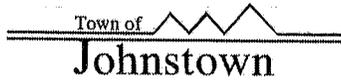


TOWN COUNCIL

MEETING

PACKET

December 1, 2014



Town Council

Agenda
Monday, December 1, 2014
Town Hall, Council Chambers
450 So. Parish Avenue
7:00 PM



MISSION STATEMENT-*"The mission of the government of the Town of Johnstown is to provide leadership based upon trust and integrity, commitment directed toward responsive service delivery, and vision for enhancing the quality of life in our community."*

Members of the audience are invited to speak at the Council meeting. Public Comment (item No. 5) is reserved for citizen comments on items not contained on the printed agenda. Citizen comments are limited to three (3) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position. If you wish to speak at the Town Council meeting, please fill out a sign-up sheet and present it to the Town Clerk.

- 1) **CALL TO ORDER**
 - A) Pledge of Allegiance
- 2) **ROLL CALL**
- 3) **AGENDA APPROVAL**
- 4) **RECOGNITIONS AND PROCLAMATIONS**
- 5) **PUBLIC COMMENT (three-minute limit per speaker)**

*The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to have an item discussed or if there is public comment on those ordinances marked with an *asterisk. The Council member may then move to have the subject item removed from the Consent Agenda for discussion separately.*

- 6) **CONSENT AGENDA**
 - A) Town Council Meeting – November 17, 2014
 - 7) **STAFF REPORTS**
 - 8) **OLD BUSINESS**
 - 9) **NEW BUSINESS**
 - A) Consider Resolution No. 2014-12, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Johnstown, Colorado for the Calendar Year Beginning on the First Day of January, 2015 and Ending On the Last Day of December, 2015
 - B) Consider Resolution No. 2014-13, A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies In the Amounts and for the Purposes as Set Forth, for the Town of Johnstown, Colorado for the 2015 Budget Year
 - C) Consider Resolution No. 2014-14, A Resolution Levying General Property Taxes for the Year 2015, to Help Defray the Costs of Government for the Town of Johnstown, Colorado for the 2015 Budget Year
 - D) ***Public Hearing** – Encore on 34 Preliminary Plat
 - 10) **COUNCIL REPORTS AND COMMENTS**
 - 11) **MAYOR'S COMMENTS**
 - 12) **ADJOURN**
-

WORKSESSION

- 1) Discussion of Proposed Reusable Effluent Designation Agreement – WR Investment, LLC



NOTICE OF ACCOMODATION

If you need special assistance to participate in the meeting, please contact the Town Clerk at (970) 587-4664. Notification at least 72 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to the meeting.

AGENDA ITEM 6A

CONSENT

AGENDA

- **Council Minutes – November 17, 2014**

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 1, 2014

ITEM NUMBER: 6A

SUBJECT: Consent Agenda

ACTION PROPOSED: Approve Consent Agenda

PRESENTED BY: Town Clerk

AGENDA ITEM DESCRIPTION: The following items are included on the Consent Agenda, which may be approved by a single motion approving the Consent Agenda:

A) Town Council Minutes – November 17, 2014

LEGAL ADVICE: The entire Consent Agenda may be approved by a motion of the Town Council approving the Consent Agenda, which automatically approves each and every item listed on the Consent Agenda. If a Council member wishes to have a specific discussion on an individual item included with the Consent Agenda, they may move to remove the item from the Consent Agenda for discussion.

FINANCIAL ADVICE: N/A

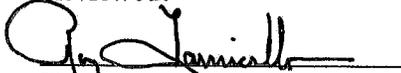
RECOMMENDED ACTION: Approve Consent Agenda

SUGGESTED MOTION:

For Approval: I move to approve the Consent Agenda.

For Denial:

Reviewed:


Town Manager

**COUNCIL
MINUTES**

The Town Council of the Town of Johnstown met on Monday, November 17, 2014 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor Romanowski led the Pledge of Allegiance.

Roll Call:

Those present were: Councilmembers Berg, James, Lebsack, Mellon, Molinar Jr. and Townsend

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager. John Franklin, Town Planner, Brian Phillips, Chief of Police, Tom Hellen, Public Works Director and Diana Seele, Town Clerk/Treasurer

Agenda Approval

Councilmember Mellon made a motion seconded by Councilmember Lebsack to approve the Agenda. Motion carried with a unanimous vote.

Consent Agenda

Councilmember Townsend made a motion seconded by Councilmember Berg to approve the Consent Agenda with the following items included:

- November 3, 2014 Town Council meeting minutes
- Payment of Bills
- October Financial Statements

Motion carried with a unanimous vote.

New Business

A. Consider 3.2% Beer Retail License (Off Premises) Renewal for Hays Market Inc. – Councilmember Lebsack made a motion seconded by Councilmember Berg to approve the 3.2% beer retail license (off premises) renewal for Hays Market Inc. Motion carried with a unanimous vote.

B. Public Hearing – Presentation of 2015 Proposed Budget – Mayor Romanowski opened the Public Hearing at 7:27 p.m. and having no public comment closed the hearing at 7:49 p.m. Councilmember Mellon made a motion seconded by Councilmember Townsend to approve the 2015 proposed budget. Motion carried with a unanimous vote.

There being no further business to come before Council the meeting adjourned at 7:33 p.m.

Mayor

Town Clerk/Treasurer

AGENDA ITEM 9A

ADOPTION

OF

2015

BUDGET

(Resolution No. 2014-12)

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 1, 2014

ITEM NUMBER: 9A

SUBJECT: Resolution No. 2014-12, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town Of Johnstown, Colorado for the Calendar Year Beginning on the First Day of January, 2015 and Ending on the Last Day of December, 2015

ACTION PROPOSED: Approve Resolution No. 2014-12

PRESENTED BY: Town Clerk/Treasurer

AGENDA ITEM DESCRIPTION: On November 17, 2014 a public hearing was conducted by the Town Council to consider the adoption of the 2015 proposed budget.

Section 12.7 of the Town Charter, states, in part, the following:

"The Council shall adopt the budget for the next fiscal year by ordinance or resolution on or before the final day of the current fiscal year."

The adoption of the 2015 budget for the Town of Johnstown must be formalized and made official by approval of Resolution No. 2014-12.

LEGAL ADVICE: N/A

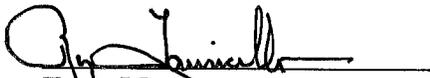
FINANCIAL ADVICE: N/A

RECOMMENDED ACTION: Approve Resolution No. 2014-12.

For Approval: I move to approve Resolution No. 2014-12, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Calendar Year Beginning on the First Day of January 2015 and Ending on the Last Day of December 2015.

For Denial: I move to deny approval of Resolution No. 2014-12, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Calendar Year Beginning on the First Day of January 2015 and Ending on the Last Day of December 2015.

Reviewed:


Town Manager

RESOLUTION

No. 2014-12

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES

RESOLUTION 2014-12

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF JOHNSTOWN, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2015 AND ENDING ON THE LAST DAY OF DECEMBER, 2015.

WHEREAS, the Town Council of the Town of Johnstown has appointed Diana Seele, Town Clerk to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, Diana Seele, Town Clerk has submitted a proposed budget to this governing body on December 1, 2014 for its consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE Town Council of the Town of Johnstown, Colorado:

Section 1. That estimated expenditures for each fund are as follows:

General Fund	\$ 5,947,400
Water Fund	\$ 2,719,400
Wastewater Fund	\$ 1,430,100
Conservation Trust Fund	\$ 191,400
Impact Fee Fund	\$1,350,200
Johnson's Corner Capital Imp. Fund	\$ 99,210
Use Tax Capital Improvement Fund	\$ 725,500
Drainage Fund	\$ 247,200
Paving Fund	\$ 300
Library Fund	\$ 687,750
Contingent Fund	\$1,215,500
Equipment Replacement Fund	\$ 136,600
Total Estimated Expenditures	\$14,750,560

Section 2. That estimated revenues for each fund are as follows:

General Fund	
From unappropriated surpluses	\$ -0-
From sources other than general property tax	\$2,797,400
From the general property tax levy	\$3,150,000
Total General Fund	\$5,947,400
Water Fund	
From unappropriated surpluses	\$ 702,200
From sources other than general property tax	\$2,017,200
Total Water Fund	\$2,719,400
Wastewater Fund	
From unappropriated surpluses	\$ -0-
From sources other than general property tax	\$1,430,100
Total Wastewater Fund	\$1,430,100
Conservation Trust Fund	
From unappropriated surpluses	\$ 34,400
From sources other than general property tax	\$ 157,000
Total Conservation Trust Fund	\$ 191,400
Impact Fee Fund	
From unappropriated surpluses	\$ 720,200
From sources other than general property tax	\$ 630,000
Total Impact Fee Fund	\$ 1,350,200
Use Tax Capital Improvement Fund	
From unappropriated surpluses	\$ -0-
From sources other than general property tax	\$ 725,500
Total Use Tax Capital Improvement Fund	\$ 725,500
Contingent Fund	
From unappropriated surpluses	\$ 989,800
From sources other than general property tax	\$ 225,700
Total Contingent Fund	\$ 1,215,500
Drainage Fund	
From unappropriated surpluses	\$ -0-
From sources other than general property tax	\$ 247,200
Total Drainage Fund	\$ 247,200

Paving Fund		
From unappropriated surpluses	\$	300
From sources other than general property tax	\$	-0-
Total Paving Fund	\$	300
Johnson's Corner Capital Improvement Fund		
From unappropriated surpluses	\$	9,200
From sources other than general property tax	\$	90,010
Total Johnson's Corner Fund	\$	99,210
Library Fund		
From unappropriated surpluses	\$	-0-
From sources other than general property tax	\$	-0-
From the general property tax levy	\$	687,750
Total Library Fund	\$	687,750
Equipment Replacement Fund		
From unappropriated surpluses	\$	-0-
From sources other than general property tax	\$	136,600
Total Equipment Replacement Fund	\$	136,600

Section 3. That the budget as submitted, amended, and herein above summarized by fund, hereby is approved and adopted as the budget of the Town of Johnstown, Colorado for the year stated above.

Section 4. That the budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town.

ADOPTED, THIS 1st day of December, 2014.

TOWN OF JOHNSTOWN, COLORADO

ATTEST

BY:

Mayor

Clerk/Treasurer

AGENDA ITEM 9B

**APPROPRIATION
OF
FUNDS
(Resolution No. 2014-13)**

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 1, 2014

ITEM NUMBER: 9B

SUBJECT: Resolution No. 2014-13, A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts and for the Purposes as Set Forth, for the Town of Johnstown, Colorado for the 2015 Budget Year.

ACTION PROPOSED: Approve Resolution No. 2014-13

PRESENTED BY: Town Clerk/Treasurer

AGENDA ITEM DESCRIPTION: An appropriation is the legal spending limit authorizing the expenditures set forth by the Town Council. The Council through an official action, either a resolution or ordinance, must enact the appropriation.

The budget is merely a financial plan for the coming year, while the appropriation is the legal authority to spend the money.

LEGAL ADVICE: N/A

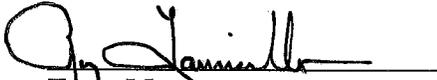
FINANCIAL ADVICE: N/A

RECOMMENDED ACTION: Approve Resolution No. 2014-13

For Approval: I move to approve Resolution No. 2014-13, A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts and for the Purposes as Set Forth, for the Town of Johnstown, Colorado for the 2015 Budget Year.

For Denial: I move to deny approval of Resolution No. 2014-13, A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts and for the Purposes as Set Forth, for the Town of Johnstown, Colorado for the 2015 Budget Year.

Reviewed:


Town Manager

RESOLUTION

No. 2014-13

RESOLUTION TO APPROPRIATE SUMS OF MONEY

RESOLUTION 2014-13

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE TOWN OF JOHNSTOWN, COLORADO FOR THE 2015 BUDGET YEAR

WHEREAS, the Town Council has adopted the annual budget in accordance with the Local Government Budget Law, on December 1st, 2014 and;

WHEREAS, the Town Council has made provision therein for revenue in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, so as not to impair the operations of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO

Section 1. That the following sums are hereby appropriated from the revenue of each fund, to each fund, for purposes stated:

General Fund	\$ 5,947,400
Water Fund	\$ 2,719,400
Wastewater Fund	\$ 1,430,100
Conservation Trust Fund	\$ 191,400
Impact Fee Fund	\$ 1,350,200
Johnson's Corner Capital Imp. Fund	\$ 99,210
Use Tax Capital Improvement Fund	\$ 725,500
Drainage Fund	\$ 247,200
Paving Fund	\$ 300
Library Fund	\$ 687,750
Contingent Fund	\$ 1,215,500
Equipment Replacement Fund	\$ 136,600

ADOPTED THIS 1st day of December, 2014.

TOWN OF JOHNSTOWN

BY:

Mayor

ATTEST

Town Clerk/Treasurer

AGENDA ITEM 9C

**LEVYING
GENERAL
PROPERTY TAXES
(Resolution No. 2014-14)**

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 1, 2014

ITEM NUMBER: 9C

SUBJECT: Resolution No. 2014-14, A Resolution Levying General Property Taxes for the Year 2015, to Help Defray the Costs of Government for the Town of Johnstown, Colorado for the 2015 Budget Year.

ACTION PROPOSED: Approve Resolution No. 2014-14

PRESENTED BY: Town Clerk/Treasurer

AGENDA ITEM DESCRIPTION: If a local government needs property tax revenue to balance its proposed budget, it must take official action, by ordinance or resolution, to set and certify a mill levy. It must then certify the mill levy to the Board of County Commissioners.

Based upon the Town's adopted 2015 budget, it is recommended that the mill levy for the Town of Johnstown for the 2015 budget year be set at 23.947 mills.

LEGAL ADVICE: N/A

FINANCIAL ADVICE: N/A

RECOMMENDED ACTION: Approve Resolution No. 2014-14

For Approval: I move to approve Resolution No. 2014-14, A Resolution Levying General Property Taxes for the Year 2015, to Help Defray the Costs of Government for the Town of Johnstown, Colorado for the 2015 Budget Year.

For Denial: I move to deny approval of Resolution No. 2014-14, A Resolution Levying General Property Taxes for the Year 2015, to Help Defray the Costs of Government for the Town of Johnstown, Colorado for the 2015 Budget Year.

Reviewed:


Town Manager

RESOLUTION

No. 2014-14

RESOLUTION TO SET MILL LEVIES

RESOLUTION 2014-14

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2015 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF JOHNSTOWN, COLORADO FOR THE 2015 BUDGET YEAR

WHEREAS, The Town Council of the Town of Johnstown has adopted the annual budget in accordance with the Local Government Budget Law, on December 1, 2014, and;

WHEREAS, the amount of money necessary to balance the budget for general operation expenses is \$3,369,433, and;

WHEREAS, the amount of money necessary to balance the budget for the Library operation expenses is \$273,850, and;

WHEREAS, the 2015 valuation for assessment for the Town of Johnstown, Colorado as certified by the County Assessors is \$152,139,485.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council of the Town of Johnstown, Colorado:

Section 1. That the purpose of meeting all general operation expenses of the Town of Johnstown during the 2015 budget year, there is hereby levied a tax of 23.947 mills upon each dollar for the total valuation for assessment of all taxable property within the Town of Johnstown for the year 2014.

Section 2. That the Town Clerk/Treasurer is hereby authorized and directed to immediately certify to the County Commissioners of Weld County and Larimer County, Colorado, the mill levies for the Town of Johnstown, Colorado as herein above determined and set.

ADOPTED THIS 1st day of December, 2014.

TOWN OF JOHNSTOWN, COLORADO

BY:

Mayor

ATTEST

Clerk/Treasurer

AGENDA ITEM 9D

ENCORE

ON

34

PRELIMINARY PLAT

(*Public Hearing)

*** PUBLIC HEARING PROCEDURE – Encore on 34 Preliminary Plat**

1. Open public hearing.
2. Receive information from staff.
3. Ask to hear from anyone who supports the preliminary plat.
4. Ask to hear from anyone who opposes the preliminary plat.
5. Close the public hearing.
6. Ask for discussion.
7. Make decision and/or motion from Council.
 - a. Need motion to approve or deny the preliminary plat.

(SUGGESTED MOTIONS):

For Approval:

I move to approve the Encore on 34 preliminary plat (subject to the following conditions...) .

For Denial:

I move to deny approval of the Encore on 34 preliminary plat.

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: December 1, 2014

ITEM NUMBER: 9D

SUBJECT: *Public Hearing- Encore on 34 Preliminary Plat

ACTION PROPOSED: Consider Encore on 34 Preliminary Plat

PRESENTED BY: Mr. John Franklin, Town Planner

AGENDA ITEM DESCRIPTION: The applicant, Miracle on 34, LLC has submitted a request for approval of a Preliminary Plat for a 309±-acre parcel of land generally located north of US Hwy 34 between High Plains Blvd. (Larimer County Road 3) and Colorado Blvd. (Larimer County Road 1/Weld County Road 13). Design Guidelines have been submitted and are under review.

The Preliminary Plat review process serves to identify development issues, and to determine possible means to resolving those issues, ahead of the major effort and expense of final platting and detailed civil engineering. The Preliminary Plat allows large parcels to be divided and developed in a logical, phased manner. Issues identified during this process are not expected to be fully resolved until final plat(s) are considered, and often become the foundation for special provisions in the development agreement(s) to follow.

Surrounding land uses include the following: north – agriculture and estate residential, south – US Hwy 34, east – agriculture, LCR 1 and west – High Plains Blvd. and agriculture. The property slopes gradually to the south and east and is currently used for agricultural and rural residential purposes. The zoning is Planned Unit Development- Mixed Use. The development is subject to the Miracle on 34 Annexation Agreement (Approved in 2006).

At the November 12, 2014 Planning and Zoning Commission meeting, the Commissioners held a public hearing and voted unanimously to approve the Encore on 34 Preliminary Plat subject to conditions, as follows:

1. Referral comments from Town staff, Town Engineer, Traffic Engineer Dave Hattan and outside agencies shall be resolved, or addressed as special development provisions in the public improvement development agreement prior to Town Council consideration of final plat(s).
2. The applicant shall continue to work with CDOT, Union Pacific Railroad, McWhinney Enterprises and other landowners, City of Loveland and the Town to resolve the High Plains Blvd. access to US Hwy 34.
3. The applicant shall verify to the Town, prior to approval of an initial final plat that adequate water and sanitary sewer capacity is available or can be made available to the project.
4. Existing roadway improvements on Colorado Blvd. (LCR 1) were installed by Larimer and Weld Counties, and a reimbursement may be due for the property frontage prior to final plat.
5. The Design Guidelines and Preliminary Development Plan must be approved by the Town prior to approval of final plat(s).

LEGAL ADVICE: N/A

FINANCIAL ADVICE: N/A

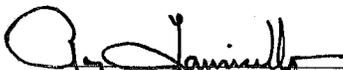
RECOMMENDED ACTION: The Planning and Zoning Commission has recommended approval of the Encore on 34 Preliminary Plat, subject to certain conditions being satisfied.

SUGGESTED MOTIONS:

For Approval: I move to approve the Encore on Preliminary Plat (subject to the following conditions...).

For Denial: I move to deny approval of the Encore on 34 Preliminary Plat

Reviewed:


Town Manager

**PLANNING AND ZONING
COMMISSION**

SUMMARY MINUTES

SUMMARY MINUTES
PLANNING & ZONING COMMISSION
WEDNESDAY, NOVEMBER 12, 2014
COUNCIL CHAMBERS
450 S. PARISH AVE.

1. CALL TO ORDER: *Chair Longdo called the meeting to order at 7:00 p.m.*

2. ROLL CALL: *present were Commissioners, Terasa, Dowling, Kingsolver, Longdo, Eady and Tepper.
Absent: Commissioner Montez.*

3. PUBLIC COMMENTS REGARDING ITEMS NOT ON THE AGENDA: *No items*

4. PUBLIC HEARINGS:

A. Use by Special Review for Oil and Gas Exploration – Wind Farm PUD (Synergy Resources Corp.): *Chair Longdo opened the public hearing at 7:05 p.m. Town Planner Franklin introduced the item and presented the staff findings and recommendations. Vince Harris, representing Baseline Engineering and Craig Rasmussen of Synergy Resources Corporation presented the request and answered questions. Synergy requests that staff recommendation numbers 2 and 5 not be include in the Commission recommendation.*

Commissioner questions:

- *Why not a road analysis? (road is in bad shape, Synergy will use CR 44, and there is a lot of other truck traffic impacting the pavement)*
- *What are terrain considerations? (The site is 20' below the bluff on the south side and is not very visible)*
- *What about screening to the east? (The bluff is lower to the east – would consider evergreen trees to screen)*
- *Management of drainage to the north? (Will require special erosion control packs)*

Public comment: *None.*

Chair Longdo closed the hearing at 7:45 p.m. and called for discussion and a motion. The Commission discussed the recommendations and options.

Motion by Commissioner Kingsolver, seconded by Commissioner Dowling to recommend approval with conditions, as follows:

- 1. Synergy Resources (“Operator”) agrees shall comply with Town and State regulations, including obtaining a building permit and payment of applicable use tax for permanent improvements.*
- 2. The Operator shall use only CR 44 and the south end of CR 15 (Telep Ave.) to the access road for heavy equipment and vehicles, or else be liable for road repairs on Telep Ave. north of the access road.*
- 3. The Operator shall shield, and/or direct all lighting sources away from residential, especially to the east.*
- 4. Due to proximity to residential development, the Operator shall provide noise mitigation prior to drilling which shall include special mufflers, on-rig screening and noise barriers as approved by the Town.*
- 5. Given the uncertainty of the timing of future development surrounding the well and production facility/tank battery sites, the Operator should provide for adequate permanent visual screening of the facilities to the east of the drill site in the form of evergreen trees..*
- 6. The Operator shall call for utility locates prior to subgrade work.*

Unanimous.

B. Preliminary Plat, Design Guidelines, Preliminary Plan – Encore on 34 (Miracle on 34, LLC):

Chair Longdo opened the public hearing at 7:55 p.m. Town Planner Franklin introduced the item and presented the staff findings and recommendations. Owner Gary Hoover, Planner Jim Birdsall, Birdsall Group, and Engineer Rob Van Uffelen. P.E. were present to present the request and answer questions.

Commissioner questions:

- *Colorado Blvd. at US Hwy 34 will have a signal? (Yes, eventually subject to CDOT requirements for warrants)*



- *How many acres are in the outlot to the north, and what is the designation? (Approximately 5 acres and the property is an outlot within the plat)*
- *What if any is the impact of the railroads? (The railroads impact US Hwy 34 and the High Plains Blvd. intersection signalization)*

Public comment:

Barbara Clark, 8614 US Hwy 34, a resident of the Kelim Township: asked if the Kelim residents could be kept more apprised of development in the surrounding area. (Agreed, through additional hearing notices)

Kathleen Cooney of 8466 Golden Fields Lane: A veterinarian living north of Encore, is okay with the proposed land uses, and the proposed light at US Hwy 34. Would like to have Windsor and Loveland work on a roundabout at the north end of Colorado Blvd. at Crossroads.

Chair Longdo closed the hearing at 8:20 p.m. and called for discussion and a motion. Commissioners discussed the proposal. Motion by Commissioner Kingsolver, seconded by Commissioner Dowling to recommend approval of the Encore on 34 Preliminary Plat, subject to conditions:

- 1. Referral comments from Town staff, Town Engineer, Traffic Engineer Dave Hattan and outside agencies shall be resolved, or addressed as special development provisions in the public improvement development agreement prior to Town Council consideration of final plat(s).*
- 2. The applicant shall continue to work with CDOT, Union Pacific Railroad, McWhinney Enterprises and other landowners, City of Loveland and the Town to resolve the High Plains Blvd. access to US Hwy 34.*
- 3. The applicant shall verify to the Town, prior to approval of an initial final plat that adequate water and sanitary sewer capacity is available or can be made available to the project.*
- 4. Existing roadway improvements on Colorado Blvd. (LCR 1) were installed by Larimer and Weld Counties, and a reimbursement may be due for the property frontage prior to final plat.*
- 5. The Design Guidelines and Preliminary Development Plan must be approved by the Town prior to approval of final plat(s).*

Unanimous.

Motion by Commissioner Kingsolver, seconded by Commissioner Dowling to table consideration of the Encore on 34 Design Guidelines and Preliminary Development Plan for further review and recommendations.

Unanimous.

5. NEW BUSINESS:

A. Approval of Minutes of September 24, 2014: *Motion by Commissioner Terasa, seconded by Commissioner Dowling to approve the minutes as presented. Unanimous.*

B. Referrals: *None*

C. Update to Town-wide Design Guidelines for Oil and Gas Facilities: *Town Planner Franklin presented the revised guidelines for review.*

6. STAFF REPORT: *Town Planner Franklin discussed the following items:*

A. Recent Town Council Actions (Attachment)

B. Applications in Review (Attachment)

C. Project and Program Updates

D. Land Use Liability Webinar

7. COMMISSIONERS' ITEMS: *None.*

8. ADJOURN: *Chair Longdo adjourned the meeting at 8:42 p.m.*

**STAFF REPORT
TO
PLANNING AND ZONING
COMMISSION**

MEMORANDUM

TO: Johnstown Planning and Zoning Commission
FROM: John Franklin, AICP, Town Planner 
DATE: For November 12, 2014
SUBJECT: Preliminary Plat, Design Guidelines and Preliminary Plan – Encore on 34

PROPERTY DATA:

Applicant: Miracle on 34, LLC

Owner(s): Same

Location: North of US Hwy. 34, between High Plains Blvd. (Larimer County Road 3) and Colorado Blvd. (Larimer County Road 1/Weld County Road 13)

Property Size: 309± acres

Current Zoning/Land Use(s): PUD- MU Planned Unit Development – Mixed Use

Surrounding Zoning/Current Land Use:

North: Miracle on 34 PUD-MU/agriculture, oil/gas facilities; Larimer County FA/ residential

South: US Hwy 34, Larimer County FA/Kelim Township

East: Town of Windsor I-L limited industrial/Agricultural

West: City of Loveland Millennium Addition PUD, Larimer County F/A/residence, agriculture

Comprehensive Plan Designation: Commercial, Residential

Summary of Application: This is a request for approval of a preliminary subdivision plat, design guidelines and preliminary development plan for mixed use commercial, residential, private neighborhood park, open space and trails.

Prior Actions: The property was annexed and zoned PUD-MU in 2006 as part of the Miracle on 34 Annexation.

Existing and Proposed Land Use(s): The property is in agriculture and is proposed for commercial and residential development.

Design Guidelines: As called for in the Annexation Agreement, approval of design guidelines (Performance Standards) is required prior to final plat.

Technical Analysis

Relationship to Town Vision and Strategic Plan: The community envisions economic development, a range of housing opportunities, and access to recreation amenities.

Public Health and Safety Impacts: Subject to further review prior to development.

Access and Traffic: Primary access will be from High Plains Blvd. (LCR 3) a principal arterial, and Colorado Blvd. (LCR 1/WCR 13) a principal arterial. Access to US Hwy 34 is subject to CDOT Access Permit.

Utilities: The property is within the Town's water, sanitary sewer and stormwater service area. An elevated water tank is located north of the site, and a 16" water main is on-site, connecting the tank to a 20" water main from the Town's water treatment plant. Sanitary sewer will be treated at the Low Point Wastewater Treatment Plant. Stormwater will be collected and detained and ultimately released at historic rate to the available drainageways. A stormwater development fee of \$1100 per acre is due at final plat.

Mineral Interests and Operations: There are four oil or gas facilities located in the Miracle on 34 PUD – three adjoining the Encore site to the north and east.

Design Guidelines: The proposed Guidelines are very similar to 2534 and Thompson Crossing/Thompson Crossing II. The Guidelines are substantially complete, but additional time is needed to respond to initial comments, resolve issues and review a final version before staff or the Commission can forward a recommendation to Town Council.

Parks and Open Space: Private parks and open space, trails are generally proposed. An internal trails system will be required and maintained as private open space, with connections where available to nearby local and regional trails.

Schools: The property is within the Thompson School District. A cash-in lieu of school site dedication will be due with building permits.

Architectural Design: Commercial and residential design will be governed by the Design Guidelines and subject to final Town approval.

Landscaping: Landscaping shall comply with Johnstown Landscape Standards and Specifications.

Fencing and Screening: Required, as determined by the Design Guidelines.

Lighting and Street Furniture: Decorative street lighting and signage will be required.

Signage: A master sign program is proposed in the design guidelines.

Phasing: A general development phasing plan is proposed, with a balance of commercial and residential development to maintain a positive fiscal impact on Town revenue and services.

Attachments: Application, Design Guidelines, preliminary plat, preliminary plan, referral comments

Municipal Code Review Provisions: reference Town PUD and Subdivision regulations.

Crucial Referral Responses: CDOT has confirmed that access along US Hwy 34 is restricted and subject to CDOT approval. The Thompson Crossing Metropolitan District questions the capacity of the 20" water main which serves the Encore property. Water and sewer capacity will need to be verified as the project moves to final subdivision and development.

Staff Report

Technical Findings: The purpose of the preliminary plat process is to evaluate all known impacts and constraints that development may encounter on a specific property. Such concerns will either be resolved, or addressed as special requirements at time of platting.

Interim arterial street improvements including pavement, curb, gutter, sidewalk will be required on High Plains Blvd. (LCR 3) and Colorado Blvd.(LCR 1) High Plains Blvd. access to Hwy 34 is restricted by existing railroad locations.

The property is annexed and zoned for commercial and residential development, and the proposed design guidelines will help assure a high quality development. The guidelines will require additional review prior to approval.

Staff Recommendation:

A. Preliminary Plat: Based upon review, staff recommends approval with conditions:

1. Referral comments from Town staff, Town Engineer, Traffic Engineer Dave Hattan and outside agencies shall be resolved, or addressed as special development provisions in the public improvement development agreement prior to Town Council consideration of final plat(s).
2. The applicant shall continue to work with CDOT, Union Pacific Railroad, McWhinney Enterprises and other landowners, City of Loveland and the Town to resolve the High Plains Blvd. access to US Hwy 34.
3. The applicant shall verify to the Town, prior to approval of an initial final plat that adequate water and sanitary sewer capacity is available or can be made available to the project.
4. Existing roadway improvements on Colorado Blvd. were installed by Larimer and

Weld Counties, and a reimbursement may be due for the property frontage prior to final plat.

5. The Design Guidelines and Preliminary Development Plan must be approved by the Town prior to approval of final plat(s).

B. Design Guidelines, Preliminary Plan: Staff recommends that consideration of the Design Guidelines and Preliminary Development Plan be continued, to allow time for further, detailed review by Town staff and the Commission.

Planning Commission Action:

A. Preliminary Plat:

1. Recommendation:

“I move that the Commission approve/recommend approval of the Encore on 34 preliminary subdivision plat”

Or,

2. Recommendation with Conditions:

“I move that the Commission approve/recommend approval of the Encore on 34 preliminary subdivision plat with the following condition(s):

a. _____

b. _____

etc. “

Or,

3. Recommend denial:

“I move that the Commission not approve/recommend denial of the Encore on 34 preliminary subdivision plat for the following reasons:

a. _____

b. _____

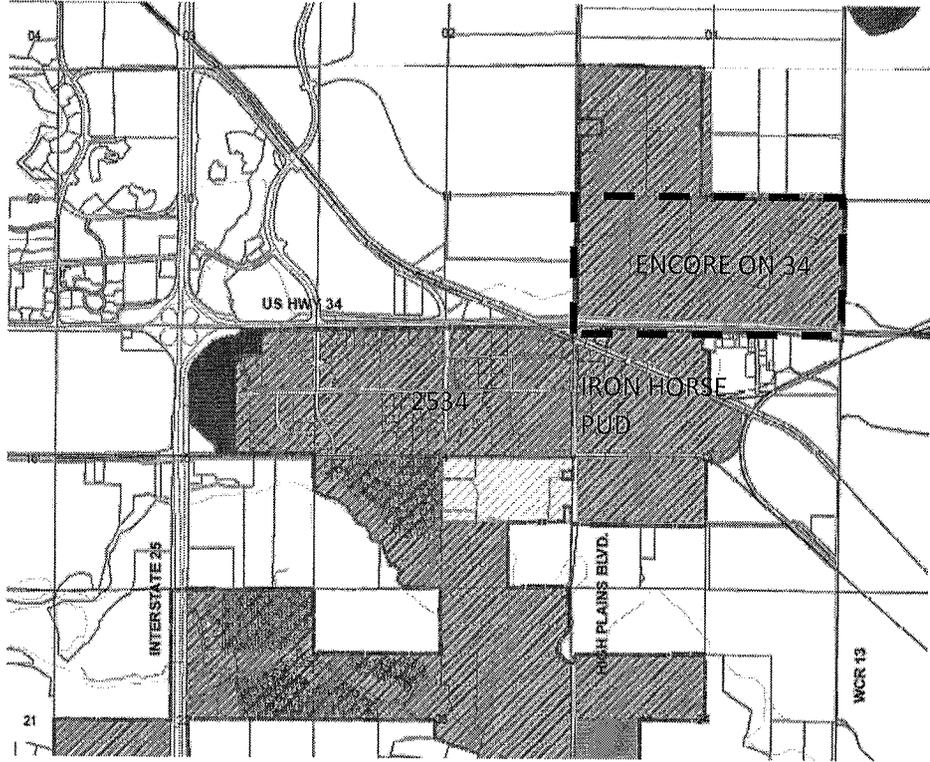
etc. “

B. Design Guidelines and Preliminary Plan:

Continue public hearing:

“I move that the Commission continue the public hearing of the Encore on 34 Design Guidelines and Preliminary Plan to a future hearing, and that notice of such hearing be re-published as required by Municipal Code.”

VICINITY MAP



VICINITY MAP

PRELIMINARY PLAT

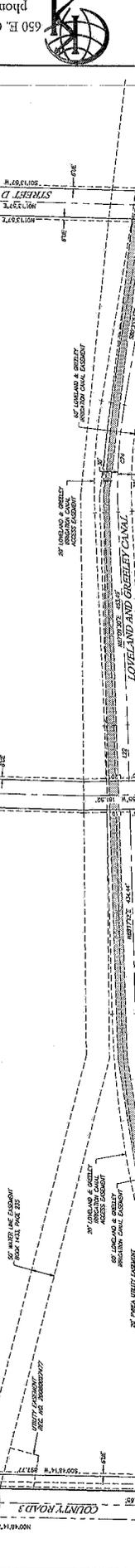
ENCORE 34 SUBDIVISION

SHEET INDEX

SHEET 3	SHEET 4	SHEET 5
SHEET 2	SHEET 1	SHEET 6

DATE	8/20/2014
FILE NAME	20140725.DWG
SCALE	1"=100'
DRAWN BY	CSK
CHECKED BY	SAL

KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80350
 phone (970) 686-5011 | fax: (970) 686-5821



PRELIMINARY
 Shows A, Line - On Basis of 2014 Survey
 Does Not Show Boundary

APPROVED COPY ACCESS
 SECTION 14, T6S, R10E, W10A
 ON 1/2 SECTION 13, T6S, R10E, W10A

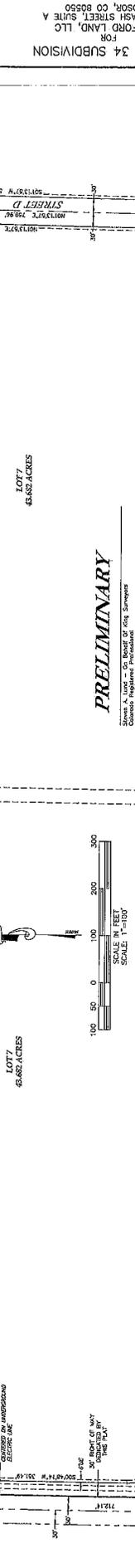
APPROVED COPY ACCESS
 SECTION 14, T6S, R10E, W10A
 ON 1/2 SECTION 13, T6S, R10E, W10A

RIGHT OF WAY
 STATE HIGHWAY 34
 ROAD 34, MADE 04'

RIGHT OF WAY
 UNITED STATES OF AMERICA
 ROAD 34, MADE 04'

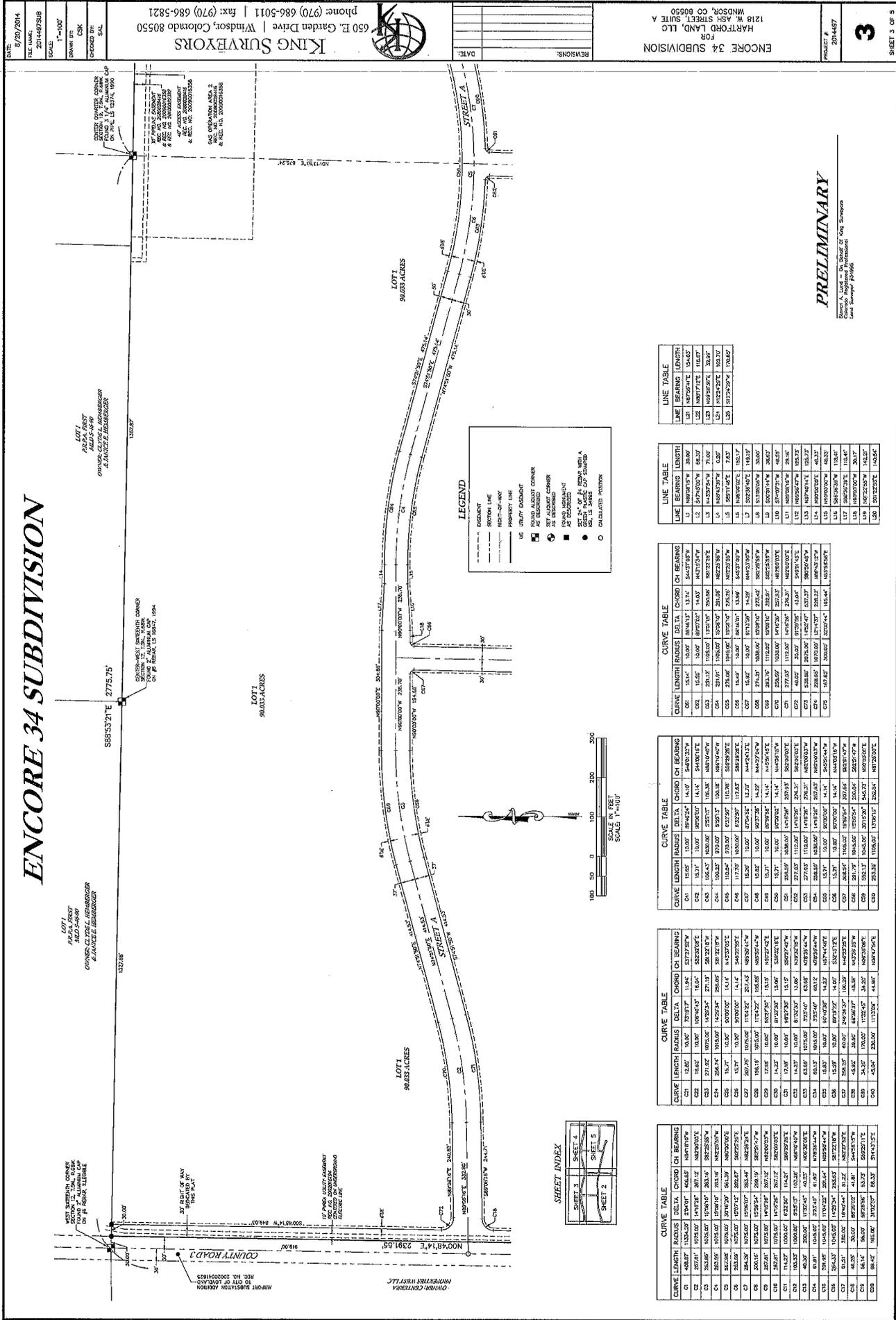
RIGHT OF WAY
 UNITED STATES OF AMERICA
 ROAD 34, MADE 04'

RIGHT OF WAY
 UNITED STATES OF AMERICA
 ROAD 34, MADE 04'



REVISIONS	DATE

ENCORE 34 SUBDIVISION



DATE: 8/20/2014
 REC NAME: 2014497318
 SCALE: 1"=100'
 DRAWN BY: CSK
 CHECKED BY: SALL

KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 Phone: (970) 686-5011 | Fax: (970) 686-5821

ENCORE 34 SUBDIVISION
 HARTFORD LAND, LLC
 1218 W. 43rd Street, Suite A
 WINDSOR, CO 80550

PROJECT #: 2014497
 SHEET 3 OF 5

LOT 1
 90.033 ACRES
 OWNER: HARTFORD LAND, LLC
 ADDRESS: 1218 W. 43rd Street, Suite A, Windsor, CO 80550

LOT 2
 90.033 ACRES
 OWNER: HARTFORD LAND, LLC
 ADDRESS: 1218 W. 43rd Street, Suite A, Windsor, CO 80550

LOT 1
 90.033 ACRES
 OWNER: HARTFORD LAND, LLC
 ADDRESS: 1218 W. 43rd Street, Suite A, Windsor, CO 80550

LOT 2
 90.033 ACRES
 OWNER: HARTFORD LAND, LLC
 ADDRESS: 1218 W. 43rd Street, Suite A, Windsor, CO 80550

LEGEND

- EASEMENT
- SET-BACK LINE
- PROPERTY LINE
- UTILITY DUCT/PIPE
- WELL
- SET-BACK CORNER
- AS SHOWN
- AS RECORDED
- SET-BACK OF 10' FROM WITH A 5' SET-BACK
- CALCULATED POSITION

CURVE TABLE

CURVE LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C01	15.14'	103.00'	89.6137'	13.34°
C02	15.14'	103.00'	89.6137'	13.34°
C03	15.14'	103.00'	89.6137'	13.34°
C04	15.14'	103.00'	89.6137'	13.34°
C05	15.14'	103.00'	89.6137'	13.34°
C06	15.14'	103.00'	89.6137'	13.34°
C07	15.14'	103.00'	89.6137'	13.34°
C08	15.14'	103.00'	89.6137'	13.34°
C09	15.14'	103.00'	89.6137'	13.34°
C10	15.14'	103.00'	89.6137'	13.34°
C11	15.14'	103.00'	89.6137'	13.34°
C12	15.14'	103.00'	89.6137'	13.34°
C13	15.14'	103.00'	89.6137'	13.34°
C14	15.14'	103.00'	89.6137'	13.34°
C15	15.14'	103.00'	89.6137'	13.34°
C16	15.14'	103.00'	89.6137'	13.34°
C17	15.14'	103.00'	89.6137'	13.34°
C18	15.14'	103.00'	89.6137'	13.34°
C19	15.14'	103.00'	89.6137'	13.34°
C20	15.14'	103.00'	89.6137'	13.34°

CURVE TABLE

CURVE LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C21	15.14'	103.00'	89.6137'	13.34°
C22	15.14'	103.00'	89.6137'	13.34°
C23	15.14'	103.00'	89.6137'	13.34°
C24	15.14'	103.00'	89.6137'	13.34°
C25	15.14'	103.00'	89.6137'	13.34°
C26	15.14'	103.00'	89.6137'	13.34°
C27	15.14'	103.00'	89.6137'	13.34°
C28	15.14'	103.00'	89.6137'	13.34°
C29	15.14'	103.00'	89.6137'	13.34°
C30	15.14'	103.00'	89.6137'	13.34°
C31	15.14'	103.00'	89.6137'	13.34°
C32	15.14'	103.00'	89.6137'	13.34°
C33	15.14'	103.00'	89.6137'	13.34°
C34	15.14'	103.00'	89.6137'	13.34°
C35	15.14'	103.00'	89.6137'	13.34°
C36	15.14'	103.00'	89.6137'	13.34°
C37	15.14'	103.00'	89.6137'	13.34°
C38	15.14'	103.00'	89.6137'	13.34°
C39	15.14'	103.00'	89.6137'	13.34°
C40	15.14'	103.00'	89.6137'	13.34°

CURVE TABLE

CURVE LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C41	15.14'	103.00'	89.6137'	13.34°
C42	15.14'	103.00'	89.6137'	13.34°
C43	15.14'	103.00'	89.6137'	13.34°
C44	15.14'	103.00'	89.6137'	13.34°
C45	15.14'	103.00'	89.6137'	13.34°
C46	15.14'	103.00'	89.6137'	13.34°
C47	15.14'	103.00'	89.6137'	13.34°
C48	15.14'	103.00'	89.6137'	13.34°
C49	15.14'	103.00'	89.6137'	13.34°
C50	15.14'	103.00'	89.6137'	13.34°
C51	15.14'	103.00'	89.6137'	13.34°
C52	15.14'	103.00'	89.6137'	13.34°
C53	15.14'	103.00'	89.6137'	13.34°
C54	15.14'	103.00'	89.6137'	13.34°
C55	15.14'	103.00'	89.6137'	13.34°
C56	15.14'	103.00'	89.6137'	13.34°
C57	15.14'	103.00'	89.6137'	13.34°
C58	15.14'	103.00'	89.6137'	13.34°
C59	15.14'	103.00'	89.6137'	13.34°
C60	15.14'	103.00'	89.6137'	13.34°

CURVE TABLE

CURVE LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C61	15.14'	103.00'	89.6137'	13.34°
C62	15.14'	103.00'	89.6137'	13.34°
C63	15.14'	103.00'	89.6137'	13.34°
C64	15.14'	103.00'	89.6137'	13.34°
C65	15.14'	103.00'	89.6137'	13.34°
C66	15.14'	103.00'	89.6137'	13.34°
C67	15.14'	103.00'	89.6137'	13.34°
C68	15.14'	103.00'	89.6137'	13.34°
C69	15.14'	103.00'	89.6137'	13.34°
C70	15.14'	103.00'	89.6137'	13.34°
C71	15.14'	103.00'	89.6137'	13.34°
C72	15.14'	103.00'	89.6137'	13.34°
C73	15.14'	103.00'	89.6137'	13.34°
C74	15.14'	103.00'	89.6137'	13.34°
C75	15.14'	103.00'	89.6137'	13.34°
C76	15.14'	103.00'	89.6137'	13.34°
C77	15.14'	103.00'	89.6137'	13.34°
C78	15.14'	103.00'	89.6137'	13.34°
C79	15.14'	103.00'	89.6137'	13.34°
C80	15.14'	103.00'	89.6137'	13.34°

CURVE TABLE

CURVE LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C81	15.14'	103.00'	89.6137'	13.34°
C82	15.14'	103.00'	89.6137'	13.34°
C83	15.14'	103.00'	89.6137'	13.34°
C84	15.14'	103.00'	89.6137'	13.34°
C85	15.14'	103.00'	89.6137'	13.34°
C86	15.14'	103.00'	89.6137'	13.34°
C87	15.14'	103.00'	89.6137'	13.34°
C88	15.14'	103.00'	89.6137'	13.34°
C89	15.14'	103.00'	89.6137'	13.34°
C90	15.14'	103.00'	89.6137'	13.34°
C91	15.14'	103.00'	89.6137'	13.34°
C92	15.14'	103.00'	89.6137'	13.34°
C93	15.14'	103.00'	89.6137'	13.34°
C94	15.14'	103.00'	89.6137'	13.34°
C95	15.14'	103.00'	89.6137'	13.34°
C96	15.14'	103.00'	89.6137'	13.34°
C97	15.14'	103.00'	89.6137'	13.34°
C98	15.14'	103.00'	89.6137'	13.34°
C99	15.14'	103.00'	89.6137'	13.34°
C100	15.14'	103.00'	89.6137'	13.34°

ENCORE 34 SUBDIVISION
 HARTFORD LAND, LLC
 1218 W. 43rd Street, Suite A
 WINDSOR, CO 80550

PRELIMINARY
 This drawing is preliminary and is not to be used for construction purposes without the approval of King Surveyors.
 King Surveyors
 650 E. Garden Drive | Windsor, Colorado 80550
 Phone: (970) 686-5011 | Fax: (970) 686-5821

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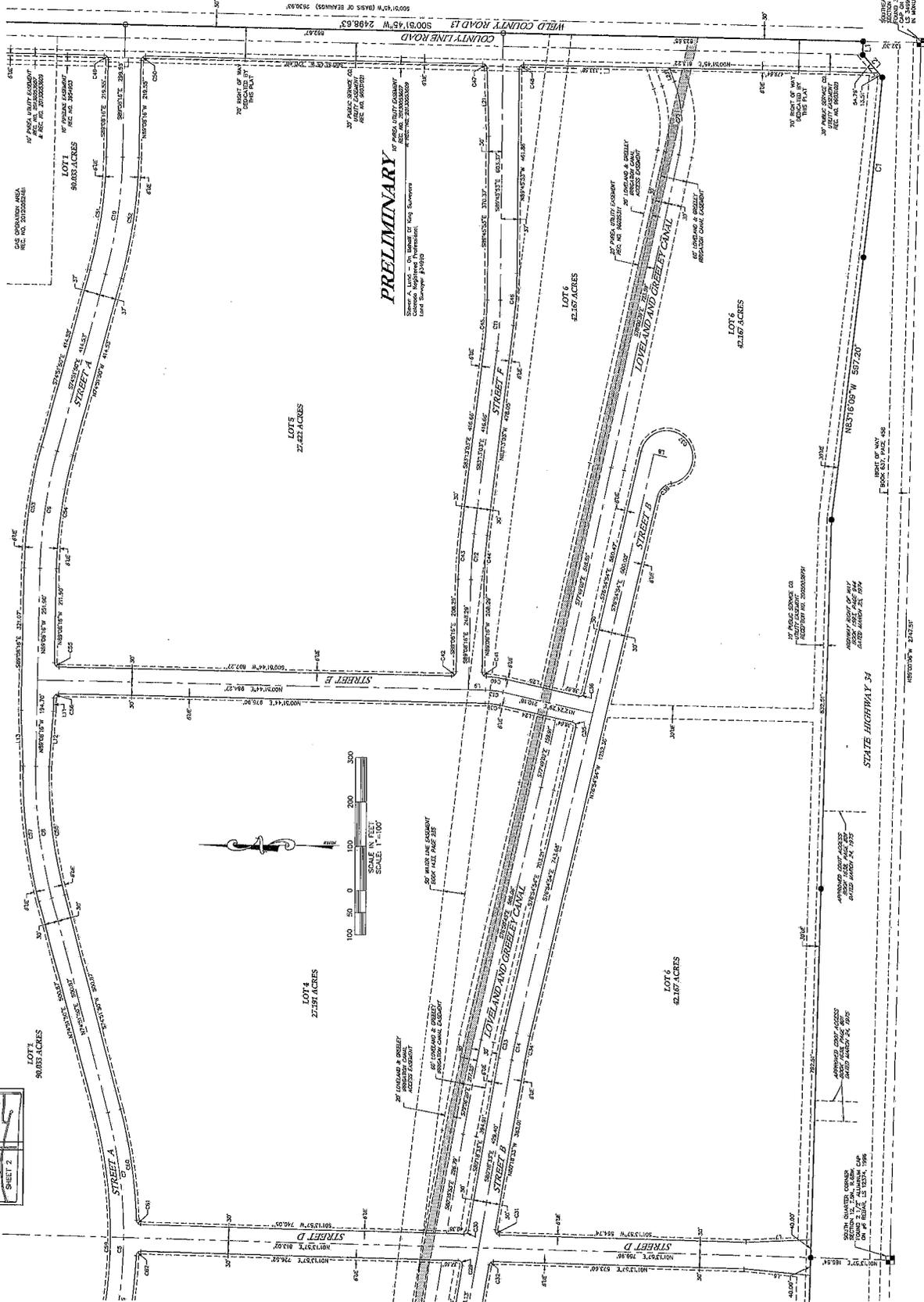
SHEET INDEX

SHEET 1	SHEET 2	SHEET 3	SHEET 4	SHEET 5
1	2	3	4	5

ENCORE 34 SUBDIVISION

SHEET INDEX

SHEET 1	SHEET 2	SHEET 3	SHEET 4
X	X	X	X



PRELIMINARY

Surveyed & Platted by King Surveyors, Inc. on behalf of King Surveyors, Inc. on 08/20/2014. Record No. 20140783B. Total Surveyed 849,839.

DATE: 8/20/2014
 FILE NAME: 20140783B
 SCALE: 1"=100'
 DRAWN BY: CSK
 CHECKED BY: SAL

KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821



REVISIONS:

NO.	DATE	DESCRIPTION

ENCORE 34 SUBDIVISION
 FOR
 HARTFORD LAND, LLC
 1218 W. ASH STREET, SUITE A
 WINDSOR, CO 80550

PROJECT # 20140783B

5
 SHEET 5 OF 5

REFERRAL COMMENTS

October 28, 2014

Gary Hoover
1218 West Ash Street, Suite A
Windsor, CO 80550

Re: Encore on 34 - Preliminary Subdivision Plat, Design Guidelines and Preliminary Development Plan

Gary:

Technical review/referral of the application has concluded, and comments are provided. I have also enclosed copies of the referral comments received to date. If additional comments are received these will be forwarded to you.

The preliminary plat/plan review process serves to highlight the requirements for future development, and to foster resolution of issues and/or identify required improvements prior to final plat and detailed civil engineering.

A. Annexation and Zoning:

The property, known as Miracle on 34 was annexed in 2006 and Zoned PUD-MU Planned Unit Development – Mixed Use. The approved annexation agreement includes among other items, provisions for Sales and Use Tax rebates, Performance Standards, Impact fees, Metropolitan Districts, commercial/residential development balance to create positive net fiscal impact to the Town, and 20-year vested rights. These provisions carry forward to future final plats/plans, and development of the property.

B. Preliminary Plat document:

1. Suggest calling parcels on subdivision plat “tracts” or “blocks” rather than lots since they will likely be developed/subdivided further.
2. Suggest adding major street names now to the plat and plans so the Town can react to them now and establish the theme. Street names will need to be thematic and unique. (I recognize this is a challenge in an area with adjoining multiple jurisdictions and emergency services, and will assist.)
3. Are the “approved” CDOT access points south of Lot 7 (on subdivision) proposed to be continued or vacated upon development?
4. Wherever possible, have the preliminary plat and the preliminary plan reference areas in the same way. For example, the proposed Lot 1 has 5 planning areas identified as well as 2 ponds. Additionally, the plat has “Lots” proposed, and the Master Plan has

"Parcels, Ponds, and Commercial" areas.

5. Drainage pond areas will need easements as the blocks are platted.
6. The plat references US Highway 34 as State Highway 34 in a number of different locations. Change to US Highway 34.

C. Design Guidelines:

The Design Guidelines will, when combined into one document fulfill the "Performance Standards" requirement in the Annexation Agreement. The proposed Guidelines are derived from the approved 2534 Design Guidelines and the Thompson Crossing II Guidelines, which is an acceptable method. The Guidelines must be approved prior to final plat/plan approvals – however, to assist with your schedule, formal review and approval of the Guidelines will require more time than the preliminary plat.

1. Commercial Guidelines

- a. As we have many minor comments, I have attached a copy of the draft guidelines with our notes. Please send a file of the red-lined, corrected version.
- b. We will need the graphic sign program included for Commission review.

2. Residential Guidelines:

- a. As we have many minor comments, I have attached a copy of the draft guidelines with our notes. Please send a file of the red-lined, corrected version.
- b. Please add a guideline item to ensure that the same elevation/house model does not repeat within three lots adjoining that model, or across the street from that model.
- c. Please clarify that masonry should wrap around corners at least 24" (48" preferred)
- d. The minimum dwelling floor areas described on page 17 should have a percentage distribution to avoid a proliferation of the small homes.

D. Preliminary Development Plan (PDP) document:

1. The PDP is generally consistent with the Outline Development Plan. If the proposed entrance from US Hwy 34 is not acceptable to CDOT it should be removed.
2. The Anadarko Oil and Gas wells and production facilities must be identified on the plan. These facilities are permanent (until abandoned and removed) and will need to be screened and buffered by adjoining development. I have attached a copy of draft design guidelines the Town is considering.
3. Like most major irrigation ditches, the Greeley-Loveland Canal is a challenge, but has value as the basis for a linear park/open space buffer/corridor.

E. Access and Streets: (CDOT, Town Traffic Engineer and City of Loveland comments attached)

1. High Plains Blvd. (LCR 3) and LCR 1/WeldCo 13 (Colorado Blvd. are designated as Major Arterials in the Johnstown Transportation Plan. The current 60' High Plains Blvd. right-of-way is within the City of Loveland. LCR 3/WCR 13 (Colorado Blvd.) adjoins the Town limits of Windsor and coordination of improvements will be needed. Larimer and Weld County improved the roadway, and there will likely be reimbursement due at final plat to the counties for the one-half mile section north of US Hwy 34.
2. The well-known and longstanding major access issue is High Plains Blvd. intersection at US Hwy 34 involving multiple jurisdictions, owners, CDOT and the Union Pacific Railroad. You are working with CDOT, the Town and other landowners to resolve this.
3. Access from LCR 1 to US Hwy 34 is subject to Access Permit, and related

improvement requirements.

F. Water/Sanitary Sewer:

1. Reference Town Engineer comments, attached. Please work with the Town Engineer to address questions.
2. Approval of final engineering plans will be required at time of final subdivision plat.
3. A Water and Sewer Service Agreement will be required for Town Council consideration with the final plat(s). The agreement will be prepared by the Town's Water Attorney, based upon the final water demand analysis as approved by the Town's Water Engineer. Sufficient water rights must be dedicated to the Town upon approval of the plat(s). Please note that the Town has approved amendments to the water rights dedication and fees requirements

G. Storm Drainage: Stormwater System Development Fees (\$1100/acre) will be payable upon approval of a Final Plat.

H. Schools: Comments have not yet been received from the Thompson School District, but typically the district will want cash in lieu of school site dedication at final plat.

I. Dry utilities: No comments received to date.

J. Severed Mineral Interests: Presuming the mineral estate is not owned by the property owner, and according to state law state law, once a hearing date is scheduled you will need to provide the Town a copy of the 30-day notice to owners of severed mineral interests - or a waiver of such notice.

Town Advisors and outside agencies may be contacted directly to resolve their concerns and/or identify improvement requirements. Town staff is available to discuss the general comments.

The application is scheduled for a public hearing and consideration by the Planning and Zoning Commission on Wednesday, November 12, 2014 at 7:00 p.m. Due to timing considerations and the number of Design Guideline comments, staff may recommended review and action on a different schedule that the preliminary plat.

I look forward to our meeting tomorrow to review the comments and discuss the approval schedule. Afterwards, I'll need a written, (digital copy) response to the plat comments on or before November 5 to include in the Commissioners' meeting packets. The document camera, laptop connections and displays will be available in lieu of boards.

Sincerely,



John Franklin, AICP
Town Planner

Attachments

Copies with attachments to:
Jim Birdsall, Birdsall Group
Rob Van Uffelen
Town Advisors
File



STRUCTURAL, MEP, CIVIL ENGINEERING & CONSTRUCTION SERVICES

Arizona California Colorado Florida Texas Lebanon Saudi Arabia U.A.E.

October 27, 2014

Mr. John Franklin
Town of Johnstown
450 S. Parish Avenue
Johnstown, CO 80534

RE: Encore 34
Preliminary Plat Package
TST Job. No. 127-051

Dear Mr. Franklin,

I have reviewed the referral package dated September 24, 2014 for the above referenced Project.

The package as submitted and reviewed consists of the following documents:

- Encore 34 Subdivision, 5 sheets, dated 8/20/14, by King Surveyors.
- Public Improvement Construction Plans for Encore 34, 14 sheets, dated 9/4/14, by Galloway.
- Preliminary Plat and Preliminary Development Plan narrative (5 pages).
- Phasing Plan Drawing (1 sheet), dated 9/4/14, by TB Group.
- Preliminary Drainage Report for Encore, dated September 2014, by Galloway
- Public Improvements Construction Plans (CD's) – 25 Sheets, dated 12/19/13, by Merrick & Company.
- Preliminary Geotechnical Investigation, dated 9/4/14, by CTL|Thompson.

I have the following comments:

General Comments

1. The proposed Encore 34 (aka Miracle on 34) Subdivision Development is located on the north side of US Highway 34, between LCR #3 on the west and LCR #1 (Weld County #13) on the east. The site extends north from Highway 34 approximately 2641 feet. According to the included Plat, the site encompasses approximately 309 acres.
2. Some general observations from the submittal review are:

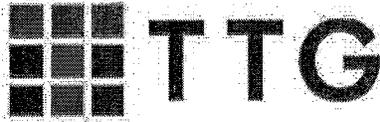


Public Water:

Public water and fire water service within the development is indicated to be provided by internally looped water mains connected at two locations into the existing 16-inch public water main located in/along LCR #3 at the west edge of the Encore 34 site. Based on the existing and proposed mains and loop, we anticipate the water system/supply would be adequate, and have no objections to the conceptual plan submitted. However, as the site is within the Loveland Rural Fire Protection District, recommendations & comments should be obtained from the District regarding adequacy of the proposed water supply system and fire protection provisions. We recommend the developer and/or the engineer provide the Town (and our office) with written concurrence/approval from the Loveland Rural Fire Protection District. Additionally, as part of the more detailed engineering development plans for the Project (overall and/or by phases), we will request the Project's Engineer provide a water system modeling evaluation documenting the anticipated demands and the anticipated supply (pressure / capacity under fire flow conditions) to demonstrate capacity(ies) prior to detailed engineering approvals for any given phase(s) within the development.

Public Sanitary:

As part of the Low Point Wastewater Treatment Plant and Low Point Interceptor Sewers, capacity was allocated for servicing the Encore 34 (Miracle on 34) site, and a sanitary interceptor provided to the south side of Hwy. 34 on LCR #3. The provided development plans for the Encore 34 site propose to extend this existing sanitary main to the SE corner of the development (e.g. to north side of Hwy. 34) and then throughout the site by a system of proposed 8" sanitary mains. According to design information provided by the Thompson Crossing Metro District #1 regarding the design basis for the LPWWTP and Interceptor Sewers, up to 1858 gpm wastewater design capacity, for up to 950 acres of residential/commercial development, was allocated for potential development of Encore 34 (e.g. approximately 1.95 gpm/acre average). Assuming a similar "per acre" allocation, the current proposed Encore 34 development (309 acres), would be anticipated to have available approximately 604 gpm capacity within the Low Point System. Conceptually, the proposed public sanitary service concept appears acceptable. Similar to the water system documentation, we will request the Project's Engineer provide a sanitary system evaluation documenting the anticipated wastewater demands and sanitary main capacities prior to detailed engineering approvals for any given phase(s) within the development.



Additionally, comments, if any, from the Thompson Crossing Metro District #1 should be obtained and considered.

Stormwater Systems:

As noted in the provided Preliminary Drainage Report by Galloway, the proposed Encore 34 site was not included in the Town of Johnstown Storm Water Master Plan planning area, nor was it included in the City of Loveland Master Drainage Studies. Never-the-less, the proposed stormwater management plan outlined is in general conformance with the Town of Johnstown Standards regarding provision of stormwater collection, water quality and detention, and controlled release at less than or equal to historic flow levels. The Drainage Plan (DR01) included in both the Preliminary Drainage Report and in the Public Improvement Construction Plans indicates proposed provision of a series of linked water quality/detention ponds to serve each of the proposed Encore 34 development's drainage sub-basins (correlating to the development phasing areas). Flow from each development area would be collected and transmitted to the respective detention facilities by a combination of surface swales, street curb and gutters, and storm sewer systems.

Overall, the general stormwater management concept appears to be acceptable, subject to a few items which will need to be addressed/confirmed prior to or as part of any final engineering approvals, including the following:

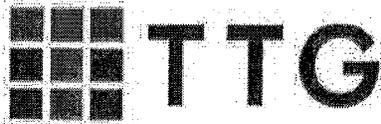
1. The Greely-Loveland Irrigation Canal flows west to east through lower 1/3 of the site. Historically, much of the flows from the north 2/3 of the site and some off-site area north of the site have flowed to the GLIC. The Preliminary Drainage Report indicates the GLIC does not want the increased developed flows, and that developed flows leaving the system of water quality/detention facilities from the north 2/3 +/- of the site will be conveyed via a proposed storm system under the GLIC running south along LCR #3 and into an existing arroyo fronting the Thompson Crossing II development and then into the Big Thompson River. It is unclear from the Drainage Report narrative whether the GLIC will desire to continue to receive the historic flows, or if the GLIC wishes to have all flow(s) from the Encore 34 site eliminated. This issue will need to be fully vetted and then taken into account as part of the final Encore 34 stormwater management designs.



2. The Farmer's Irrigation Ditch flows west to east a little south of Hwy. 34. Historically, some of the drainage from the Encore 34 site (e.g. drainage along LCR 3 and LCR 13, and from approximately the south 1/3 of the Encore 34 site) drained via culverts under Hwy. 34 to the FID, and ultimately to the Big Thompson River. The drainage concept presented in the Preliminary Drainage Report indicates the developed drainage leaving the on-site water quality/detention facilities from the southern 1/3+/- of the site, from will cross under Hwy 34 via an existing culvert and into the FID. As with the GLIC, it is unclear from the Drainage Report narrative whether the FID will be agreeable to receiving the developed flows, will desire to continue to receive only the historic flows, or will desire to have all flow(s) from the Encore 34 site eliminated. This issue will need to be fully vetted and then taken into account as part of the final Encore 34 stormwater management designs.

3. The Drainage Report notes that the existing oil & gas site near the north-east corner of the proposed Encore 34 site currently is the low point in that immediate area (e.g. drainage in that portion of the Encore 34 site and from adjacent off-site areas drain into this low area) and that there is currently no drainage outlet from this low point area. The proposed grading and drainage plans for the Encore 34 development do not appear to address this issue. Off-site flows currently draining into the oil-gas site are projected to continue to drain to this low point area, along with some on-site Encore 34 flows from the north-east drainage sub-basin. The report suggests these flows ultimately, will "...pond there and either evaporate or infiltrate." but then goes on to note that when this drainage sub-basin area (Basin B1) is developed "... a release pipe ... will be required to allow these waters to drain." We are somewhat unclear on the proposed ultimate drainage plan for this sub-basin. However, we recommend that positive stormwater drainage (with associated water quality/detention facilities) be required for the Basin B1 area.

We will provide directly to the design engineer (Galloway) additional specific technical review comments which will need to be addressed prior to subsequent engineering plans and reports submittals and approvals.



Site Access:

The submitted documents show proposed site access being provided by five proposed new street/road connections: Two to LCR 3 on the west, roughly 1/3 and 2/3 up the site; One to Hwy 34 on the south, roughly midway between LCR 3 and LCR 13; and, Two to LCR 13 on the east, roughly 1/3 and 2/3 up the site. A series of internal connector roads then loop through the site. Layout of the local commercial drives/streets and/or local residential streets within the individual phases is not identified at this time, but would need to be defined as part of the individual phase development plans.

We defer comments regarding the proposed site access to the Town's Traffic Engineer (Mr. Dave Hattan, FHU).

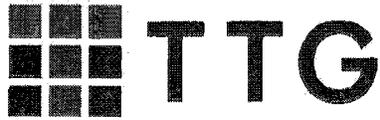
Specific Comments By Document

Preliminary Plat:

We have no additional comments at this time.

Public Improvements Construction Plans (CD's) & Preliminary Drainage Report:

We have reviewed the initial submittal of the included CD's and Preliminary Drainage Report. We have no major issues with the documents, other than as noted in the general comments above. We do have a few specific technical comments or questions on each of the documents. Rather than listing those engineering comments herein, we will discuss those with the Design Engineer (Galloway) separately. The CD's and Drainage Letter/Report then can be revised if/as necessary to address those technical review comments and the general comments above, as well as to incorporate any additional Town and/or other review entity comments. The revised documents then will need to be resubmitted to our office for further review, prior to final engineering approval(s).



Stormwater Management Plan (SWMP):

Since the site and planned disturbed area exceeds one (1) acre, the applicant must prepare a Stormwater Management Plan and obtain a State Stormwater Construction Permit in conformance with Colorado Department of Public Health & Environment (CDPHE) requirements (or if developed in multiple discrete phases, may need to obtain an applicable permit for each phase). (This requirement was noted and acknowledge within the Preliminary Drainage Report.) We request that a copy of the SWP(s) and Permit certification(s), when that Certification(s) is/are obtained, be provided for Town (and our) files.

Recommendation

We have noted a few items for Town consideration in the comments above. We recommend these issues be addressed and resolved to the satisfaction of the Town prior to approval of the Preliminary Plat and Preliminary Development Plan for the Encore 34 (aka Miracle on 34) Project. Additionally, we recommend if the Town elects to grant Approval(s) prior to confirmation of resolution of the engineering concerns on the Construction Plans and Drainage Report, that the approval(s) be granted contingent upon final engineering approvals also subsequently being obtained.

If there are any questions regarding any of our comments, or if further clarification is desired, please contact us.

Sincerely,

TTG, as Town Engineer for Johnstown

A handwritten signature in black ink that reads "Gregory A. Weeks".

Gregory A. Weeks, PE, LEED ® AP



FELSBURG
HOLT &
ULLEVIG

engineering paths to transportation solutions

October 24, 2014

MEMORANDUM

TO: John Franklin

FROM: David E. Hattan, P.E.

SUBJECT: Review of Traffic Impact Study, Preliminary Plat, and Construction Plans

PROJECT: Encore on 34
FHU # 99-201

I have reviewed the three documents related to the Encore on 34 development which is located along the north side of US 34 between and north of Larimer County Road (LCR) 3 and Weld County Road (WCR) 13. These are the Encore Preliminary Plat – Master Plan Traffic Impact Study prepared by Delich Associates on September 2, 2014; Encore 34 Subdivision (Preliminary Plat); and Public Improvement Construction Plans for Encore. I have reviewed this information from the perspective of traffic engineering and transportation planning but not general civil or utility engineering. I have the following comments:

Traffic Impact Study – This study provides an of the access issues related to US 34 and discusses other traffic studies prepared for other developments in the area. The study also includes a preliminary trip generation analysis.

- The study concludes that there may be fewer trips generated by this development than were forecasted for the previous development proposal (Miracle on 34). The study notes that the Encore development has less developable land. A more detailed study in the future should provide a more detailed comparison of these differences.
- Access to the development from US 34 is a major concern. Figure 2 of the study shows the Preliminary Plat – Master Plan. This document (and the plans/plat that were provided) shows three access points to US 34. The following discussion is partially based a review of the Ultimate Access Control Plan (UACP) for US 34, which is an element of the US 34 Corridor Optimization Plan (2003), which is referenced to in the traffic study.
 - County Line Road (LCR 1 / WCR 13) is the eastern boundary of the property. The CDOT plan shows this ultimately being a diamond interchange. Is there an intent to reserve land for this improvement in the proposed development?
 - Middle Access – the Preliminary Plat and Construction Plans show a right-in/right-out access at the one-half mile point. As the traffic study notes, this segment of US 34 is classified as an expressway (EX). The UACP shows all access being closed between County Line Road and LCR 3. Approval of this access by CDOT is highly unlikely.
 - LCR 3 is the western boundary of the property. The UACP shows a “junior” interchange at this location. This includes an overpass of US 34 and loop ramps to the east that provide access between LCR 3 and US 34. As the traffic study notes,

Mr. John Franklin

Encore on 34 Memorandum, October 24, 2014

Page 2

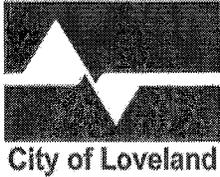
there are significant difficulties that would be encountered in providing interim signalization due to the close proximity of the Union Pacific Railroad tracks to the south and west of this intersection. In addition, a recent review of the UACP casts doubt on whether the Public Utilities Commission (PUC) will allow the at-grade crossing of the tracks that is shown in the southeast quadrant of the proposed junior interchange. Thus, an implementable improvement at this location is unknown at this time.

- My recommendation is that this development and developments to the west and south jointly develop a phased improvement plan for this location in coordination with CDOT, the PUC, and possibly the UPRR. This will allow land to be reserved for the interim and ultimate solutions so that development will not have to be purchased and displaced in the future. Additional traffic at the current unsignalized intersection is not a safe or prudent option.

Preliminary Plat and Construction Plans – looking at these plans together, I have the following concerns:

- The Plat shows rights-of way (ROW) for internal streets to be 60 and 74 feet. The cross sections in the Construction Plans show that these are intended for local residential streets. The updated traffic study needs to show that local streets will be adequate for all the traffic that is being generated. My initial reaction is that east-west collectors should be considered.
- The wider local residential street cross section (ROW = 74') on page 1 of the Construction Plans is not a standard Johnstown cross section. It was apparently developed by adding 14 feet to the local residential street for the raised median. The curbface to curbface distance needs to be approved by the Fire Department if it is still being proposed instead of a collector with a raised median (ROW = 80').

Please call if you have any questions or need additional information regarding this matter.



TO: John Franklin, Town of Johnstown Planner (jfranklin@townofjohnstown.com)

FROM: Carie Dann, Deputy Fire Marshal, Loveland Fire and Rescue, phone 970.962.2518, email carie.dann@cityofloveland.org

RE: Encore on 34 (a.k.a. Miracle on 34)

DATE: October 28, 2014

I have reviewed this Town of Johnstown/LFRA Planning project and have the following corrections and Fire Code requirements.

PROJECT SCOPE

1. These comments pertain to a Planning project to plat and build infrastructure for seven commercial lots. The property is located within the Town of Johnstown and the Loveland Rural Fire Protection District.

FIRE CORRECTIONS

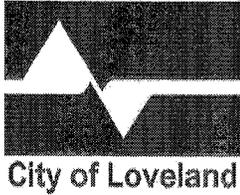
1. On the Construction Drawings and plat, please label the North-South roadway "County Line Road" as County Line Road, Larimer County Road 1 and Weld County Road 13 (three names).
2. The submitted Construction Drawings and plat show Streets A, B, etc. If these are public streets, they meet Fire access requirements and are not required to be Emergency Access Easements. When the lots are developed, Emergency Access Easements may be required internal to the lots in order to meet access requirements for emergency vehicles.
3. Please resubmit the Utility Plan such that the symbols for existing and proposed hydrants is more visible.
4. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet.

FIRE CODE REQUIREMENTS

1. When plans are submitted for permit for building and fire-protection permits, the requirements of the Fire Code, Building Code (with regard to fire and life safety issues), and NFPA standards currently adopted at the time of building construction must be met.
2. To be considered within access for emergency vehicles, approved Emergency Access Easements may be required to be dedicated via plat or separate documents. The EAE must be of an approved width, an all-weather surface, capable of supporting 40 tons, designated by approved signage, maintained in an approved condition by the owner, and maintained unobstructed at all times. Please note: The submitted CDs and plat show Streets A, B, etc. If these are public streets, they meet Fire access requirements and are not required to be Emergency Access Easements. When the lots are developed, Emergency Access Easements may be required internal to the lots in order to meet access requirements for emergency vehicles.
3. Water mains supplying hydrants must be looped whenever possible and be a minimum 8-inch diameter.
4. All hydrants shall be in place and operational prior to any combustible material being brought on site.
5. Hydrants shall be set back a minimum of 3 feet from curb face and shall be at least three feet from vegetation at full maturity (with the exception of grass and ground cover).
6. Hydrant placement shall meet the following criteria with distances measured by vehicular travel path: Commercial/Multifamily -- 400 feet to all parts of a structure with 350-foot spacing. Number of hydrants shall be as specified in the adopted International Fire Code.
7. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
8. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in the adopted International Fire Code. A reduction in required fire flow of up to 75% is allowed when the building is provided with an approved automatic sprinkler system. However, the resulting fire flow shall not be less than 1,500 GPM.
9. Two points of sustained access must be provided to each development and each lot (when lots are developed). If two approved access points cannot be provided and the cul-de-sac exceeds 400 feet, all structures beyond 400 feet from the entrance to the cul-de-sac are required to have an approved fire-sprinkler system.
10. Dead-end roads in excess of 1,000 feet require a secondary access that equals standards for a municipal street.

11. Turning radii must meet the B40 template.

12. Access roadways within the City of Loveland UGA shall be finished by an application of an all-weather driving surface of hot mix asphaltic concrete or concrete pavement over a flexible base capable of supporting a design wheel load of 18,000 pounds (GVW 80,000 pounds minimum). This applies to all types of access roadways (emergency access, second access, etc.).



DEVELOPMENT SERVICES

Current Planning

500 East Third Street, Suite 310 • Loveland, CO 80537
(970) 962-2523 • Fax (970) 962-2945 • TDD (970) 962-2620
www.cityofloveland.org

**DEVELOPMENT REVIEW TEAM REPORT
ENCORE ON 34, PZ # 14-163**

DATE: 10/23/14
TO: JOHN FRANKLIN
TOWN OF JOHNSTOWN PLANNING & ZONING
jfranklin@townofjohnstown.com
FROM: BRIAN BURSON, CURRENT PLANNING DIVISION
Brian.burson@cityofloveland.org

Application Type: preliminary/final plat

Date Submittal Accepted: 10/10/14

Submittal Round Number: 1

The City's Development Review Team (DRT) has completed this round of staff review of the submitted development proposal. Should you have any questions, please contact the identified project planner.

CITY REVIEW COMMENTS

The following section contains contact information for the various city representatives who reviewed the project, contact information for external agencies that may be relevant to the project, and detailed comments from the city reviewers based on the submitted information. For questions or clarifications on specific reviewer comments, please contact the individual reviewer.

A. CITY DEVELOPMENT REVIEW TEAM CONTACT INFORMATION

<u>PLANNING</u>	<u>TRANSPORTATION</u>	<u>POWER</u>
<input type="checkbox"/> Troy Bliss (970) 962-2579 Troy.Bliss@cityofloveland.org	<input type="checkbox"/> Rich Becker (970) 962-2560 Rich.Becker@cityofloveland.org	<input type="checkbox"/> Kent Aspinall 962-3598 Kent.Aspinall@cityofloveland.org
<input type="checkbox"/> Kerri Burchett (970) 962-2566 Kerri.Burchett@cityofloveland.org	<input checked="" type="checkbox"/> Sean Kellar (970) 962-2565 Sean.Kellar@cityofloveland.org	<input type="checkbox"/> Bill Coufal (970) 962-3551 Bill.Coufal@cityofloveland.org
<input checked="" type="checkbox"/> Brian Burson (970) 962-2577 Brian.Burson@cityofloveland.org	<input type="checkbox"/> Shawn Fetzer (970) 962-2618 Shawn.Fetzer@cityofloveland.org	<input type="checkbox"/> Mark Miner (970) 962-3587 Mark.Miner@cityofloveland.org

<input type="checkbox"/> Noreen Smyth (970) 962-2522 Noreen.Smyth@cityofloveland.org	<u>FIRE</u> <input checked="" type="checkbox"/> Carie Dann (970) 962-2518 Carie.Dann@cityofloveland.org <input type="checkbox"/> Ingrid McMillan-Ernst (970) 962-2554 Ingrid.McMillan-Ernst@cityofloveland.com	<input type="checkbox"/> Mark Warner (970) 962-3588 Mark.Warner@cityofloveland.org <input checked="" type="checkbox"/> Kathleen Porter (970) 962-3561 Kathleen.Porter@cityofloveland.org
<u>STORMWATER</u> Kevin Gingery (970) 962-2771 Kevin.Gingery@cityofloveland.org		<u>BUILDING</u> Tom Hawkinson (970) 962-2509 Tom.Hawkinson@cityofloveland.org
<u>WATER/WASTEWATER</u> Melissa Morin (970) 962-3709 Melissa.Morin@cityofloveland.org	<u>PARKS & REC</u> Bill Wildenberg (970) 962-2478 Bill.Wildenberg@cityofloveland.org	<u>PLANNING- GENERAL PLAT</u> Scott Pearson (970) 962-2645 ScottPearson@cityofloveland.com

B. CITY DEVELOPMENT REVIEW TEAM COMMENTS

I. ANALYSIS

Power: Kathleen Porter - Complete 10/17/2014

There are existing underground three phase substation feeders along the west side of County Road 3, across the street from the proposed development. Currently, the proposed development lies within the certified service territory of Xcel Energy.

II. RECOMMENDED CONDITIONS:

Parks and Rec: Bill Wildenberg - Complete 10/23/2014

The City of Loveland, Parks and Recreation Dept. is supportive of a future trail easement along this property and would support any Town of Johnstown requests for a trail easement that would eventually connect to the City of Loveland Recreation Trail system and existing or future regional trail corridors.

A trail corridor along the property is identified in the City of Loveland Parks & Recreation Master Plan, the Larimer County Our Lands Our Future vision document (Urban Open Space and Trail Opportunities), and the Northern Front Range Metropolitan Planning Organization (NFR MPO) Regional Bicycle Plan. The regional corridor plan indicates that the US 34 (corridor 11) and Great Western / Johnstown / Loveland (corridor 4) potential trails be located along this property.

A trail easement would enable public access consistent with the plans listed above.

III. RECOMMENDED CORRECTIONS:

PW-Transportation: Sean Kellar - Resubmittal Needed 10/22/2014

1. City of Loveland Transportation Development Review has concerns with the future development of CR 3 and also how this future intersection configuration would affect progression on US 34 entering Loveland. The City would like to have a meeting with CDOT, the developer's team, and the Town of Johnstown for future discussion before this project moves forward.

Fire: Carie Dann - Resubmittal Needed 10/23/2014

1. On the CDs and plat, please label the North-South roadway "County Line Road" as County Line Road, Larimer County Road 1 and Weld County Road 13.

IV. STANDARD CODE REQUIREMENTS

Fire: Carie Dann - Complete 10/23/2014

1. These comments pertain to a planning project to plat and build infrastructure for seven commercial lots. The property is located within the Town of Johnstown and the Loveland Rural Fire Protection District.

2. When plans are permitted for building and fire-protection permits, the requirements of the Fire Code, Building Code (with regard to fire and life safety issues), and NFPA standards currently adopted at the time of building construction must be met.

3. To be considered within access for emergency vehicles, approved Emergency Access The EAE must be of an approved width, an all-weather surface, capable of supporting 40 tons, designated by approved signage, maintained in an approved condition by the owner, and maintained unobstructed at all times. Please note: The submitted PICPs and plat show Streets A, B, etc. If these are public streets, they meet Fire access requirements and are not required to be Emergency Access Easements. When the lots are developed, Emergency Access Easements may be required internal to the lots in order to meet access requirements for emergency vehicles.

4. Water mains supplying hydrants must be looped whenever possible and be a minimum 8-inch diameter.

5. All hydrants shall be in place and operational prior to any combustible material being brought on site.

6. Hydrants shall be set back a minimum of 3 feet from curb face and shall be at least three feet from vegetation at full maturity (with the exception of grass and ground cover).

7. Hydrant placement shall meet the following criteria with distances measured by vehicular travel path: Commercial/Multifamily -- 400 feet to all parts of a structure with 350-foot

John Franklin

From: Hice-Idler, Gloria <gloria.hice-idler@state.co.us>
Sent: Monday, October 20, 2014 10:21 AM
To: John Franklin
Subject: Encore on 34

I've been in discussions with Gary Hoover and Troy McWhinney about this area.

CDOT will not allow any direct access to US 34 between LCR 1 and LCR 3. The plat as shown will not be accepted by CDOT.

I think there are more discussions planned.

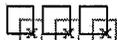
Gloria Hice-Idler
Region 4 Permits Manager
Region 4 Permits Unit - Traffic



P 970.350.2148 | C 970.381.2475 | F 970.350.2198

1420 2nd Street, Greeley, CO 80631

gloria.hice-idler@state.co.us | www.coloradodot.info | www.cotrip.org





DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave
Greeley, CO 80631
selkins@co.weld.co.us
PHONE: (970) 353-6100, Ext. 3540
FAX: (970) 304-6498

October 13, 2014

John Franklin, Town Planner
Town of Johnstown
Planning and Zoning Department
450 S. Parish Ave.
Johnstown, CO 80534

Subject: Preliminary Plat – Encore on 34 (aka Miracle on 34)

Dear Mr. Franklin:

The Weld County Department of Planning Services has reviewed this request. The Department has no comment on this application at this time.

Thank you for the opportunity to respond to this proposal. The County reserves respectfully the right to make further comment on information or issues as they are discovered.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Elkins', is written in black ink.

Steve Elkins
Planner I

Thompson Crossing Metro District No. 1

27486 County Road 13

Loveland, CO 80534

ph: (970) 669-1463 fax: (970) 669-0593

October 23, 2014

John Franklin
Johnstown Town Planner
450 S. Parish Avenue
Johnstown, CO 80534

RE: Referral of Encore on 34 -- Preliminary Plat

John,

Thank you for referring the Preliminary Plat for Encore on 34 to Thompson Crossing Metro District Nos. 1 & 2. Encore on 34 is not included in the Districts but is within the Low Point Service Area and will be serviced by the Low Point WWTP. Miracle and Encore have reserved 467 GPM of peak flows in the existing 15" sewer main which will only serve a portion of the submitted property. Provisions for additional sewer transmission to the Low Point WWTP will need to be made in order to serve all of Encore and prevent District Infrastructure from being rendered unable to serve all lands within the District at full development.

Miracle and Encore have entered into an agreement with District No. 2 to serve bulk non-potable water to the project.

Encore was not anticipated in the design of the 20" water main. Please refer to Article 4.3.1 of the Water Service Intergovernmental Agreement which prevents the Town from approving any connection to the water Improvements which will impair or otherwise reduce the standards set forth in the Agreement and places responsibility on the Town for any expansion or improvement necessary resulting from developments connecting to the water Improvements.

Please submit the Final Plat for further review when it becomes available.

Best Regards,



Nathan Gerrard
Secretary
Thompson Crossing Metro District No. 1

