
RESIDENTIAL DEVELOPMENT STANDARDS			
RESIDENTIAL LOT AREA	NOT INCLUDED IN UNDERLYING GC ZONING	RESIDENTIAL DEVELOPMENT WITHIN THE BRANDS EAST WILL GENERALLY FOLLOW THE STANDARDS FOR MF-2, HOWEVER MINIMUM LOT AREA PER DWELLING SHALL BE SEVEN HUNDRED (700) SQUARE FEET.	
LIVEABLE OPEN SPACE PER DWELLING UNIT	NOT INCLUDED IN UNDERLYING GC ZONING	RESIDENTIAL DEVELOPMENT WITHIN THE BRANDS EAST WILL GENERALLY FOLLOW THE STANDARDS FOR MF-2, HOWEVER MINIMUM LIVABLE OPEN SPACE PER DWELLING UNIT SHALL BE TWO HUNDRED TWENTY FIVE (225) SQUARE FEET. TO BE CONSIDERED USABLE, LIVABLE OPEN SPACE SHALL BE READILY ACCESSIBLE AND OF A SIZE AND SHAPE WHICH CAN BE REASONABLY CONSIDERED TO PROVIDE AMENITIES AND THE NECESSITIES OF LIGHT, AIR, PLAY SPACE, YARD AREA, GARDEN, ETC., BUT SHALL NOT INCLUDE PARKING AREA AND DRIVES. AMENITIES AND POOL DECKS, INCLUDING ROOFTOP DECKS AND OPEN SPACES, SHALL BE INCLUDED IN THE TOTAL USABLE OPEN SPACE CALCULATION. MINIMUM LIVABLE OPEN SPACE MAY BE ADMINISTRATIVELY REDUCED FOR PEDESTRIAN-ORIENTED DEVELOPMENT, AS DEFINED ON SHEET 5 OF THIS PUD.	THIS IS NECESSARY IN ORDER TO ACCOMMODATE A VARIETY OF RESIDENTIAL DEVELOPMENT FORMS, WHICH MAY TAKE A MORE DENSE AND URBAN FORM THAN CURRENT TOWN CODE ENVISIONS. HEIGHT AND SETBACK STANDARDS ALSO VARY FROM THE UNDERLYING GC ZONE AND ARE INCLUDED ABOVE.
OPEN SPACE			
REQUIRED PERCENTAGE	20%	10%	A REDUCTION IN THE PERCENTAGE OF OPEN SPACE REQUIRED IS NECESSARY IN ORDER TO MATCH THE UNDERLYING ZONING FOR THE BRANDS/BRANDS WEST FZOD. THE OPEN SPACE IN THE PUD AREA, EXCLUSIVE OF STREETS AND OFF-STREET PARKING AREAS, SHOULD NOT BE LESS THAN 10% OF THE TOTAL GROSS PROPERTY AREA. OPEN SPACE MAY INCLUDE LANDSCAPE AREAS WITHIN THE ADJACENT PUBLIC RIGHT OF WAY.
ARCHITECTURE			
COLORS	FAÇADE COLORS SHALL BE EARTH TONE COLORS WITH A LOW REFLECTANCE. HIGH INTENSITY, METALLIC, OR FLUORESCENT COLORS ARE PROHIBITED. OTHER COLORS MAY BE USED FOR ACCENT OR TO EMPHASIZE FOCAL AREAS PROVIDED THAT THEY ARE SENSITIVELY INTEGRATED INTO THE OVERALL COLOR PALETTE.	COLORS SHALL BE GENERALLY CONSISTENT WITH THE CHARACTER OF THE CONCEPTUAL ARCHITECTURE CONTAINED WITHIN THIS PUD OVERLAY.	THE DYNAMIC DEVELOPMENT ENVISIONED FOR THE BRANDS EAST WILL REQUIRE ADDITIONAL FLEXIBILITY FOR COLOR PALETTE TO MAKE THE DEVELOPMENT DISTINCTIVE AND INTERNALLY CONSISTENT. NATIONAL BRAND TENANTS ARE PERMITTED TO USE THEIR BRAND COLORS. REFER TO ARCHITECTURAL STANDARDS IN THIS PUD FOR ADDITIONAL INFORMATION.
MATERIALS	VARIES. VERTICAL RIBBED METAL SIDING SHALL BE PROHIBITED. ONLY ARCHITECTURAL GRADE METAL PANELS WILL BE ALLOWED ON NON-PROMINENT FAÇADES.	ACCENT METAL PANELS ARE ALLOWED THROUGHOUT THE PROJECT. REFER TO ARCHITECTURAL STANDARDS FOR ADDITIONAL INFORMATION.	THE "CONTEMPORARY COLORADO" ARCHITECTURAL STYLE PROPOSED FOR THE BRANDS EAST MAY INCLUDE METAL AS ONE OF MANY POTENTIAL BUILDING MATERIALS. REFER TO ARCHITECTURAL STANDARDS FOR ADDITIONAL INFORMATION.
LIGHTING, SIGNAGE, AND OTHER ELEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY	VARIES. PVREA'S STANDARD STREET LIGHT SHALL BE USED.	SUBJECT TO TOWN APPROVAL A UNIQUE STREET LIGHT MAY BE USED AT THE BRANDS EAST WITHIN THE PUBLIC RIGHT-OF-WAY. THIS MAY INCLUDE XCEL'S STANDARD LIGHT IN AN ALTERNATE COLOR, PVREA'S STANDARD LIGHT IN AN ALTERNATE COLOR, LOVELAND'S NEW STANDARD DOWNTOWN AREA LIGHT, ANY WINDSOR APPROVED CUSTOM OR STANDARD LIGHT, OR ANOTHER YET TO BE DETERMINED FIXTURE. ADDITIONALLY, WAYFINDING SIGNAGE, PEDESTRIAN FURNITURE, ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, AND OTHER ELEMENTS MAY BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. ANY IMPROVEMENTS THAT DO NOT MEET TOWN OR LCUASS STANDARDS WILL BE MAINTAINED BY THE DISTRICT.	THE FINAL DESIGN CHARACTER FOR THE BRANDS EAST HAS NOT YET BEEN DETERMINED. HOWEVER, IT WILL BE CRITICAL THAT THE CHARACTER OF PEDESTRIAN AREAS SEAMLESSLY INTERFACE WITH THE PUBLIC RIGHT-OF-WAY SO THAT THE PROJECT HAS ONE CONSISTENT CHARACTER AND FEEL. MAINTENANCE OF ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, PEDESTRIAN FURNITURE, AND OTHER ELEMENTS WILL BE THE RESPONSIBILITY OF THE METROPOLITAN DISTRICT. STREET LIGHT MAINTENANCE WILL BE DETERMINED BY SEPARATE DOCUMENT AT THE TIME OF FINAL DESIGN.

EXISTING STANDARD		PROPOSED STANDARD	JUSTIFICATION
PARKING			
RATIO	VARIES. THE TOWN'S STANDARD PARKING REQUIREMENTS SHALL BE USED.	TOWN OF WINDSOR MUNICIPAL CODE, SEC. 16-10-30.(A)(6) OFF-STREET PARKING REQUIREMENTS: MULTIFAMILY DWELLING RESIDENCE: 1.5 SPACE PER UNIT INDUSTRIAL USES: 1 SPACE PER 2 EMPLOYEES RETAIL: 1 SPACE PER 250 SF OF GROSS LEASABLE AREA (GLA) COMMERCIAL OFFICE: 1 SPACE PER 300 SF OF GROSS LEASABLE AREA (GLA) EATING OR DRINKING ESTABLISHMENTS: 1 SPACE PER 200 SF + 1 SPACE PER 2 EMPLOYEES HOTEL/MOTEL: 1 SPACE PER ROOM + 1 SPACE PER 2 EMPLOYEES, COMPUTED ON THE MAXIMUM SERVICE CAPACITY TOWN OF WINDSOR MUNICIPAL CODE, SEC. 17-13-330.(B)(3) – PARKING LOT SCREENING AND MITIGATION: THE TOTAL NUMBER OF PARKING STALLS MAY NOT EXCEED THE TOWN'S MINIMUM PARKING STALL REQUIREMENT BY MORE THAN TWENTY PERCENT (20%).	TOWN OF WINDSOR STANDARDS (AS CURRENT IN 2018) ALLOW THE FLEXIBILITY NEEDED FOR PARKING RATIO, LOCATION AND DESIGN.
LOCATION AND DESIGN	VARIES. THE TOWN'S COMMERCIAL CORRIDOR PLAN PARKING REQUIREMENTS SHALL BE USED.	TOWN OF WINDSOR MUNICIPAL CODE, SEC. 16-10-30.(A)(2) OFF-STREET PARKING REQUIREMENTS: PARKING AREAS SHALL BE PROVIDED UPON THE SAME LOT CONTAINING THE USE FOR WHICH THEY ARE REQUIRED OR ON SEPARATE LOTS OR STRUCTURES LOCATED WITHIN A ONE-THOUSAND-FOOT RADIUS OF THE LOT CONTAINING THE USE FOR WHICH THEY ARE REQUIRED. A TOWN-APPROVED PARKING AGREEMENT IS REQUIRED FOR ALL OFF-SITE PARKING. THIS AGREEMENT SHALL BE RECORDED WITH THE COUNTY CLERK AND RECORDER, AND SHALL BE A COVENANT RUNNING WITH THE LAND UPON WHICH PARKING IS PROVIDED. ALL SHARED PARKING LOTS MUST BE PAVED. ALL SHARED PARKING LOTS AND SHARED PARKING STRUCTURES SHALL HAVE SIDEWALK CONNECTIONS TO THE SUBJECT PROPERTY. TOWN OF WINDSOR MUNICIPAL CODE, SEC. 17-13-320.(1) - PARKING LOT ORIENTATION: NO MORE THAN EIGHTY-FIVE PERCENT (85%) OF THE OFF-STREET PARKING AREA FOR THE LOT, TRACT OR AREA OF LAND DEVOTED TO THE LARGE RETAIL ESTABLISHMENT SHALL BE LOCATED BETWEEN THE FRONT FACADE AND THE ABUTTING STREETS, OR FRONT PARKING AREA. ON-STREET PARKING THAT IS DIRECTLY ADJACENT TO THE LOT FRONTAGE MAY BE COUNTED AS PART OF THE PARKING PROVISION.	TOWN OF WINDSOR STANDARDS (AS CURRENT IN 2018) ALLOW THE FLEXIBILITY NEEDED FOR PARKING RATIO, LOCATION AND DESIGN.
SHARED PARKING	NOT STATED IN CODE	1. THE STANDARD PARKING REQUIREMENTS FOR THIS DEVELOPMENT MAY BE REDUCED BY CALCULATING THE SHARED PARKING REQUIREMENTS, UTILIZING AN ACCUMULATION FACTOR BASED UPON THE PROPORTIONS CONTAINED IN THE FOLLOWING TABLE TO ASSESS THE PEAK PERIOD PARKING REQUIREMENT. 2. THE TOTAL AGGREGATE REDUCTION IN THE MINIMUM PARKING REQUIREMENT FOR USES SHALL NOT EXCEED 20 PERCENT OF THE STANDARD CONVENTIONAL PARKING REQUIREMENT OR AS APPROVED BY THE PLANNING DIRECTOR. DESIGNATED PARKING SPACES SHALL NOT BE INCLUDED IN ANY SHARED PARKING CALCULATION. 3. ON-STREET PARKING THAT IS DIRECTLY ADJACENT TO THE LOT FRONTAGE MAY BE COUNTED AS PART OF THE PARKING PROVISION. REFER TO TABLE A. AND THE SHARED PARKING CALCULATION EXAMPLE BELOW.	THIS STANDARD WILL ALLOW NECESSARY FLEXIBILITY TO SHARE PARKING BETWEEN USES BASED ON THE DEMAND DENOTED IN THE SHARED PARKING CALCULATION TABLE.
LIGHTING			
BULBS	COMPACT FLUORESCENT BULBS (C.F.B.) ARE ENCOURAGED.	L.E.D. LIGHTING IS PERMITTED.	L.E.D. LIGHTING IS MORE EFFICIENT THAN C.F.B. LIGHTING. THE INCORPORATION OF L.E.D. LIGHTS INTO THE BRANDS EAST DESIGN WILL PROMOTE ENERGY EFFICIENCY THROUGHOUT THE SITE.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			

TABLE A

USE	WEEKDAY	EVENING	NIGHT	WEEKEND
RETAIL	95%	100%	5%	100%
RESTAURANT	100%	100%	15%	100%
HOTEL/LODGING	95%	75%	100%	100%
COMMERCIAL OFFICE	100%	40%	5%	10%
INDUSTRIAL	100%	40%	5%	10%
MULTIFAMILY RESIDENTIAL	45%	75%	100%	100%

NOTE: TABLE A IS USED TO CALCULATE THE DEMAND BASED ON THE APPROPRIATE PERCENTAGE OF THE CONVENTIONAL PARKING REQUIREMENT AT SPECIFIED PERIODS OF THE DAY. THE HIGHEST RESULTANT ACCUMULATION IS USED TO DETERMINE THE MAXIMUM SHARED PARKING DEMAND.

SHARED PARKING CALCULATION EXAMPLE

THE EXAMPLE DESCRIBED HERE CALCULATES THE SHARED PARKING REQUIREMENT FOR A MIXED-USE DEVELOPMENT THAT COMPRISES OF THE FOLLOWING:
50,000 SF OF RETAIL SPACE (PEAK PARKING DEMAND PRIMARILY AT WEEKEND, WEEKDAY AND EVENING);
8,000 SF RESTAURANT (PEAK PARKING DEMAND PRIMARILY AT WEEKEND AND EVENING);
100 BED HOTEL (PEAK PARKING AT NIGHT AND WEEKEND);
15,000 SF OF OFFICE SPACE (PEAK PARKING DEMAND PRIMARILY AT WEEKDAY);
15,000 SF OF INDUSTRIAL SPACE (PEAK PARKING DEMAND PRIMARILY AT WEEKDAY).

USES	UNIT	STANDARD	WEEKDAY	EVENING	NIGHT	WEEKEND
RETAIL	50,000 SF	200	190	200	10	200
RESTAURANT	8,000 SF	50	50	50	8	50
HOTEL/LODGING	100 ROOMS	110	105	83	110	110
COMMERCIAL OFFICE	15,000 SF	50	50	20	3	5
INDUSTRIAL	50,000 SF	40	40	16	3	5
TOTALS:		450	435	369	134	370

THE SHARED PARKING CALCULATION TAKES INTO ACCOUNT THE PEAK PARKING REQUIRED FOR A COMBINATION OF USES AT ANY ONE TIME. IN THIS EXAMPLE WE CAN SEE THAT THE PEAK PARKING REQUIREMENT IS DURING THE WEEKDAY (435 SPACES). IN NORMAL PARKING CODE CIRCUMSTANCES EACH USE WOULD BE CALCULATED SEPARATELY, GIVING A PARKING REQUIREMENT OF 450 SPACES. THE SHARED PARKING STANDARD ALLOWS A MAXIMUM REDUCTION OF 20% (OR AS APPROVED BY THE PLANNING DIRECTOR). IN THIS CASE THE PEAK PARKING REQUIREMENT SHOWS A 3.4% REDUCTION FROM STANDARD REQUIREMENTS.



NORRIS DESIGN
Planning | Landscape Architecture | Project Promotion

1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

THE BRANDS EAST

PLANNED UNIT DEVELOPMENT
WINDSOR, COLORADO

OWNER:
EAGLE CROSSING
WINDSOR, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:


YAEGER
ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

ENGINEER:


TST, INC.
748 WHALERS WAY
SUITE 200
FORT COLLINS, CO
80525
970.226.0557

DATE:
08/09/17 SUB-01
05/08/18 SUB-02
07/17/18 SUB-03
09/18/18 SUB-04
09/20/18 SUB-05

SHEET TITLE:
MODIFICATIONS
TO CODE

NOT FOR CONSTRUCTION

LANDSCAPE DESIGN GUIDELINES:

OVERALL CONCEPT

THE OVERALL THEMING AND DESIGN WILL ESTABLISH A HIGH QUALITY NEIGHBORHOOD CENTER DEVELOPMENT THROUGH THE STRATEGIC SITE LAYOUT AND ENHANCED LANDSCAPE TREATMENTS. THE DESIGN WILL FOCUS ON ESTABLISHING DESIRABLE VIEWS ALONG PROMINENT PEDESTRIAN AND VEHICULAR CORRIDORS, HIGHLIGHTING KEY OUTDOOR AREAS WITH AN INTENSITY AND REFINEMENT OF MATERIALS, COMPLEMENTING ARCHITECTURAL FEATURES WITH ENHANCED LANDSCAPING TREATMENT, BUFFERING VISUALLY LESS DESIRABLE AREAS, AND RELATING TO THE SURROUNDING ENVIRONMENTAL CONTEXT THROUGHOUT THE SITE.

THROUGHOUT THE PROJECT, CERTAIN ELEMENTS WILL REPEAT SIMILAR OR COMPLIMENTARY MATERIALS AND THEMES POSSIBLY INCLUDING, BUT NOT LIMITED TO, LIGHTING, BENCHES, WASTE RECEPTACLES, OTHER PEDESTRIAN AMENITIES, TREE SPECIES, POTS, AND THE MASONRY OR ROCK MATERIAL UTILIZED IN PLANTERS, MONUMENTS, AND PAVING TREATMENTS. FOR EXAMPLE, THEMATIC PEDESTRIAN STREET LIGHTING FIXTURES SHOULD BE CONSISTENT OR COMPATIBLE THROUGHOUT THE DEVELOPMENT AND SHALL BE INCORPORATED INTO EACH SITE DEVELOPMENT PLAN. INNOVATIVE LIGHTING SHOULD BE CONSIDERED WHERE APPROPRIATE. WHERE VARIETY IN DESIGN OCCURS, SIMILAR OR COMPATIBLE ELEMENTS SHOULD BE USED.

THE FOLLOWING LANDSCAPE ELEMENTS SHALL BE INCORPORATED THROUGHOUT THE SITE:

- STREET TREES: ORGANIZED IN A REGULAR SPACING ALONG VEHICULAR CORRIDORS THEY WILL DEFINE THE STREETScape AND PROVIDE SUMMER SHADE FOR PEDESTRIANS.
- ARCHITECTURAL LANDSCAPING: TO PROVIDE VISUAL INTEREST THAT COMPLIMENTS THE STRUCTURES AND GUIDES THE USERS TO THE MAIN ENTRIES AND IMPORTANT FEATURES AS WELL AS BUFFERING LESS DESIRABLE AREAS OF THE STRUCTURES.
- PLANT CONTAINERS AND PLANTERS: CLAY OR CONCRETE PLANT CONTAINERS MAY BE USED TO DEFINE OUTDOOR SPACES, ACCENT BUILDING ENTRANCES AND PROVIDE VISUAL INTEREST ALONG THE STREET AND PEDESTRIAN CORRIDORS.
- OTHER SITE AMENITIES: ITEMS SUCH AS ENHANCED PAVING, LIGHTING, BENCHES, BIKE RACKS, AND TRASH RECEPTACLES SHALL BE INCLUDED WHERE APPROPRIATE AND SHALL BE CONSISTENT WITH THE DESIGN THEME AND QUALITY OF THE DEVELOPMENT.
- PARKING LOT LANDSCAPING: LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH TOWN CODE, EXCEPT AS MODIFIED IN PARTICULAR INSTANCES AT THE TIME OF SITE PLAN.



SIGNAGE

SIGNS SHALL BE IN ACCORDANCE WITH THE WINDSOR MUNICIPAL CODE WITH REGARD TO SIZE, LOCATION AND HEIGHT, AND OTHER APPLICABLE STANDARDS, OR AS STATED ON SHEET 3 OF THE PUD PLAN, IN ACCORDANCE WITH A FUTURE PLANNED SIGN PROGRAM FOR THE BRANDS EAST WHICH WILL BE PREPARED AND REVIEWED AS AN ADDITION TO THIS PUD. CHARACTER OF SIGNS SHOULD GENERALLY RELATE TO THE ARCHITECTURE OF THE BRANDS EAST, INCLUDING BUT NOT LIMITED TO MATERIALS, COLORS, AND OTHER DESIGN FEATURES. APPLICATIONS FOR SIGN PERMITS SHALL BE SUBMITTED PRIOR TO SIGN CONSTRUCTION.

ENTRY FEATURES

MAJOR VEHICULAR ENTRIES TO THE BRANDS EAST SHALL HAVE ENHANCED LANDSCAPING IN ORDER TO SET THE STYLISTIC AND/OR DESIGN TONE FOR THE REST OF THE PROJECT. SUCH ENHANCEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO MONUMENTATION, SIGNAGE, INCREASED DENSITY OF PLANT MATERIAL, SCULPTURES, AND PEDESTRIAN GATHERING AREAS. ORNAMENTAL TREES AT THESE KEY POINTS ARE PERMITTED TO HIGHLIGHT THE AREA AND CREATE SEASONAL INTEREST. ANNUAL PLANTS AND FLOWERS FOR ADDITIONAL SEASONAL COLOR MAY ALSO BE INCORPORATED, ESPECIALLY AROUND MONUMENT SIGNAGE. THE INTENSITY AND SCALE OF LANDSCAPE SHOULD BE ITS GREATEST AT PRIMARY ENTRIES; A REDUCTION IN THE LEVEL OF LANDSCAPING IS PERMITTED FOR SECONDARY AND TERTIARY ENTRANCES, AS WELL AS FOR PEDESTRIAN-ONLY ENTRANCES TO THE DEVELOPMENT.

EDGE AND PERIMETER TREATMENTS

THE EDGES OF THE BRANDS EAST SHALL BE DESIGNED TO BE GENERALLY COMPATIBLE WITH SURROUNDING DEVELOPMENTS. THIS MAY INCLUDE VARIOUS COMBINATIONS OF LANDSCAPE TREATMENTS, GENERALLY CONSISTENT WITH THE TOWN'S LANDSCAPE DESIGN STANDARDS UNLESS MODIFIED AT THE TIME OF SITE PLAN. LANDSCAPE BUFFERS ALONG CROSSROADS BLVD, AND FAIRGROUNDS AVE SHOULD MEET THE MINIMUM STANDARDS ESTABLISHED WITHIN THIS PUD OVERLAY.

THE LANDSCAPE ALONG ROAD FRONTAGES WILL PROMOTE AND ENHANCE THE EXPERIENCE OF BOTH PEDESTRIAN AND VEHICULAR TRAFFIC AS WELL AS PROVIDE YEAR-ROUND INTEREST. TREES WILL BE USED TO CAPTURE VIEW CORRIDORS AND PROVIDE SCREENING FROM VEHICLES. THE STREETScape WILL PROVIDE UNITY AND STRUCTURE WITHIN THE DEVELOPMENT THROUGH THE USE OF PLANT MATERIALS AND PEDESTRIAN FRIENDLY, GENERALLY DETACHED, SIDEWALKS.

EDGE SCREENING OF PARKING AREAS WILL BE ENHANCED AND DESIGNED IN GENERAL CONFORMANCE WITH THE TOWN'S LANDSCAPE DESIGN STANDARDS. SUCH AREAS ARE INTENDED TO SOFTEN THE VISUAL IMPACT OF PARKING AREAS ON ADJACENT ROADWAY CORRIDORS AND MAY BE DESIGNED WITH A COMBINATION PLANT MATERIALS AND BERMING WHERE FEASIBLE, AS WELL AS OTHER POTENTIAL LANDSCAPE TREATMENTS, TO SCREEN PARKING LOTS.

IT IS ANTICIPATED THAT THE PROJECT WILL HAVE A HIGHER LEVEL OF LANDSCAPE BUFFER TREATMENTS ALONG CROSSROADS BLVD, WHICH WILL DECREASE AS APPROPRIATE FOR LOWER CLASSIFICATION ROADS AND FOR INTERNAL DRIVES.

INTERNAL ROADWAY STREETScape TREATMENTS

THE LANDSCAPE ALONG INTERNAL ROADWAYS SHALL REFLECT THE OVERALL LANDSCAPE THEME BUT WILL HAVE MORE FORMAL TREE SPACING AND WILL BLEND WITH THE LANDSCAPE IN ADJACENT PARCELS. PARKING LOTS WILL BE SCREENED WHILE HIGHLIGHTING VIEW CORRIDORS TO ANY RELEVANT PUBLIC ART, ARCHITECTURE, AND OFF SITE VIEWS. THE LANDSCAPE WILL ENHANCE CIRCULATION AND SAFETY AND CREATE A STRONG VISUAL EXPERIENCE FOR PEDESTRIANS AND BICYCLISTS. LOCAL ROADWAYS WILL PROVIDE STRUCTURE AND OVERALL UNITY WITH DETACHED SIDEWALKS AND TREE LAWNS TO CREATE SEPARATION BETWEEN VEHICULAR AND PEDESTRIAN TRAFFIC. DECIDUOUS TREES WILL BE USED PRIMARILY TO PROVIDE WINTER EXPOSURE AND SUMMER SHADE. PLANT MATERIALS SHALL BE ARRANGED TO HIGHLIGHT STRONG ARCHITECTURAL ELEMENTS OF THE BUILDINGS WHILE SCREENING AREAS WHERE THERE IS POTENTIAL FOR MORE VISUAL CLUTTER.



PARKING LOT SCREENING ALONG ROADS AND DRIVES INTERNAL TO THE SITE WILL BE DESIGNED IN GENERAL CONFORMANCE TO THE TOWN'S LANDSCAPE DESIGN STANDARDS. ANY NECESSARY SITE-SPECIFIC DEPARTURES FROM THE LANDSCAPE DESIGN STANDARDS WILL BE ADDRESSED AT THE TIME OF SITE PLAN.

LANDSCAPE STANDARDS IN COMMERCIAL AND PUBLIC GATHERING AREAS

THE PROJECT MAY INCLUDE VARIOUS OUTDOOR ELEMENTS SUCH AS GATHERING SPACES, LAWNS, OR SCULPTURE PARKS. WHERE APPROPRIATE AND FEASIBLE, PEDESTRIAN CONNECTIONS SHOULD BE PROVIDED THROUGH SUCH SPACES, CREATING AN INTEGRATED PEDESTRIAN NETWORK THROUGHOUT THE PROJECT. SMALL, DIFFERENTIATED SEATING AREAS ARE ENCOURAGED THROUGHOUT THE PROJECT, AS ARE OTHER PEDESTRIAN AMENITIES INCLUDING BUT NOT LIMITED TO BENCHES, SEAT WALLS, BIKE RACKS, AND WASTE RECEPTACLES. GATHERING AREAS SHOULD INCLUDE VARYING MIXTURES OF SOFT- AND HARD-SCAPE ELEMENTS, WHICH MAY INCLUDE ELEMENTS SUCH AS LANDSCAPE BEDS, TURF AREAS, PLANTERS, PERGOLAS OR TRELLISES, WALLS OR OTHER GROUNDPLANE VARIATION.

TREE GRATES WILL NOT BE PERMITTED. OPEN TREE PITS ARE ENCOURAGED AS TREES ESTABLISH MUCH BETTER IN AMENDED SOIL THAT RECEIVES PRECIPITATION AND AIR TO ALLOW FOR ROOTS TO BREATHE AND ESTABLISH. WHERE NECESSARY IN PEDESTRIAN AREAS OR PROMENADES, TREE PITS MAY BE OVERLAID BY A FRAME AND PAVER SYSTEM THAT COMES UP TO THE TRUNK. THESE INSTALLATIONS OPEN UP TIGHT SPACES BY PROVIDING SAFE PEDESTRIAN MOVEMENT UNDER THE TREES WITHOUT COMPACTING THE SOIL OVER THE ROOTS, AND CAN BE EASILY SCALED AS THE TREE TRUNK GROWS LARGER, AND MAY REDUCE THE ACCUMULATION OF WEEDS AND TRASH.

A VARIETY OF RAISED PLANTERS AND PLANTER POTS WILL BE USED IN KEY AREAS SUCH AS BUILDING ENTRANCES AND PEDESTRIAN CORRIDORS FOR AESTHETICS AND TO AID CIRCULATION. FLOWER BEDS WITH ENHANCED PERENNIAL AND ANNUAL COLOR WILL BE USED AT KEY PEDESTRIAN AND VEHICULAR INTERSECTIONS.

LOW LANDSCAPE WALLS SHALL BE MADE OF INDIGENOUS STONE OR STONE VENEER WITH STRONG HORIZONTAL LINES. THEY MAY INCLUDE STONE, CONCRETE, OR WOODEN CAPS. NATURAL STONE BOULDERS AND SLABS MAY BE INCORPORATED AS SEATING AND VISUAL STRUCTURE.



PEDESTRIAN NETWORK AND CONNECTIONS

A PEDESTRIAN SIDEWALK NETWORK WILL BE PROVIDED ALONG ALL PUBLIC AND PRIVATE ROADS INTERNAL TO THE PROJECT, AND ALONG ALL EDGE ROADWAYS SUCH AS FAIRGROUNDS AVE AND CROSSROADS BLVD. MID-BLOCK CROSSINGS ARE PERMITTED, SUBJECT TO TOWN STANDARDS. WAYFINDING SIGNAGE, PEDESTRIAN FURNITURE, ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, AND OTHER ELEMENTS MAY BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. ANY IMPROVEMENTS THAT DO NOT MEET TOWN STANDARDS WILL BE MAINTAINED BY THE METRO DISTRICT.

SCREEN WALLS/TRASH ENCLOSURES

TRASH ENCLOSURES, LOADING AREAS, AND OTHER SIMILARLY UNATTRACTIVE LAND USES SHALL BE GENERALLY LOCATED IN AN UNOBTRUSIVE LOCATION. WHEN SCREENED WITH PLANT MATERIAL, SUCH PLANTS SHOULD GENERALLY BE CONIFEROUS. A VARIETY OF OTHER SCREENING METHODS MAY BE ALLOWED AS APPROPRIATE, INCLUDING BUT NOT LIMITED TO BERMING OR WALLS.



OVERALL LANDSCAPE CONCEPT AND PALETTE OF PLANT MATERIALS USED TO CARRY IT OUT

THE OVERALL LANDSCAPE CONCEPT SHALL UTILIZE NATIVE AND ADAPTED PLANTS IN A UNIQUE WAY TO CREATE A PROJECT-SPECIFIC DISTINCTIVE MASSING OF NATIVE SHRUBS, GRASSES, PERENNIALS, ANNUALS AND HARDSCAPE ELEMENTS IN STRONG CONFIGURATION TO HELP AUGMENT THE FORMS AND LINES OF THE DEVELOPMENT.



THE LANDSCAPE WILL CONNECT THE OVERALL DEVELOPMENT THROUGH THE USE OF SIGNATURE PLANTS AND A SPECIFIC PLANT LIST. SIGNATURE SPECIES ARE ICONIC TO THE OVERALL THEME AND SHOULD BE HIGHLIGHTED AND UTILIZED IN EACH OF THE PARCELS, WHILE UTILIZING THE OTHER PLANT SPECIES IN ORDER TO CREATE AN ORGANIC, NATURAL LOOK. APPROXIMATELY 50% OF ALL TREES SHALL BE EVERGREEN TO ENSURE FOUR SEASON INTEREST. LOW WATER USE NATIVE PLANTS SHALL BE USED FOR THE MAJORITY OF THE LANDSCAPE. HIGH WATER PLANTS WILL ONLY BE PERMITTED IN AREAS WHERE THERE IS NATURAL RUNOFF OR LOW SWALES WHICH HAVE READILY AVAILABLE GROUND WATER. PLANTINGS SHALL BE GROUPED INTO ZONES BY SIMILAR WATER NEEDS.

THE ULTIMATE DESIGN FOR PLANTING AND HARDSCAPE SHOULD APPROPRIATELY COMPLIMENT THE PROJECT ARCHITECTURE AND MONUMENTATION. WHERE FEASIBLE, THE USE OF LOW WATER PLANT MATERIAL IS ENCOURAGED. REFER TO TOWN OF WINDSOR MUNICIPAL CODE FOR ADDITIONAL INFORMATION ON LOW WATER USE LANDSCAPE DESIGN.



OWNER:

EAGLE CROSSING
WINDSOR, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:

YAEGER
ARCHITECTURE
YAEGER
ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

ENGINEER:



TST, INC.
748 WHALERS WAY
SUITE 200
FORT COLLINS, CO
80525
970.226.0557

DATE:

08/09/17 SUB-01
05/08/18 SUB-02
07/17/18 SUB-03
09/18/18 SUB-04
09/20/18 SUB-05

SHEET TITLE:

LANDSCAPE
STANDARDS

ARCHITECTURAL DESIGN GUIDELINES:

THE PROVISIONS OF THESE GUIDELINES ARE INTENDED TO FUNCTION AS A SUPPLEMENT TO THE COMMERCIAL AND ARCHITECTURAL STANDARDS INCLUDED IN THE WINDSOR MUNICIPAL CODE, AS AMENDED. SPECIFICALLY, COMMERCIAL ARCHITECTURAL STANDARDS. ANY REQUIREMENTS OF ANY SECTION OF THE WINDSOR MUNICIPAL CODE DEALING WITH ARCHITECTURAL STANDARDS SHALL CONTINUE TO APPLY TO THIS PROJECT. IN CASES WHERE THE STANDARDS IN THESE GUIDELINES CONTRADICT THE STANDARDS IN ANY SECTION OF WINDSOR'S MUNICIPAL CODE, THE STANDARDS INCLUDED IN THESE GUIDELINES SHALL GOVERN. IN CASES WHERE THESE GUIDELINES ARE SILENT, ANY APPLICABLE SECTION OF WINDSOR'S MUNICIPAL CODE SHALL GOVERN. THESE STANDARDS ARE INTENDED TO CREATE A UNIQUE AND DISTINCTIVE BUILT ENVIRONMENT WITHIN THE PROJECT.

ARCHITECTURAL THEME

THE ARCHITECTURE SHOULD BE ONE THAT IS GROUNDED IN ITS SITE, BOTH FROM A LOCAL AND REGIONAL PERSPECTIVE. THE ARCHITECTURE SHOULD BE OF A MODERN EXPRESSION OF COLORADO ARCHITECTURE STYLES OF THE FRONT RANGE AND ROCKY MOUNTAIN REGION. THIS SHOULD MANIFEST ITSELF IN THE USE OF QUALITY MATERIALS, ARTICULATION OF THE PLAN, AND ARTICULATION OF THE BUILDING FAÇADES. KEY THEMES TO BE CONSIDERED TO ACHIEVE THIS VERNACULAR COLORADO IMAGE INCLUDE: RUSTIC, RANCH, AGRICULTURAL, AGRARIAN, FOLK, PRAIRIE, MOUNTAIN, WESTERN INDUSTRIAL, WITH MODERN INTERPRETATIONS OF THESE AUTHENTIC STYLES WITH NATIVE MATERIALS FOR THIS SITE.

SOME FLEXIBILITY IN THESE GUIDELINES WILL BE CONSIDERED TO ALLOW FOR ARCHITECTURAL VARIETY AND FRANCHISE ARCHITECTURE. THESE GUIDELINES RECOGNIZE THAT CERTAIN ELEMENTS OF A BUILDING DESIGN MAY BE ASSOCIATED SPECIFICALLY WITH A NATIONAL BRAND IDENTITY. IT IS THE INTENT OF THESE GUIDELINES NOT TO PROHIBIT DESIGN THAT SUPPORTS BRAND IDENTITY, BUT RATHER TO GUIDE THE FRANCHISE TO MINOR ADJUSTMENTS IN DESIGN TO ALLOW THE BRAND IDENTITY TO INTEGRATE INTO THE DEVELOPMENT. CHANGES TO PROTOTYPICAL FRANCHISE STYLES TO MEET THESE STANDARDS MAY INCLUDE, BUT ARE NOT LIMITED TO, MODIFICATIONS TO ROOFS, WINDOWS, DOORS, BUILDING MASS, MATERIALS, COLORS, PLACEMENT OF ARCHITECTURAL FEATURES AND DETAILS, ETC. FRANCHISE ARCHITECTURAL STYLES FOUND TO MEET THESE STANDARDS WILL NOT REQUIRE ANY MODIFICATION. NATIONAL FRANCHISE BUILDINGS SHALL BE ALLOWED TO RETAIN THE ELEMENTS REQUIRED TO CONVEY THEIR NATIONAL IDENTITY AND BRAND.

DESIGN CONSIDERATIONS SHALL INCLUDE CREATING VISUAL INTEREST USING A VARIETY OF BUILDING TYPES IN EACH DEVELOPMENT AREA. THE AREAS SHALL BE DEVELOPED WITH CONSISTENT AND COMPLIMENTARY STYLES OF ARCHITECTURE REFLECTED ON ALL SIDES OF THE BUILDING. THE GUIDELINES REQUIRE THAT CAREFUL DESIGN ATTENTION BE PAID TO MATERIAL SELECTION, MASSING, PROPORTIONS, AND DETAILING. DESIGN THAT EXPEDIENTLY SATISFIES ONLY THE FUNCTIONAL REQUIREMENTS OF A BUILDING'S PROGRAM, WITHOUT REGARD TO A HIGHER SENSE OF REFINEMENT, IS NOT ACCEPTABLE.

WHERE THERE IS NO ESTABLISHED OR CONSISTENT NEIGHBORHOOD OR AREA CHARACTER OR UNIFYING THEME, OR WHERE IT IS NOT DESIRABLE TO CONTINUE THE EXISTING CHARACTER BECAUSE IT DOES NOT REFLECT A DESIGN THEME CONSISTENT WITH THE ARCHITECTURAL STANDARDS AS DESCRIBED HEREIN, THE PROPOSED DEVELOPMENT SHALL BE DESIGNED TO ESTABLISH AN ATTRACTIVE IMAGE AND SET A STANDARD OF QUALITY FOR FUTURE DEVELOPMENTS AND BUILDINGS WITHIN THE AREA.

OVERALL DESIGN PRINCIPALS

AREA "D"
THE INTENDED DESIGN FOR AREA "D" IS HIGH-QUALITY BUILDINGS AT LOWER DENSITIES WITH ABUNDANT LANDSCAPING. THIS AREA IS MORE AUTOMOBILE ORIENTED AND MUST ADDRESS THE ISSUE OF THE INTERACTION BETWEEN THE AUTOMOBILE AND THE PEDESTRIAN. NATIONAL BRAND TENANTS SHALL BE ALLOWED TO MAINTAIN THE ELEMENTS REQUIRED FOR THEIR NATIONAL BRAND IDENTITY BUT SHALL STILL INTEGRATE INTO THE DEVELOPMENT.

1. BUILDING ORIENTATION

AREA D

REVERSE MODE DESIGN SHALL BE UTILIZED WITHIN AREA D FOR BUILDINGS FRONTING CROSSROADS BLVD. AND FAIRGROUNDS AVE.

NO DELIVERY, LOADING, DOCK OR TRASH REMOVAL DOOR OR FACILITY SHALL BE LOCATED ON THE MAIN STREET FACING FAÇADE OF THE BUILDING. ANY SUCH DOOR OR FACILITY LOCATED ON THE SIDE OR REAR WALL OF THE BUILDING SHALL BE SCREENED IN ACCORDANCE WITH THE SITE DEVELOPMENT PERFORMANCE STANDARDS AND GUIDELINES, AS AMENDED. FOR SITES THAT HAVE ROAD FRONTAGE ON MULTIPLE SIDES, THESE FACILITIES SHALL BE LOCATED IN THE LEAST OBTRUSIVE MANNER, PREFERABLY ON A NON-ROAD FACING SIDE OF THE BUILDING, OR THE ROAD FRONTAGE THAT HAS THE LEAST PUBLIC VISIBILITY.

2. BUILDING MASSING

SCALE OF BUILDINGS

WITHIN THE OVERALL VOLUME OF A BUILDING, STRATEGIES SHOULD BE EMPLOYED TO FURTHER BREAK DOWN THE MASSING AND SCALE TO CREATE MORE VISUALLY INTERESTING BUILDINGS. ADDING OR SUBTRACTING ELEMENTS SHOULD BE USED TO CREATE DEPTH AND SHADOWS, AND LEND BUILDINGS A MORE HUMAN SCALE.

- ADDITIVE: INCORPORATE PROJECTING BAYS, DORMERS, PORCHES, BALCONIES, AWNINGS, AND SUN SCREENING. THESE ELEMENTS SHOULD BE SCALED AND DETAILED TO BLEND WITH THE OVERALL AESTHETIC OF BUILDINGS.
- SUBTRACTIVE: INCLUDE RECESSED PORCHES, TERRACES, AND OTHER STEP-BACKS THAT SERVE TO PUNCTUATE THE FAÇADE AND CREATE DEPTH USING SHADOWS.

FAÇADES, AND ANY WALL OF THE BUILDING FACING ANY ROAD OR PUBLIC OR PRIVATE SERVICE DRIVE, GREATER THAN ONE HUNDRED FEET IN LENGTH, MEASURED HORIZONTALLY, SHALL INCORPORATE WALL PLANE PROJECTIONS OR RECESSES HAVING A DEPTH OF AT LEAST TWO PERCENT OF THE LENGTH OF THE FAÇADE, EXTENDING AT LEAST FIFTEEN PERCENT OF THE LENGTH OF THE FAÇADE. NO UNINTERRUPTED LENGTH OF ANY FAÇADE SHALL EXCEED ONE HUNDRED HORIZONTAL FEET.

VARIATION IN BUILDING MASSING

VARY THE ROOF HEIGHT, FAÇADE PLANE, SETBACKS, AND FLOOR-TO-FLOOR HEIGHT. LARGE, MONOTONOUS BUILDINGS SHOULD BE MADE TO APPEAR AS A COLLECTION OF DISCREET ONES THAT ARE MORE PEDESTRIAN APPROPRIATE IN THEIR SCALE. DEVELOPMENTS WITH MULTIPLE BUILDINGS SHALL INCLUDE PREDOMINANT CHARACTERISTICS IN EACH BUILDING SO THAT THE BUILDINGS WITHIN THE DEVELOPMENT APPEAR TO BE PART OF A COHESIVE, PLANNED AREA, YET ARE NOT MONOTONOUS IN DESIGN. PREDOMINANT CHARACTERISTICS MAY INCLUDE USE OF THE SAME OR SIMILAR ARCHITECTURAL STYLE, MATERIALS AND COLORS.

EMPHASIZE CORNERS

BUILDINGS LOCATED AT CORNERS SHOULD INCLUDE HIGHER INTENSITY OR DISTINCT MASSING SUCH AS A TOWER ELEMENT OR CURVED FAÇADE, AT THE PRIMARY CORNERS OF THE BUILDING ADJACENT TO PUBLIC AREAS OR STREETS. CREATE MULTI-STORY FACETS, VERTICAL CORNER ELEMENTS, BAYS, OR SUBTRACTIONS TO HELP PUNCTUATE THE CORNERS. INCREASED HEIGHT MAY BE APPROPRIATE TO FURTHER EMPHASIZE THE IMPORTANCE OF A CRITICAL CORNER OF BUILDINGS.

ROOF FORMS

CONSISTENT ROOF FORMS SHOULD BE USED THROUGHOUT THE PROJECT TO CREATE A UNIFIED APPEARANCE. ROOF FORMS SHOULD TAKE INTO CONSIDERATION THE LOCATION OF THE BUILDING RELATIVE TO SURROUNDING GRADE, THE EFFECT OF THE BUILDING ON VIEWS FROM SURROUNDING PLAZAS AND GREEN SPACES, THE ABILITY TO ADEQUATELY SCREEN ROOF TOP MOUNTED MECHANICAL EQUIPMENT, AND THE REQUIREMENT THAT THE BUILDING DESIGN FULFILL THE INTENT OF THESE ARCHITECTURAL DESIGN GUIDELINES.

ALL PRIMARY STRUCTURES SHALL HAVE A RECOGNIZABLE TOP CONSISTING OF EITHER A CORNICE OR PEAKED/ PITCHED ROOF.

SLOPED ROOFS SUCH AS SHED ROOFS, GABLED ROOFS OR OTHER ROOF FORMS CAN BE USED TO PROVIDE EMPHASIS TO IMPORTANT BUILDING ELEMENTS SUCH AS ENTRANCES, BUILDING TERMINUS, CORNERS, OR OTHER BUILDING ELEMENTS.

WHERE APPROPRIATE TO THE ARCHITECTURAL STYLE, OVERHANGING EAVES SHOULD INCLUDE BRACKETS TO PROVIDE VISUAL SUPPORT TO THE EAVE.

PARAPET WALLS SHALL HAVE A THREE-DIMENSIONAL CORNICE TREATMENT THAT IS DIFFERENTIATED FROM THE WALL MATERIAL BY COLOR, MATERIAL, OR TEXTURE IN ADDITION TO BEING THREE DIMENSIONAL.. COLORED BANDING ABSENT OF A CHANGE IN PLANE SHALL NOT BE SUFFICIENT.

ROOFTOP MECHANICAL UNITS AND OTHER MISCELLANEOUS ROOFTOP EQUIPMENT SHALL BE SUBSTANTIALLY SCREENED FROM VIEW FROM PUBLIC RIGHTS-OF-WAY AND OTHER PUBLIC PLACES. SCREENING MATERIALS SHALL BE OF THE SAME OR COMPARABLE MATERIAL, TEXTURE AND COLOR AS THE MATERIALS USED ON THE BUILDING. ROOF-MOUNTED EQUIPMENT SCREENING SHALL BE CONSTRUCTED AS AN ENCOMPASSING MONOLITHIC UNIT, RATHER THAN AS SEVERAL INDIVIDUAL SCREENS (I.E., MULTIPLE EQUIPMENT SCREENS, OR "HATS," SURROUNDING INDIVIDUAL ELEMENTS SHALL NOT BE PERMITTED) FOR BUILDINGS UNDER 75,000 SQUARE FEET. BUILDINGS OVER 75,000 SQUARE FEET ARE PERMITTED MULTIPLE SCREENS. THE HEIGHT OF THE SCREENING ELEMENT SHALL EQUAL OR EXCEED THE HEIGHT OF THE STRUCTURE'S TALLEST PIECE OF INSTALLED EQUIPMENT.

DISCOURAGE:

- BIG BOXES WITH MONOTONOUS BUILDING ELEVATIONS;
- LARGE BLOCKS WITH FEW CONNECTIONS BETWEEN BUILDINGS;
- BUILDING CLUSTERS HAVING AN IDENTICAL LOOK AND DESIGN.

3. BUILDING HEIGHTS

THE MAXIMUM HEIGHT OF BUILDINGS FOR THIS DEVELOPMENT WILL BE DETERMINED BY THE FLIGHT CEILING OF THE NEARBY FORT COLLINS-LOVELAND AIRPORT. GROUND FLOOR LEVELS SHOULD BE DESIGNED WITH A GREATER FLOOR-TO-FLOOR HEIGHT FOR RETAIL USES. WHERE APPROPRIATE, EFFORTS SHOULD BE MADE TO ACKNOWLEDGE OR REFERENCE THE HEIGHTS OF ADJACENT BUILDINGS TO FOSTER GREATER VISUAL HARMONY BETWEEN NEW PROJECTS AND THE EXISTING FABRIC. CORRELATING FLOOR HEIGHTS, CORNICES, LINTELS, AND STEP-BACKS IS ENCOURAGED

A RANGE OF BUILDING HEIGHTS

THE HEIGHT OF LARGE BUILDINGS SHOULD VARY TO ADD VARIETY AND VISUAL INTEREST, AS WELL AS TO BREAK DOWN BUILDING MASSING. IN SMALLER BUILDINGS, THE DEGREE OF VARIETY MAY BE LESS, SUCH AS VARYING THE HEIGHT OF PARAPETS OR EXPRESSING VERTICAL CIRCULATION ELEMENTS. ADDITIONAL HEIGHT MAY BE WARRANTED IN THE FOLLOWING CASES:

- AT IMPORTANT INTERSECTIONS/SQUARES;
- AT BUILDING CORNERS (SEE BUILDING MASSING ABOVE);
- WHEN ALIGNED WITH OR TERMINATING IMPORTANT VIEW CORRIDORS.

4. MATERIALS AND COLORS

HIGH-QUALITY AND NATURAL MATERIALS

CHOOSE HIGH-QUALITY MATERIALS TO ENSURE THAT BUILDINGS LAST, AND MATERIALS THAT ARE APPROPRIATE TO THE ARCHITECTURAL STYLE PROPOSED. LOCALLY SOURCED MATERIALS OFFER ADDITIONAL LAYERS OF BENEFIT IN THE FORM OF STIMULATING THE LOCAL ECONOMY, REDUCING THE ENERGY INVOLVED IN TRANSPORTATION, AND BEING A PRODUCT OF THE AREA. EXTERIOR CLADDING AND DETAILING SHOULD BE CHOSEN FOR ITS ABILITY TO WORK WITH THE LOCAL CLIMATE AND RESIST DEGRADATION. CHOOSE ENVIRONMENTALLY AND HISTORICALLY APPROPRIATE MATERIALS. MATERIALS SHOULD BE CHOSEN THAT ARE DURABLE, RESILIENT, EASILY SOURCED AND REPAIRED, RESIST AGING POORLY, AND ARE NATURAL AND SUSTAINABLE.

ALLOWED EXTERIOR MATERIALS INCLUDE BRICK, STONE (NATIVE OR CULTURED), STUCCO OR EFIS (LIMIT TO 50% OF FAÇADE), ARCHITECTURAL PRECAST CONCRETE, COLOR TINTED THROUGH CMU SO THAT THE COLOR IS CONSISTANT THROUGHOUT THE ENTIRE UNIT, AND TEXTURED CMU, WOOD, GLASS, ARCHITECTURALLY INTEGRATED METAL WALL PANELS PER RESTRICTIONS BELOW, OR OTHER SIMILAR HIGH QUALITY MATERIALS. AT LEAST TWO KINDS OF MATERIALS DISTINCTLY DIFFERENT IN TEXTURE OR PATTERN SHOULD BE USED ON EACH APPROPRIATE FAÇADE BASED ON THE DESIGN AREA REQUIREMENTS THAT THE BUILDING IS LOCATED IN, ESPECIALLY FAÇADES VISIBLE FROM PUBLIC ROADS OR GATHERING AREAS.

METAL SIDING MAY BE USED AS AN EXTERIOR FINISH MATERIAL AS LONG AS THE AMOUNT USED DOES NOT EXCEED THIRTY PERCENT OF THE AREA OF ANY SINGLE WALL, EXCLUSIVE OF THE ROOF, AND PROVIDED IT MATCHES OR COMPLEMENTS THE BUILDING COLOR AND/OR MATERIAL SCHEME. FURTHER, SUCH METAL SIDING SHALL BE AN ARCHITECTURAL PANEL OR EQUAL QUALITY, NOT A "CORRUGATED" TYPE. ARCHITECTURAL METALS, SUCH AS BRONZE, BRASS, COPPER AND WROUGHT IRON, MAY BE USED AND MAY EXCEED THE THIRTY PERCENT AREA LIMIT.

COLORS SHALL BE USED TO BLEND BUILDINGS INTO AN AREA AND TO UNIFY ELEMENTS OF A DEVELOPMENT. COLOR SHOULD BE DRAWN FROM THE SURROUNDING AREA AND, IF IN A NEW DEVELOPMENT AREA, SHALL BE SELECTED TO ESTABLISH AN ATTRACTIVE IMAGE AND SET A STANDARD OF QUALITY FOR FUTURE DEVELOPMENTS AND BUILDINGS WITHIN THE AREA. MONOTONOUS OR MONOCHROMATIC COLOR PALETTES ARE STRONGLY DISCOURAGED. ACCENT COLORS USED TO CALL ATTENTION TO A PARTICULAR FEATURE OR PORTION OF A BUILDING, OR TO FORM A PARTICULAR PATTERN, SHALL BE COMPATIBLE WITH PREDOMINANT BUILDING BASE COLORS AND MAY BE INCORPORATED USING SUCH ELEMENTS AS SHUTTERS, WINDOW MULLIONS, BUILDING TRIM AND AWNINGS.

ACCENT COLORS SHALL COVER NO MORE THAN TEN PERCENT OF A BUILDING FAÇADE.

DISCOURAGE:

- FLAT, REPETITIVE FAÇADES;
- VINYL SIDING, LARGE PANELS, AND INEXPENSIVE MATERIALS;
- HISTORICAL FACSIMILES OR FAUX-HISTORICAL TREATMENTS.

5. FAÇADES, FEATURES AND DETAILS

GROUND LEVEL FAÇADES

IN HIGH DENSITY DESIGN AREAS THE USE OF FREQUENT ENTRANCES, LARGE AREAS OF GROUND-LEVEL TRANSPARENCY, BUILDING PERMEABILITY, AND HIGH-QUALITY MATERIALS SHOULD BE USED WHEN FEASIBLE TO CREATE AN ENGAGING PEDESTRIAN EXPERIENCE. THE GROUND LEVELS OF BUILDINGS SHOULD RECEIVE THE HIGHEST DEGREE OF DETAILING TO ENLIVEN THE PUBLIC REALM AND CREATE A UNIQUE SENSE OF PLACE.

BUILDING BASE

FAÇADES SHALL HAVE A RECOGNIZABLE BASE TREATMENT CONSISTING OF INTEGRALLY TEXTURED MATERIALS SUCH AS STONE, STONE VENEER OR MASONRY PLUS THICKER WALLS, LEDGES, OR SILLS.

PLUS, NO LESS THAN TWO OF THE FOLLOWING:

- LIGHTER OR DARKER COLORED MATERIALS, MULLIONS OR PANELS AS COMPARED TO THE UPPER FAÇADE;
- MATERIAL SCORING AND REVEALS;
- MODULAR STORE FRONT ON FIRST FLOOR;
- CHANGE IN WINDOW PATTERN ON FIRST FLOOR AS COMPARED TO UPPER FLOORS;
- SENSORY MATERIALS ON THE FIRST FLOOR;
- RAISED PLANTERS ATTACHED TO OR CLOSELY RELATED TO THE BUILDING.

Planning | Landscape Architecture | Project Promotion

NORRIS DESIGN

1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

THE BRANDS EAST

PLANNED UNIT DEVELOPMENT
WINDSOR, COLORADO

OWNER:

EAGLE CROSSING
WINDSOR, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:

Y

YAEGER
ARCHITECTURE

YAEGER
ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

ENGINEER:

T

ST

TST, INC.
748 WHALERS WAY
SUITE 200
FORT COLLINS, CO
80525
970.226.0557

DATE:

08/09/17 SUB-01
05/08/18 SUB-02
07/17/18 SUB-03
09/18/18 SUB-04
09/20/18 SUB-05

SHEET TITLE:

ARCHITECTURAL
STANDARDS

8 OF 10

CHECKED BY: MB & DR
DRAWN BY: DT & ML & DJ

NOT FOR CONSTRUCTION

ARCHITECTURAL DESIGN GUIDELINES CONTINUED:

BUILDING ENTRANCES

HAVE FREQUENT ENTRANCES ALONG PUBLIC WAYS TO CREATE A LIVELY AND MORE INTERESTING PEDESTRIAN EXPERIENCE. ENTRANCES AND GROUND FLOOR WINDOWS SHOULD:

- BE AT GRADE, EASILY PERCEIVED AND NAVIGABLE, AND THEY SHOULD AID IN PEDESTRIAN COMFORT, SAFETY AND ORIENTATION;
- BE ACCESSIBLE TO PERSONS WITH DISABILITIES. THE PUBLIC REALM/ PROJECT INTERFACE SHOULD BE GUIDED BY THE PRINCIPLES OF UNIVERSAL DESIGN TO ACCOMMODATE THE WIDEST RANGE OF USERS.

PRIMARY BUILDING ENTRANCES SHALL BE CLEARLY DEFINED AND RECESSED AND PROJECTED OR FRAMED BY ELEMENTS SUCH AS AWNINGS, ARCADES, PORTICOS OR OTHER ARCHITECTURAL FEATURES.

ADDITIONALLY, PRIMARY BUILDING ENTRANCES, WHEN FEASIBLE, SHOULD USE NO LESS THAN THREE OF THE FOLLOWING:

- RECESSES / PROJECTIONS;
- ARCADES, PORTICOS;
- RAISED CORNICE PARAPET OVER THE DOOR;
- PEAKED ROOF FORM AT ENTRYWAY;
- ARCHES;
- COLOR CHANGE;
- TEXTURE CHANGE;
- MATERIAL CHANGE;
- DOOR(S) WHICH PROVIDE A FOCAL ELEMENT AT THE ENTRANCE;
- FUNCTIONAL OUTDOOR PATIOS;
- DISTINCTIVE GROUND PLANE TREATMENT TO PROVIDE EMPHASIS TO THE ENTRYWAY;
- ARCHITECTURAL DETAILS THAT PROVIDE DETAIL AND INTEREST AT THE HUMAN SCALE;
- PEDESTRIAN AMENITIES SUCH AS SEATING AREAS, LANDSCAPE WALLS, ARTWORK, AND/ OR GARDENS.

TRANSPARENCY AT GROUND LEVEL

ENCOURAGE LARGE AREAS OF GLAZING AT GROUND LEVEL TO DISSOLVE THE VISUAL BARRIER BETWEEN THE INTERIOR AND EXTERIOR, ALLOWING THE SIDEWALK TO BENEFIT FROM THE ADJACENT ACTIVITY. PROVIDE LARGE SECTIONS OF GLAZING TO ALLOW USES TO VISUALLY SPILL OUT INTO THE SIDEWALKS AND STREETS, ACTIVATING THEM AND ENHANCING THE PEDESTRIAN EXPERIENCE. RETRACTABLE WINDOWS ARE ENCOURAGED.

FACADE WINDOWS AND OPENINGS

ALL FACADES THAT FACE PUBLIC STREETS, PEDESTRIAN WALKWAYS, PLAZAS, OPEN SPACES, SHALL HAVE WINDOWS OR SIMULATED WINDOWS.

ALL BUILDINGS MAY HAVE ONE FACADE DESIGNATED AS THE REAR OF THE BUILDING THAT DOES NOT HAVE TO MEET TRANSPARENCY REQUIREMENTS. IF THAT FAÇADE DOES NOT FACE UPON A PUBLIC STREET, SIDEWALK, PARKING LOT, PLAZA, OR OPEN SPACE. REAR FACADES MUST BE SCREENED PER TOWN CODE.

EXCEPTIONS. THE DIRECTOR MAY WAIVE THE APPLICATION OF THE STANDARDS SET FORTH IN THIS PUD OVERLAY IN CASES WHERE THE VISIBILITY OF SIDE OR REAR WALLS OF THE BUILDING IS SUBSTANTIALLY DIMINISHED BY LANDSCAPING, OR BY A DECORATIVE SCREENING WALL OR EARTHEN BERM COMBINED WITH LANDSCAPING, LOCATED BETWEEN THE BUILDING WALL AND ANY SUCH RIGHT-OF-WAY OR ADJACENT PROPERTY. A WAIVER MAY ALSO BE CONSIDERED IN CASES WHERE FLEXIBILITY IN THE INTERPRETATION OF THESE STANDARDS IS APPLICABLE, AS STATED ON SHEET 1 OF THIS PUD OVERLAY. LANDSCAPE SCREENING SHALL BE DESIGNED TO BE AT LEAST SIXTY PERCENT OPAQUE TO A HEIGHT OF SIX FEET UPON INSTALLATION AND A MINIMUM OF EIGHTY PERCENT OPAQUE TO A HEIGHT OF SIX FEET WITHIN FIVE YEARS OF PLANTING. SUCH LANDSCAPING SHALL CONSIST OF PRIMARILY EVERGREEN PLANT MATERIAL TO PROVIDE YEAR-ROUND SCREENING. THE REQUIRED LANDSCAPING SHALL BE MAINTAINED IN HEALTHY CONDITION BY THE CURRENT OWNER. IN THE EVENT ANY REQUIRED LANDSCAPING MATERIAL DIES OR IS DESTROYED, IT SHALL BE REPLACED BY THE OWNER WITHIN SIX MONTHS. REPLACEMENT MATERIAL SHALL CONFORM TO THE ORIGINAL INTENT OF THE LANDSCAPE PLAN.

BREAKING UP BUILDING LINES

BREAK UP VERTICAL AND HORIZONTAL BUILDING LINES, SO THAT LARGE MASSES APPEAR COMPOSED OF SMALLER, DISCRETE VOLUMES. CONSIDER VARIATIONS IN DEPTH, CHANGES IN MATERIAL, AND AGGREGATING ARCHITECTURAL ELEMENTS.

CANOPIES AND AWNINGS

UTILIZE EXTERIOR OVERHANGS AND PROJECTIONS TO PROTECT PEDESTRIANS FROM THE WEATHER, CREATE A THRESHOLD AT THE ENTRANCES TO SHOPS AND RESTAURANTS, AND VISUALLY COMPLETE THE OVERHEAD ELEMENTS OF THE PUBLIC REALM. BACK LIGHTED TRANSLUCENT AWNINGS INTENDED TO FUNCTION AS SIGNAGE, SHALL NOT BE PERMITTED AS PART OF A BUILDING DESIGN.

BALCONIES AND TERRACES

INCORPORATE BALCONIES AND TERRACES TO CREATE DEPTH IN THE FACADE THROUGH THE INTERPLAY OF LIGHT AND SHADOW, AS WELL AS VISUALLY BREAKING DOWN THE MASSING.

OUTDOOR SEATING AREAS

CREATE SETBACKS ALONG THE PRIMARY FRONTAGE OF A BUILDING, SO SPACE CAN BE RESERVED FOR OUTDOOR SEATING AREAS AND DISPLAYS FOR SHOPS. AREAS WITH EVEN GREATER SETBACKS CAN BE USED TO ACCOMMODATE LANDSCAPING THAT SERVES TO BREAK UP THE MONOTONOUS CHARACTER OF LONG BUILDING FACADES.

DISCOURAGE:

- CHEAP EXTERIOR FINISHES;
- MONOLITHIC FACADE TREATMENTS;
- LONG, UNINTERRUPTED ELEVATIONS;
- MIRRORRED OR HIGHLY REFLECTIVE GLASS;
- FLAT, BLANK WALLS.

ILLUMINATION

ILLUMINATION HIGHLIGHTING THE ENTIRE FACADE OF A BUILDING, OR A SIGNIFICANT PORTION OF THE BUILDING, SHALL NOT BE PERMITTED AS PART OF A BUILDING DESIGN. THIS STANDARD IS NOT INTENDED TO PRECLUDE THE USE OF LIGHTING (INCLUDING NEON LIGHTING) TO ACCENT LIMITED PORTIONS OF THE BUILDING FACADE.

BUILDING DESIGN ELEMENTS.

ALL BUILDINGS SHALL BE DESIGNED AND MAINTAINED USING THE FOLLOWING BUILDING ELEMENTS, WITH A MINIMUM OF ONE ITEM EACH SELECTED FROM FOUR OF THE FIVE GROUPS BELOW:

GROUP 1 - EXTERIOR WALL ARTICULATION.

1. OPENINGS OR ELEMENTS SIMULATING OPENINGS THAT OCCUPY AT LEAST TWENTY PERCENT OF THE WALL SURFACE AREA (EXCLUDING OVERHEAD OR DOCK DOORS); OR
2. BUILDING BAYS CREATED BY COLUMNS, RIBS, PILASTERS OR PIERS OR AN EQUIVALENT ELEMENT THAT DIVIDES A WALL INTO SMALLER PROPORTIONS OR SEGMENTS WITH ELEMENTS BEING AT LEAST ONE FOOT IN WIDTH, A MINIMUM DEPTH OF EIGHT INCHES, AND SPACED AT INTERVALS OF NO MORE THAN TWENTY FIVE PERCENT OF THE EXTERIOR BUILDING WALLS. FOR BUILDINGS OVER TWENTY THOUSAND SQUARE FEET IN FLOOR AREA, SUCH ELEMENTS SHALL BE AT LEAST EIGHTEEN INCHES IN WIDTH, WITH A MINIMUM DEPTH OF TWELVE INCHES, AND SPACED AT INTERVALS OF NO MORE THAN TWENTY PERCENT OF THE EXTERIOR BUILDING WALLS; OR
3. A RECOGNIZABLE BASE TREATMENT OF THE WALL CONSISTING OF THICKER WALLS, LEDGES OR SILLS USING INTEGRALLY TEXTURED AND COLORED MATERIALS SUCH AS STONE, MASONRY, OR A DECORATIVE CONCRETE;
4. OR SOME OTHER ARCHITECTURAL FEATURE THAT BREAKS UP THE EXTERIOR HORIZONTAL AND VERTICAL MASS OF THE WALL IN A MANNER EQUIVALENT TO (1), (2), OR (3) ABOVE.

GROUP 2 - ROOF ARTICULATION.

1. CHANGES IN ROOF LINES, INCLUDING THE USE OF STEPPED CORNICE PARAPETS, A COMBINATION OF FLAT AND SLOPED ROOFS, OR PITCHED ROOFS WITH AT LEAST TWO ROOF LINE ELEVATION CHANGES; OR
2. SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH BREAKS UP THE EXTERIOR HORIZONTAL AND VERTICAL MASS OF THE ROOF IN A MANNER EQUIVALENT TO (1) ABOVE.

GROUP 3 - BUILDING OPENINGS, WALKWAYS AND ENTRANCES.

1. CANOPIES OR AWNINGS OVER AT LEAST THIRTY PERCENT OF THE OPENINGS OF THE BUILDING; OR
2. COVERED WALKWAYS, PORTICOS AND/OR ARCADES COVERING AT LEAST TWENTY PERCENT OF THE HORIZONTAL LENGTH OF THE FRONT FACADE; OR
3. RAISED CORNICE PARAPETS OVER ENTRIES; OR
4. SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH ADDS DEFINITION TO THE BUILDING OPENINGS, WALKWAYS OR ENTRANCES IN A MANNER EQUIVALENT TO (1), (2), OR (3) ABOVE

GROUP 4 - BUILDING MATERIALS. (THE AREA OF WINDOWS AND DOORS, INCLUDING OVERHEARD DOORS, SHALL BE EXCLUDED FROM THE WALL AREA CALCULATION FOR THE FOLLOWING STANDARDS.)

1. AT LEAST TWO KINDS OF MATERIALS DISTINCTIVELY DIFFERENT IN TEXTURE OR MASONRY PATTERN, AT LEAST ONE OF WHICH IS DECORATIVE BLOCK, BRICK OR STONE, WITH EACH OF THE REQUIRED MATERIALS COVERING AT LEAST TWENTY PERCENT OF THE EXTERIOR WALLS OF THE BUILDING; OR
2. BRICK OR STONE (INCLUDING SYNTHETIC STONE) COVERING AT LEAST FORTY PERCENT OF THE EXTERIOR WALLS OF THE BUILDING.

GROUP 5 - OTHER ARCHITECTURAL DEFINITION.

1. OVERHANGING EAVES EXTENDING AT LEAST TWENTY-FOUR INCHES PAST THE SUPPORTING WALLS, OR WITH FLAT ROOFS, CORNICE PARAPETS OR CAPSTONE FINISH; OR
2. ORNAMENTAL LIGHTING FIXTURES (EXCLUDING NEON) FOR ALL EXTERIOR BUILDING LIGHTING; OR
3. A FEATURE THAT ADDS ARCHITECTURAL DEFINITION TO THE BUILDING, IN A MANNER EQUIVALENT TO (1) OR (2) ABOVE.

UNIFIED DESIGN AGREEMENT

AN ARCHITECTURAL REVIEW BOARD WILL BE IN PLACE TO REVIEW EACH PROJECT WITHIN THE DEVELOPMENT. AN APPROVAL FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE REQUIRED PRIOR TO THE SUBMISSION OF SITE DEVELOPMENT PLANS. A LETTER OF APPROVAL FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE REQUIRED PRIOR TO PLAT SUBMITTALS.

ADDITIONAL SUBMITTAL REQUIREMENTS

IN ADDITION TO THE ITEMS REQUIRED IN THE SUBMITTAL CHECKLISTS, THE FOLLOWING ITEMS SHALL BE INCLUDED:

1. LETTER OF APPROVAL FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE SUBMITTED WITH AN APPLICATION FOR A SITE PLAN.

DEFINITIONS

SECTION 1:

- a) REVERSE MODE - BUILDINGS LAID OUT SO THAT THEY FRONT THE ROAD PROVIDING INTEREST AND REDUCE THE VISUAL IMPACT OF THE PARKING LOT. PARKING WILL BE DEVELOPED TO THE REAR AND SIDES OF THE BUILDINGS.
- b) MODULAR STOREFRONT ON FIRST FLOOR - STOREFRONT THAT IS MADE UP OF A SERIES OF PIECES AND PARTS (MODULES) THAT BREAK DOWN THE SCALE OF THE STOREFRONT INTO THE HUMAN SCALE.
- c) SENSORY MATERIALS - MATERIALS THAT ALLOW PEOPLE TO USE THEIR SENSES OF SIGHT, TOUCH, AND EVEN HEARING, THROUGH DIFFERENT TEXTURES AND PATTERNS, CREATING A STIMULATING AND INTERESTING PLACE TO BE A PART OF.



PERMITTED USES:

THE INTENT OF THE BELOW LIST OF PERMITTED USES IS TO PROVIDE A COMPARABLE LEVEL OF USES FOR THE BRANDS EAST AS ARE PROVIDED IN THE BRANDS AND THE BRANDS WEST FZOD IN THE CITY OF LOVELAND. THE BRANDS AND BRANDS WEST FZOD HAS SUBSTANTIALLY MORE LISTED PERMITTED USES THAN ARE PROVIDED IN THE WINDSOR MUNICIPAL CODE. USES ADDED OR MODIFIED FROM THE BRANDS AND BRANDS WEST FZOD HAVE BEEN COMPILED INTO A SINGLE ALPHABETICAL LIST BELOW. A FEW MINOR MODIFICATIONS HAVE ALSO BEEN MADE TO THE TOWN'S STANDARD GC USES, WHICH ARE SHOWN IN THEIR OWN SECTION BELOW.

ARTICLE XIX - GENERAL COMMERCIAL GC DISTRICT

SEC. 16-19-10. - USE REGULATIONS.

- (a) PRINCIPAL USES PERMITTED BY RIGHT. ALL USES BY RIGHT AS HEREINAFTER SET FORTH MAY BE SUBJECT TO APPROVAL OF APPROPRIATE PLANS PURSUANT TO THE SITE PLAN REGULATIONS OF THE TOWN AS ARE OTHERWISE SET FORTH IN THIS CODE.
- (1) DRIVE-IN RESTAURANTS.
 - (2) GROCERY STORES AND SUPERMARKETS.
 - (3) GASOLINE SERVICE STATIONS.
 - (4) CAR WASHES.
 - (5) COMMERCIAL LODGING.
 - (6) RESTAURANTS AND BARS.
 - (7) OUTDOOR SALES AREAS, SUCH AS GARDEN SHOPS.
 - (8) AUTOMOBILE SALES AND SERVICE ESTABLISHMENTS, INCLUDING USED CAR LOTS, NOT TO EXCEED 5 ACRES AND WHICH MAY INCLUDE THE VERTICAL OR STACKED STORAGE OF MERCHANDISE.
 - (9) PUBLIC, PRIVATE, COMMERCIAL AND PRIVATE GROUP OUTDOOR RECREATIONAL FACILITIES.
 - (10) BOWLING ALLEYS.
 - (11) BUSINESS AND PROFESSIONAL OFFICES.
 - (12) PLACES OF ASSEMBLY (SMALL).
 - (13) PLACES OF ASSEMBLY (LARGE).
- (b) PERMITTED ACCESSORY USES:
- (1) ANY ACCESSORY USE PERMITTED IN THE CENTRAL BUSINESS CB DISTRICT.
 - (2) MOBILE FOOD VENDING AS SET FORTH IN SECTION 16-10-110.
- (c) CONDITIONAL USES. THE FOLLOWING USES SHALL BE PERMITTED IN THIS DISTRICT UPON APPROVAL OF A CONDITIONAL USE GRANT AS PROVIDED IN ARTICLE VII OF THIS CHAPTER:
- (1) OUTDOOR THEATER.
 - (2) NONACCESSORY SIGNS.
 - (3) OIL AND GAS FACILITIES PURSUANT TO THE CONDITIONAL USE REGULATIONS CONTAINED IN ARTICLE VII OF THIS CHAPTER PERTAINING THERETO.
 - (4) SUBJECT TO THE APPLICABLE REQUIREMENTS OF SECTION 16-7-70 OF THIS CHAPTER, OPEN OR SURFACE MINING OPERATIONS FOR THE DEVELOPMENT OR EXTRACTION OF SOLID MATERIALS, AS DEFINED IN THIS CHAPTER.

USES ADDED OR MODIFIED FROM THE BRANDS AND BRANDS WEST FZOD

- ABOVEGROUND PUBLIC UTILITY AND PUBLIC SERVICE INSTALLATIONS AND FACILITIES, ESSENTIAL PUBLIC UTILITY USES, FACILITIES, SERVICES, AND STRUCTURES (ABOVE GROUND);
- ACCESSORY BUILDINGS AND USES;
- ACCESSORY BUILDINGS AND USES INCLUDING COMMERCIAL CHILD DAY CARE CENTERS WHEN INCORPORATED AS PART OF A DEVELOPMENT PROJECT AND COMPATIBLE WITH SURROUNDING USES;
- ACCESSORY MANUFACTURING OF ELECTRONIC INSTRUMENTS AND SERVICES, INCLUDING REPAIRS AND LIMITED ASSEMBLY, RELATED TO A PRINCIPAL USE;
- ACCESSORY USES WHICH ARE REASONABLY REQUIRED TO PROVIDE NECESSARY MAINTENANCE OR SECURITY OF THE PRINCIPAL USE, INCLUDING, A DWELLING UNIT FOR OCCUPANCY AS A CARETAKER'S QUARTERS OR FOR OCCUPANCY BY THE BUSINESS OR PROPERTY OWNER;
- ADMINISTRATIVE, INSURANCE AND RESEARCH FACILITIES;
- ANTENNAS, AS DEFINED AND REGULATED BY THE WINDSOR MUNICIPAL CODE;
- ARTISAN AND/OR CRAFT FOUNDRY, MANUFACTURING, WAREHOUSING, AND/OR RETAIL SALES. (ENTIRELY ENCLOSED WITHIN A BUILDING AND PROVIDED THERE IS NO EXCESSIVE ODOR, GLARE, SMOKE, HEAT, VIBRATION, ETC.). LIMITED OUTDOOR FABRICATION OF PRODUCTS MAY BE PERMITTED SUBJECT TO A CONDITIONAL USE GRANT.
- ART GALLERY, STUDIO, AND WORKSHOP INCLUDING LIVE/WORK STUDIO AND WORKSHOP. SUCH FACILITIES MAY INCLUDE THE DISPLAY, SALE, FABRICATION OR PRODUCTION OF PAINTINGS, SCULPTURES, CERAMICS AND OTHER ART MEDIA. LIMITED OUTDOOR FABRICATION OF ART WORK MAY BE PERMITTED SUBJECT TO A CONDITIONAL USE GRANT.
- BAR OR TAVERN;
- CAR WASH;
- CLUBS AND LODGES;
- COMBINED USE (OR MIXED-USE) DEVELOPMENTS
- COMMERCIAL CHILD DAY CARE CENTER LICENSED ACCORDING TO THE STATUTES OF THE STATE;
- COMMUNITY FACILITY;
- CONVENTION AND CONFERENCE CENTER;
- CONVENIENCE STORE;
- EDUCATIONAL FACILITY INCORPORATED INTO ANOTHER STRUCTURE OR SITE PLAN.
- ESSENTIAL PUBLIC UTILITY USES, FACILITIES, SERVICES, AND STRUCTURES (ABOVE GROUND AND UNDERGROUND);

- FINANCIAL SERVICES;
- FIRING RANGE, INDOOR.
- FOOD CATERING;
- GARDEN SUPPLY;
- GAS STATION WITH OR WITHOUT CONVENIENCE GOODS
- GREENHOUSE;
- GROCERY;
- GROUP CARE, MULTIPLE-FAMILY DWELLINGS FOR THE ELDERLY. AND/OR LONG-TERM CARE FACILITY (NO MORE THAN 15% OF THE PUD AREA)
- HEALTH CARE SERVICE FACILITY;
- HOME IMPROVEMENT CENTER, INCLUDING FULLY SCREENED ACCESSORY OUTDOOR STORAGE
- HOSPITAL;
- INDOOR ENTERTAINMENT FACILITY, WITH OR WITHOUT THEATER;
- INDOOR RECREATION;
- LODGING ESTABLISHMENTS (HOTEL AND MOTEL);
- MANUFACTURE AND PREPARATION OF FOOD PRODUCTS; WITH ON-SITE RETAIL SALES.
- MESSAGE PARLORS (MESSAGE THERAPY INCLUDED IN DEFINITION OF HEALTH CARE SERVICE FACILITY);
- MEDICAL, DENTAL, OR PROFESSIONAL OFFICE OR CLINIC;
- MOBILE HOME PARK AND RV PARK/CAMPGROUND;
- MULTIPLE-FAMILY DWELLING, POSSIBLY INCLUDING BUT NOT LIMITED TO APARTMENTS, CONDOS, TOWNHOMES, ROW HOMES, PAIRED HOMES (DUPLEXES), WHICH MAY OR MAY NOT BE A PART OF A MIXED-USE BUILDING. PAIRED HOMES MAY NOT MAKE UP MORE THAN 20% OF THE UNITS IN ANY GIVEN SITE PLAN. MULTIPLE-FAMILY DWELLING PROJECTS SHALL PROVIDE AT THE TIME OF SITE PLAN AND/OR PLAT, 12.5 SQUARE FEET OF NON-RESIDENTIAL USES PER DWELLING UNIT INTEGRATED INTO THE MULTIPLE-FAMILY DWELLING DEVELOPMENT. IN NO EVENT WILL THE NON-RESIDENTIAL USE WITHIN A MULTIPLE-FAMILY DWELLING DEVELOPMENT BE LESS THAN 2,500 SQUARE FEET.
- NIGHTCLUB;
- OFFICE, GENERAL ADMINISTRATIVE;
- OPEN-AIR FARMERS MARKET;
- OUTDOOR RECREATION FACILITY;
- PARKING GARAGE AND PARKING LOT;
- PARKS AND RECREATION AREAS;
- PASSENGER VEHICLE AND LIGHT TRUCK MINOR AND MAJOR REPAIR, SERVICING, AND MAINTENANCE LIMITED TO 1.5 ACRES AND WITH NO OUTDOOR STORAGE;
- PERSONAL AND BUSINESS SERVICE SHOP;
- PERSONAL WIRELESS SERVICE FACILITY, AS REGULATED BY THE WINDSOR

- MUNICIPAL CODE.
- PET STORE AND VETERINARY CLINIC SMALL ANIMAL HOSPITALS;
- PLACE OF WORSHIP OR ASSEMBLY;
- PLANT NURSERY;
- PRINTING SHOP
- PRIVATE RECREATIONAL USES, OUTDOOR;
- RESEARCH LABORATORY;
- RESTAURANTS AND OTHER EATING AND DRINKING PLACES, OUTDOOR;
- RESTAURANT, DRIVE-IN OR FAST FOOD;
- RESTAURANT, STANDARD;
- RETAIL LAUNDRY;
- RETAIL STORE;
- RETAIL STORE, INCLUDING DRIVE-THROUGH;
- SAFETY TRAINING FACILITY.
- SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE, SUBJECT TO THE WINDSOR MUNICIPAL CODE.
- VEHICLE RENTALS FOR CARS, LIGHT TRUCKS AND LIGHT EQUIPMENT; NOT TO EXCEED 5 ACRES AND WHICH MAY INCLUDE THE VERTICAL OR STACKED STORAGE OR MERCHANDISE.
- VEHICLE SALES AND LEASING OF FARM EQUIPMENT, RECREATIONAL VEHICLES, AND BOATS WITH OUTDOOR STORAGE; NOT TO EXCEED 5 ACRES AND WHICH MAY INCLUDE THE VERTICAL OR STACKED STORAGE OR MERCHANDISE.
- VEHICLE SALES AND LEASING FOR CARS AND LIGHT TRUCKS; NOT TO EXCEED 5 ACRES AND WHICH MAY INCLUDE THE VERTICAL OR STACKED STORAGE OR MERCHANDISE.
- VETERINARY FACILITY, CLINIC, OR HOSPITAL; WITHOUT THE BOARDING OF ANIMALS AS A PRIMARY USE.
- WAREHOUSES, DISTRIBUTION, AND WHOLESALE USES ASSOCIATED WITH RETAIL AND PICK-UP SALES.

OTHER USES

THE DIRECTOR OF PLANNING (DIRECTOR) MAY APPROVE OTHER SIMILAR USES THAT ARE NOT ENUMERATED IN THE PUD IF THEY ARE DETERMINED TO BE SIMILAR IN NATURE, CHARACTERISTIC AND IMPACT TO THOSE USES LISTED. IF, IN THE OPINION OF THE DIRECTOR, ANY SUCH OTHER SIMILAR USE AS DEFINED HEREIN HAS THE POTENTIAL OF CAUSING IMMINENT HARM TO THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC, PUBLIC HEARINGS SHALL BE ADVERTISED AND SCHEDULED BEFORE THE PLANNING COMMISSION AND THE TOWN BOARD. THE PURPOSE OF SUCH PUBLIC HEARINGS SHALL BE CONSIDERATION OF ANY REASONABLE CONDITIONS NECESSARY TO MITIGATE ANY POTENTIAL IMMINENT HARM TO THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC IMPLICATED BY SUCH USE.

Planning | Landscape Architecture | Project Promotion

NORRIS DESIGN

1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

THE BRANDS EAST

PLANNED UNIT DEVELOPMENT
WINDSOR, COLORADO

OWNER:

EAGLE CROSSING
WINDSOR, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:

Y

YAEGER
ARCHITECTURE

YAEGER
ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

ENGINEER:

TST

TST, INC.
748 WHALERS WAY
SUITE 200
FORT COLLINS, CO
80525
970.226.0557

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SHEET TITLE:

PERMITTED
USES



PUD Overlay Rezoning

Brands East PUD

Paul Hornbeck, Senior Planner

Planning Commission October 17, 2018

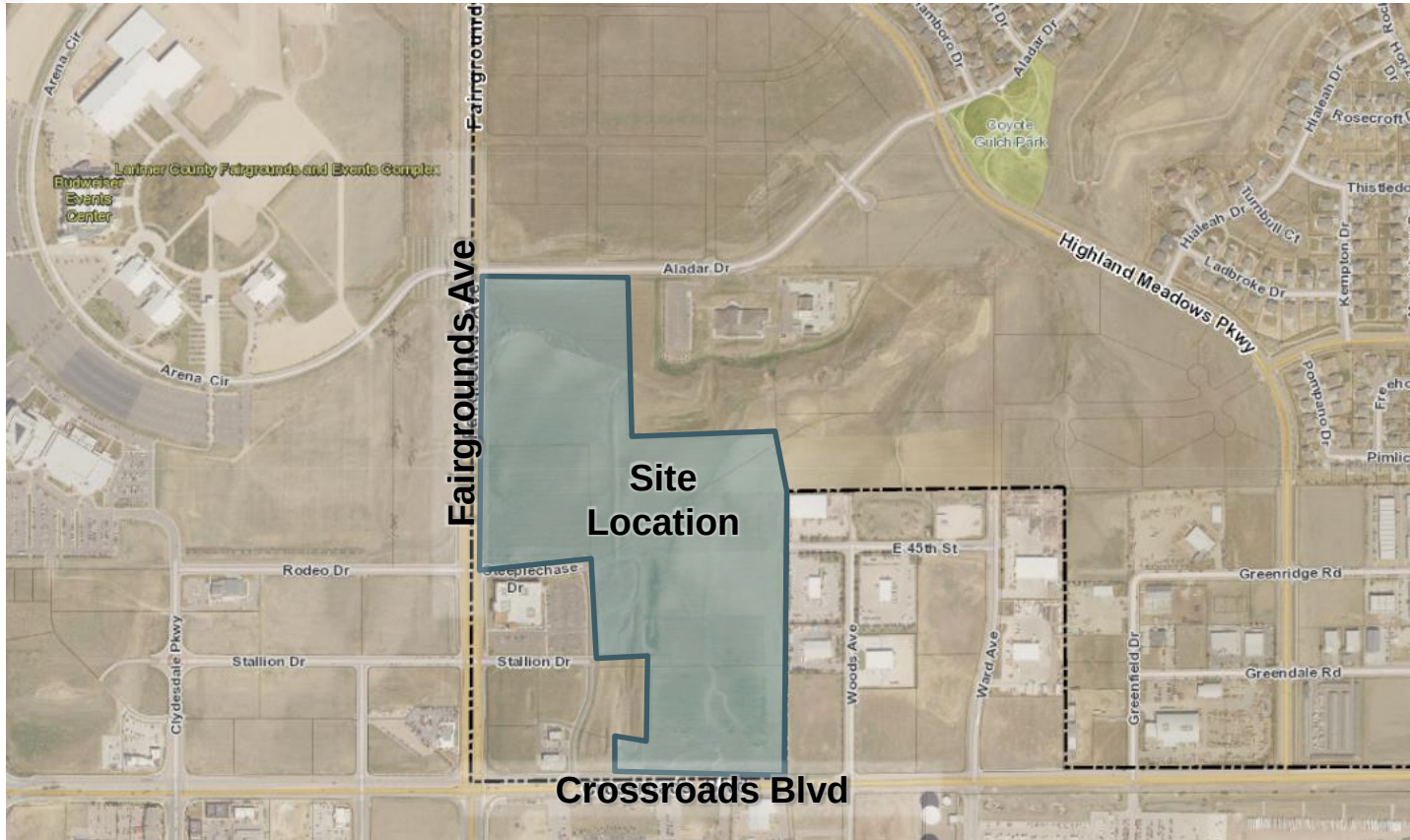


Planned Unit Development

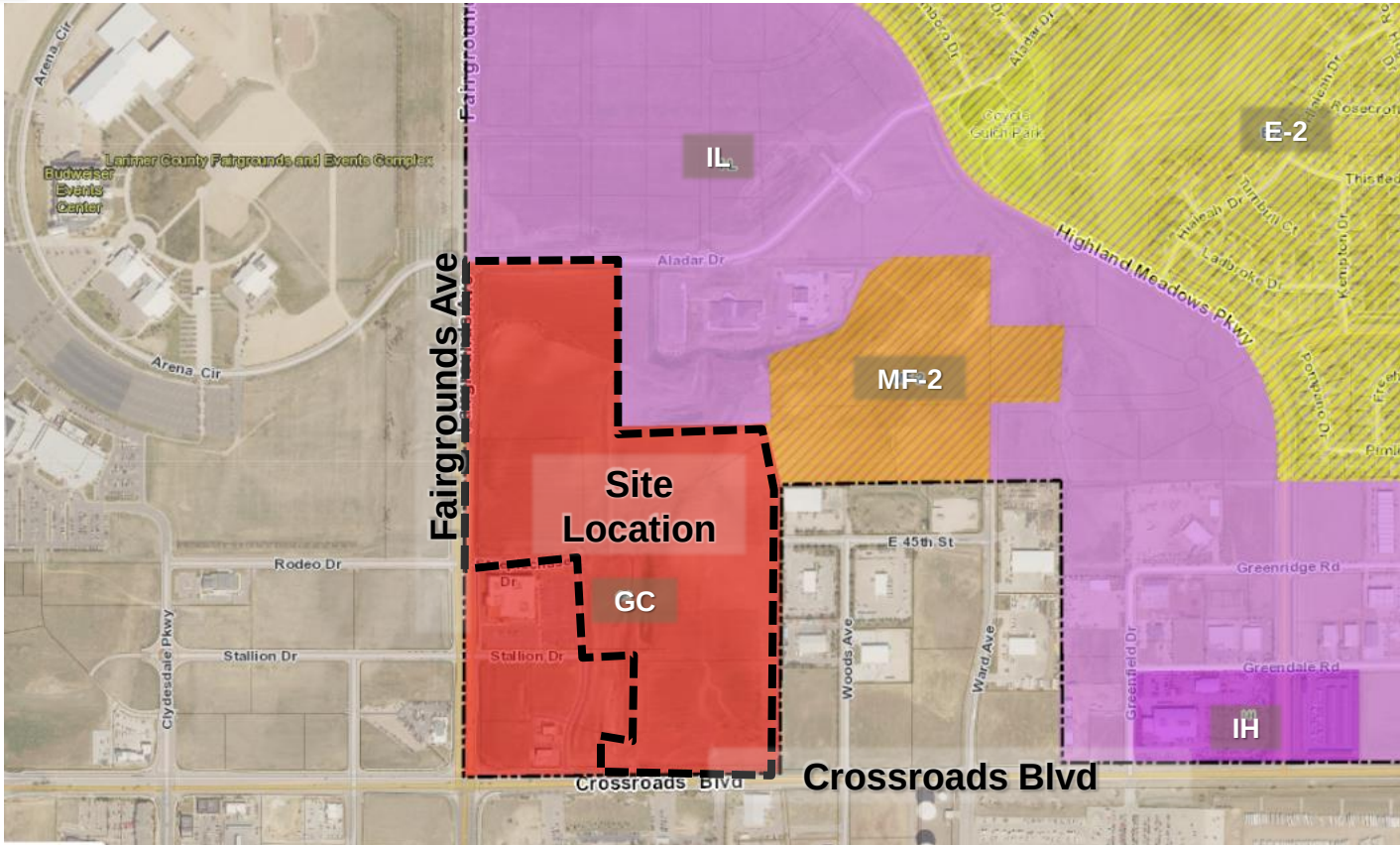
In accordance with Article XXIII of Chapter 16 of the Municipal Code, the intent of PUD regulations is, among other things, intended:

“To provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.”

Site Vicinity Map

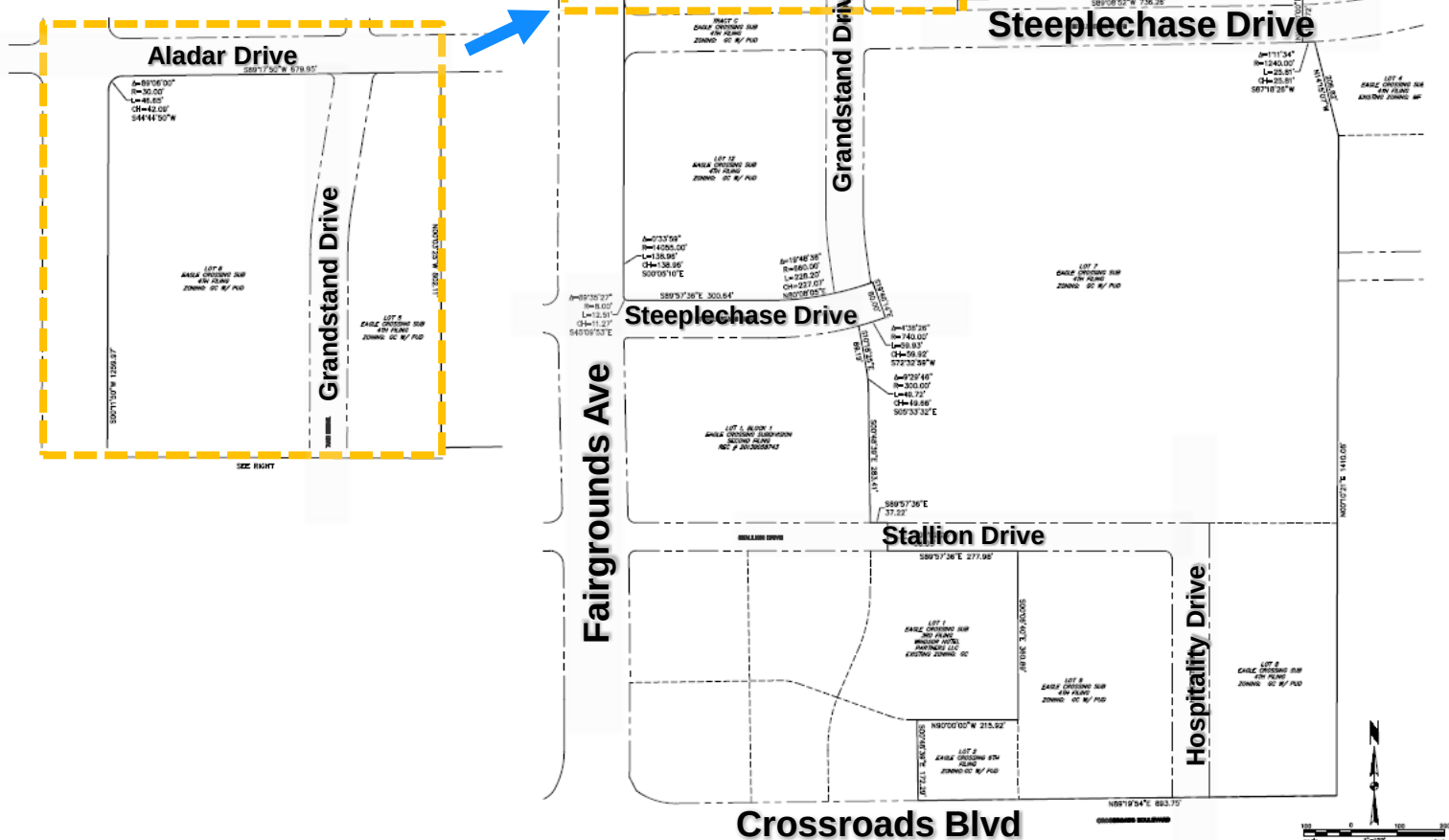


Site Zoning Map



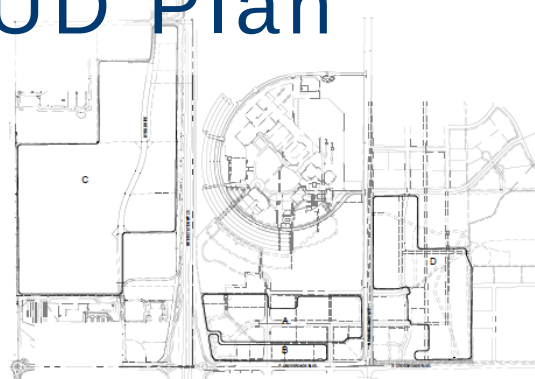


PUD Plat



PUD Plan

VICINITY MAP



REFER TO NOTE 1 BELOW FOR ADDITIONAL INFORMATION.

N.T.S.

LEGEND

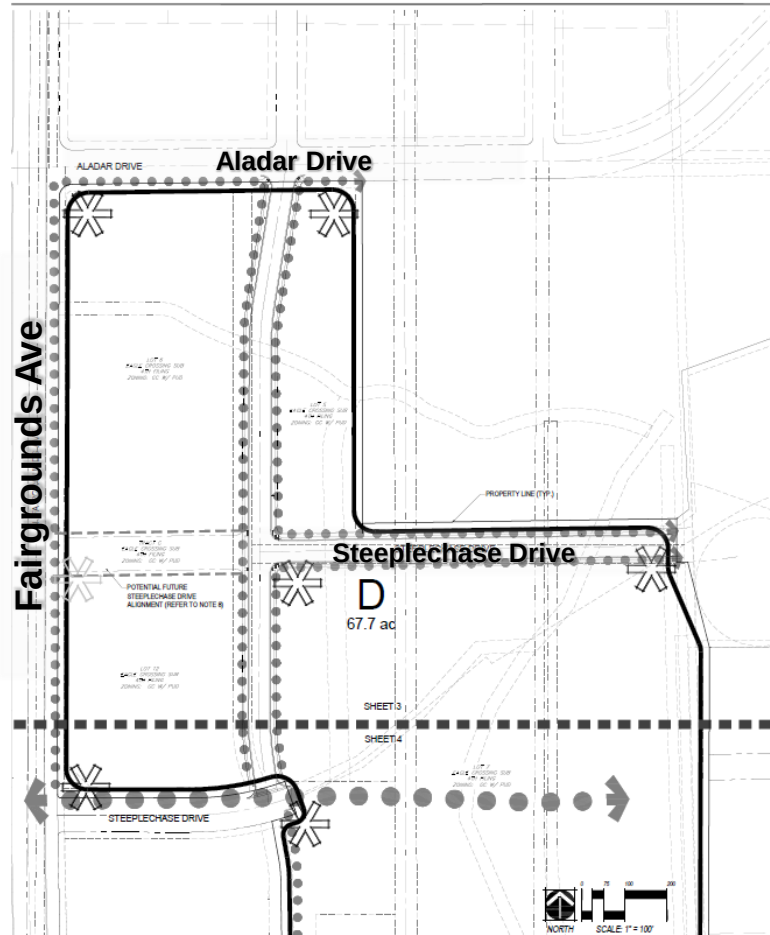
-  PRIMARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
-  SECONDARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
-  PLANNING AREA BOUNDARY
-  BRANDS EAST FREESTANDING SIGNS
-  SIGN LOCATION IF STEEPLCHASE DRIVE IS VACATED

NOTES

- THE BRANDS EAST IS ENVISIONED AS A UNIQUE BUT CONNECTED PROJECT TO THE BRANDS AND THE BRANDS WEST PROJECTS IN THE CITY OF LOVELAND. PLANNING AREAS A, B, AND C SHOWN ABOVE ARE WITHIN THE BRANDS AND THE BRANDS WEST FLEXIBLE ZONING OVERLAY DISTRICT (FZOD) IN THE CITY OF LOVELAND. PLEASE REFER TO THAT DOCUMENT FOR ADDITIONAL INFORMATION ON PLANNING AREAS A, B, AND C. FOR OVERALL PROJECT CONTINUITY, THE PLANNING AREAS IN THIS PUD OVERLAY HAVE BEEN DESIGNATED TO FUNCTION IN CONJUNCTION WITH THOSE IN THE BRANDS AND BRANDS WEST FZOD.
- PLANNING WILL BE COMPLETED IN A LOGICAL MANNER WITH THE EXTENSION OF INFRASTRUCTURE AS DEVELOPMENT OCCURS OVER TIME.
- EXISTING INTERIOR LOT LINES WILL BE REPLACED AS NECESSARY WITH FUTURE PLATS.
- CLASSIFICATION OF ALL RIGHTS INTERFERED TO THIS PUD OVERLAY WILL BE DETERMINED WITH FUTURE LAND USE APPLICATIONS.
- THE LOCATION AND TYPE OF FREESTANDING SIGNS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE WITH A FUTURE MASTER SIGN PLAN AND/OR PLATING PLANS. NO LESS THAN THE NUMBER OF SIGNS SHOWN ON THIS PUD SHALL BE PERMITTED.
- ANY OFF-SITE SIGNS WILL BE SUBJECT TO A CONDITIONAL USE GRANT.
- TO BE CONSISTENT WITH THE CHARACTER ESTABLISHED ON PAGE 5.
- IF STEEPLCHASE DRIVE IS REALIGNED TO THIS CONFIGURATION, PEDESTRIAN CORRIDORS WILL APPROPRIATELY ADJUST.
- AT FULL BUILDOUT OF THE BRANDS EAST SITE, THERE WILL BE ENHANCED PEDESTRIAN CROSSINGS BETWEEN THE BRANDS EAST AND THE BRANDS WEST AT THE INTERSECTIONS OF FAIRGROUNDS AVE AND CROSSROADS BLVD AND THE INTERSECTION OF FAIRGROUNDS AVE AND RODEO DR., WHICH WILL BE CONSTRUCTED WITH THE LOGICAL EXTENSION OF INFRASTRUCTURE AND ASSOCIATED IMPROVEMENTS TO ADJACENT RIGHT-OF-WAY. FINAL DESIGN OF IMPROVEMENTS WILL BE DETERMINED AT TIME OF FINAL PLAT AND/OR SITE PLAN. IF STEEPLCHASE DR. IS VACATED AT THE INTERSECTION OF FAIRGROUNDS AVE. AND RODEO DR., THE ENHANCED CROSSING SHOWN AT THIS LOCATION WILL APPROPRIATELY ADJUST AS NEEDED.
- THE PORTION OF STEEPLCHASE DR. THAT CURRENTLY INTERSECTS FAIRGROUNDS AVE. AT RODEO DR. IS VACATED, AND IF THE REMAINDER OF STEEPLCHASE DR. IS REALIGNED TO EXTEND TO FAIRGROUNDS AVE. THE SIGN CURRENTLY SHOWN AT THE NORTHEAST CORNER OF FAIRGROUNDS AVE. AND STEEPLCHASE DR. MAY BE REALIGNED TO THE CORNER OF FAIRGROUNDS AVE. AND THE POTENTIAL FUTURE STEEPLCHASE DR. REALIGNMENT (EITHER THE NORTH OR SOUTH SIDE OF STEEPLCHASE DR.).
- IF STEEPLCHASE DR. IS VACATED, THESE PUD STANDARDS SHALL APPLY TO ANY OR ALL PORTIONS OF THE VACATED ROW WITHIN OR ADJACENT TO THE BRANDS EAST SITE.

CHECKED: M. L. LEE
DRAWN: C. L. LEE

BRANDS EAST - AREA D



THE BRANDS EAST PLANNED UNIT DEVELOPMENT WINDSOR, COLORADO

OWNER:
EAGLE CROSSING
WINDSOR, LLC
1625 PELICAN LAKE #B PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:
YAEGER
ARCHITECTURE
7780 W. 115TH ST
OVERLAND PARK, KS
66213
913.742.8000

ENGINEER:
TST
TST, INC.
748 WHALERS WAY
SUITE 200
FORT COLLINS, CO
80526
970.228.0557

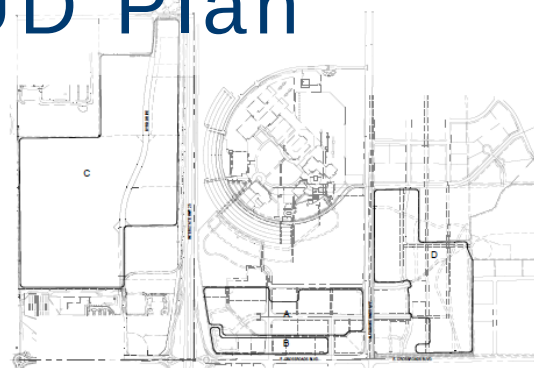
DATE:
08/01/17 SUB-01
08/01/17 SUB-02
07/17/18 SUB-03
08/10/18 SUB-04
08/02/19 SUB-05

SHEET TITLE:
CONCEPTUAL
MASTER PLAN

NOT FOR CONSTRUCTION

PUD Plan

VICINITY MAP



REFER TO NOTE 1 BELOW FOR ADDITIONAL INFORMATION.

N.T.S.

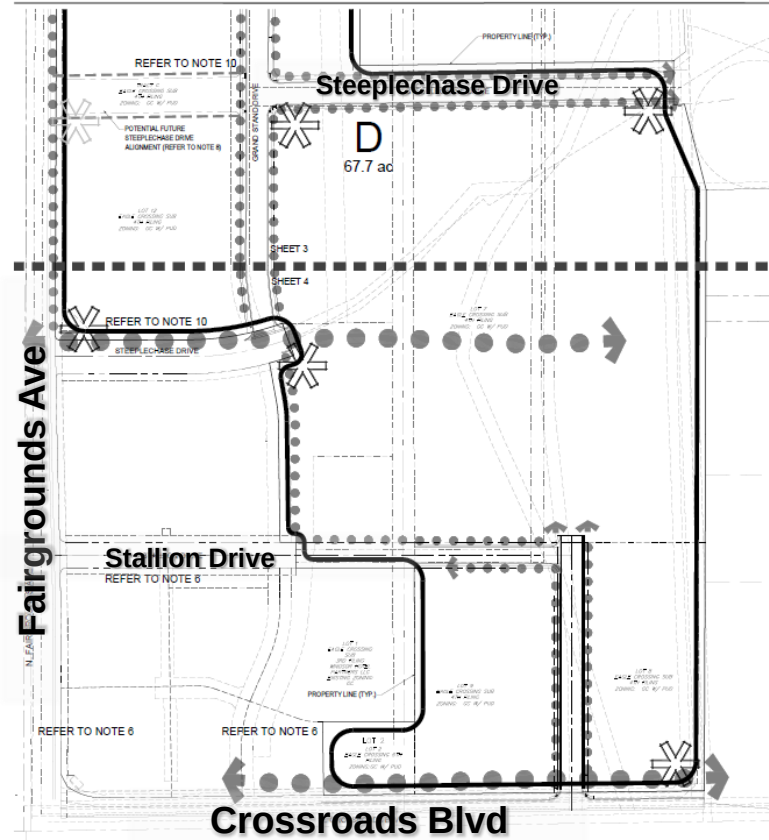
LEGEND

- PRIMARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
- SECONDARY PEDESTRIAN CORRIDOR (REFER TO NOTE 7)
- PLANNING AREA BOUNDARY
- BRANDS EAST FREESTANDING SIGNS
- SIGN LOCATION IF STEEPLCHASE DRIVE IS VACATED

NOTES

- THE BRANDS EAST IS ENVISIONED AS A UNIQUE BUT CONNECTED PROJECT TO THE BRANDS AND THE BRANDS WEST PROJECTS IN THE CITY OF LOVELAND. PLANNING AREAS A, B, AND C SHOWN ABOVE ARE WITHIN THE BRANDS AND THE BRANDS WEST FLEXIBLE ZONING OVERLAY DISTRICT (FZOD) IN THE CITY OF LOVELAND. PLEASE REFER TO THAT DOCUMENT FOR ADDITIONAL INFORMATION ON PLANNING AREAS A, B, AND C. FOR OVERALL PROJECT CONTINUITY, THE PLANNING AREAS IN THIS PUD OVERLAY HAVE BEEN DESIGNATED TO FUNCTION IN CONJUNCTION WITH THOSE IN THE BRANDS AND BRANDS WEST FZOD.
- PHASING WILL BE COMPLETED IN A LOGICAL MANNER WITH THE EXTENSION OF INFRASTRUCTURE AS DEVELOPMENT OCCURS OVER TIME.
- EXISTING INTERIOR LOT LINES WILL BE REPLACED AS NECESSARY WITH FUTURE PLATS.
- CLASSIFICATION OF ALL ROADS INTERNAL TO THIS PUD OVERLAY WILL BE DETERMINED WITH FUTURE LAND USE APPLICATIONS. THE LOCATION AND TYPE OF FREESTANDING SIGNS ARE CONCEPTUAL AND SUBJECT TO CHANGE WITH A FUTURE MASTER SIGN PLAN AND/OR PLATS/SITE PLANS. NO LESS THAN THE NUMBER OF SIGNS SHOWN ON THIS PUD SHALL BE PERMITTED.
- ANY OFF-SITE SIGNS WILL BE SUBJECT TO A CONDITIONAL USE GRANT.
- TO BE CONSISTENT WITH THE CHARACTER ESTABLISHED ON PAGE 6.
- IF STEEPLCHASE DRIVE IS REALIGNED TO THIS CONFIGURATION, PEDESTRIAN CORRIDORS WILL APPROPRIATELY ADJUST.
- AT FULL BUILDOUT OF THE BRANDS EAST SITE, THERE WILL BE ENHANCED PEDESTRIAN CROSSINGS BETWEEN THE BRANDS EAST AND THE BRANDS WEST AT THE INTERSECTIONS OF FAIRGROUNDS AVE AND CROSSROADS BLVD AND THE INTERSECTION OF FAIRGROUNDS AVE AND RODEO DR. WHICH WILL BE CONSTRUCTED WITH THE LOGICAL EXTENSION OF INFRASTRUCTURE AND ASSOCIATED IMPROVEMENTS TO ADJACENT RIGHT-OF-WAY. FINAL DESIGN OF IMPROVEMENTS WILL BE DETERMINED AT TIME OF FINAL PLAT AND/OR SITE PLAN. IF STEEPLCHASE DR. IS VACATED AT THE INTERSECTION OF FAIRGROUNDS AVE. AND RODEO DR., THE ENHANCED CROSSING SHOWN AT THIS LOCATION MAY APPROPRIATELY ADJUST AS NEEDED.
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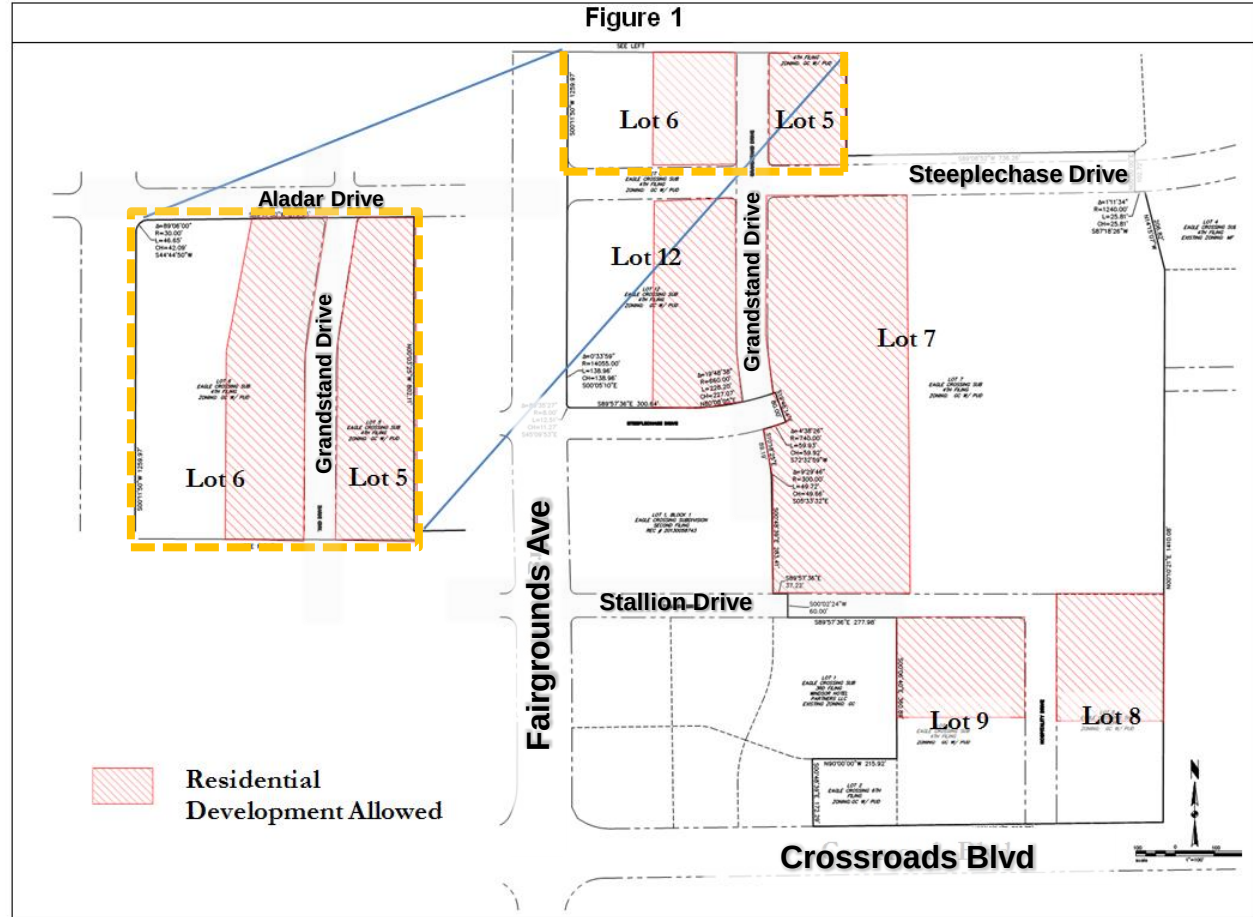
BRANDS EAST - AREA D





Permitted Uses Comparison

Existing	Proposed
General Commercial (GC) Allowed Uses: (1) Drive-in restaurants. (2) Grocery stores and supermarkets. (3) Gasoline service stations. (4) Car washes. (5) Commercial lodging. (6) Restaurants and bars. (7) Outdoor sales areas, such as garden shops. (8) Automobile sales and service establishments, including used car lots. (9) Lumber and building supply yards. (10) Public, private, commercial and private group outdoor recreational facilities. (11) Bowling alleys. (12) Business and professional offices. (13) Places of assembly (small). (14) Places of assembly (large). (15) Other similar uses as defined in Section 16-2-20 of this Chapter	Note: The uses proposed in the PUD are generally consistent with GC zoning with a few exceptions. Notable exceptions are listed below. A full list of allowed uses can be found in the attached Brands East PUD. Artisan and/or craft foundry, manufacturing, warehousing, and/or retail sales. (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.). Limited outdoor fabrication of products may be permitted subject to a conditional use grant. Art gallery, studio, and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to a conditional use grant. Educational facility incorporated into another structure or site plan. Manufacture and preparation of food products; with on-site retail sales Manufacture of electronic instruments and services, including repairs and limited assembly. Multiple-family dwelling, possibly including but not limited to apartments, condos, townhomes, row homes, paired homes (duplexes), which may or may not be a part of a mixed-use building. Paired homes may not make up more than 20% of the units in any given site plan. Multiple-family dwelling projects shall provide at the time of site plan and/or plat, 12.5 square feet of non-residential uses per dwelling unit integrated into the multiple-family dwelling development. In no event will the non-residential use within a multiple-family dwelling development be less than 2,500 square feet. Warehouses, distribution, and wholesale uses associated with retail and pick-up sales.





Development Standards Comparison (1 of 2)

Development Standards Comparison		
	Existing Standard	Proposed PUD Standard
Building Setbacks		
Adjacent to Crossroads & Fairgrounds	25'	25'
Front Setback	25'	20' (0' for pedestrian oriented development)
Side and Rear Setback	20'	15' (0' for pedestrian oriented development)
Building Height		
Height	55' General Commercial 30' Commercial Corridor Plan	130' for office, residential, and hotels. 55' for all other uses
Density		
Maximum Dwelling Units	0	1000
Floor Area Ratio (FAR)	Not stated	0.5 gross FAR for PUD
Landscape Buffers		
Fairgrounds Buffer Width	25'	20'
All other buffers	Per Municipal Code	Per Municipal Code
Exceptions	None	Reductions allowed for pedestrian oriented development



Development Standards Comparison (2 of 2)

Development Standards Comparison		
	Existing Standard	Proposed PUD Standard
Non-Residential Lot Size		
Minimum Lot Area	20,000 sf.	No minimum
Residential Development Standards		
Residential Lot Area	1400 s.f. per unit	700 s.f. per unit
Livable Open Space Per Dwelling Unit	450 s.f. per unit	225 s.f. per unit
Open Space		
Required Percentage	20%	10%
Parking		
Shared Parking	Not allowed	Parking reductions allowed based on shared uses with differing peak parking demands
Design Standards		
Architectural, site design, and landscape standards.	Commercial Corridor Plan	PUD Architectural Design Guidelines (Note: Proposed standards are generally consistent with or exceed current Town Standards so they are not listed here)



Process Comparison

Process Comparison		
	Existing Standard	Proposed PUD Standard
Variance to Standards		
Process for approval	Variance to Municipal Code requires Board of Adjustment approval. Waiver to Commercial Corridor Plan requires Planning Commission Approval.	Director of Planning may administratively approve alternative standards if alternative is substantially-equivalent to standard at issue. Decision may be appealed by Planning Commission
Review Timelines		
Project review	Current practice is 1 st submittal is reviewed in 3-6 weeks. Subsequent submittals are typically reviewed faster.	Two week review period required for all submittals.
Review Process		
Subdivision	Dedication of right-of-way or subdivision of more than 5 lots requires major subdivision application with Planning Commission recommendation to Town Board action.	All subdivisions shall be minor subdivisions administratively reviewed unless dedicating or vacating right-of-way. No Planning Commission or Town Board action.
Qualified Commercial/ Industrial Site Plan	Administratively reviewed with project information included as communications item to Town Board.	Administratively reviewed with no communication to Town Board.
Site Plan (typically multifamily development)	Requires Planning Commission recommendation and Town Board action.	Administrative review only.
Signage		
Master Sign Plan	Master Sign Plan is only used by property owner to impose more restrictive	Master Sign Plan, to be reviewed by Planning Commission, may allow for signs that vary from Municipal Code requirements.



Relationship to Comprehensive Plan

Chapter 5b: Growth Framework

Goal:

Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.



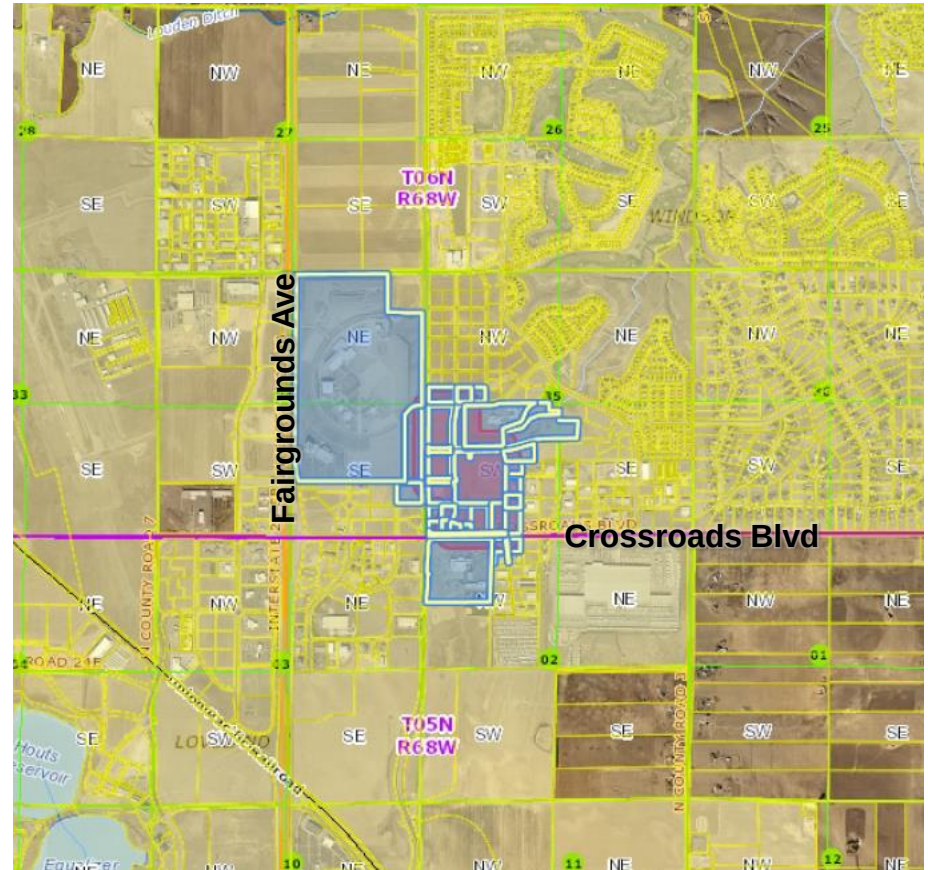
Notification

Notifications for the December 22, 2015 neighborhood meeting were as follows :

- July 20, 2018 – affidavit of mailing to property owners within 300 feet
- July 22,, 2018 – display ad published in the paper

Public Hearing notifications for Planning Commission and Town Board public hearings were as follows:

- October 2, 2018 - property posted with a notification sign
- October 2, 2018 - legal notice posted on the Town of Windsor website
- October 5, 2018 - legal ad published in the Tribune
- September 27, 2018 – affidavit of letters mailed to the adjacent property owners





Recommendation

Staff recommends that Planning Commission forward to Town Board a recommendation of approval of the Planned Unit Development subject to the following conditions of approval:

1. All outstanding Planning Commission and staff comments be addressed.
2. Residential development shall be limited by one of the following methods:
 - A. To areas shown in Figure 1;
 - B. By requiring a minimum of 150,000 square feet of nonresidential uses to be built or receive site plan approval prior to approval of residential development; or
3. Mandated review timeframes shall be eliminated or modified to reflect a three to four week review period for site plans and submittal deadlines that align with current development review procedures.



PUD

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony received during the public hearing
- Recommendation



MEMORANDUM

Date: October 17, 2018
To: Planning Commission
From: Paul Hornbeck, Senior Planner
Re: Preliminary Site Plan – Eagle Crossing Subdivision 4th Filing, Lots 3 and 4 Site Plan (Apartment Complex) – Larry Buckendorf/Morgan Kidder, Fossil Ridge Holdings, LLC, owner/applicant; Daniel Hull, LandOne Engineering, LLC, owner/applicant representative
Item #: C.5

Background / Discussion

The applicant, Mr. Larry Buckendorf of Fossil Ridge Holdings, LLC, represented by Mr. Daniel Hull of LandOne Engineering, has submitted a preliminary site plan, known as Eagle Crossing Subdivision 4th Filing, Lots 3 and 4. Lot 3 previously received site plan approval of four multifamily buildings containing 93 units as a part of a larger 18 building, 407 unit development. Lot 3 was not site planned at that time due to an oil and gas window preventing development. That restriction has since been removed, allowing the proposed development to proceed. Lot 3 and Lot 4 will be combined as a part of an administrative minor subdivision.

Site plan characteristics include:

- An additional 5 buildings and 111 units;
- parking provided at a ratio of 1.5 spaces per unit, in accordance with the code requirements in place at the time the site plan application was received
- site building coverage of 27%; and
- landscaped area of 34%.

Building characteristics will match the previously approved buildings and include:

- three story buildings with 5:12 roof pitches
- horizontal fiber cement lap siding as the predominant façade material;
- stone treatment around the base of buildings and around external stairways;
- covered decks and porches.

Please find enclosed the staff PowerPoint with elevation drawings for reference.

Relationship to Comprehensive Plan

The application is consistent with the Comprehensive Plan, specifically the following goal(s) and objective(s):

Chapter 5b – Growth Framework

Goal:

Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Objective:

1. *Prioritize new growth in areas currently served by Town infrastructure and services.*

Chapter 5c – Residential Areas Framework Plan

Goal:

Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Objective:

3. *Foster a diversity of housing types and sizes through coordinated land use planning and zoning.*
4. *Support high density residential development near Downtown, commercial centers, and mixed-use nodes.*

Relationship to Strategic Plan

Priorities include economic sustainability and vitality, infrastructure, quality of life, safety and small town feel.

Recommendation

Staff recommends that the Planning Commission approve the Preliminary Site Plan, subject to all remaining Planning Commission and staff comments being addressed on the Final Site Plan.

Notification

The Municipal Code does not require notifications for Preliminary Site Plan applications.

Attachments

Application materials
Staff PowerPoint

copy: Larry Buckendorf, applicant
Daniel Hull, applicant's representative

Project Narrative

Introduction

The following information is being submitted as a request for the Town to complete a site plan review of Lot 4 of Eagle Crossing Fourth Filing. The information is also being submitted to set the tone for the proposed Project. From the Owner's perspective, the goal for the combined submittal and review process will be to:

- Show design intent.
- Provide details of the site, landscape, and building elevations.
- Provide clarification of the major aspects of the site plan.

Ultimately, the Owner wishes to create a project that will meet their needs and be supported by the Town, which will expedite the review and approval process.

Location

A parcel of land in the Town of Windsor, County of Larimer, Colorado, located in the southeast quarter of Section 35, Township 6 North, Range 68 West of the Sixth Principal Meridian and more particularly described as follows:

Lot 4 of Eagle Crossing Fourth Filing

See vicinity map on Preliminary Site Plan for general location.

Land Use

See attached Land Use Table and Preliminary Site Plan.

Ownership

Fossil Ridge Holdings, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634

Site Plan

See attached Preliminary Site Plan.

Building Elevations

See attached Building Elevations.

Signage

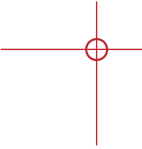
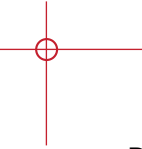
Signage will be in general compliance with the Town of Windsor standards.

Circulation and Traffic

Access to the site will be from Steeplechase Drive. Pedestrian access will be from the sidewalk connection at Steeplechase. Interior drives and sidewalks provide circulation for the residents. See Preliminary Site Plan.

Landscaping

Landscaping has been completed to meet the intent of Town's code. See Landscape Plan included with the submittal. Irrigation plans have not been completed. Once the Landscape Plan is static and Town comments have been addressed, an irrigation plan will be provided. See Preliminary Landscape Plans.



Potable Water

The Project will be served by the Fort Collins-Loveland Water District. A proposed 8-inch looped main will be provided to supply the domestic and fire flows. Fire hydrants adjacent/interior to the site will provide. Each building will have a 4-inch fire service and a 1.5-inch domestic service. See Preliminary Utility Plan.

Sanitary Sewer

The Project will be served by South Fort Collins Sanitation District. A proposed 8-inch sanitary sewer main with 6-inch services will provide the sanitary service within the Project. See Preliminary Utility Plan.

Other Utilities

- Electric: The development will be served by Poudre Valley REA.
- Gas: The development will be served by **Xcel**.
- Telephone: The development will be served by Century Link.
- Cable TV: The development will be served by Comcast Cable.

Grading and Drainage

Grading including drainage patterns has been determined and is identified on the Preliminary Grading Plans. The grading and drainage of the Project will generally be from south to north. The open spaces, parking and drives will be used to convey stormwater runoff to the existing drainage system. Ultimately the runoff will be mitigated by the Eagle Crossing Fourth Filing detention system located in Tract B. The grading and drainage will be completed based on accepted practices and Town of Windsor criteria. See Preliminary Grading Plan and Preliminary Utility Plan.

Compliance

To the best of the applicant's knowledge, the Preliminary Site Plan Submittal complies with Town of Windsor regulations and Development Code.



Preliminary Site Plan

Eagle Crossing 4th Filing

Lots 3 & 4

Paul Hornbeck, Senior Planner

Planning Commission October 17, 2018



Site Plan

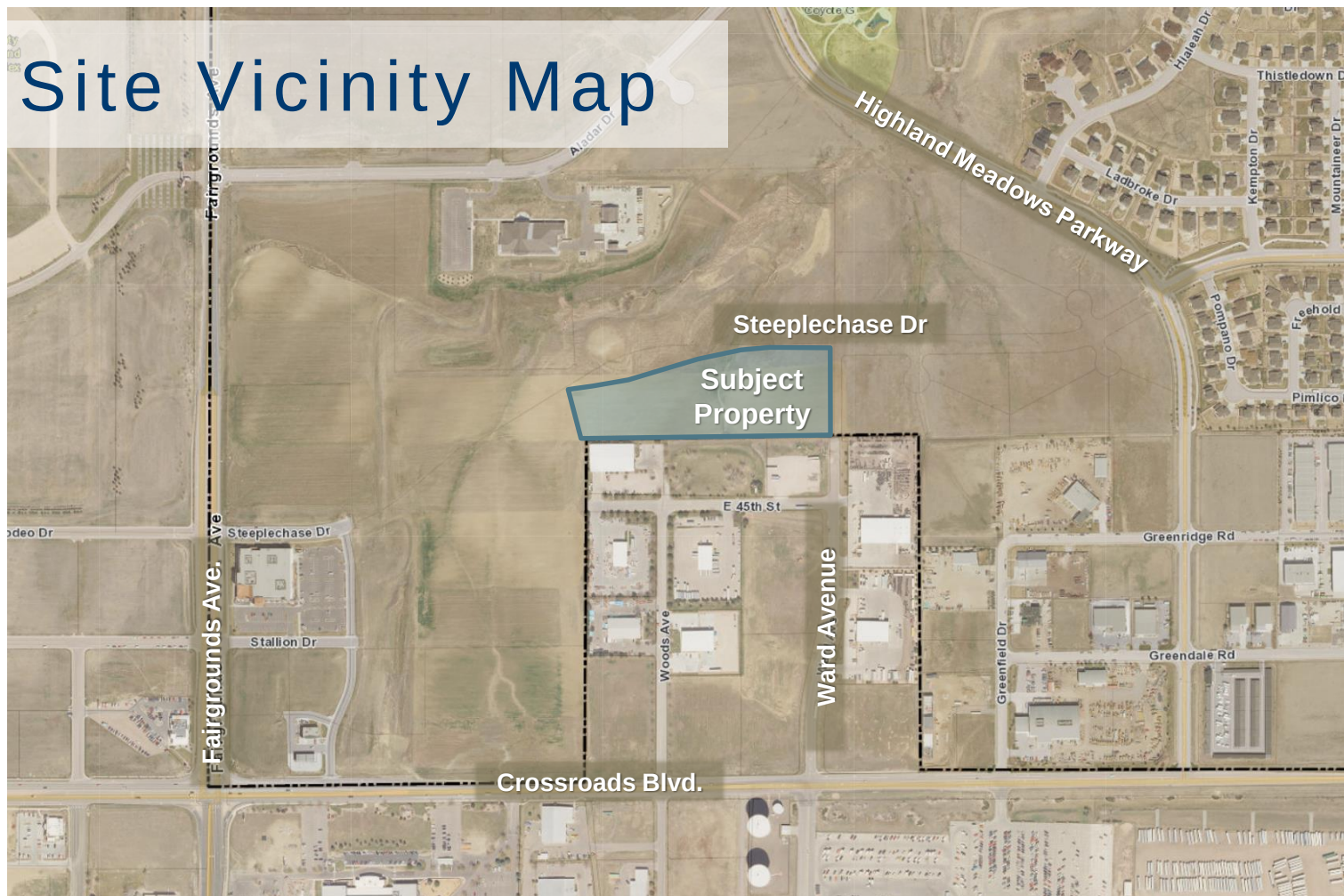
Article VII of Chapter 17 of the Municipal Code outlines the purposes of the Site Plan process, including:

Sec. 17-4-10. Purpose.

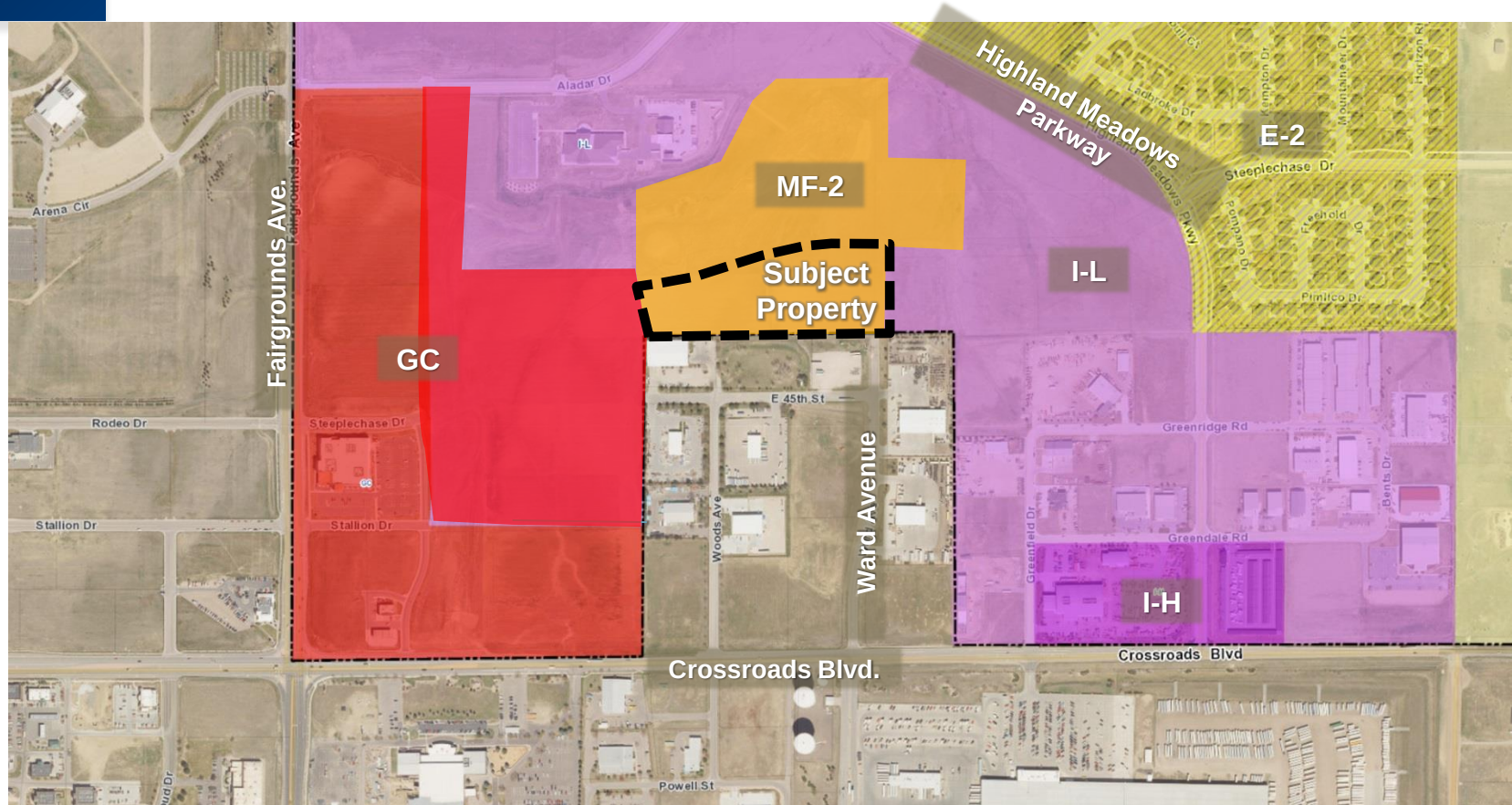
The purpose of the site plan procedure is to:

1. Develop land as a unit development.
2. Develop land zoned for multifamily, commercial or industrial uses.
3. Develop land which, in the opinion of the Town Planner, could have an adverse environmental impact upon the surrounding area or would have a major community land use impact.
4. To amend an approved site plan when the change involves additional land use...

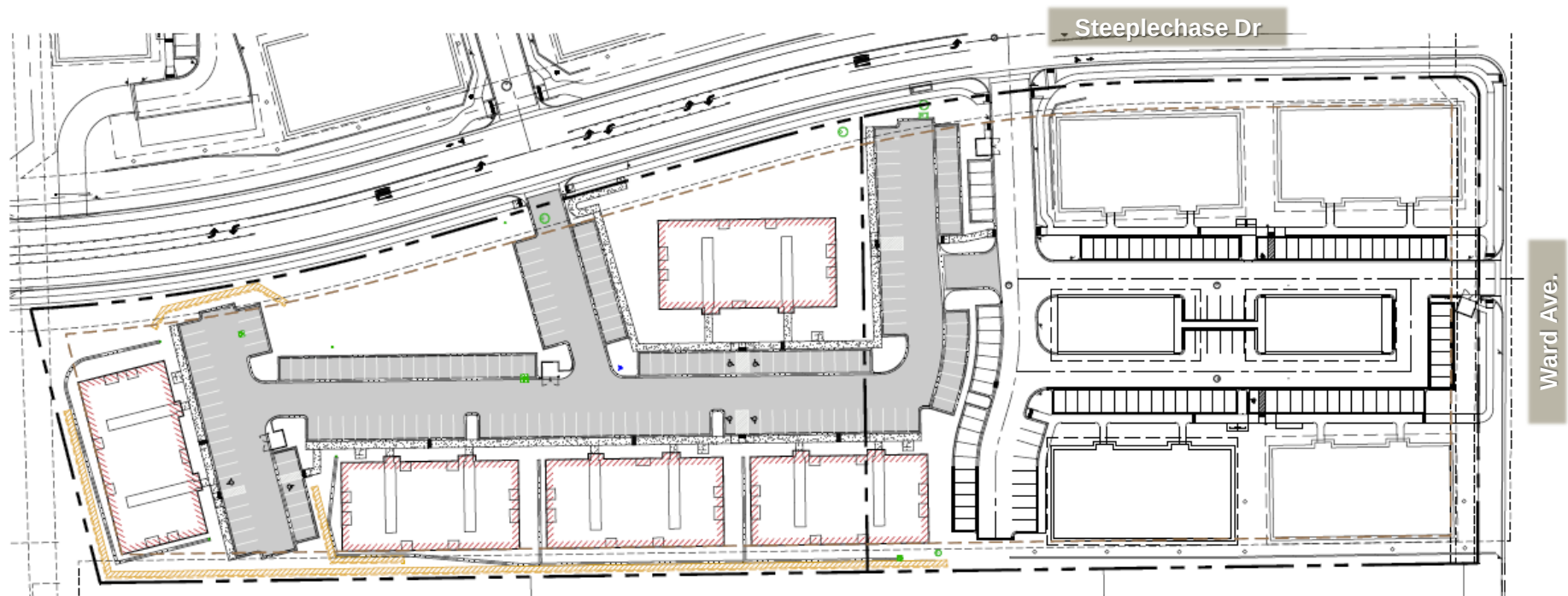
Site Vicinity Map



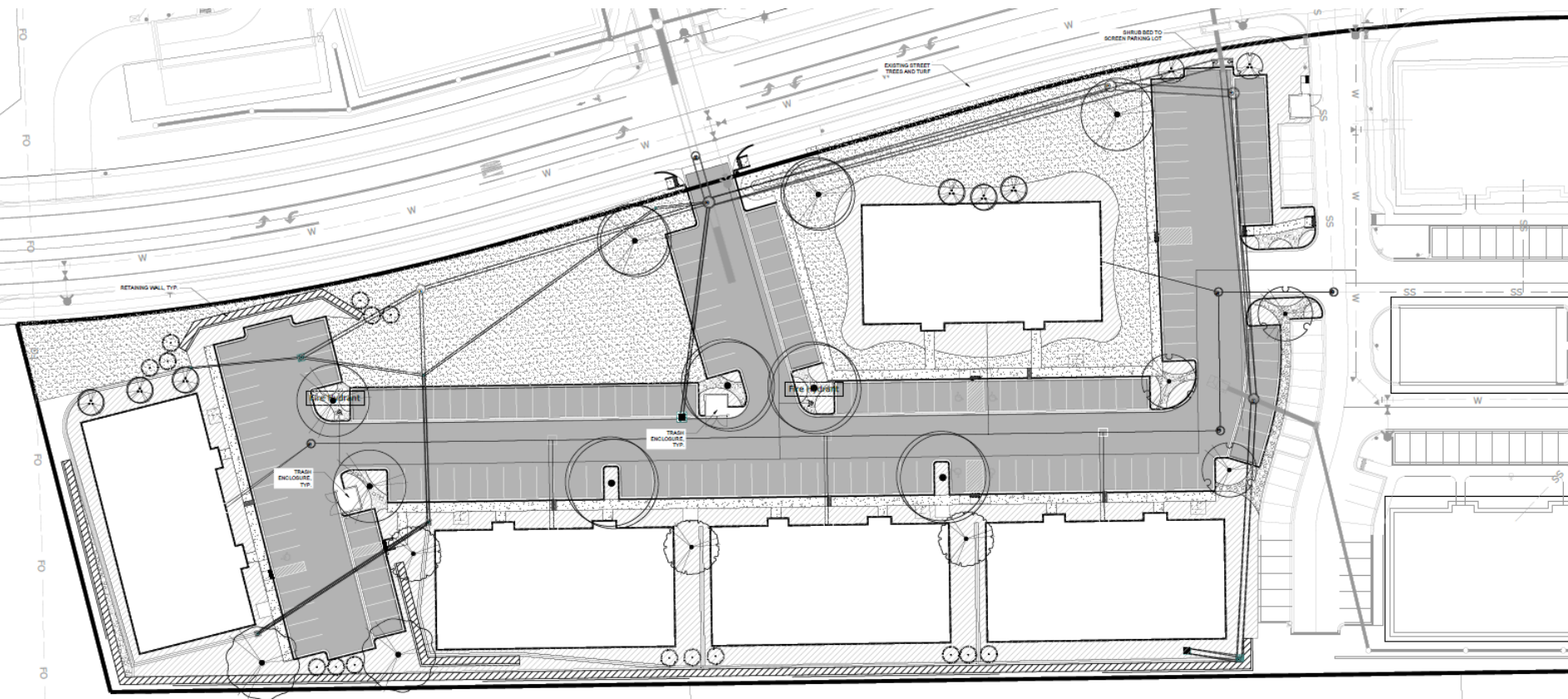
Zoning Map



Site Plan



Landscape Plan





21-plex Building Elevations



PERSPECTIVE VIEW

MATERIAL SCHEME

STONE
BORAL PROSTONE
LEDGESTONE, CHARCOAL MIST
BOARD AND BATTEN SIDING
BENJAMIN MOORE 1609-TEMPTATION
8" AND 12" LAP SIDING
BENJAMIN MOORE 1468-WILLOW CREEK
DECORATIVE TRIM AND BRACKETS
BENJAMIN MOORE 1464-LIGHT PEWTER



FRONT ELEVATION

STONE
BOARD AND BATTEN



RIGHT ELEVATION



REAR ELEVATION

8" LAP SIDING
12" LAP SIDING



LEFT ELEVATION

DECORATIVE TRIM

24-plex Building Elevations



PERSPECTIVE VIEW

MATERIAL SCHEME

STONE
BORAL PROSTONE
LEDGESTONE CHARCOAL MIST
BOARD AND BATTEN SIDING
BENJAMIN MOORE 714-HIDDEN FALLS
8" AND 12" LAP SIDING
BENJAMIN MOORE 1488-WILLOW CREEK
DECORATIVE TRIM AND BRACKETS
BENJAMIN MOORE 1484-LIGHT PEWTER



FRONT ELEVATION

STONE BOARD AND BATTEN



RIGHT ELEVATION



REAR ELEVATION

8" LAP SIDING 12" LAP SIDING



LEFT ELEVATION

DECORATIVE TRIM AND BRACKETS



Comprehensive Plan Conformance

Chapter 5b – Growth Framework

Goal: *Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.*



Comprehensive Plan Conformance

Chapter 5b – Growth Framework

Objective 1: *Prioritize new growth in areas currently served by Town infrastructure and services.*



Comprehensive Plan Conformance

Chapter 5c – Residential Areas Framework Plan

Goal: *Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.*

Objective 3: *Foster a diversity of housing types and sizes through coordinated land use planning and zoning.*

Objective 4: *Support high density residential development near Downtown, commercial centers, and mixed-use nodes.*



Recommendation

Staff recommends that the Planning Commission approve the Preliminary Site Plan, subject to all remaining Planning Commission and staff comments being addressed on the Final Site Plan.



Preliminary Site Plan

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation



MEMORANDUM

Date: October 17, 2018
To: Planning Commission
From: Millissa Berry, Senior Planner
Re: Preliminary Major Subdivision – The Ridge at Harmony Road Subdivision 2nd Filing – Jeff Mark, The Landhuis Company, applicant
Location: Northwest of Harmony Road and WCR 15
Items #: C.6

Background / Discussion

The applicant, Mr. Jeff Mark of The Landhuis Company, has submitted a preliminary major subdivision plat, known as The Ridge at Harmony Road Subdivision 3rd Filing. The subdivision encompasses approximately 148 acres and is zoned Residential Mixed Use (RMU).

Preliminary Plat characteristics:

- 301 single-family lots
 - Most lots are between 7,000 and 9,000 sf
 - Larger lots (9,000 – 30,000 sf) adjacent to Alexander Estates Subdivision
- Product: 1 & 2-story houses with attached 2-3 car garages
- Tracts for open space (34 acres), commercial (7 acres), multi-family (7.5 acres), and other (10 acres) future development
- Connections to school site through neighborhood, intersection bulb-outs, widened sidewalk along north side of Harmony Ridge Parkway (to school site in Phase 2)
- Trail along Harmony Road & CR 15
- Park sites = 0.76 acres (large park site in Phase 2)
- Offsite improvements will include widening of Harmony Road to four lanes with a landscaped median

The applicant held a neighborhood meeting on March 8, 2018, in accordance with Chapter 16, Article XXXI of the Municipal Code. There were approximately eight neighbors in attendance. Please see the enclosed neighborhood meeting notes for discussion topics and responses.

Relationship to Comprehensive Plan

The application is consistent with the following goals and objectives of the Comprehensive Plan:

Chapter 5b – Growth Framework

Goal:

Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c – Residential Areas Framework

Goal:

Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

Relationship to Strategic Plan

The application is consistent with the Strategic Plan, particularly Safe, Well-Planned Community With Spirit And Pride.

Notifications

A neighborhood meeting was held on March 8, 2018. Notifications for this meeting were as follows:

- February 12, 2018 – affidavit of mailing to property owners within 300 feet
- February 18 & 21, 2018 – display ad published in the newspapers

Recommendation

Staff recommends that the Planning Commission approve the preliminary major subdivision as presented subject to all remaining Planning Commission and staff comments shall be addressed on the final major subdivision plat.

Attachments

Application Materials
PowerPoint presentation
Neighborhood Meeting Summary

cc: Jeff Mark, applicant

The Ridge at Harmony Road Subdivision, Third Filing
Narrative – 1.24.18

HR Exchange, LLC is proposing to develop approximately 147 acres located in the southeast quarter section of The Ridge at Harmony Road property. The intent is to develop 301 residential lots. In addition, future development tracts will be platted for commercial and residential.

The anticipated product types for this development include one and two-story houses with attached two and three car garages.

The property is currently zoned RMU-Residential Mixed Use which permits single family development.

We anticipate that Third Filing will be built in a single phase.

The proposed landscape for this development includes targeted areas of turf grass and areas of enhanced landscape which may include elements such as shrub and ornamental grass plantings. Native plantings are proposed for most common areas. Sidewalks are provided along all streets to provide connectivity throughout the development as well as connections to future development areas.

The NWCWD water transmission line will be oversized (to a 24" line).



Preliminary Major Subdivision

The Ridge at Harmony Road
Subdivision 3rd Filing

Millissa Berry, Senior Planner

Planning Commission October 17, 2018



Subdivision

Article IV of Chapter 17 of the Municipal Code outlines the purpose and procedures of the Major Subdivision process, including:

Sec. 17-4-10. Purpose.

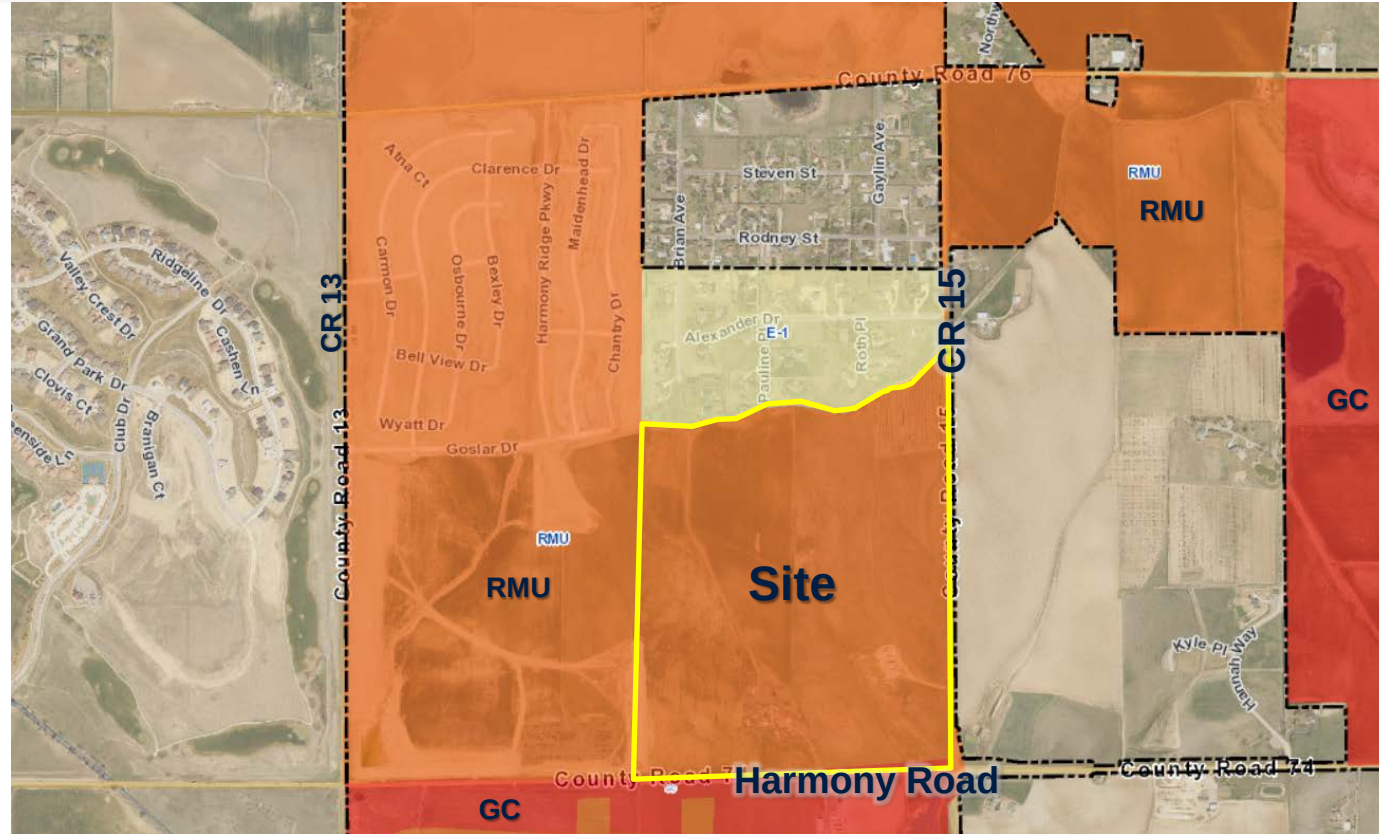
The purposes of the major subdivision procedure are:

- 1) To divide or reconfigure a parcel or parcels of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.

Site Vicinity Map



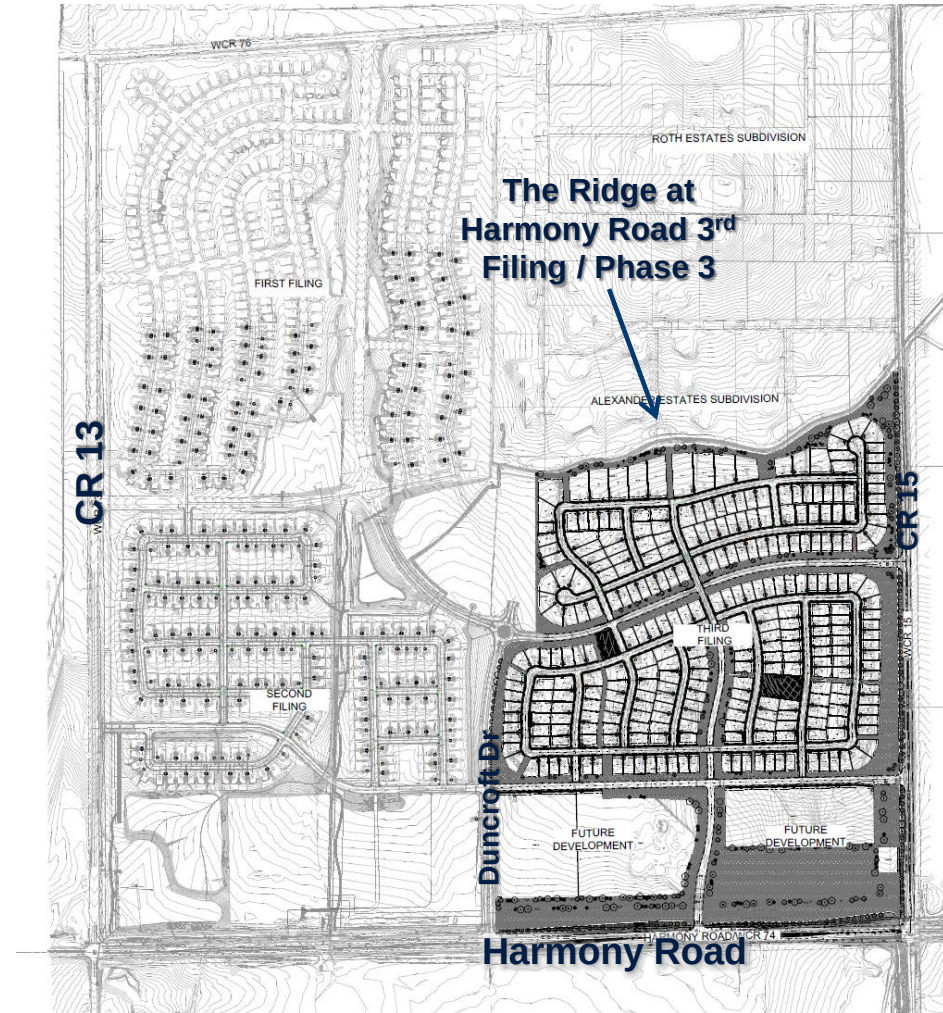
Zoning Map



Preliminary Plat

Plat characteristics:

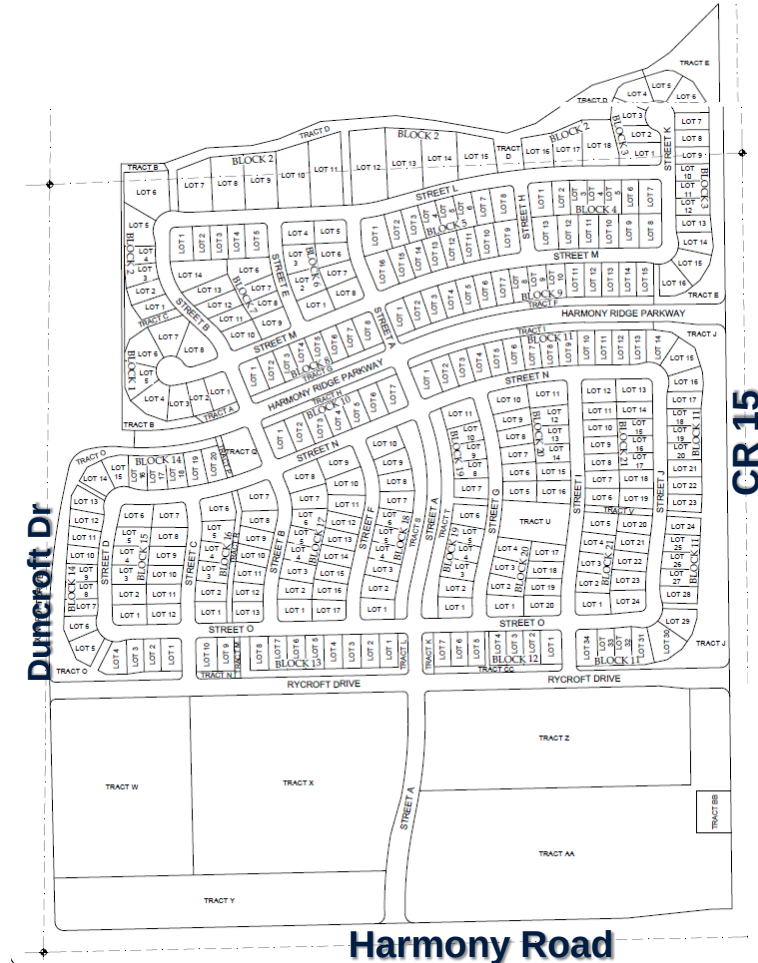
- ~ 148 acres total
- 301 single-family lots
 - Most 7,000 – 9,000 sf
 - Larger lots (9,000 – 30,000 sf) adjacent to Alexander Estates Subdivision
- 1 & 2-story houses with attached 2-3 car garages
- Tracts for open space (34 acres), commercial (7 acres), multi-family (7.5 acres), and other (10 acres) future development
- Single phase



Preliminary Plat

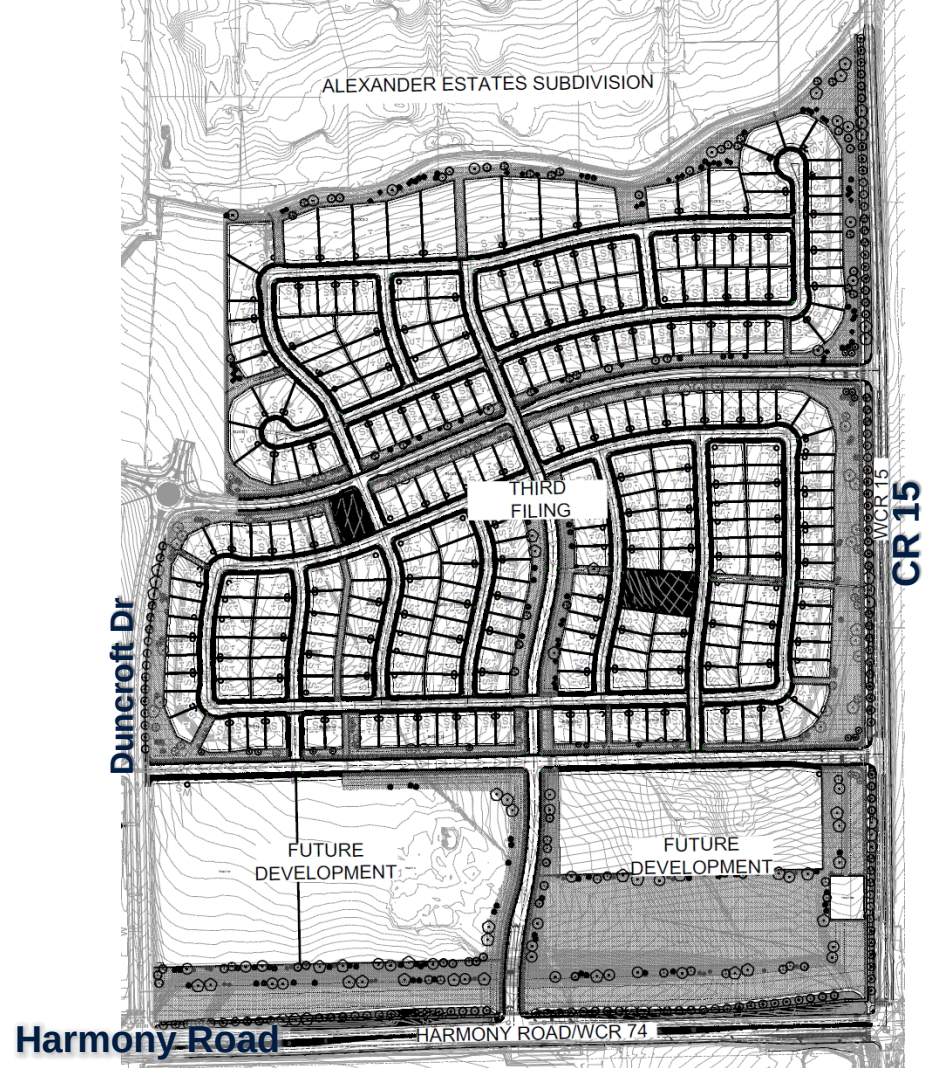
Plat characteristics:

- Connections to school site through neighborhood, bulb outs, widened sidewalk along Harmony Ridge Parkway (school site in Phase 2)
- Trail along Harmony Road & CR 15
- Park sites = 0.76 acres (large park site in Phase 2)
- Offsite improvements to Harmony Rd





Landscaping





Comprehensive Plan Conformance

The application is consistent with the following goals and objectives of the Comprehensive Plan:

Chapter 5b – Growth Framework

Goal:

Maintain the character of the community while accommodating future growth that is fiscally and environmentally responsible.

Chapter 5c – Residential Areas Framework

Goal:

Support diverse housing and residential neighborhoods to meet the needs of varying family sizes, lifestyles, and income levels.

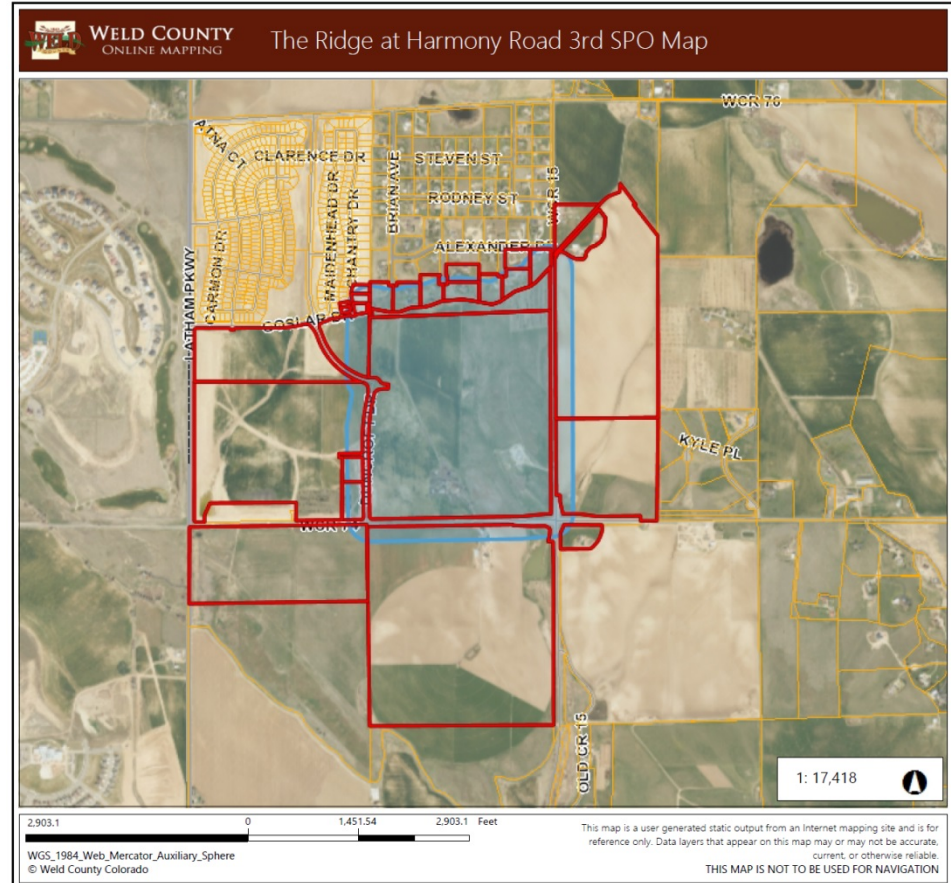


Notification Area

A neighborhood meeting was held on March 8, 2018.

Notifications for this meeting were as follows:

- February 12, 2018 - Affidavit of mailing to property owners within 300 feet
- February 18 & 21, 2018 – published ads in newspapers





Recommendation

Staff recommends that the Planning Commission approve the preliminary major subdivision as presented subject to all remaining Planning Commission and staff comments shall be addressed on the final major subdivision plat.



Preliminary Major Subdivision

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation



MEMORANDUM

Date: October 17, 2018
To: Planning Commission
From: Paul Hornbeck, Senior Planner
Re: Public Hearing and Recommendation to Town Board – Landscape Code Update
Item #: C.7 C.8

Background / Discussion

The enclosed draft ordinance is a comprehensive update to the Town's landscape standards, which have been in place since 2006. The update is based on the premise that the existing landscape standards have been successful in strengthening the character and quality of development; however, are in need of updates to achieve the following:

1. Reorganization to be easier to understand and apply
2. Better address water conservation in landscaping
3. Expand and refine bufferyard requirements
4. Other minor clarifications and modifications

A comparison between the existing landscape standards and the proposed code is attached.

Reorganization

The current landscape standards have requirements for different components of a site, such as detention ponds or parking lots, listed in different subsections. This makes it easy for applicants or other users of the code to overlook certain landscape requirements. To address this issue, the draft code lists all required landscape components in a single table. The eight required components and general standards for each component are listed in Table 7-6 and illustrated in Figure 7-1. Supplemental information not easily contained within the table is located in individual subsections for each landscape component.

The current standards do not adequately address how overlapping requirements are to be applied so administrative determination is often required. The proposed reorganization is intended to clearly define all required landscape components and eliminate the need for administrative determination. The draft code specifies that when there is overlap of two components, the more stringent standard will apply.

Water Wise Requirement

The existing landscape standards state landscaping plans shall be designed to incorporate water conservation materials and techniques; however, compliance is simply encouraged rather than mandatory as there are no specific requirements that must be followed. Given the increased growth of the region and continued limited water supply, enhanced water conservation through landscaping requirements are proposed as follows:

1. A minimum of 65% of shrubs shall be very low or low water use.
2. A maximum of 15% of shrubs and trees shall be high water use.

3. Medium and high water grass turf areas are limited to high use or high visibility areas with no restriction on irrigated low water grasses.
4. Sites over 3 acres shall use hydrozones (groupings of plants based on water needs to prevent overwatering).
5. Rain shutoff sensors are required.
6. Allowing rock beds for up to 20% of the landscaped area and not to exceed 3000 square feet individually provided visual interest is provided by some combination of boulders, shrubs, western collectibles, etc. (note: this allowance is in response to work session comments).

Appendix A classifies approved plant materials by water use: very low, low, medium or high. Property owners and landscape designers seem generally aware of the value of native or low water use plants as anecdotal review of a few recent site plans show that most sites are being designed with a considerable amount of low water plants. The proposed code would ensure continued and expanded use of water wise landscaping.

Bufferyards

Bufferyards are landscaped areas intended to buffer incompatible uses. The current landscape standards require industrial or commercial uses adjacent to residential uses to provide a standard bufferyard of 15' wide, 25' wide when buildings are larger than 25,000 square feet, and 50' wide for service areas. The draft landscape code refines and expands the bufferyard concept and the major changes are summarized as follows:

1. Use of tables to convey requirements.
2. Expanded use of bufferyards between incompatible uses, such as multifamily adjacent to single family.
3. Four standardized bufferyard types specify width and plant density (Table 7-8) which are assigned based degree of incompatible zone districts (Table 7-7)
4. Alternative standards for constrained sites that cannot accommodate standard bufferyards.
5. Eliminating the requirement for bufferyards in the Central Business (CB) zone district.
6. Requires a mix of shade, ornamental, and evergreen trees to ensure year-round buffering and seasonal interest.

Please refer to the enclosed PowerPoint for illustrations of current and proposed bufferyard standards.

Other Changes

A number of minor change have been made in order to try to clarify and simplify standards while creating high quality landscaping similar to the current standards. Further language has been added to clarify maintenance responsibility and responsibility for ongoing compliance.

Another modification proposed is a reduction in the amount of landscaped area required with larger industrial sites. Currently all industrial sites are required to provide 15% landscape area. This standard has been problematic because it places a burden on large sites to provide a tremendous amount of landscaping when much of the site is often unused. An administrative interpretation has been made in the past that such sites are only required to provide 15% landscaped area based on the developed area of the site. Rather than continue to rely on administrative interpretation, the draft landscape code includes tiered standards for industrial sites: 15% landscaping for site under three acres, 8% landscaping for sites between three and ten acres, and 5% for sites over 10 acres. The percentages listed are minimums; however, in order to provide all individual landscape components required, landscaping in excess of the minimums may be required in some cases. However, the intent is large sites would focus landscaping where it's most impactful, such as adjacent to right-of-way.

Stakeholder Input

Input from stakeholders was received during the Comprehensive Plan update and is enclosed. The draft standards attempt to address common concerns from stakeholders.

Notification

Public hearing notices of the proposed code amendment were as follows:

- advertised in the local newspapers on October 5, 2018
- posted on the Town's website on October 2, 2018

Recommendation

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the updated landscape standards.

Attachments

Draft Landscape Standards
Existing/Proposed Comparison
Stakeholder Input
PowerPoint Presentation

TOWN OF WINDSOR

ORDINANCE NO. 2018 – [##]

AN ORDINANCE AMENDING CHAPTER 17 OF THE *WINDSOR MUNICIPAL CODE* TO PROVIDE STANDARDS FOR LANDSCAPING IN DEVELOPED AREAS

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority vested under Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land development regulations intended to promote the public health, safety and welfare; and

WHEREAS, requirements for the installation and maintenance of landscaping bring uniformity and consistency to the built environment, enhance the appearance of developed areas, and assures the preservation of property values; and

WHEREAS, the Director of Planning has worked in concert with the Town Forester to develop updated standards that reflect best practices; and

WHEREAS, the Town Board has reviewed the updated standards and has concluded that their adoption will promote the public health, safety and welfare; and

WHEREAS, by its adoption of this Ordinance, the Town Board wishes to establish landscaping standards applicable to areas proposed for future development.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Chapter 17, Article XIII of the *Windsor Municipal Code* is hereby amended by the addition of a new Division 4, which shall read as follows:

Sec. 17-13-401. Intent and Applicability.

A. **Intent.** The intent of this Division is to:

1. Improve the image of the Town and build value with well-designed streetscapes and frontages.
2. Strengthen the character and quality of development with natural landscape materials, and emphasize distinct areas throughout the Town with context-appropriate site design and landscape plans.
3. Promote efficient use of water resources through landscape and site design.

4. Coordinate landscape and site design amenities across multiple sites, with special attention to the relationship between lot frontages and streetscapes.
5. Provide comfort, spatial definition and visual interest to pedestrian scale places, including walkways, civic spaces, parks or other similar outdoor spaces.
6. Create effective transitions, buffers and screens where land uses or development patterns change.

B. Applicability. The standards of this Division shall apply to all new development except:

1. Detached single family houses and duplexes are exempt from this Division except that the tree lawn requirement remains in effect and a minimum of 25% of all front yards shall be landscaped.
2. Improvements or repairs to existing site planned development that does not result in an increase in building footprint by more than 10%, do not result in an increase in impervious surface, or changes in use that do not result in an increase of intensity.
3. Agriculture uses.
4. Open Spaces, meaning natural areas with public access that provide for passive recreation, which are usually maintained with native vegetation. Landscaping for shade, screening and other uses may be applicable in open space areas.
5. Landscaping of Parks. A landscape plan shall be developed for all lands designated as a public park. At a minimum, trees shall be planted at forty (40) feet spacing along the park boundaries. Landscape plans shall be based upon expected amenities and facilities, such as playground equipment, picnic tables, game courts, playing fields, and swimming pools. All additional planting, irrigation and maintenance standards provided herein shall be followed.

C. Adjustments.

1. In cases of redevelopment, expansion, infill development of constrained sites, or changes of use the Zoning Officer may pro-rate the requirements to the extent of new development on the site where full compliance is not possible or practical.
2. The Zoning Officer may consider requests to allow minor adjustments to the landscape plan if the standards cannot be reasonably met by reason of:
 - a. Site constraints or impracticalities that are due to special conditions of the property that do not generally exist on other properties in the same zone

- b. Conditions that have not been brought about by action of the applicant or owner; and
- c. Unnecessary hardship caused by the strict interpretation of this Code.

Sec. 17-13-402. Landscape Standards.

A. Trees. Trees shall be planted according to the following guidelines:

- 1. At least 3' from any curb, sidewalk or other paved surface.
- 2. Planted only within pervious areas with a minimum width of 6'.
- 3. No closer than 10' or half the mature canopy width from a building foundation, whichever is greater.
- 4. At least 10' from any water or sewer line, and at least 4' from any underground gas, electric, telephone or other similar utility.

B. Shrubs, Grasses, and Ground cover.

- 1. Ground cover, such as vines, grass turf or seed, shrubs, and perennials, shall be located on all disturbed and undeveloped surfaces to prevent erosion, dust and weeds; infiltrate storm water; and improve the function and aesthetics of sites.
- 2. Ground cover shall consist of living plant material except that rock beds may be used in accordance with the following:
 - a. As ground cover within planting beds, provided organic mulch is used around the base of all plants in accordance with Section 7.02.B.3.c.
 - b. Independent from planting beds, subject to the following:
 - i. Shall be limited to no more than 20% of required landscape area
 - ii. No rock bed shall be greater than 3,000 square feet
 - iii. Elements from at least two of the following three groups are used:
 - A. Boulders (minimum size 24" x 30"), or dry creek bed or other significant landscape feature
 - B. Western collectibles (e.g.: mining cart, wagon, agricultural implement), shade structure or other structure (e.g.: small bridge, pavilion), or fine art/sculpture (NOT including small garden ornaments)

- C. Interspersed shrubs at ratio of 1 per 200 square feet.
Evergreen trees may be used instead of shrubs at a ratio of 1 tree per four shrubs. Ornamental grasses may be used instead of shrubs at a ratio of 3 grasses for every shrub.

3. Mulch for all planting beds or other areas shall meet the following:

- a. Black plastic or impermeable weed barriers are prohibited.
 - b. Organic mulches (i.e. bark or wood chips and wood grindings) are allowed in planting bed and are generally required around the base of all plants and trees in accordance with the Town planting details.
 - c. Inorganic mulches (i.e. gravel) and/ or decorative rock may be used in planting beds provided the required organic mulch base is provided around plants.
4. Shrubs shall generally be clustered in groupings or planted to form a continuous hedge.
5. One gallon ornamental grasses may be substituted for up to 20% of the required shrubs at a ratio of three grasses for one shrub.
6. Grass varieties in high visibility areas which are commercially available as sod must be installed by sodding. Other areas and grass varieties not commercially available as sod may be installed with plugging or seeding.
7. No plants shall be placed within 3' of any fire department connection, other than low-growing ground cover.

C. **Visibility at Intersections.** All plants shall be located and any screens or buffers shall be designed to maintain proper lines of sight at all intersections of streets, streets with alleys or driveways, and internal access streets as provided in the Town of Windsor Design Criteria and Construction Specifications – Division I Streets.

D. **Water Wise Requirement.**

- 1. A minimum of 65 percent of the shrubs that are installed to meet the requirements of this Division shall be classified as very low or low water use in Appendix A.
- 2. No more than 15 percent of shrubs or trees that are installed to meet the requirements of this Division shall be classified as high water use in Appendix A.
- 3. Sites over 3 acres shall be organized into distinct hydrozones according to their microclimatic needs and water requirements. Plants with similar water requirements shall be grouped together in the same irrigation zones.

4. Grass turf areas classified as medium or high water use in Appendix A shall be limited to high use or high visibility areas. Grass varieties listed as low water use in Appendix A may be used without limitation.

E. Irrigation.

1. An irrigation plan is required with all landscape plans.
2. Permanent underground, automatic irrigation shall be provided for all turf areas, trees, and shrubs.
3. Native, dryland, and restorative grasses shall be supplied permanent underground automatic irrigation or temporary irrigation. Temporary irrigation shall be supplied for a minimum of two years to allow for establishment. The Zoning Officer may waive the irrigation requirement for remote, low visibility areas.
4. Trees or shrubs within low water grass areas shall be irrigated in accordance with Section 17-13-402.E.2.
5. Automatic rain shutoff sensors to all controllers in all irrigation systems shall be installed to monitor rainfall levels and to override the controller(s) to prevent unnecessary irrigation.

F. Plant Selection. All landscaping shall be in accordance with Appendix A, Plant List.

1. **Approved Plants.** Only those plants listed as approved in Appendix A may be used to meet the standards of this Division. Plants that are on neither the approved plant list nor the prohibited plant list may be installed but shall not be counted towards compliance with this Division unless approved by the Zoning Officer in consideration of Section 17-13-402.F.3. The approved plants list shall include:
 - a. Street Trees (deciduous trees with a mature height that is generally more than 35 feet)
 - b. Shade Trees (deciduous trees with a mature height that is generally more than 35 feet);
 - c. Ornamental Trees (deciduous trees with a mature height that is generally 35 feet or less which typically have ornamental characteristics such as spring flowers or attractive bark)
 - d. Evergreen Trees (conifers or other evergreens with a mature height of more than 20 feet); and

- e. Shrubs (perennials or evergreens with a mature height of at least three feet).
- f. Ornamental Grasses
- g. Turf Grasses
- h. Classification of water needs of very low, low, medium, or high

2. **Prohibited Plants.** The following plants are prohibited, and are subject to disapproval and removal during development or redevelopment:

- a. Plants identified as noxious, invasive, or prohibited in Windsor by the United States or the State of Colorado; or
- b. Plants identified as prohibited in Appendix A

3. **Modifications.** The approved and prohibited plants listed in Appendix A may be amended by the Zoning Officer in consideration of:

- a. USDA Climate zone;
- b. Growth habits;
- c. Invasiveness;
- d. Expected lifespan;
- e. Resistance to disease and harmful insects;
- f. Leaf litter;
- g. Structural strength; and
- h. Watering needs / drought tolerance.

G. **Technical Specifications.** All landscaping shall adhere to the technical specifications of Appendix B. The Zoning Officer is authorized to amend Appendix B in consideration of changes in best management practices.

H. **Plant Specifications.** All landscape materials shall meet the American Standards for Nursery Stock (ASNS), published by the American Nurserymen's Association, and be selected for its native characteristics or survival in the climate for the Front Range region, and be planted and maintained according to ASNS specifications and Town of Windsor

planting notes and details (see Appendix B). Plants shall meet the following specifications at planting:

Table 7-1 Plant Specifications	
Caliper at 4.5' Above Ground (breast height)	Number of Replacement trees
<i>Street Tree</i>	2" caliper; 1.5" caliper acceptable as street tree on local residential street
<i>Shade Tree</i>	2" caliper
<i>Ornamental Tree</i>	1.5" caliper
<i>Evergreen</i>	6' minimum height
<i>Shrub</i>	5 gallon minimum
<i>Ornamental Grasses</i>	1 gallon minimum

- I. **Tree Diversity.** The required trees planted shall promote diversity with the following species selection criteria.

Table 7-2 Tree Diversity	
Required Trees	Diversity*
1 – 9	May be all one species but should be diverse from other species or genus in the vicinity.
10 -19	At least 2 genus; AND No more than 50% of any one species
20 - 39	At least 2 genus; AND No more than 33% of any one species
40 - 59	At least 3 genus; AND No more than 25% of any one species
60 +	At least 3 genus; AND No more than 15% of any one species
<i>Generally</i>	At any amount of required trees, existing trees in the vicinity may be used to specify certain species based this table to meet the intent and design objectives of this Article.
* No more than 12 of the same species should be in the same vicinity, considering existing trees. Any streetscape plan or public realm plan may achieve street tree diversity on a block-scale basis, while planting the same species on a block or specific segments of a street for the urban design affect.	

- J. **Tree Protection and Replacement.**

1. **Protected Trees.** Existing trees greater than 2 inches in caliper at 4.5' above ground that meet standards of this Division with regard to species, condition, location, and size shall be considered protected trees. Trees less than 2 inches in caliper at 4.5' above ground which were planted to satisfy the requirement of this code shall also be considered protected trees.
2. **Identification on Landscape Plans.** All trees eligible for protection within the project or adjacent rights-of-way shall be identified on a landscape plan noting the location, species, size and condition. The plan shall indicate whether the tree will be removed, transplanted or protected.
3. **Minimize Disturbance.** Streets, buildings, and lot layouts shall be designed to minimize the disturbance to existing protected trees.
4. **Removal Criteria.** Trees that meet one or more of the following removal criteria may be exempt from these requirements:
 - a. Dead, dying, or naturally fallen trees, or trees found to be a threat to public health, safety, or welfare.
 - b. Trees that are determined by the Town to substantially obstruct clear visibility at driveways or intersections.
 - c. Tree species that, in the opinion of the Town Forester, constitute a nuisance to the public such as cotton bearing cottonwood, Russian olive, and female boxelder. Native cotton bearing cottonwood trees and female boxelder trees, when located in a natural habitat and feature buffer zone, as may be described in future amendments to this Chapter adopted by official action of the Town Board, are not considered nuisance tree species.
5. **Credits for Existing Vegetation.** Any tree that is incorporated into the landscape plan and protected by the steps in this section and the specifications may count toward the required landscape. Any tree that is more than 8" caliper may count toward the required landscape as two trees.
6. **Replacement.** The Zoning Officer, based on the recommendation of the Town Forester, may determine that removal of any Protected Trees that could otherwise be protected requires mitigation as follows:
 - a. Replacement of between 1 and 5 trees for each tree removed to mitigate the loss of the eligible tree based on Table 7-3.

Table 7-3 Tree Replacement Requirements	
Caliper at 4.5' Above Ground (breast height)	Number of Replacement trees
20+ inches	5
13- 19.99 inches	4
8-12.99 inches	3
2-7.99 inches	2
0-1.99 inches	1

- b. Replacement trees shall be in addition to those otherwise required by this section.
- c. Replacement trees must be on the Town's recommended tree list (Exhibit A) or approved by the Town Forester.
- d. Replacement trees shall meet the following minimum size requirements:

Table 7-4 Minimum Replacement Tree Size Criteria	
<u>Shade Trees</u>	
Size of Tree Being Replaced	Minimum Size of Replacement
Less than 3" caliper	2" caliper balled and burlap or equivalent
3" caliper or larger	3" caliper balled and burlap or equivalent
<u>Ornamental Trees</u>	
Size of Tree Being Replaced	Minimum Size of Replacement
Less than 2.5" caliper	2" caliper balled and burlap or equivalent
2.5" inch caliper or larger	2.5" caliper balled and burlap or equivalent
<u>Evergreen Trees</u>	
Size of Tree Being Replaced	Minimum Size of Replacement
All sizes	8' height balled and burlap or equivalent

- 7. **Protection Measures.** Landscape plans shall indicate protection steps in accordance with the specifications in Appendix B. At a minimum these steps shall include:

- a. Protection of root zone from all construction activity, up to a minimum of 6' from the trunk or one-half the drip line, whichever is greater.
- b. Limit grading or cut and fill in the drip line to no more than 4" depth.
- c. Locate utilities away from protected trees or, where not possible, use boring under the root system, at least 24" below grade and at a sufficient distance from the face of the tree.
- d. Barriers and marking to prevent storage of vehicles, construction equipment, waste or other materials harmful to the tree within the drip line or otherwise protected zone specified by the protection plan.
 - i. Barrier fencing shall be a minimum of 4' in height
 - ii. Barriers or marking must be present for the duration of the construction period.
 - iii. Barriers shall be inspected by the Town Forester prior to issuance of building permit or beginning of construction.
- e. Deviation from these steps and specifications in Appendix B may only be authorized based on protection plans that preserve the health of the tree and that were evaluated and approved by a qualified arborist or forester.

K. Maintenance.

1. **Tree Lawns.** Tree lawns and street trees are the responsibility of the adjacent property owner unless an owners association or metropolitan district has assumed responsibility. In certain cases the Town may maintain tree lawns when where specifically approved by a development agreement or other means. Any plants determined by the Town Forester to be dead or in an unacceptable condition shall be replaced by the responsible party within a specified planting period, as soon as weather conditions allow. Replacements shall meet the minimum specifications of the materials replaced.
2. **Modification.** No tree shall be planted or removed within the right-of-way without prior authorization of the Town.
3. **On-site landscaping.** Ongoing compliance with approved landscape plans is required. All plant material shall be kept in healthy condition (free of dead or dying branch tips; bearing foliage of normal density, size, and color; and closely matching adjacent specimens of the same species). Any plants determined by the Town Forester to be dead or in an unacceptable condition shall be replaced by the property owner within a specified planting period, as soon as weather conditions

allow. Replacements shall meet the minimum specifications of the materials replaced.

- L. **Plan Preparation.** All landscape plans shall be prepared by a licensed landscape architect or similarly qualified professional.

Sec. 17-13-403. Site Design.

- A. **Calculation of Landscape Requirements.** A minimum percentage of landscaped area shall be provided for all lots proposed for development in accordance with Table 7-5. Additional landscaped area may be required in order to meet other provisions of this Division.

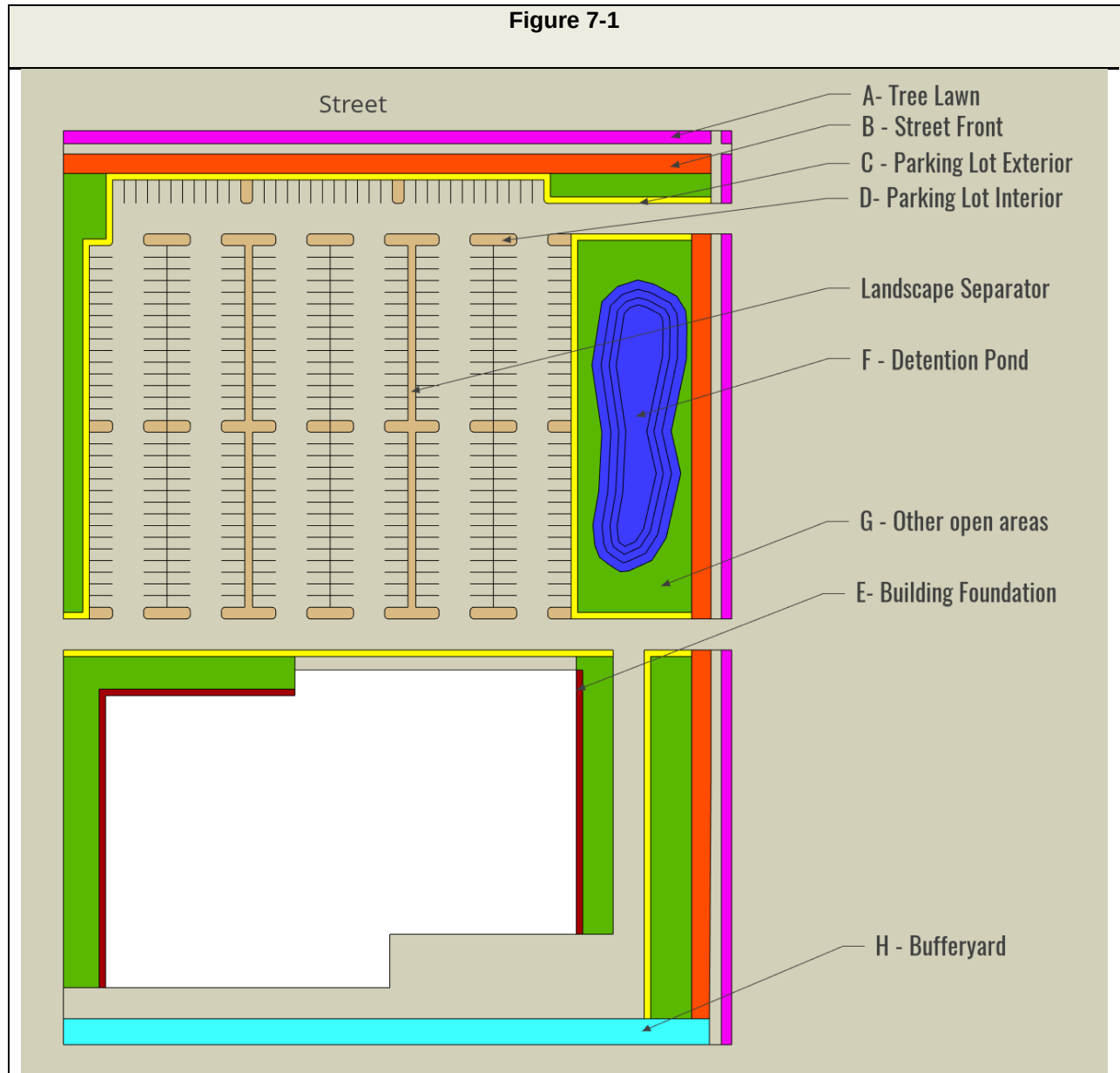
Table 7-5			
Minimum Site Landscaping			
Zoning	Site Acreage		
	0-3 acres	3-10 acres	10+ acres
E-1	-	-	-
E-2	-	-	-
SF-1	-	-	-
SF-2	-	-	-
MF-1	20%	20%	20%
MF-2	20%	20%	20%
RMU	Varies	Varies	Varies
NC	15%	15%	15%
GC	20%	20%	20%
CB	-	-	-
IL	15%	8%	5%
IH	15%	8%	5%
O	-	-	-
PD-MHP	20%	20%	20%

- B. **Landscape Components.** There are eight general areas of a parcel and abutting right-of-way in which landscaping may be required which are established by Table 7-6 and shown in Figure 7-1 and further described in Sections 17-13-403.B.1 through 17-13-403.B.8. These Landscape Components are not intended to be cumulative or require multiple or overlapping landscape areas, screening areas, buffer yards or perimeter treatments. When more than one such standard applies, that standard which results in the higher landscaping, screening or buffering requirement shall apply.

Table 7-6			
Required Landscape Components			
Landscape Component	Width (min.)	Trees	Shrubs
A - Tree Lawn Sec. 17-13-403.B.1	Varies	1 Street Tree per 40'	-
B - Street Front Sec. 17-13-403.B.2	Arterial roads: 20' All other roads:	1 per 50' of street frontage	1 per 5' of street frontage.

	15'		
C- Parking Lot Exterior Sec. 17-13-403.B.3	6'	1 per 40'	1 per 2.5'
D – Parking Lot Interior Sec. 17-13-403.B.4	n/a	1 per single row parking lot island and 2 per double row parking lot island; and 1 per 40' of landscape separator	5 per single row landscape island
E – Foundation Area Sec. 17-13-403.B.5	5'	n/a	1 per 5'
F – Detention Ponds Sec. 17-13-403.B.6	n/a	1 per 40' around perimeter	-
G- Other Open Spaces Sec. 17-13-403.B.7	Varies	1 per 3,000 s.f.	1 per 250 s.f.
H – Bufferyards Sec. 17-13-403.B.8	See Sec. 17-13-403.B.8		

Figure 7-1



1. **Tree Lawns.** Tree Lawns are areas of a subject property or adjoining right-of-way that are used for the planting of street trees. The area typically is located between the street and sidewalk or in the case of an attached sidewalk may be behind the sidewalk. This landscape area may or may not be a part of the subject property.
 - a. **Tree Lawn Requirements.** In addition the requirements enumerated in Table 7-6, Tree Lawns shall comply with the following:

- i. Tree lawns shall be provided along new public streets or private streets that are created on or adjacent to a parcel proposed for development or with any new development lacking adjacent street trees when adequate space exists for planting.
 - ii. In the case of detached sidewalks, trees shall be centered in planting area between curb and sidewalk
 - iii. In the case of attached sidewalks without tree grates or in other cases where street trees cannot be planted within the above requirements, they may be located along the lot frontage, between 3' and 7' from the back of a sidewalk.
 - iv. Trees shall be at least 10' from any street, driveway, or alley intersection
 - v. Trees shall be at least 40' from any street light
 - vi. An attached sidewalk with integrated tree grates may be approved provided the sidewalk is at least 12' wide and planting area has at least 24 s.f. permeable surface and at least 4' wide on all sides.
 - vii. Tree lawn landscaping within rights-of-way is subject to approval of the entity responsible for the right-of-way. If tree lawn landscaping is not authorized within a right-of-way it shall be accommodated on the adjacent property
 - b. **Substitution of Shade Trees.** Ornamental Trees may be substituted for Street Trees in locations where overhead utilities or other site constraints require smaller trees. If such substitutions are made, then Ornamental Trees shall be spaced at intervals of 20 feet on center.
 - c. **Timing of installation.** Street Trees shall be installed prior to the acceptance of subdivision improvements on all streets unless a landscaping phasing plan is approved or when street trees are to be located outside of right-of-way and are the responsibility of individual lot owners. If the development is not a subdivision, then Street Trees are required prior to the issuance of the first certificate of occupancy.
2. **Street Front.** Street Front is the portion of property immediately adjacent to the right-of-way of all public streets or private streets or drives that function similar to public streets. Street Trees shall not count toward this requirement.

- a. **Street Front Requirements.** In addition the requirements enumerated in Table 7-6, Street Front areas shall be landscaped with a minimum of 30% of trees being Shade Trees
 - b. **Reduced setbacks.** When a building setback less than the required width of the Street Front is approved, the Street Front width may be reduced proportionately to the reduced setback.
3. **Parking Lot Exterior.** Parking Lot Exterior is the area surrounding the entire perimeter of surface parking lots, vehicle display or inventory areas, and other public vehicle use areas such as gas station fueling areas and includes drive aisles and access drives. Shared parking lots on common lot lines are not required to provide Parking Lot Exterior landscaping on the common lot line.
- a. **Parking Lot Exterior Requirements.** In addition the requirements enumerated in Table 7-6, Parking Lot Exterior areas shall be landscaped as follows:
 - i. Tree requirement applies to entire perimeter of parking lot, including areas internal to the site abutting a sidewalk or building.
 - ii. Shrub requirement applies to any parking area adjacent to a public or private street and any parking areas or traffic circulation areas where headlight glare could impact activity on adjacent property.
 - iii. Unless specifically stated otherwise, shrubs shall be installed at a minimum height of 15 inches, and shall be of a species expected to reach a minimum height of 30 inches within three years of planting. Shrubs planted within sight distance triangles shall have a maximum mature height of 30 inches.
 - iv. At least 50% of required shrubs shall be evergreen.
 - v. At least 65% of required trees shall be Shade Trees
 - vi. An ornamental wall between 2.5' and 3' high may be used with a 50% reduction in shrubs for the length of the wall. Fence or wall materials shall complement the architecture of the building and have details or ornamentation compatible with the overall site design.
 - vii. All shrubs and trees shall be located at least three feet from either the back of curb of the vehicular use area or back of wheel stops.
 - viii. A landscaped berm between 3' and 4' high, measured from the grade of the adjacent parking area, may be used with up to a 50%

reduction in shrubs for the area immediately on or adjacent to the berm, provided the width is at least 15' with a maximum slope of 3:1.

b. Parking lots adjacent to residential uses. Parking lots adjacent to residential shall be screened by a fence or wall six feet in height in combination with plant material and of sufficient opacity to block at least 75% of light from vehicle headlights.

c. Drive-through uses. In addition to the requirements of Sec. 17-13-403.B.3.a, drive-through uses shall be landscaped in accordance with the following:

- i. Adjacent to arterial and collector streets an ornamental fence or wall 3' high shall be used to screen drive-through lanes and headlights glare. Fence or wall materials shall complement the architecture of the building and have details or ornamentation compatible with the overall site design. A 50% reduction in shrubs shall be provided for the area immediately adjacent to the ornamental wall or fence. Landscaped berms may not be used in-lieu of ornamental fences or walls.
- ii. Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the Zoning Officer, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts.

2. Parking Lot Interior. Parking Lot Interior landscaping is required within surface parking lots and vehicle display or inventory areas that accommodate more than 15 vehicles and includes drive aisles and access drives. Parking lots in screened service areas are not required to provide Parking Lot Interior landscaping.

b. Parking Lot Interior Requirements. In addition the requirements enumerated in Table 7-6, Parking Lot Interiors shall be landscaped as follows:

- i. At least 65% of required trees shall be Shade Trees.
- ii. All shrubs and trees shall be located at least three feet from either the back of curb of parking stalls or back of wheel stops.

- iii. Parking lot landscaped areas shall be at least six inches above the surface of the parking lot and protected with concrete curbing

c. Parking Lot Islands. Parking Lot Islands shall:

- i. Be installed on the ends of all parking rows and entry drives to separate parking from drive aisles.
- b. Be provided between every 15 contiguous parking spaces
- c. Be the same dimensions as adjacent parking stalls. Double rows of parking shall provide parking lot islands that are the same dimension as the double row and shall provide double the landscape required for single row islands.
- d. Parking lot islands shall be designed to allow plant materials to survive and flourish given harsh conditions and the need to store snow during the winter.

b. Large Parking Lots. Large Parking Lots are surface parking lots, vehicle display or inventory areas with more than 200 spaces. Large Parking Lots shall be divided into smaller parking modules by the use of landscape separators that comply with the following standards:

- i. Each parking module shall contain a maximum of three drive aisles or 150 parking spaces, whichever results in a smaller module.
- ii. Landscape Separators shall be parallel to the parking rows.
- iii. At least one landscape separator shall contain a walkway to the front entrance of the building.
- iv. Walkways shall connect to adjacent public sidewalks.
- v. Where walkways cross drive-aisles, the crossing shall be distinguished through the use of raised crosswalks or special pavement treatments such as colored concrete, pavers, brick or other similar materials.
- vi. Landscape separators with a walkway shall be a minimum of 19 feet in width. Landscape separators without a pedestrian walkway shall be a minimum of 8 feet in width.
- vii. Pedestrian walkways within a landscape separator shall be a minimum of 7 feet wide.

viii. Vegetative ground cover and/or shrub beds shall be used in all landscape separators

3. **Foundation Planting.** Foundation Areas are those areas along building foundations that are in high use or high visibility areas. In addition to the requirements enumerated in Table 7-6, Foundation Planting shall be landscaped as follows:

- a. Applies to a minimum of 50% of the length of all building façades that are in high use or high visibility areas or within 50' of right-of-way, open or civic spaces, or other similar publicly accessible and visible spaces.
- b. Foundation planting is not required where building facades directly abut pedestrian access such as sidewalks, plazas or other similar features provided the façade includes windows, doors, architectural detailing, or other pedestrian oriented features.

4. **Detention Ponds.** In addition to the requirements enumerated in Table 7-6, Detention Ponds shall be landscaped with irrigated turf grass, native grasses, or drought hardy approved vegetation.

5. **Other Planting Areas.** Other Planting Areas are all other landscaped areas not otherwise covered in this subsection that are required to comply with this Division.

6. **Bufferyards.** Bufferyards are areas on the perimeter of a parcel proposed for development where landscaping is required to buffer the development from neighboring properties.

- a. **Generally.** This Section describes four types of bufferyards which are classified from less screening (Type A) to more screening (Type D).
- b. **Purposes of Bufferyards.** Bufferyards are used to soften the visual interaction between differing zones and improve compatibility of adjoining uses.
- c. **Bufferyard Required.** Bufferyards shall be provided in the following situations:
 - i. Along zone boundaries as listed in Table 7-7 when the zone district boundary line follows the property line of the parcel proposed for development and when the adjacent property is not separated from the parcel proposed for development by an easement, right-of-way, or permanent open space that is at least

50 feet in width, such as a public street, creek and trail, utility easement, or resource protection area.

- ii. Between uses within the RMU zone district as described in Section 17-14-403.B.8.h.
- iii. Subdivisions platted with double frontage lots shall provide a Type A bufferyard along the rear frontage.
- iv. For certain uses as described in future amendments to this Chapter adopted by official action of the Town Board.
- v. In situations where the Zoning Officer determines that the arrangement of uses or design of buildings does not adequately mitigate conflicts reasonably anticipated to exist between dissimilar uses, site elements or building designs, a bufferyard shall be used to mitigate the conflicts.

Table 7-7 Zone Boundary Bufferyard Standards													
Zoning of Proposed Development	PD- MHP	Adjoining Zone											
		E-1	E-2	SF-1	SF-2	MF-1	MF-2	RMU	NC	GC	CB	IL	IH
PD-MHP	-	B	B	B	B	B	B	-	A	A	-	A	A
E-1	-	-	-	-	-	-	-	-	A	A	-	A	A
E-2	-	-	-	-	-	-	-	-	A	A	-	A	A
SF-1	-	-	-	-	-	-	-	-	A	A	-	A	A
SF-2	-	-	-	-	-	-	-	-	A	A	-	A	A
MF-1	B	B	B	B	B	-	-	varies	A	A	-	A	A
MF-2	B	B	B	B	B	-	-	varies	A	A	-	A	A
RMU	varies	varies	varies	varies	varies	varies	varies	-	varies	varies	varies	varies	varies
NC	B	B	B	B	B	B	B	varies	-	-	-	-	-
GC	C	C	C	C	C	C	C	varies	-	-	-	-	-
CB	-	-	-	-	-	-	-	-	-	-	-	-	-
IL	C	C	C	C	C	C	C	varies	C	C	C	C	-
IH	D	D	D	D	D	D	D	varies	C	C	C	B	-

Note: See Sec. 7.03.B.8.h for RMU bufferyard requirements

- d. **Bufferyard Options.** There are two bufferyards options. Standard Bufferyards designed in accordance with Table 7-8 shall generally be used. For properties constrained by size or other site specific limitations, a Limited Bufferyard designed in accordance with Table 7-9 is allowed

using a berm or fence in conjunction with a narrower bufferyard and lower density of plant material.

Table 7-8
Standard Bufferyards

<i>Standard Bufferyards – Planting Requirements per 100 linear feet</i>						
Type	Width (min.)	Shade Trees	Ornamental Trees	Evergreen Trees*	Shrubs	Wall, Opaque Fence, or Berm Height
Type A	15'	2	2	2	10	n/a
Type B	15'	2	2	2	30	n/a
Type C	25'	2	3	5	30	n/a
Type D	25'	2	5	10	50	n/a

*Ornamental trees shall be used in-lieu of evergreen trees when evergreens would cast winter shadows on public roadways or sidewalks

Table 7-9
Limited Bufferyards

<i>Limited Bufferyards - Planting Requirements per 100 lineal feet</i>						
Type	Width (min.)	Shade Trees	Ornamental Trees	Evergreen Trees*	Shrubs	Wall, Opaque Fence, or Berm Height
Type A	10'	1	1	1	5	3.5'
Type B	10'	1	1	1	15	3.5'
Type C	15'	1	2	3	20	6'
Type D	15'	1	3	5	30	6'

*Ornamental trees shall be used in-lieu of evergreen trees when evergreens would cast winter shadows on public roadways or sidewalks

- e. **Substitutions.** Evergreen trees may be used in place of ornamental trees at a ratio of one to one.
- f. **Reduced Bufferyards.** In cases where development proposed for a property would be allowed in a less intense zone district (e.g. commercial development in the IL zone district), the Zoning Officer may approve use of the bufferyard required for the less intense zone district. Reduced bufferyards shall only be approved when the characteristics of the proposed development make conversion to higher intensity use unlikely.

- g. **Increased Bufferyards.** Bufferyard width or bufferyard planting may be increased at the discretion of the Zoning Officer, Planning Commission or Town Board where the potential impacts from visual, audible or physical aspects of a particular use or particular site is greater than anticipated, based on the intent and design objectives of this section.
- h. **Properties Adjacent to Corporate Limits.** Bufferyard requirements for properties adjacent to properties outside the Town of Windsor corporate limits shall be based on the land use depicted in the Comprehensive Plan Future Land Use Map or adjacent community's zoning or land use designation.
- i. **RMU District Bufferyards.**
 - i. In determining bufferyard requirements involving properties zoned RMU, the Zoning Officer shall assign a bufferyard type based on the bufferyard required for the most similar zoning district which would allow the land use. For example, apartment complexes shall be classified MF, retail uses GC, etc.
 - ii. Bufferyards shall be required for abutting properties which are both within the RMU district using the methodology described in Section 17-13-403.B.i.i.
- j. **Minimum Shrub Size.** Unless specifically stated otherwise, shrubs shall be installed at a minimum height of 15 inches, and shall be of a species expected to reach a minimum height of 30 inches and a minimum spread of 30 inches within three years of planting. Shrubs planted within sight distance triangles shall have a maximum mature height of 30 inches.
- k. **Plant Spacing.** Plants in bufferyards shall generally be spaced regularly throughout the bufferyard, although concentration of some plantings can occur to emphasize gateways or entries, or to maximize the screening and buffering of specific site elements.

Section 2. This Division shall apply to all applications for land use approval received after the effective date of this Ordinance, subject to full or partial waivers approved in the sole discretion of the Zoning Officer to avoid or mitigate undue design cost for applications that may have been developed in reliance on former Town standards.

Introduced, passed on first reading, and ordered published this ____ day of _____, 2018.

TOWN OF WINDSOR, COLORADO

By _____
Kristie Melendez, Mayor

ATTEST:

Krystal Eucker, Town Clerk

[Seal]

Introduced, passed on second reading, and ordered published this _____ day of
_____, 2018.

TOWN OF WINDSOR, COLORADO

By _____
Kristie Melendez, Mayor

ATTEST:

Krystal Eucker, Town Clerk

[Seal]

DRAFT

Landscape Code Comparison						
	Existing			Proposed		
Site Element	Minimum Size/Amount	Trees	Shrubs	Minimum Size/Amount	Trees	Shrubs
Overall Site Minimum	20% commercial 15% industrial 0% multifamily	1 tree per 750 s.f. landscaped area	5 shrubs per 750 s.f.	Commercial: 20% Industrial <3 acres: 15% Industrial 3-10 acres: 8% Industrial >10 acres 5%	No overall minimum of trees or shrubs. Minimums only apply to individual components listed below	
Summary of Changes: Reduced percentages for large industrial areas; added minimum area for multifamily; eliminated overall site minimum number of trees and shrubs and will rely on minimums for each component listed below.						
A - Tree Lawn	Width varies	30' to 40'	n/a	Width varies	1 Street Tree per 40'	n/a
Summary of Changes: Clarify 1 tree per 40' on average						
B - Street Front	<u>Commercial:</u> Non-arterial: 15' wide except that buildings > 25,000 sf shall provide 25' Arterial: 25' wide <u>Industrial:</u> 15' wide adjacent to all streets except that buildings > 25,000 sf shall provide 25' <u>Multifamily:</u> Not required	1 per 500 s.f. = 1 tree per 33' street frontage @ 15' width = 1 tree per 20' street frontage @ 25' width	5 shrubs per 500 s.f. = 1 shrub per 6.7' street frontage @ 15' width = 1 shrub per 4' street frontage @ 25' width	Arterial roads: 20' All other roads: 15'	1 per 50' of street frontage	1 per 5' of street frontage

Summary of Changes: Simplified standards; added multifamily requirements, less overall trees and shrubs required; ratios based on lineal frontage so sites with wider landscaped areas aren't punished; widest landscaped area 20' instead of 25'.

C- Parking Lot Exterior	No minimum	1 per 40'	No minimum number of shrubs. Adjacent to residential: 6' fence and plant material required. All other locations: minimum shrub height of 30" for 70% of frontage	6'	1 per 40'	1 per 2.5'
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Summary of Changes: Added minimum ratio of shrubs; added minimum width.

D – Parking Lot Interior	6% for parking lots of 16-99 spaces 10% for parking lots of 100+ spaces	1 shade tree per 150 s.f. of internal landscaped area. 1 shade tree per 80 s.f. of parking lot island.	Turf, ground cover perennials, or mulched shrub plantings required in landscape islands.	n/a	1 per single row parking lot island; and 1 per 40' of landscape separator	5 per single row landscape island
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Summary of Changes: Simplified requirements; total amount of landscaping similar.

E – Foundation Area	5'	n/a	No minimum	5'	n/a	1 per 5'
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Summary of Changes: Simplified; amount of landscaping similar.

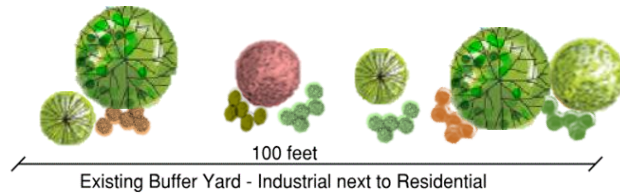
F – Detention Ponds	n/a	1 per 40' around perimeter	-	n/a	1 per 40' around perimeter	-
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<i>Summary of Changes: None.</i>					
G- Other Open Spaces	n/a	No minimum if overall site minimum met	Varies	1 per 3,000 s.f.	1 per 250 s.f.
<i>Summary of Changes: This is a new category of landscaping which needed to be added since the overall site minimum of plants was eliminated.</i>					
H – Bufferyards	See table on following pages.				

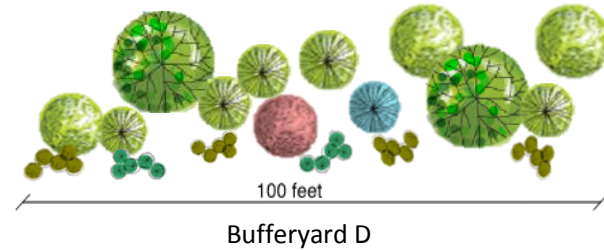
Bufferyard Comparison

Small Industrial Building (<25,000 SF) next to residential

Existing: 15' wide, 6 trees, 30 shrubs

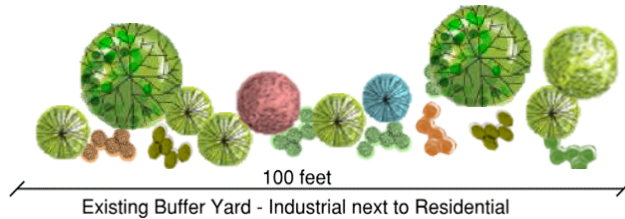


Proposed: 25' wide, 12 trees, 30 shrubs

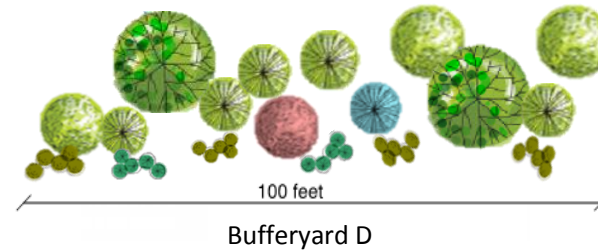


Large Industrial Building (>25,000 SF) next to residential

Existing: 25' wide, 10 trees, 30 shrubs

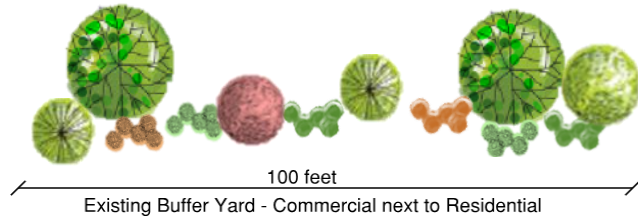


Proposed: 25' wide, 12 trees, 30 shrubs

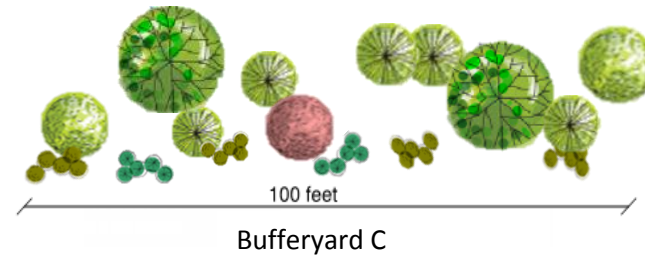


Small Commercial Building (<25,000 SF) Next to Residential

Existing: 15' wide; 6 trees; 30 shrubs

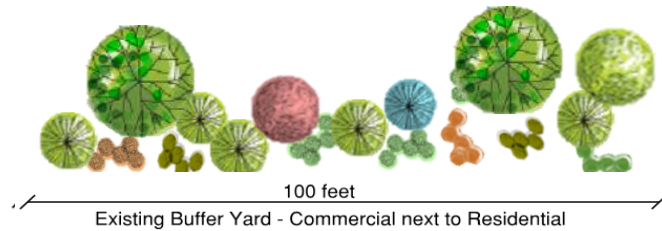


Proposed: 25' wide; 10 trees; 30 shrubs

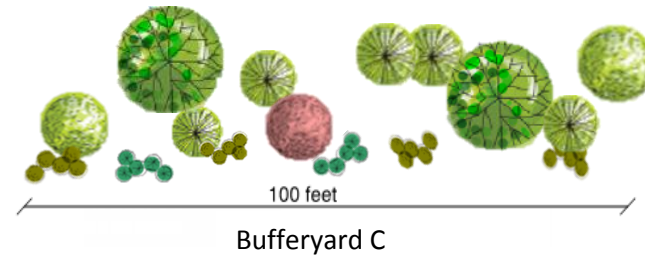


Large Commercial Building (>25,000 SF) Next to Residential

Existing: 25' wide; 10 trees, 30 shrubs



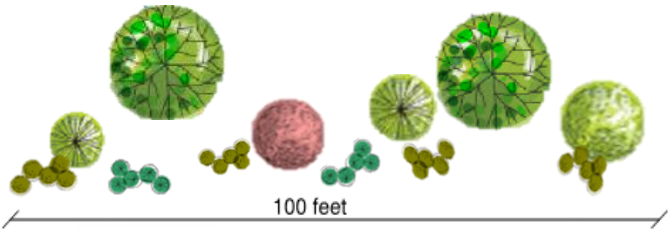
Proposed: 25' wide; 12 trees, 30 shrubs



Multifamily Next to Single Family

Existing: No bufferyard required

Proposed: 15' wide, 6 trees, 30 shrubs



Bufferyard B



STAKEHOLDER INPUT

The summary below includes the stakeholder comments regarding the Town's current landscape standards. Interviews with the stakeholders occurred December 2016 through January 2017:

1. *Use standards for site-specific functions.*
 - Landscape standards should focus on the context of the development and serve specific purposes. Currently, the code references include unbuilt portions of lots, buffers or landscape areas for screening purposes, aesthetic purposes, ecological or common open space areas.
 - The standards for different areas are similar instead of looking at the purpose for the landscaping. Have different standards for different purposes.
 - Different scenarios should have different landscape requirements. For example, the scale of a parking area and the frontage of the site (relationship to the adjacent street) the purpose of an open space area, and context for a buffer requirement.
2. *Clarify standards.*
 - Standards for industrial zone districts are too vague. Areas of the standards reference "appropriate landscaping" or "adequate landscaping" and note other requirements without specifics.
 - Clarify standards for all zoning districts.
3. *Clearly organize the standards.*
 - Standards in one section is preferred. The standards are currently in several sections of the code: zoning district standards for some districts, site design standards of the subdivision regulations in other areas, and for certain site design elements in other instances (for example, screening parking lots).
 - There are some overlapping standards in the code and it is confusing to determine which ones apply.
 - The standards do not create a clear and coordinated intent for the overall design of unbuilt portions of lots.
4. *Water conservation & environment.*
 - Promote water efficient landscape designs and regionally appropriate landscape designs, species and specifications.
 - Allow options for more compact or better-planned development around sensitive natural areas. Give incentives to preserve these areas.
 - Promote environmental performance: shade, stormwater infiltration, wind, and aesthetics.
 - On a scale of 1-5, with one the lowest ranking and five the highest ranking, the average stakeholder ranking of the promotion of water conservation within the code was a 2 out of 5.



Landscape Code Update

Paul Hornbeck, Senior Planner

Planning Commission October 17, 2018



Goals

The draft landscape code is based on the premise that the existing landscape standards, in place since 2006, have been successful in strengthening the character and quality of development but are in need of updates to:

1. Reorganize the landscape standard to be easier to understand and apply
2. Expand and refine bufferyard requirements
3. Better address water conservation in landscaping
4. Other minor clarifications and modifications

Reorganization

G. Landscaping in Industrial Districts. Heavy Industrial (I-H) and Limited Industrial (I-L) Districts shall be landscaped as follows:

1. All industrial development within an established corridor plan shall follow the landscaping standards in the corridor plan and/or these *Tree and Landscape Standards*, whichever is more stringent. Industrial development outside an established corridor plan shall follow the guidelines provided in these *Tree and Landscape Standards*.
2. Fifteen (15) percent or more of the lot/parcel shall be landscaped which may include any/all of the buffer yard requirements below.
3. Landscape shall consist of at least one (1) tree and five (5) shrubs for every 750 square feet of landscaped area or as deemed appropriate by the Town Forester.
4. Street trees shall be planted in the public right-of-way as established in the Tree Planting Standards section of this document (Part II, Section H). A minimum of one (1) street tree per lot/parcel shall be planted by the individual property owner or the developer as defined in the development agreement.
5. Buffer yard landscaping (including adjacent public rights-of-way) shall be provided as follows:
 - (A) At least fifteen (15) feet wide adjacent to a non-arterial street right of-way. Large non-residential buildings (25,000 square feet or greater) shall provide a buffer yard at least twenty-five (25) feet wide.
 - (B) At least fifteen (15) feet wide adjacent to an arterial street right-of-way. Large non-residential buildings (25,000 square feet or greater) shall provide a buffer yard at least twenty-five (25) feet wide.
 - (C) At least fifteen (15) feet wide adjacent to residential uses. Large non-residential buildings (25,000 square feet or greater) shall provide a buffer yard at least twenty-five (25) feet wide. Manufacturing facilities, uses with outdoor storage or activities, or non-residential buildings with service areas oriented toward residential uses will provide a buffer yard of at least fifty (50) feet.
 - (D) Buffer yards shall contain berms or a combination of berms and walls/fences as appropriate.
 - (E) Buffer yards shall be landscaped at a ratio of at least one (1) tree and five (5) shrubs for every 500 square feet, except that buffer yards adjacent to residential uses shall be landscaped at a ratio of at least one (1) tree and five (5) shrubs for every 250 square feet.

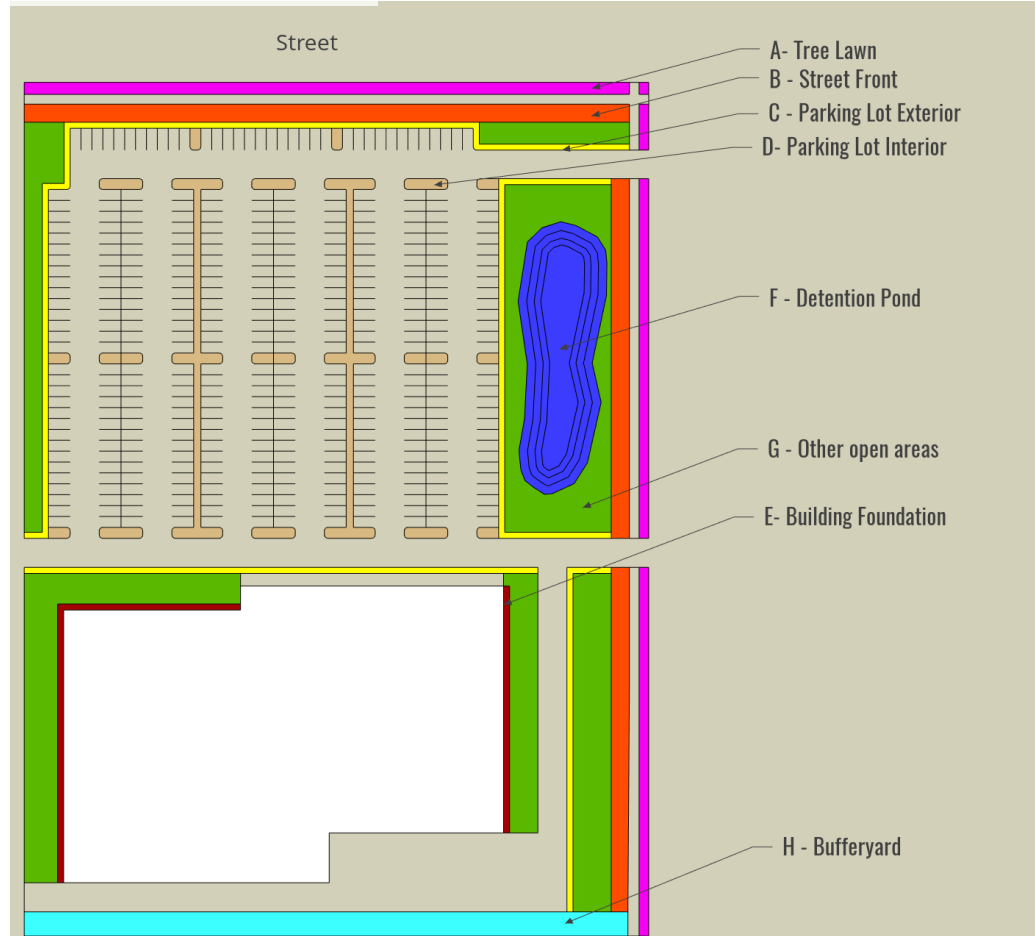


Table 7-6
Required Landscape Components

<i>Landscape Component</i>	<i>Width (min.)</i>	<i>Trees</i>	<i>Shrubs</i>
A - Tree Lawn <i>Sec. 17-13-403.B.1</i>	Varies	1 Street Tree per 40'	-
B - Street Front <i>Sec. 17-13-403.B.2</i>	Arterial roads: 20' All other roads: 15'	1 per 50' of street frontage	1 per 5' of street frontage.
C - Parking Lot Exterior <i>Sec. 17-13-403.B.3</i>	6'	1 per 40'	1 per 2.5'
D - Parking Lot Interior <i>Sec. 17-13-403.B.4</i>	n/a	1 per single row parking lot island and 2 per double row parking lot island; and 1 per 40' of landscape separator	5 per single row landscape island
E - Foundation Area <i>Sec. 17-13-403.B.5</i>	5'	n/a	1 per 5'
F - Detention Ponds <i>Sec. 17-13-403.B.6</i>	n/a	1 per 40' around perimeter	-
G - Other Open Spaces <i>Sec. 17-13-403.B.7</i>	Varies	1 per 3,000 s.f.	1 per 250 s.f.
H - Bufferyards <i>Sec. 17-13-403.B.8</i>	See Sec. 17-13-403.B.8		



Reorganization



Water Wise Landscaping

1. A minimum of 65% of shrubs shall be very low or low water use.
2. A maximum of 15% of shrubs and trees shall be high water use.
3. Medium and high water grass turf areas are limited to high use or high visibility areas with no restriction on irrigated low water grasses.
4. Sites over 3 acres shall use hydrozones (groupings of plants based on water needs to prevent overwatering).
5. Rain shutoff sensors are required.
6. Allowing rock beds for up to 20% of the landscaped area and not to exceed 3000 square feet individually provided visual interest is provided by some combination of boulders, shrubs, western collectibles, etc. (note this allowance is in response to work session comments).

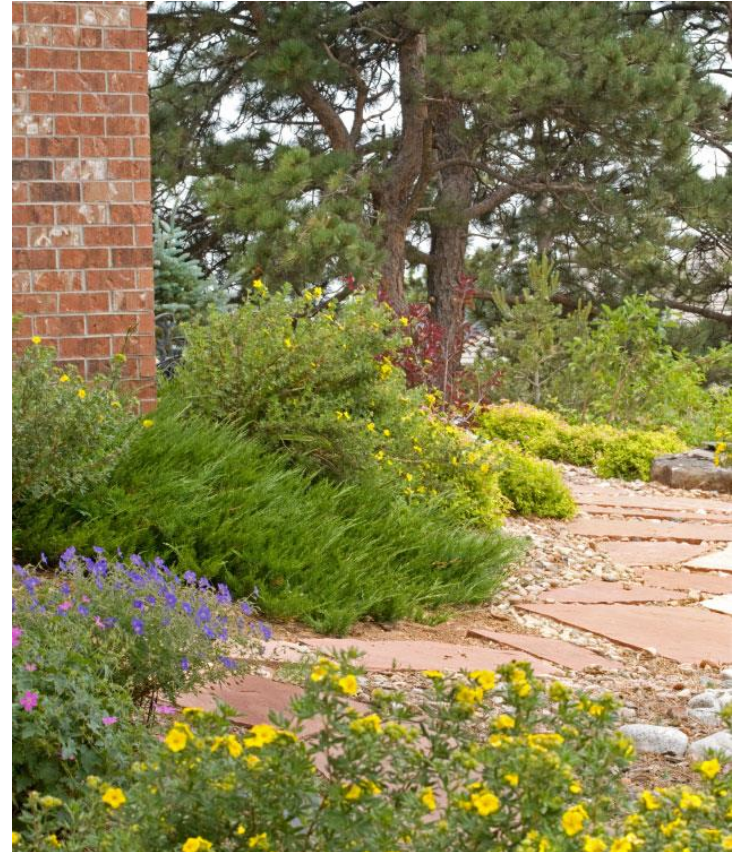
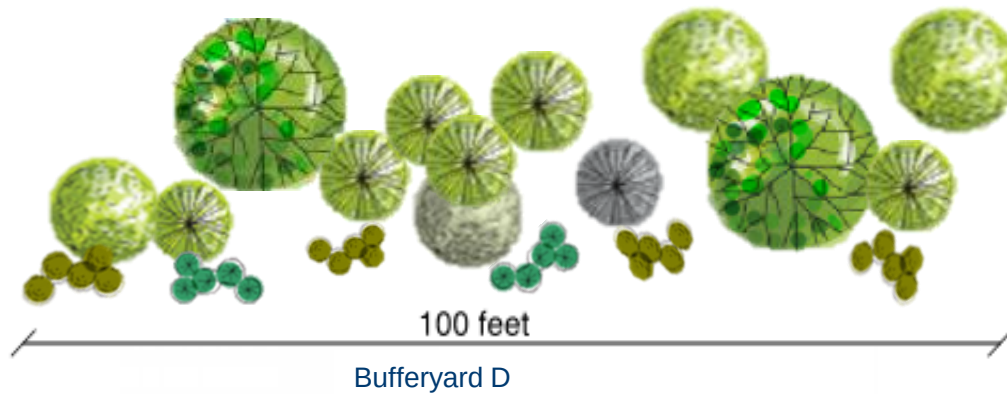


Photo: <https://www.greenbuildingadvisor.com>

Bufferyards



Bufferyards

Table 7-8

Standard Bufferyards

Standard Bufferyards – Planting Requirements per 100 linear feet

Type	Width (min.)	Shade Trees	Ornamental Trees	Evergreen Trees*	Shrubs	Wall, Opaque Fence, or Berm Height
Type A	15'	2	2	2	10	n/a
Type B	15'	2	2	2	30	n/a
Type C	25'	2	3	5	30	n/a
Type D	25'	2	4	6	50	n/a

Table 7-9

Limited Bufferyards

Limited Bufferyards - Planting Requirements per 100 lineal feet

Type	Width (min.)	Shade Trees	Ornamental Trees	Evergreen Trees*	Shrubs	Wall, Opaque Fence, or Berm Height
Type A	10'	1	1	1	5	3.5'
Type B	10'	1	1	1	15	3.5'
Type C	15'	1	2	3	20	6'
Type D	15'	1	3	4	20	6'

*Ornamental trees shall be used in-lieu of evergreen trees when evergreens would cast winter shadows on public roadways or sidewalks

[illegible]

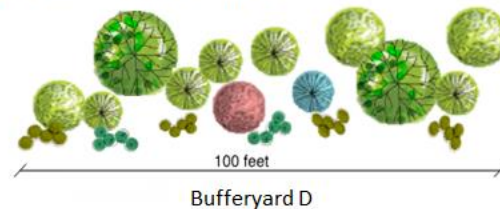
Bufferyard Comparison

Small Industrial Building (<25,000 SF) next to residential

Existing: 15' wide, 6 trees, 30 shrubs



Proposed: 25' wide, 12 trees, 30 shrubs

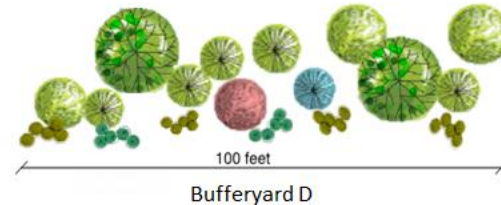


Large Industrial Building (>25,000 SF) next to residential

Existing: 25' wide, 10 trees, 30 shrubs

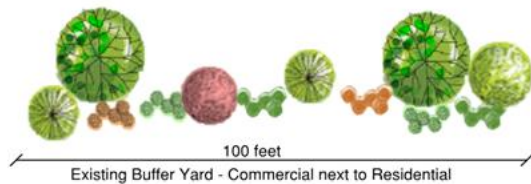


Proposed: 25' wide, 12 trees, 30 shrubs

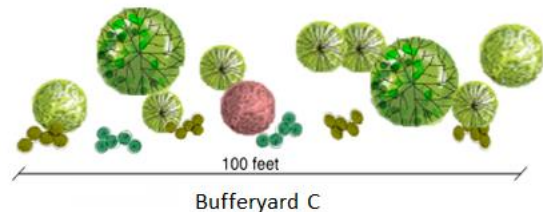


Small Commercial Building (<25,000 SF) Next to Residential

Existing: 15' wide; 6 trees; 30 shrubs



Proposed: 25' wide; 10 trees; 30 shrubs

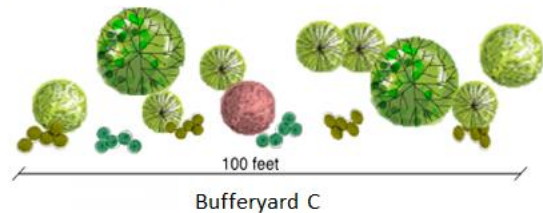


Large Commercial Building (>25,000 SF) Next to Residential

Existing: 25' wide; 10 trees, 30 shrubs



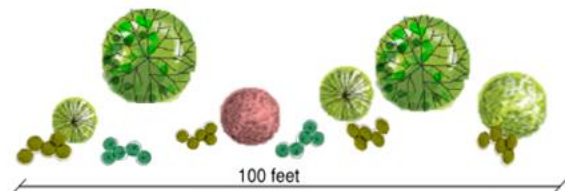
Proposed: 25' wide; 12 trees, 30 shrubs



Multifamily Next to Single Family

Existing: No bufferyard required

Proposed: 15' wide, 6 trees, 30 shrubs



Bufferyard B



Other Changes

- Clarify and simplify standards
- Maintenance and ongoing compliance
- Landscaping on large industrial sites

Table 7-5
Minimum Site Landscaping

<i>Zoning</i>	<i>Site Acreage</i>		
	<i>0-3 acres</i>	<i>3-10 acres</i>	<i>10+ acres</i>
E-1	-	-	-
E-2	-	-	-
SF-1	-	-	-
SF-2	-	-	-
MF-1	20%	20%	20%
MF-2	20%	20%	20%
RMU	Varies	Varies	Varies
NC	15%	15%	15%
GC	20%	20%	20%
CB	-	-	-
IL	15%	8%	5%
IH	15%	8%	5%
O	-	-	-
PD-MHP	20%	20%	20%



Recommendation

- Staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the proposed code updates.
- Staff requests the following be entered into the record:
 - Staff memorandum
 - Packet materials
 - Public testimony
 - Staff recommendation



MEMORANDUM

Date: October 8, 2018
To: Planning Commission
From: Millissa Berry, AICP, Senior Planner
Re: Site Plan Summary – Windsor Commons Subdivision 3rd Filing Lot 5 Block 2 – Total Directional Services

Comments (if any) by: October 25, 2018

Site Plan Summary

Applicant: Nathan Koshman

Applicant's Representative: Rick Hazel, Hauser Architects

Business: Total Directional Services

Location: 560 Logistics Drive

Subdivision / Lot-Block: Windsor Commons Subdivision 3rd Filing / Lot 5 Block 2

Zoning: Limited Industrial, I-L

Adjacent Zoning: I-L

Special Planning Area: no

Overall development characteristics:

- lot area = 1 acre
- 13,200 square foot (sf) building total / 10,200 sf footprint (~23.5% lot coverage)
 - o 5,663 sf manufacturing area
 - o 857 sf storage area
 - o 3,480 sf office
 - o 3,000 future office area (second floor)
- 10 employees
- 17 parking spaces (1 per 2 employees required)
- ~ 41% landscaped area (15% required)
- access from Logistics Drive
- loading area on west side of building

Building characteristics include:

- pre-engineered steel building with cultured stone veneer base, stucco wall materials on western and southern exposures and metal siding panels on the eastern and northern exposures of the building
- earth-tone colors (beige, brown, tan, bronze)
- covered entry

- low-pitched metal roof at 1:12 slope; parapet
- building height: 26'

Comment Period

The site plan will be reviewed and approved administratively by staff. However, if there are any comments please forward them to the Director of Planning by **October 25, 2018** either by email or at a regular meeting under the communications section of the agenda.

Staff will consolidate any comments received and provide them in a memo to the Planning Commission in the next meeting packet so that all members can review all of the comments received for each site plan project.

Attachments

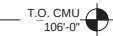
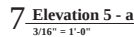
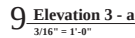
Project narrative
Site plan
Landscape plan
Building elevations

Total Directional Services

Project Narrative

Total Directional Services is an existing company that is headquartered in Windsor, Colorado that has outgrown its current facility space and is looking to make a new home at Lot 5, Block 2 of the Windsor Commons Subdivision. The street address for this property is 560 Logistics Drive. The proposed new facility will be a pre-engineered steel building and have approximately 5,663 SF of manufacturing area, 857 SF of storage area and 3,480 SF of office area on the main level and a future office area of approximately 3,000 SF on the upper level. The building will have a total footprint of 10,200 SF and will sit on a 1.00 acre site. There are currently ten total employees working for this company and there are (16) standard parking spaces and (1) handicap parking space being proposed. The building exterior finishes will include cultured stone veneer base with stucco wall materials above on the western and southern exposures and metal siding panels on the eastern and northern exposures of the building. Metal roofing would be provided on a low-slope (1:12). The company acquires, implements, and maintains directional service tools available in the drilling industry manufactures and ships out automotive parts, in particular parts for balancing tires on vehicles. They have extremely limited walk-in business and anticipate less than ten trips from the public on an annual basis.

TOTAL DIRECTIONAL SERVICES


$$1/8'' = 1'-0''$$

$$\frac{3}{4}'' = 1'-0''$$

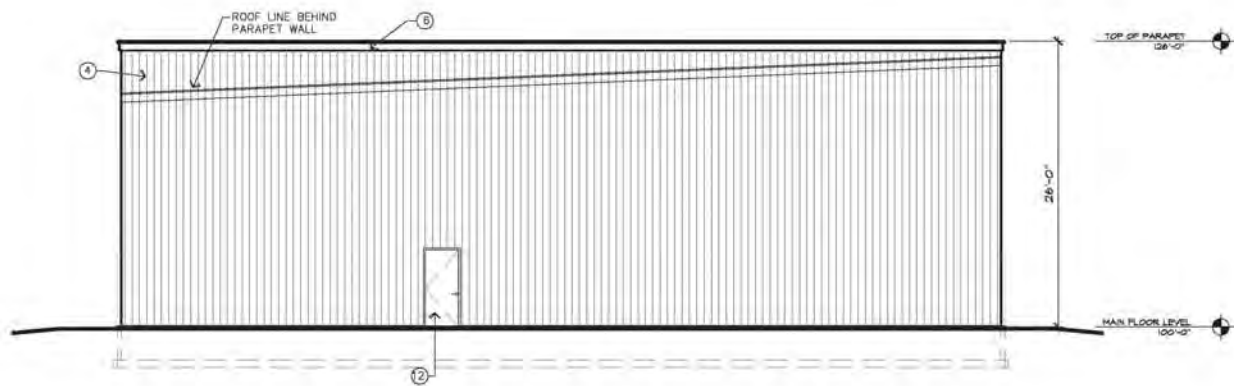
$$\frac{1}{4}'' = 1'-0''$$

$$1/4'' = 1'-0''$$

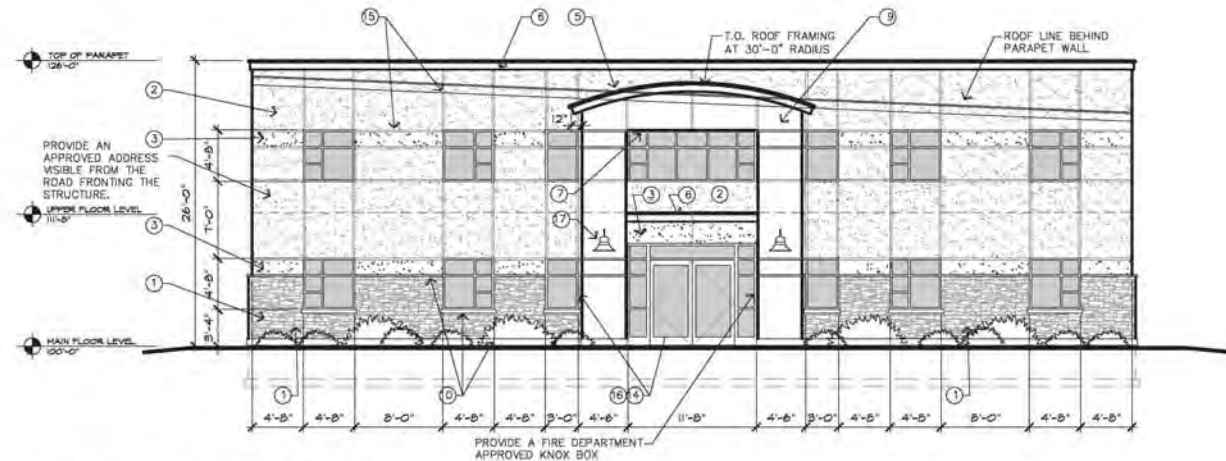
$$1/4'' = 1'-0''$$
 $1/2'' = 1'-0''$ 
$$\mathbf{1}'' = \mathbf{1}' - \mathbf{0}'$$


WINDSOR COMMONS SUBDIVISION, THIRD FILING, LOT 5, BLOCK 2

TOTAL DIRECTIONAL SERVICES



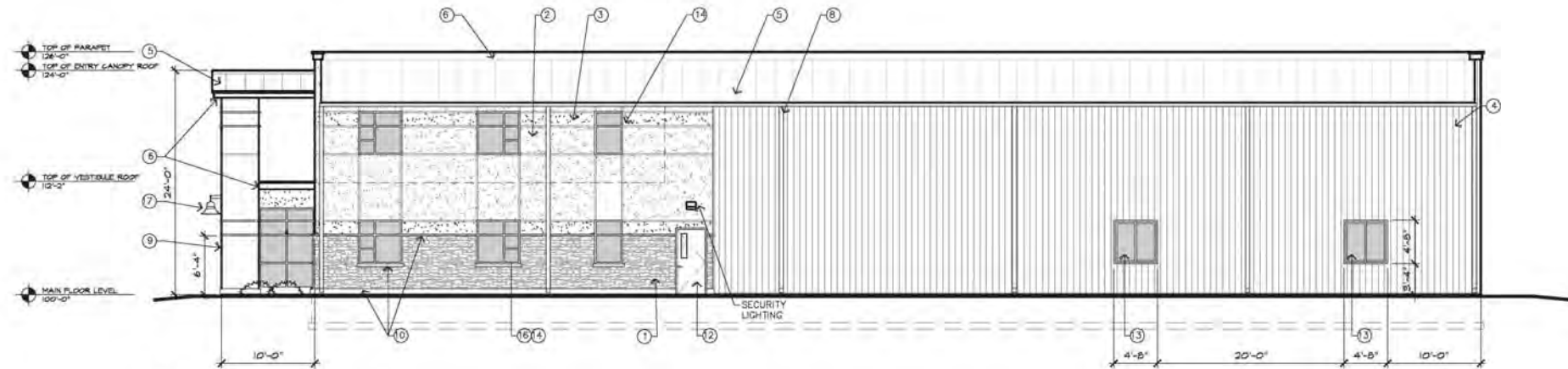
1 NORTH ELEVATION (REAR)
SCALE: 1/8" = 1'-0"



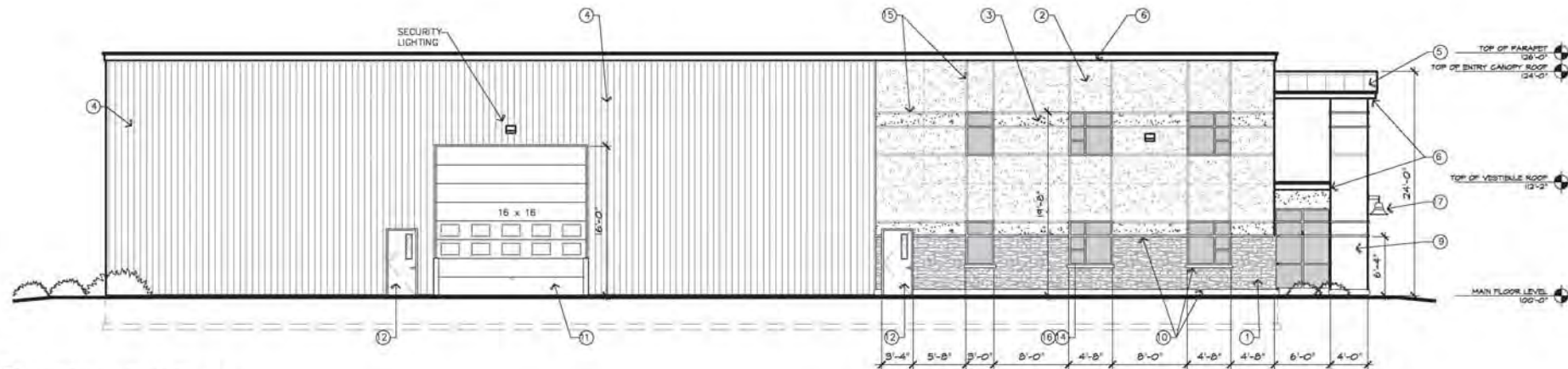
2 SOUTH ELEVATION (STREET FRONT)
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH SPECIFICATIONS

1. CULTURED STONE: CULTURED LEDGE STONE VENER AT BASE OF BUILDING AT SOUTH FACADE AND PORTIONS OF EAST AND WEST FACADES; (COLOR- BROWN/ TAN MIX)
2. E.I.F.S. STUCCO SYSTEM: STUCCO WALL SYSTEM AT PORTIONS OF WEST, EAST AND SOUTH FACADES; (COLOR- BEIGE)
3. E.I.F.S. STUCCO SYSTEM RELIEF BAND: STUCCO WALL SYSTEM AT WEST, EAST AND SOUTH FACADES; (COLOR- TAN)
4. METAL WALL PANEL: 26 GA. 8" WIDE PRE-FINISHED VERTICAL METAL WALL PANELS BY BUILDING MANUF.; (COLOR- TAN)
5. METAL ROOF PANEL: 26 GA. 24" WIDE PRE-FINISHED STANDING SEAM METAL ROOF PANELS BY BUILDING MANUF.; (COLOR- DARK BRONZE)
6. FASCIA: 26 GA. METAL PRE-FINISHED FASCIA PANELS BY BUILDING MANUF.; (COLOR- DARK BRONZE)
7. SOFFIT AT ENTRY GABLE ROOF: 26 GA. METAL PRE-FINISHED SOFFIT PANELS BY BUILDING MANUF.; (COLOR- DARK BRONZE)
8. RAIN GUTTERS / DOWNSPOUTS: 20 GA. METAL PRE-FINISHED GUTTERS AND DOWNSPOUTS BY BUILDING MANUF. (COLOR- DARK BRONZE)
9. ARCHITECTURAL METAL CLADDING: MAIN ENTRY STRUCTURE (COLOR- TAN)
10. PRECAST SILLS: SEALED FINISH; (COLOR- OFF-WHITE)
11. OH METAL DOORS: PRE-FINISHED BY BUILDING MANUF. TO MATCH BUILDING; (COLOR- BEIGE)
12. HOLLOW METAL DOORS: PAINTED TO MATCH BUILDING; (COLOR- BEIGE)
13. METAL WINDOWS: PAINTED TO MATCH BUILDING; (COLOR- BEIGE)
14. STOREFRONT ALUMINUM WINDOWS: DARK BRONZE
15. ALUMINUM JOINT CLADDING: DARK BRONZE
16. WINDOW GLAZING: BRONZE TINTED GLAZING (VERIFY W/ OWNER)
17. DECORATIVE LIGHTING: (COLOR- DARK BRONZE)



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING ELEVATIONS

SCALE: 1/8" = 1'-0"





FRONT ELEVATION
1/8" = 1'-0"

TOTAL DIRECTIONAL SERVICES

09.26.2018

COLOR ELEVATION
A1.0

HAUSER
ARCHITECTS
3780 EAST 15TH STREET, SUITE 201
LOVELAND, COLORADO 80538
www.hauserarchitectspc.com

10/1/2018 11:31:27 AM

TOTAL DIRECTIONAL SERVICES

LANDSCAPING NOTES:

1. ALL PLANT MATERIAL SHALE IN ACCORDANCE WITH AMERICAN ASSOCIATION OF NURSERYMEN SPECIFICATIONS FOR NUMBER ONE GRADE.
2. ALL TURF AREAS TO BE IRRIGATED WITH AUTOMATIC POP-UP IRRIGATION SYSTEM. ALL SHRUB BEDS AND TREES TO BE IRRIGATED WITH AN AUTOMATIC DRIP (TRICKLE) IRRIGATION SYSTEM, OR ACCEPTABLE ALTERNATIVE. THE IRRIGATION SYSTEM IS TO BE ADJUSTABLE TO MEET THE WATER REQUIREMENTS OF THE INDIVIDUAL PLANT MATERIAL.
3. ALL TREES TO BE BALLED AND BURLAPPED, ROOT CONTROL BAG, OR CONTAINERIZED.
4. ALL SHRUB BEDS TO BE MULCHED WITH WOOD MULCH (3" AVERAGE DEPTH) ON TYRAP FILTER FABRIC WEED BARRIER.
5. EDGING BETWEEN GRASS AND SHRUB BEDS SHALL BE MINIMUM 1/8" x 4" STEEL ROLLED TOP EDGE SET LEVEL WITH TOP OF SOIL.
6. CHANGES IN PLANT SPECIES OR PLANT LOCATIONS FROM WHAT IS LISTED ON THE LANDSCAPE PLAN WILL REQUIRE THE APPROVAL OF THE TOWN FORESTER PRIOR TO INSTALLATION OR REPLACEMENT. OVERALL QUANTITY AND QUALITY TO BE CONSISTENT WITH APPROVED PLANS. IN THE EVENT OF CONFLICT WITH THE QUANTITIES INCLUDED IN THE PLANT LIST, SPECIES AND QUANTITIES SHALL BE PROVIDED.
7. STREET AND ORNAMENTAL TREES SHALL BE PLANTED NO CLOSER THAN FORTY (40) FEET AND FIFTEEN (15) FEET RESPECTIVELY FROM STREET LIGHTS. NO TREES SHALL BE PLANTED WITHIN TEN (10) FEET FROM WATER AND SEWER LINES, FOUR (4) FEET FROM GAS, TELEPHONE AND ELECTRICAL UTILITIES, AND TEN (10) FEET FROM ANY DRIVEWAY.
8. MINIMUM CLEARANCE OF THREE (3) FEET ON EACH SIDE OF FIRE DEPARTMENT CONNECTOR (FDC). NO VEGETATION OTHER THAN TURF OR GROUND COVERS PLANTED IN FRONT OF FDC.
9. THE IRRIGATION SYSTEM SHALL BE REVIEWED AND APPROVED BY THE TOWN'S WATER DEPARTMENT PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE IRRIGATION SYSTEM MUST BE INSTALLED OR SECURED WITH A FINANCIAL INSTRUMENT DEPOSITED WITH THE TOWN PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING. LANDSCAPE CONTRACTOR SHALL PROVIDE IRRIGATION SYSTEM SHOP DRAWINGS AND SPECIFICATIONS AND RECEIVE APPROVAL PRIOR TO INSTALLATION.
10. CONTRACTOR SHALL ENSURE THAT THE LANDSCAPE PLAN IS COORDINATED WITH THE PLANS DONE BY OTHER CONSULTANTS SO THE PROPOSED GRADING, STORM DRAINAGE, OR OTHER CONSTRUCTION DOES NOT CONFLICT NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS ON THIS PLAN. CONTRACTOR SHALL LOCATE ALL UTILITIES PRIOR TO LANDSCAPE INSTALLATION.
11. PRIOR TO INSTALLATION OF PLANT MATERIALS, AREAS THAT HAVE BEEN COMPACTED SHALL BE THOROUGHLY LOOSENED. ORGANIC AMENDMENTS SUCH AS COMPOST, PEAT, OR EARTH MANURE SHALL BE THOROUGHLY INCORPORATED AT A RATE OF AT LEAST (3) CUBIC YARDS PER 1,000 SQUARE FEET.
12. TURF GRASS WILL BE SEEDED OR SODDED WITH DROUGHT TOLERANT BLEND. TREES TO BE PLANTED IN TURF AREAS WILL BE INSTALLED WITH AN ORGANIC MULCH RING THAT HAS A RADIUS OF AT LEAST EIGHTEEN 18 INCHES.
13. TO THE MAXIMUM EXTENT FEASIBLE, TOPSOIL THAT IS REMOVED DURING CONSTRUCTION ACTIVITY SHALL BE CONSERVED FOR LATER USE ON AREAS REQUIRING VEGETATION AND LANDSCAPING.
14. FOUNDATION SHRUB BEDS TO BE DESIGNED AND INSTALLED AFTER COMPLETION OF BUILDING.
15. CONTACT TOWN OF WINDSOR PARKS AND RECREATION DEPARTMENT PRIOR TO PLANTING IN ORDER FOR TOWN TO VERIFY PROPER PLANTING.
16. NO SUBSTANTIAL IMPEDIMENT TO VISIBILITY BETWEEN THE HEIGHTS OF THREE (3) FEET AND EIGHT (8) FEET SHALL BE CREATED OR MAINTAINED AT STREET INTERSECTIONS WITHIN A SITE TRAILING DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE HIGHWAY AND THE STREET, THE DISTANCE SHALL BE MEASURED TO FORTY (40) FEET ALONG BOTH INTERSECTING EDGES AND THEN ALONG A TRANSVERSE LINE CONNECTING THESE POINTS.
17. IF PLANTS ARE IN NEED OF REPLACEMENT DUE TO DECLINING HEALTH, DISEASE, OR DEATH, THE PLANTS MUST BE REPLACED WITH THE ORIGINAL SPECIES UNLESS APPROVED BY THE TOWN FORESTER.
18. ALL LANDSCAPING INSTALLATION, MAINTENANCE, AND REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
19. VACUUM BREAKER AND BACKFLOW PREVENTER SHALL MEET ALL APPLICABLE PLUMBING CODES AND REGULATIONS. ALL CONTROL VALVES SHALL BE SET IN STANDARD SIZE VALVE BOXES.
20. FERTILIZE PLANTS WITH 21 GRAM AGRIFORM SLOW RELEASE 20-10-5 TABLETS. PLACE TABLETS IN BACKFILL MIX.
21. ANY TREES LOCATED IN CITY STANDARD SIGN DISTANCE TRIANGLES CROSSING THE PROPERTY FROM BOTH SIDES OF ANY HIGHWAY OR ONTO A STREET OR DRIVEWAY, WHICH CROSS THE SITE FROM STREET OR ALLEY INTERSECTIONS MUST BE LIMBED UP A MIN. OF 8 FEET ONCE DEEMED TO BE AT A MATURE HEIGHT. ANY BUSHES LOCATED IN THESE CLEAR SIGN DISTANCE TRIANGLES HIGHER THAN 30 INCHES, TREES AND BUSHES MUST BE KEPT TRIMMED WHEN THEY ARE LOCATED WITHIN CITY STANDARD SIGN DISTANCE TRIANGLES. TRIMMING SHALL BE IN ACCORDANCE WITH THE TOWN OF WINDSOR SITE DEVELOPMENT PERFORMANCE STANDARDS AND GUIDELINES.
22. ALL TREES AND SHRUBS WILL HAVE WOOD MULCH RING AROUND BASE PER PLANTING DETAILS INCLUDING THOSE INDICATED TO BE LOCATED IN GRAVEL MULCH AREAS. (WOOD MULCH RING FOR TREES IS 4" DEPTH WITH A 4 FOOT RADIUS AROUND TREE. MULCH RING AROUND SHRUBS IS 4" DEPTH WITH 3 FOOT RADIUS AROUND SHRUB - SEE PLANTING DETAILS)
23. RESTORE DISTURBED AREAS TO EXISTING CONDITION OR BETTER.
24. AREAS DESIGNATED AS NATIVE GRASS SEED SHALL BE DRILLED WITH NATIVE PRAIRIE MIX @ 30/1000 SF FROM PAMWEE BUTTES SEED CO. 970-756-7002. GROUND OF SEEDED AREA SHALL BE CULTIVATED LIGHTLY THEN SEEDED IN TWO DIRECTIONS TO DISTRIBUTE THE SEED EVENLY OVER ENTIRE AREA. THE AREA SHALL BE CRIMPED WITH STRAW AFTER SEEDING. CONTRACTOR SHALL MONITOR SEEDING AND SOIL MOISTURE TO CONTROL GERMINATION. CONTRACTOR SHALL PROVIDE RESEEDING AS NEEDED TO OBTAIN EVEN COVERAGE OF GRASS.

PLANTING SCHEDULE						
TYPE MARK	COMMON NAME	HEIGHT	SPREAD	LATIN NAME	SIZE	COUNT
EVERGREENS						
PP	Pinyon Pine	15'-25'	15'-20'	Pinus edulis	6' Tall	1
WF	White Fir	50'-60'	20'-25'	Abies concolor	6' Tall	1
SHADE TREES						
BWC	Brandywine Crapapple	15'-20'	15'-20'	Malus 'Brandywine'	1.5" CAL	3
HB	Hackberry	40'-60'	35'-40'	Celtis occidentalis	6" Tall	7
WC	Western Catalpa	20'-40'	40'-60'	Catalpa speciosa	2" CAL	1
SHRUBS						
CBC	Coral Beauty Cotoneaster	1'-3'	4'-6'	Cotoneaster 'Coral Beauty'	5 Gallon	31
CPB	Crimson Pygmy Barberry	18"-24"	2'-3'	Berberis thunbergii atropurpurea 'Crimson Pygmy'	5 Gallon	8
EVERGREEN SHRUBS						
AJ	Armstrong Chinese Juniper	3'-4'	4'-5'	Juniperus chinensis 'Armstrong'	5 Gallon	11
GJ	Armstrong Chinese Juniper	18"-24"	4'-6'	Juniperus sabina 'Broadmoor'	5 Gallon	35
ORNAMENTAL GRASSES						
JBG	Japanese Blood Grass	12" - 24"	24"-36"	Imperata cylindrica rubra	5 Gallon	10
PLANTS						
BMS	Blue Mist Spirea	3'-5'	3'-5'	Caryopteris x clandonensis	5 Gallon	17

TREE REQUIREMENTS:
IRRIGATED AREA 9,788 S.F. / 750 SF = 13 REQ'D. TREES - PROVIDING 13

SHRUB REQUIREMENTS:
IRRIGATED AREA 9,788 S.F. / 750 SF = 13 X 5 = 65 REQ'D. SHRUBS - PROVIDING 65

LANDSCAPING LEGEND:



HATCHING INDICATES MULCH AREAS

ALL TREES AND SHRUBS WILL HAVE WOOD MULCH RING AROUND BASE PER PLANTING DETAILS.



HATCHING INDICATES NATIVE SEEDING AREA

GRASS SEED MIX:
SAND BLUESTEM 20% OR 4.8 LBS OF PURE LIVE SEED PER ACRE.
YELLOW INDIAN GRASS 10% OR 1.5 LBS OF PURE LIVE SEED PER ACRE.
SWITCH GRASS 25% OR 1.89 LBS OF PURE LIVE SEED PER ACRE.
SILE OATS GRAMA 10% OR 1.35LBS OF PURE LIVE SEED PER ACRE.
PRAIRIE SANDREED 15% OR 1.59 LBS OF PURE LIVE SEED PER ACRE.
WESTERN WHEAT GRASS 20% OR 2.8 LBS OF PURE LIVE SEED PER ACRE.



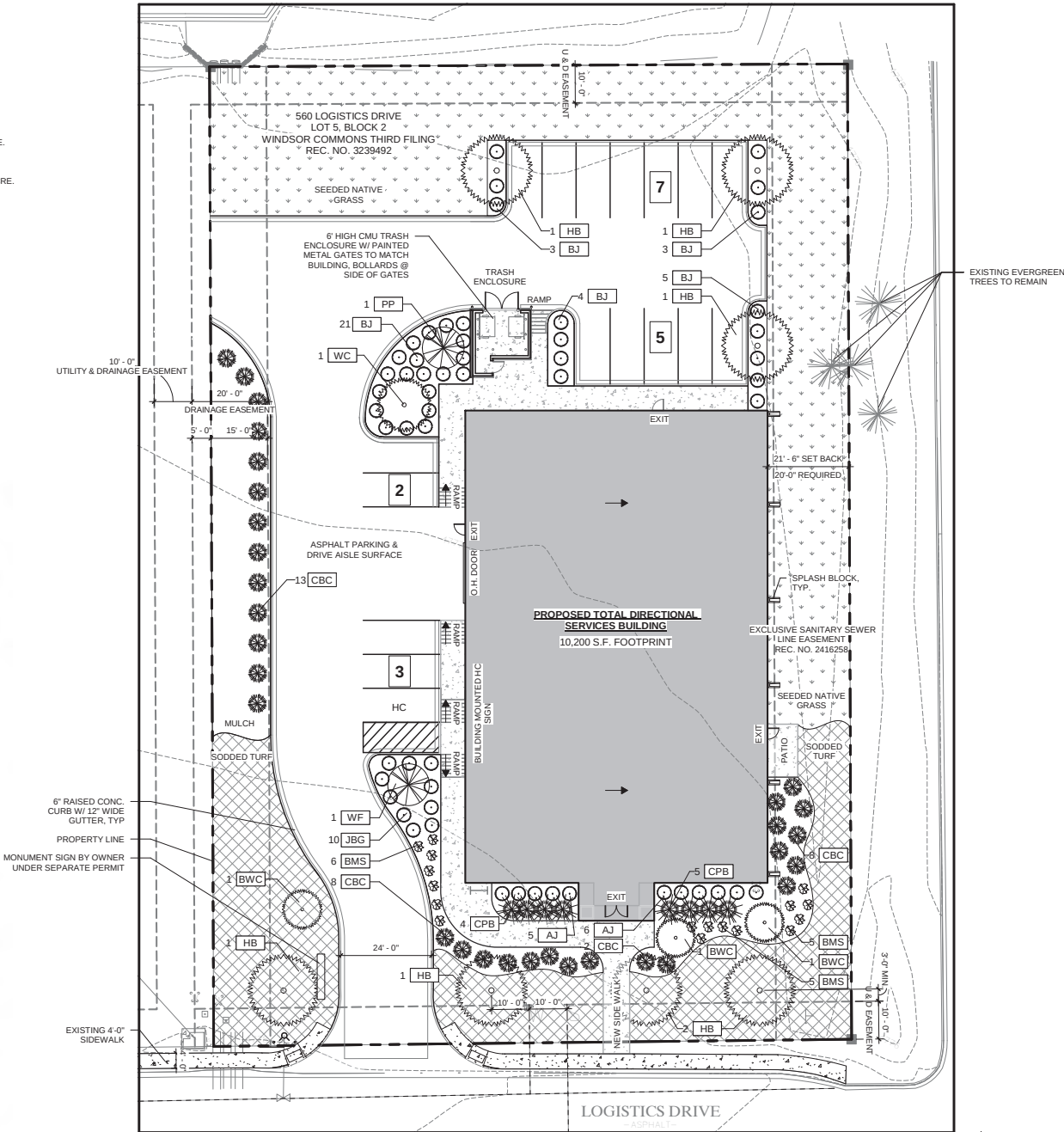
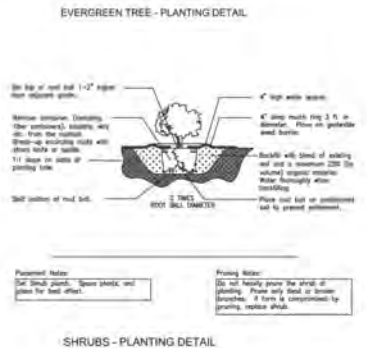
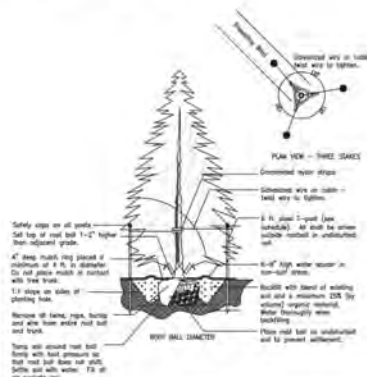
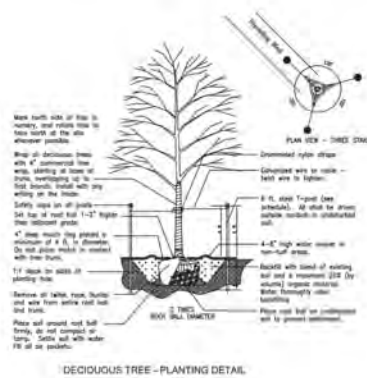
HATCHING INDICATES NEW SODDED TURF AREAS

SOD SHALL BE COLORADO GROWN, 100% CERTIFIED MERION KENTUCKY BLUEGRASS BLEND OF A MIXTURE OF FOUR OR MORE OF THE FOLLOWING IMPROVED VARIETIES:

BARON ARTISTA	RAM I FLYING	PENNSTARR
PARADE	AMERICA	COLUMBIA
ADELPHI	MIDNIGHT	VICTA TOUCHDOWN

ALL SODDED AREAS TO BE IRRIGATED W/ AUTO. POP-UP SPRAY SPRINKLER SYSTEM. TREES
& SHRUBS TO BE IRRIGATED W/ DRIP SYSTEM.

PROVIDE IRRIGATION SLEEVES TO ALL ISOLATED SHRUB , TREE, SODDED AREAS

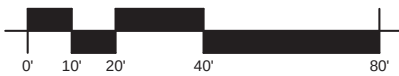


1 LANDSCAPE PLAN

SITE DATA:		
	<u>TOTAL</u>	
BUILDINGS FOOTPRINT	10,200 SF	23.5%
HARD SURFACES (PARKING, WALKS & DRIVE AISLE)	15,544 SF	35.5%
IRRIGATED SOD	5,021 SF	11.5%
MULCH	1,592 SF	3.6%
PLANT BEDS	3,175 SF	7.3%
SEEDED NATIVE GRASS	8,128 SF	18.6%
<u>TOTAL LOT AREA:</u>	43,660 SF 1.0 ACRES	

LEGAL DESCRIPTION

560 LOGISTICS DRIVE - LOT 5, BLOCK 2, WINDSOR COMMONS
SUBDIVISION, THIRD FILING, TOWN OF WINDSOR, COUNTY OF WELD
STATE OF COLORADO - REC. NO. 3239492

[illegible]

SHEET

TOTAL DIRECTIONAL SERVICES

5660 LOGISTICS DR. WINDSOR, COLORADO

SCAPE PLAN, NOTES & SCHEDULES


HAUSER

3780 East 15th Street, Suite 201 • Loveland, Colorado 80538
970.669.8220

HauserArchitectspc.com