

LEGAL DESCRIPTION

EAGLE BROOK MEADOWS 1ST SUBDIVISION EXCLUDING OUTLOT A.

EAGLE BROOK MEADOWS

Site Development Plan, Amendment 1 of Eagle Brook Meadows 1st Subdivision excluding Outlot A there of. LOVELAND, COLORADO

Notwithstanding any other provisions to the contrary, as described or depicted herein, all development and use of the land within the Eagle Brook Meadows 1st subdivision PUD shall be regulated by the following conditions.

SDP CONDITIONS OF APPROVAL:

Fire Prevention Conditions

1. All garages shall have heat detectors installed in these areas. Only garages protected by an automatic fire sprinkler system do not require heat detection.

Parks and Recreation Conditions of the Project

2. All sidewalk connections within the project to the trail shall be at the Developer's expense to construct and maintained by the applicable Homeowner's Association(s) or Title 32 Special Districts.

3. A Deed of Dedication shall be recorded at time of FDP for a City Recreational Trail easement being dedicated from the Owner to the City.

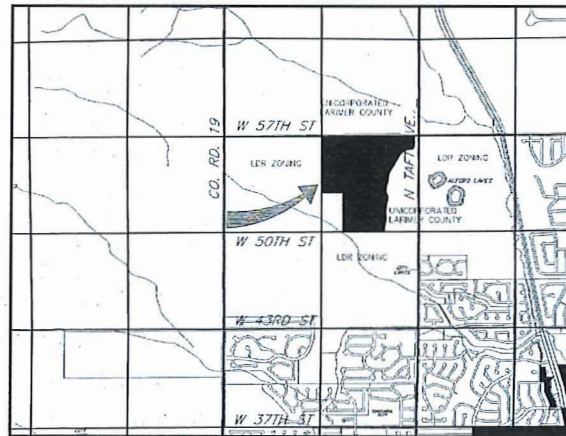
Current Planning Conditions

4. The maximum lot coverage for all single-family lots shall be 65%.

5. In all landscaped areas using grass or sod, drought tolerant varieties shall be installed by the Developer.

6. All formal landscaped areas shall be irrigated by a permanent, automatic irrigation system. All passive open space areas to be landscaped with native grasses or natural area enhancements shall, at a minimum, be irrigated by a temporary automatic irrigation system until all required landscape is successfully established, as determined in the sole discretion of the Current Planning Manager.

7. Before issuance of the first building permit within any Phase, the Developer shall submit either (a) a copy of the Articles of Incorporation and By-Laws for the Homeowner's Association(s), demonstrating that an entity has been legally created to assume ownership and maintenance of all open space areas and amenities within such Phase or (b) an Operations and Maintenance Plan for one or more Title 32 Special Districts with authority to own and maintain the subdivision open space and amenities within such Phase.



VICINITY/ SURROUNDING USES MAP

TRANSPORTATION CONDITIONS OF APPROVAL:

1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).

2. The developer agrees to acquire and dedicate, at no cost to the City, any rights-of-way necessary for the required street improvements associated with this development.

3. Prior to the issuance of any building permits within Phase I of the Eagle Brook Meadows 1st Subdivision, pursuant to the provisions in the City Unified Development Code and Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) Sidewalk improvements on the North side of 50th Street adjacent to the development from Coolidge Avenue to Georgetown Drive as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

b) All public street improvements within Phase I the Eagle Brook Meadows 1st Subdivision as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

4. Prior to the issuance of any building permits within Phase II of the Eagle Brook Meadows 1st Subdivision, pursuant to the provisions in the City Unified Development Code and Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) All intersection, turn lane and traffic signal improvements at Taft Avenue and 57th Street as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

b) Street widening improvements on the West side of Taft Avenue to the ultimate 4-lane arterial standards including a bike lane and curb & gutter from 57th Street to Taft Farms Place as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

c) Signalization improvements at the intersection of 57th Street and Wilson Avenue as shown on the City approved Public Improvement Construction Plans and any associated plan revisions. The City Engineer may accept a cash-in-lieu payment for this obligation depending on the timing and funding of a planned City Capital Improvement Project at this intersection.

d) The adjacent street and sidewalk improvements on 57th Street to the ultimate 2-lane arterial standards from Taft Avenue to the west property line of Phase II, including any off site tapers to tie back into the existing roadway, as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

5. Prior to the issuance of any building permits within Phase III of the Eagle Brook Meadows 1st Subdivision, pursuant to the provisions in the City Unified Development Code and Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) The adjacent street and sidewalk improvements for Coolidge Avenue to the ultimate major collector street standards from 57th Street to 59th Street as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

b) The adjacent street and sidewalk improvements on 57th Street to the ultimate 2-lane arterial standards from the west property line of Phase II to Coolidge Avenue and any off site tapers to tie back into the existing roadway, as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

6. City signed Site Development Plans (including any associated Public Improvement Construction Plans), or the issuance of building permits, does not allow any construction within public street rights-of-way. A separate CDDT permit, City Development Construction Permit or Street Right-of-way (ROW) Work Permit must be obtained by the Developer and/or his Contractor at the City Project Engineering office (and approved by Project Engineering) prior to any repair or construction of sidewalk, curb and gutter, driveway accesses, or any other construction in City street or alley rights-of-way or pedestrian easements. (This includes all items proposed in rights-of-way such as utility street cuts, sidewalk ramps, construction staging proposed in street, landscaping, traffic control, etc.). (Call 970-962-2510 to discuss details to obtain a ROW Work Permit).

7. Prior to the commencement of any construction activity that will involve any existing or proposed street signs or traffic control devices for or within public street rights-of-way (ROW), the Developer and/or his Contractor shall contact the City Traffic Division at (970) 962-2535 to coordinate the removal, relocation, installation, and/or proper storing of the sign(s) or traffic control device(s) and obtain a ROW work permit from the City Public Works Engineering Division to do such work. However, if the Developer and/or his Contractor removes or relocates any existing street sign(s) or traffic control device(s) for or within the public ROW without first obtaining a ROW work permit from the City Public Works Division, then the contractor will be charged for the labor, materials, and equipment to reinstall the sign(s) or traffic control device(s) as deemed necessary by the City. The Developer and/or his Contractor will also be charged to replace any existing street signs or traffic control devices that were damaged or blemished during any construction activity as deemed necessary by the City. The Developer and/or his Contractor may also be subject to additional fines as per the Loveland Municipal Code.

8. All trees, shrubs, and other plant materials located within clear sight triangles shall be trimmed in accordance with the requirements of Section 7 of the Larimer County Urban Area Street Standards (LCUASS). Under current LCUASS requirements, trees shall be limbed to a height of not less than eight (8) feet and shrubs and other plant materials shall be maintained at a height of not more than thirty (30) inches, and said maintenance shall be conducted in perpetuity. Trees are also required to be kept limbed up a minimum of 8' above all street sidewalks.

SIGNATURE BLOCK

Property Owner

The undersigned agree that the real property described in the application and shown on the Site Development Plan filed herewith, shall be subject to the requirements of Chapter 18 of the Municipal Code of the City of Loveland, Colorado, and any other ordinances of the City of Loveland. The undersigned accepts the conditions and restrictions set forth on said Plan and in the conditions of approval by the City of Loveland. The undersigned also understands that if the next required approval or permit has not been applied for to establish the use or commence the construction that is authorized by the approval of the Site Development Plan or if the use does not require a building permit and is not established, ongoing, and in operation within three years of the date of approval, or other completions date or dates established in a development agreement approved by the City, the Site Development Plan shall expire and shall be deemed null and void.

Brian Ainsworth
(Owner's Signature)
Head of Real Estate Asset Management
(Title)

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

The foregoing agreement was acknowledged before me this 11 day of November

2019, by Brian Ainsworth

Witness my hand and official seal.

My commission expires 3-22-2021
Mary D Linder
Notary Public

City Approval

Approved this 5TH day of DEC. 2019 by the Current Planning Manager of the City of Loveland, Colorado

Bek Farnam
Current Planning Manager



INDICATES UPDATE WITH AMENDMENT 1

SHEET INDEX

- 1 COVER AND SIGNATURE BLOCKS
- 2 SDP AND SDP CONDITIONS OF APPROVAL
- 3 - 4 NARRATIVE
- 5 OVERALL FDP
- 6 LANDSCAPE NARRATIVE
- 7 - 15 FDP SITE PLAN ENLARGEMENTS
- 16 DETAILS
- 17 STREET CROSS-SECTIONS
- 18 ARCHITECTURE

General Revision:

1. All references to FDP, when applicable, have been changed to SDP.

Revisions to all sheets:

1. All sheet titles have changed from Final Development Plan to Site Development Plan.
2. The Landscape Architect/Planner company logo has changed.
3. The project number in the titleblock has changed.

Land Architect/Planner:

Stanley Consultants Inc.
8000 S. Chester St.
Centennial, CO 80112
303.799.6806

Owner:
Front Range Investment Holdings, LLC
2365 Corliss Point
Kirkland, WA 98121
425.893.7882

Eagle Brook Meadows
Site Development Plan
Loveland, Colorado
Front Range Investment Holdings, LLC

PROJECT:	28605
DRAWN BY:	TM/ RBS
CHECK BY:	RD
ISSUE DATE:	04.02.04
REVISIONS:	08.10.04
	04.1.05
	05.16.05
	06.6.05
	09.19.05
	10.13.06
	02.23.19

Recording
SHEET TITLE
SDP COVER

SHEET NUMBER

2. GDP Conditions of Approval

III. RECOMMENDED CONDITIONS

City staff and the Planning Commission recommend the following conditions. Some of these conditions (Conditions 8-10, inclusive, 24, 26, 29, 31, 39, 45, and 47) have been clarified, and a new Condition 52 has been added as requested by the applicant. City staff agrees with the revised language and believes that the new language only clarifies and does not change the meaning of the original conditions. Prior to the Commission voting on the motion to recommend approval, the applicant stated for the record that they agreed with all the original version of the following conditions.

Power

1. The following note shall be added to the final plat: "A surcharge of 5 added to all bills for the sale of electric power to additional services which came into the existence after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of this annexation."

Water/Wastewater

2. If not designed and constructed by others, the Developer shall construct a 15" wastewater trunk line from the southwest portion of the subject annexation thence along W. 50th Street to N. Taft Ave. thence south to a point near N. Taft Ave. and W. 43rd Street. The design and construction shall be coordinated with the adjacent developments known as Green Valley Ranch and Kendal Brook.

3. The developer shall design and construct a 12" water line in W. 57th Street from the intersection of W. 57th Street and N. Taft Ave. to the northwest corner of the subject annexation. The design and construction shall be coordinated with the adjacent development known as Green Valley Ranch.

4. If not designed and constructed by others, the Developer shall complete a 16" water line in W. 50th Street from the southwest corner of the subject annexation to N. Taft Ave. The design and construction shall be coordinated with the adjacent development known as Kendal Brook.

5. The developer shall design and construct a 12" water line in Coolidge Avenue from W. 57th Street to W. 50th Street. The design and construction shall be coordinated with the adjacent development known as Green Valley Ranch.

Engineering

6. Future development applications within this PUD shall fully comply with any updates to the City of Loveland Street Standards adopted by the City Council.

7. All development applications within this PUD, which identify the need for additional street right-of-way must be accompanied with a signed Agreement for Right-of-Way for review and approval by the City Attorney. The agreement shall establish the developer's unrestricted ability to acquire sufficient right-of-way for the construction and maintenance of street improvements at the identified locations.

8. As part of, or prior to approval of, the first final plat within this PUD, the developer shall dedicate, at no cost to the City, additional right-of-way along North Taft Avenue, adjacent to the development, such that the total west 1/2 right-of-way is 70 feet.

9. As part of, or prior to approval of, the first final plat within this PUD, the developer shall dedicate, at no cost to the City, additional right-of-way along West 57th Street, adjacent to the development, such that the total south 1/2 right-of-way is 50 feet.

10. As part of, or prior to approval of, the first final plat within this PUD, the developer shall dedicate, at no cost to the City, additional right-of-way along West 50th Street, adjacent to the development, such that the total north 1/2 right-of-way is 40 feet.

11. As part of, or prior to approval of, the first final plat within this PUD, the developer shall dedicate, at no cost to the City, additional right-of-way at the southwest corner of the West 57th Street/North Taft Avenue intersection to accommodate a future roundabout. The City's Standard Drawing 8-10L shall be used to determine the necessary right-of-way.

Current Planning

12. Notwithstanding Section 1.02.A. of the City of Loveland Site Development Performance Standards and Guidelines, all portions of this GDP shall be governed by the provisions of said Site Development Performance Standards and Guidelines.

13. All PDP and SDP applications within the boundaries of this GDP shall be subject to the architectural standards or guidelines of the City of Loveland in effect at the time of application for said subsequent applications.

General Development Plan:

Power

14. Unless Water and Power requirements for location of meters and other electrical equipment can be met on Town homes, the following will apply: a. For all multi-family buildings of three or more units per building, electric meters will be located centrally on or near the building. b. The developer or his representative will be responsible for installing the underground electric service to the meter per the National Electric Code.

15. For all other multiplex buildings of three units or more, electric meters will be located centrally on or near the building, and the developer or his representative will be responsible for installing the underground electric service to the meter per the National Electric Code.

Parks and Recreation

16. All utility crossings over or under the trail that may connect to the Loudon ditch shall be approved by the City of Loveland Parks and Recreation Department prior to final construction plans. Easements shall be obtained from the City of Loveland for all utility crossings of the trail prior to FDP. This includes drainage swales, channels or pipes. All pipes crossing the trail shall meet the City of Loveland Parks and Recreation standards and load limits.

17. No significant grade changes adjacent to the trail shall be permitted to create ponding or sheet drainage across the future trail. Adjacent to the trail, all grading shall be approved by Parks and Recreation.

18. All landscaping next to the trail shall be approved by the Parks and Recreation Department. No evergreen trees shall be planted closer than 12 feet from the edge of the trail. No deciduous trees shall be planted closer than 5 feet from the edge of the trail.

19. No plantings shall be allowed in the City of Loveland property without the Parks and Recreation Department approval.

20. No fencing shall be permitted within the City of Loveland trail corridor.

21. The City of Loveland Trail shall not be counted towards the open space requirements or calculations of the development.

Engineering

22. All site specific development applications within this project which identify the need for additional street right-of-way must be accompanied with a signed Agreement For Right-of-Way for review and approval by the City Attorney. The agreement shall establish the developer's unrestricted ability to acquire sufficient right-of-way for the construction and maintenance of street improvements at the identified locations.

23. Notwithstanding any conceptual information presented in the GDP, street layout, street alignments, access locations, intersection configurations and intersection operations (traffic controls) shall be determined at the time of application for PDP approval.

24. Unless designed and constructed by others, the developer shall design and construct the following public improvements: (The timing of these improvements shall be determined during review and approval of future development applications within this GDP, i.e. PDP or commercial building permit). These improvements may be eligible for reimbursement in accordance with City standards and policies in effect at the time of submittal of an application for reimbursement.

- a. Widening improvements to the west of Taft Avenue, south of 57th Street to Taft Farms Place to add an additional southbound lane and bike lane, as shown in the City approved Public Improvement Construction Plans.
b. Sidewalk construction on the north side of 50th Street connecting from Coolidge Avenue to Georgetown Drive. As shown in the City approved Public Improvement Construction Plans.
c. Coolidge Avenue to major collector standards from 50th Street to 57th Street
d. 57th Street to 2-lane arterial standards from Coolidge Avenue to Taft Avenue
e. Ultimate intersection and signal improvements at 57th Street and Taft Avenue as shown in the City approved Public Improvement Construction Plans.
f. Signalization at the intersection of 57th Street and Wilson Avenue

25. The minimum setback of all single-family detached dwelling units from a major collector shall be 70 feet from the major collector right-of-way. The minimum setback of all multi-family dwelling units from a major collector shall be 50 feet from the major collector right-of-way.

26. Before submittal of the final mylars of the GDP, Section 3.A.2.C. shall be revised to stipulate that rear-loaded garages may take vehicular access from the rear of the lot only from alleys, or from private lanes or streets.

27. Paved pedestrian and bicycle connections shall be provided at the end of all cul-de-sac streets and a minimum of 4 vehicle parking spaces shall be provided in the center of such cul-de-sac.

28. Public and private schools, churches and other religious facilities, community recreational facilities, elderly housing centers, group care facilities and congregate care facilities shall be removed as permitted uses within the GDP.

29. The minimum separation between adjacent residential structures located on the same lot or tract in Area F, shall be 10 feet or 2 feet for every three feet of building height of said adjacent buildings, whichever is greater.

30. The Developer shall ensure that on all lots developed as single family detached dwelling units, the following landscape shall be planted before issuance of a Certificate of Occupancy, unless acceptable financial security is filed with the City to insure installation at a later time agreeable to the City: a. A minimum of one street tree in the front yard; b. For corner lots, a minimum of one street tree in the front yard and a minimum of one street tree in the sideyard abutting the adjacent street; c. The minimum caliper of said front yard trees and sideyard trees shall be 2 inches at time of planting;

31. All types of residential development, other than single-family detached dwellings (as defined in the GDP), shall comply with the landscape standards for multi-family dwellings, as set forth in the City of Loveland Site Development Performance Standards and Guidelines.

32. All bufferyards installed as part of single family, townhome, and condominium residential development within this PUD shall be on a separate tract of land owned and maintained by the applicable Homeowner's Association(s) or Title 32 Special Districts.

33. All landscape and utility installations shall be designed so as to avoid conflict, based on City standards for separation of landscape from utilities. Each PDP and SDP shall include depictions which clearly indicate that this criteria has been met.

34. Inclusion of the conceptual subdivision design and lot lay-out shown on the conceptual drainage plan and the preliminary site plan shall not be considered as granting or implying approval. All matters of lot location, configuration and layout of lots, streets and open spaces shall be determined as part of the review of the preliminary plat and final plat.

35. The design of future PDP's shall include pedestrian connections linking the open space playfields and pocket parks through out the development. Pedestrian connections shall also be provided to the Loudon Ditch trail, subject to approval by the City's Parks and Recreation Department.

36. All fences that abutting bufferyards adjacent to public street right-of-way shall be a maximum of 5 feet in height and shall include significant masonry elements, a top and bottom rail, and other decorative elements. Rear or sideyard fences on private lots that abut common open space, private parks or playfields shall be limited to a two or three rail open-style fence. Wire mesh may be installed on this rail fence, if desired, to enclose household pets. Solid material fences on private lots shall not extend into the front yard of any lot further than the dwelling on that lot.

37. Before submittal of the final mylars of the GDP, the phrase, "...or fewer" in the second sentence of section B.2. "Buffer Yards", sheet 2, shall be deleted. All bufferyards shall be in substantial compliance with the GDP.

38. Before submittal of the final mylars of the GDP, paragraph 3.A.6., sheet 2, shall be deleted and all subsequent sub-sections shall be re-numbered sequentially.

39. Before submittal of the final mylars of the GDP Section 4.D., sheet 2, shall be deleted.

40. The minimum lot width of all lots in Areas A, B, D, and E shall be 60 feet, measured at the building setback. Before submittal of the final mylars of the GDP, the other lot dimensions shown on all sheets and depictions shall be deleted.

41. The maximum impervious surface coverage for all single-family lots in Areas A-E, inclusive, shall be 50%

42. The minimum lot area and lot width for all lots in Area F shall be as set forth in Chapter 18.20 of the Loveland Municipal Code for the R3 Zone District.

43. The last sentence of Section 1.B.3. and all of Section 3.A.6. shall be deleted.

44. Before submittal of the final mylars of the GDP, Section 3.A.4., sheet 2, shall be revised to state that all single family dwelling units on lots that are less than 65 feet in lot width shall comply with the recessed garage design criteria described in that same section.

45. Before submittal of the final mylars of the GDP, Subsection Section D.2.D.1., sheet 2, shall be revised to indicate that all lots that are less than 65 feet in width, as measured at the front building setback, shall comply with the recessed garage criteria described in said subsection, and to delete the third paragraph of said subsection.

46. Before submittal of the final mylars of the GDP, Section D.2.D.2., sheet 2, shall be revised to delete the phrase "...as allowed by building code and covenants."

Planning Commission

47. The Developer shall ensure that all landscape required for multi-family development (as described in the GDP) shall be installed on the site before issuance of a Certificate of Occupancy, unless acceptable financial security is filed with the City to insure installation at a later time agreeable to the City in accordance with a landscape phasing plan approved by the Current Planning Manager.

48. Before submittal of the final mylars of the GDP, Section 3.A.2.A.2., sheet 2, shall be revised to indicate that rear yard setbacks for garages shall be a minimum of 20 feet from property line or back of sidewalk, whichever is greater.

49. Before submittal of the final mylars of the GDP, Section # 3.A.2.C. shall be revised to indicate that rear setbacks for rear-loaded garages shall be a minimum of 20 feet if the drive access is from the front or sideyard, and 6 feet when the drive access is from a rear private drive or alley.

50. The maximum number of dwelling units in the GDP shall not exceed 447 dwelling units.

51. The minimum open space in Area F shall be thirty per cent of the gross acres within Area F.

New Annexation

Conditions Water/Wastewater

52. All water/wastewater improvements described in Conditions 2-5, inclusive, may be eligible for either third party private reimbursement or City capital fund oversize reimbursement pursuant to the Water and Power Departments' "Water and Sewer Line Extension Policy".

3. PDP Conditions of Approval

A. Preliminary Development Plan:

Power:

- 1. Side setbacks shall be a minimum of five feet for the installation of electrical services.
2. For all multiplex buildings of three units or more, electric meters will be located centrally on, or near, the building, and the developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code. If Water and Power requirements for location of meters and other electrical equipment can be met on multiplex Town homes, the Town homes will have individual services and meters per City code.

Fire Prevention:

3. Prior to approval of the SDP a no parking signage/painting plan shall be submitted for the multifamily area. All roadways in this area shall be signed as no parking.

4. All garage areas shall have "Rate of Rise" heat detectors installed in these areas. Only garages protected by an automatic fire sprinkler system do not require heat detection.

Parks and Recreation:

5. The connection for the trail along 57th Streets shall be at the developer's expense and shall be constructed to the City of Loveland Recreation Trail standard width of 10 feet and meet City trail specifications, ramps and details.

6. All crossings of the trail for utilities and drainage systems must be reviewed, approved and included in recorded easements at time of SDP.

7. Provide a signature line for the Parks Department on the final mylars at time of SDP.

8. All sidewalk connections within the project to the trail shall be at the owner's expense to construct and maintain. All connections shall have a 10' radius as it meets the Recreational Trail.

9. A Deed of Dedication shall be recorded before approval of final mylars for the trail easement being dedicated from the owner to the City.

Engineering:

10. Notwithstanding any information presented in the SDP or accompanying preliminary plat and preliminary construction plan documents (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards, adopted on October 2002 unless specific variances are requested and approved in writing.

11. Prior to approval of the site development plan, final public improvement construction plans or the final plat, the developer shall submit recorded deeds of dedication to the City, acceptable to the City attorney and at no cost to the City, for all offsite right-of-way required for transportation facilities needed to meet City ordinances, unless otherwise approved by the City Engineer.

12. Prior to the issuance of any building permits within Phase I of the Eagle Brook Meadows 1st Subdivision, pursuant to the provisions in the City Unified Development Code and Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

- a) Sidewalk improvements on the North side of 50th Street adjacent to the development from Coolidge Avenue to Georgetown Drive as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.
b) All public street improvements within Phase I the Eagle Brook Meadows 1st Subdivision as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

13. Prior to the issuance of any building permits within Phase II of the Eagle Brook Meadows 1st Subdivision, pursuant to the provisions in the City Unified Development Code and Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) All intersection, turn lane and traffic signal improvements at Taft Avenue and 57th Street as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

b) Street widening improvements on the West side of Taft Avenue to the ultimate 4-lane arterial standards including a bike lane and curb & gutter from 57th Street to Taft Farms Place as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

c) Signalization improvements at the intersection of 57th Street and Wilson Avenue as shown on the City approved Public Improvement Construction Plans and any associated plan revisions. The City Engineer may accept a cash-in-lieu payment for this obligation depending on the timing and funding of a planned City Capital Improvement Project at this intersection.

d) The adjacent street and sidewalk improvements on 57th Street to the ultimate 2-lane arterial standards from Taft Avenue to the west property line of Phase II, including any off site tapers to tie back into the existing roadway, as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

14. Prior to the issuance of any building permits within Phase III of the Eagle Brook Meadows 1st Subdivision, pursuant to the provisions in the City Unified Development Code and Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) The adjacent street and sidewalk improvements for Coolidge Avenue to the ultimate major collector street standards from 57th Street to 50th Street as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

b) The adjacent street and sidewalk improvements on 57th Street to the ultimate 2-lane arterial standards from the west property line of Phase II to Coolidge Avenue and any off site tapers to tie back into the existing roadway, as shown on the City approved Public Improvement Construction Plans and any associated plan revisions.

15. Construct all improvements necessary to satisfy the conditions in the letter dated February 8, 2004 from the school district regarding the school routing plan unless otherwise approved by the City Engineer.

Current Planning:

16. The maximum lot coverage for all single-family detached lots shall be 65%.

17. The developer(s) of units in Tract E shall install all landscape shown in Tract E before issuance of a Certificate of Occupancy, unless acceptable financial security is filed with the City to insure installation at a later time agreeable to the City. Landscape may be installed in phases, in accordance with a landscape phasing plan approved by the Current Planning Manager.

18. In all landscaped areas using grass or sod, drought tolerant varieties shall be installed by the Developer.

19. All formal landscaped areas shall be irrigated by a permanent, automatic irrigation system. All passive open space areas to be landscaped with native grasses or natural area enhancements shall, at a minimum, be irrigated by a temporary automatic irrigation system until all required landscape is successfully established, as determined in the sole discretion of the Current Planning Manager.

20. The SDP shall include a front setback matrix for all single family detached lots, implementing the staggered front setbacks described in the PDP.

21. Before issuance of the first building permit within any Phase, the Developer shall submit either (a) a copy of the Articles of Incorporation and By-Laws for the Homeowner's Association(s), demonstrating that an entity has been legally created to assume ownership and maintenance of all open space areas and amenities within such Phase or (b) an Operations and Maintenance Plan for one or more Title 32 Special Districts with authority to own and maintain the subdivision open space and amenities within such Phase.

22. Before submitting the final record copy of the approved PDP, the Applicant shall add the following statement to Section IV.C. of the PDP narrative:

"In order to assist the City in its review of any proposed structure, or any proposed alteration of a structure, for compliance of the design of said structures with the architectural standards set forth in the PUD, all applicants are encouraged to submit to the City a copy of any formal action taken by the active Architectural Review Committee in its private review of the proposed construction or alteration of the structure. Approval, conditional approval, or denial of a proposed design by the ARC will not be used as the final basis of the City in its action on any building permit application for construction or alteration of structures."

23. Before submitting the final record copy of the approved PDP, the Applicant shall revise the second sentence of the note at the bottom of sheet 17 to read as follows:

"A letter of formal action by the ARC on any proposed structure design may be voluntarily submitted to the City as part of any building permit application."

24. Before submitting the final record copy of the approved PDP, the Applicant shall add all conditions of approval, as adopted by the Planning Commission or City Council, under the following heading and statement:

"Notwithstanding any other provisions to the contrary, as described or depicted herein, all development and use of the land within the Eagle Brook Meadows 1st Subdivision PUD shall be regulated by the following conditions:"



8000 S. Chester St.
Centennial, CO 80112
303.799.6806

Owner:
Front Range Investment Holdings, LLC
2365 Carlton Point
Kirkland, WA 98121
425.893.7882

Eagle Brook Meadows
Site Development Plan
Loveland, Colorado
Front Range Investment Holdings, LLC

Table with project details: PROJECT: 28605, DRAWN BY: TM/RBS, CHECK BY: RD, ISSUE DATE: 04.02.04, REVISIONS: 08.10.04, 04.1.05, 05.16.05, 06.6.05, 09.19.05, 08.23.19

Recording SHEET TITLE

CONDITIONS OF APPROVAL

SHEET NUMBER

I. SITE DEVELOPMENT PLAN NARRATIVE

A. Purpose of the Project

The following goals, concepts, and development standards apply to the 106.59 acres, which comprise the Eagle Brook Meadows Planned Unit Development. The purpose of the project is to provide an appropriate variety of housing types integrated with a well planned neighborhood. This development will provide variety in the type, design, and layout of buildings, circulation systems, and open spaces.

B. Land Use

1. Overall Concept

The development plan provides an opportunity for a mix of housing types comprised of conventional single family homes. The concept for the development is to provide this housing within a cohesive neighborhood, unified by a local street system, open areas and play areas within convenient walking distance of all neighborhood residents. These local streets will access surrounding major collector and 4-lane arterial streets. A network of open spaces and greenbelts also facilitates pedestrian circulation and drainage. Substantial perimeter landscape buffers, using City of Loveland, standard bufferyard requirements, are provided adjacent to existing/platted development, Louden Ditch, W. 50th Street, W. 57th street and Coolidge Avenue. The street system is designed to provide vehicular and pedestrian links to future development to the north, south and west.

2. Land Use Categories and Definitions

The land use categories include Single Family Detached housing. The following definitions apply to all uses within this PUD:

Single Family Detached Homes- A one-family dwelling not attached to any other dwelling, located on individual fee-simple lot.

3. Neighborhood Structure

As indicated above, the site is planned as a cohesive neighborhood with an appropriate mix of housing types. Unifying elements include a tree lined local street system, an open space network, and a trail system.

4. Integration of the Louden Ditch and Dry Creek

Eagle Brook Meadows is planned as an integrated community providing increased amenities within the built environment and the natural environment. For the natural environment, the enhancement measures are focused on the Louden Ditch and Dry Creek. The habitat enhancement features of Eagle Brook Meadows will result in a permanent open-space/wildlife-movement corridor along Dry Creek with adequate wildlife access opportunities to and from the Louden Ditch.

Directly adjacent to the Eastern property line, within the Louden Ditch Easement, the City of Loveland is providing a city maintained/ owned recreation trail. The Eagle Brook Meadows PUD provides appropriate access and open space areas between the proposed trail location and the proposed lot lines and internal street system. The city trail has 30' minimum distance between the lot line and the closest edge of the trail as minimum setback, as allowed per the City of Loveland Code, under buffer yard standards. Pedestrian connections, connecting the City trail and Louden Ditch to internal parks and the local street system, is compliant with the City of Loveland, minimum design standards, as set forth in the Larimer County Urban Area Street Standards.

C. Circulation

1. Overall Concept

Primary access to the site will be from W. 50th Street, W. 57th Street, and Coolidge Avenue. The site is planned to allow access to future developments to the west, north and south. On-site circulation emphasizes direct pedestrian and vehicular access to destinations throughout the site as well as private parks and open space areas.

2. Components

a. Vehicular

A series of local streets will distribute traffic to and from the parcels within the neighborhood, from a central minor collector that will extend from the western property line to the northern property line. Local streets and private drives will be designed to provide access within the neighborhood, with cross connections to adjacent neighborhoods. Key local streets will be developed with detached walks and parkway lawns to facilitate and enhance the pedestrian and vehicular connections throughout the neighborhood per the Preliminary Site Plan.

b. Pedestrian

An overall system of pedestrian ways will be provided along roadways and through selected open space areas. Detached sidewalks will be provided along perimeter arterial streets and residential collector streets, and on key local streets. Attached sidewalks will be provided on both sides of local streets as approved with this SDP submittal.

The trail construction along Louden Ditch is not a part of this project and will be constructed by the City of Loveland. Pedestrian connections from individual neighborhoods, to the trail will be made in conjunction with the construction of Homeowner's Association or Title 32 Special District maintained site amenities as approved with this SDP submittal.

3. Performance Standards

W. 57th Street, which abuts the site, is expected to be developed as a 2-lane arterial. West 50th Street and Coolidge Avenue will be developed as a major collector, to city-approved standards. The necessary right-of-way to accommodate ultimate improvements will be provided. All internal local streets will be developed to City of Loveland standards. Additional R-0-W will be added where appropriate, to enhance some of the local streets by substituting a detached walk and tree lawn for the current standard of the attached walk on local streets. Segundo, will function as a minor collector, with parking, and detached walks.

All public improvements will be constructed to City Standards.

D. Public Facilities

1. Overall Concept

There are currently gas, electric, water and sewer facilities adjacent to the site. Water main and sanitary sewer main is available from Kendall Brook First Subdivision. Water and Sewer stubs were constructed for Eagle Brook Meadows.

2. Water and Sewer

Kendall Brook First Subdivision Phase 1&2 construction has been completed. There are 3 waterline stubs north of the 16" waterline in W.50th Street. A 12" waterline stub at Coolidge Avenue, an 8" waterline stub at Avon Ave., and an 8" waterline stub at Redmesa Ave. An 8" waterline will loop throughout the site with a 12" waterline in W.57th Street and a 16" waterline in Taft Avenue.

There are 2 sanitary sewer stubs north of the 15" main in W.50th Street. A 12" sanitary sewer main at Redmesa Ave., and a 10" sanitary sewer main at Avon Ave. An 8" and a 12" main will be installed throughout the subdivision to service the lots by means of gravity flow.

3. Storm Drainage

A preliminary drainage report has been prepared for this PUD. Generalized locations and sizing of detention and conveyance facilities are included in this report.

4. Electric

Electric Service will be provided by the City of Loveland Light and Power Department. Existing electric distribution feeders run along North Taft Avenue, West 43rd Street and W. 57th Street. A future feeder along West 50th Street will be constructed with the Kendall Brook development to the south. Unless Water and Power requirements for location of meters and other electrical equipment can be met on Town homes, the following will apply:

- a. For all Town home buildings of three or more units per building, electric meters will be located centrally on or near the building.
b. The developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code.

For all other multiplex buildings of three units or more, electric meters will be located centrally on or near the building, and the developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code.

5. Parks and Open Space

The development will incorporate a network of open space areas, greenbelts, and landscaped buffer areas but will focus on the central park and open play areas. These areas will be designed to link the various parcels that comprise the neighborhood and future development to the west. The landscape treatments for these areas will be comparable in nature with the perimeter landscaping, creating a unified theme for the project.

Eagle Brook Meadows will also make connections to the proposed City recreation trail, within the Louden Ditch Easement.

6. Schools

No school site is anticipated in this SDP. Cash-in-lieu fees apply and will be paid at the time of issuance of building permits for each unit, per the Thompson School District fee schedule in effect at the time of building permit issuance.

7. Fire and Police

The development will be serviced by the City of Loveland Police and Fire departments with service areas as determined to be appropriate.

II. DEVELOPMENT DESIGN

A. Overall Concept

The design intent for Eagle Brook Meadows is to create a sense of place through the careful integration of an overall design theme for the development. This theme will serve to provide neighborhood identity as well as a means of providing an overall sense of continuity among the various parcels. The elements of the design concept include consistent perimeter treatments, integration of complementary man-made amenities (i.e., adjacent system of trails and open spaces), comprehensive landscape treatment, and attention to architectural elements. The general approach to each of these design components is described below.

B. Edge Treatment

1. Architecture

One of the most important aspects of the development's overall appearance as viewed from its edge is the appearance of the structures. To provide visual interest and avoid unattractive views from adjoining streets, visible rear and side elevations of residential structures along major and minor arterial streets shall be detailed with a combination of one or more of the following architectural elements: roof line articulation, variety of exterior materials, design-integrated windows and window treatments, and porches or decks. These elements shall be used to create an interesting and attractive streetscape along major collector streets and 4-lane arterial streets along the edge of Eagle Brook Meadows.

2. Landscaping

Perimeter landscaping and grading have a number of edge functions, including separation of uses, noise mitigation, recreational opportunities, aesthetic qualities, and storm drainage management. Perimeter landscaping will be used to create a visually interesting streetscape and enhance the views of the neighborhood from adjacent streets and properties. Landscaping will be the most important element in the edge treatment. To facilitate this philosophy, City of Loveland standards regarding bufferyards will be applied to the edges of the project with the proposed setbacks along with fencing and architecture.

Buffer Yards

There are currently 4 major areas for Bufferyards within the Eagle Brook SDP. These areas currently include Single Family, and Single Family developments that abut the Louden Ditch and the City of Loveland recreation trail.

i. West 57th Street, 4-Lane Arterial

Landscape and open space that occurs with development along West 57th street shall have an optimal setback of 80' measured from the R-0-W to the building foundation. Where Single Family development is adjacent to West 57th Street, the bufferyard shall be developed as a Type D bufferyard. No diminishing plant multiplier will be applied where the Type D bufferyard is greater than 20 feet in width.

ii. West 50th Street and Coolidge Avenue, Major Collectors

Landscape and open space that occurs with Multi-Family developments along West 50th and Coolidge Avenue, shall have an optimal setback of 50' measured from the R-0-W to the building foundation, and shall be developed as Type B bufferyards. No diminishing plant multiplier will be applied where the Type B bufferyard is greater than 30 feet in width.

iii. Louden Ditch/ City of Loveland recreation trail

A minimum 30' setback shall occur from the western edge of the Ditch R-0-W and the lot lines. This minimum 30' bufferyard shall be developed as a Type B bufferyard where Single Family developments are adjacent to the Louden Ditch.

Bufferyard standards

All proposed bufferyards shall comply with all City of Loveland Development Standards as set forth in section 4.04 and 4.05.

3. Access

Two major entry points are proposed, one from W. 57th Street and one from West 50th Street, with additional entries as needed. Additional access to the west is planned from Coolidge Avenue. Entries will be designed with the development's overall theme in terms of landscape and architectural treatment. The primary design emphasis of the entries will be landscaping, the open space and buffer yards. The current standards create an open, natural look and feel to the entries due to the size of the bufferyards and landscaping required. The entry signs and monuments will be modest in design to fit with this look by using and incorporating such materials as wood and stone into the entry signs.

4. Fencing

The use of fencing as an element of the development's residential edge treatments will be minimized. The dominant form of edge treatment will be landscaping. Perimeter fencing will be limited to a maximum of five (5) feet in height and shall be used in conjunction with landscaping and berming, where appropriate, to act as a noise or visual buffer between the development and adjacent land uses. Accent columns will be used within the fence structure to tie the fence and monuments together by using like materials and designs.

Perimeter fencing will occur along the three sides of the development that abut proposed or existing roadways. Where development abuts the Louden ditch and city recreation trail, an open rail fence design will be used.

The design and installation of all fencing will be managed by the Homeowner's Association Architectural Review Committee or applicable Board Committee formed by the Title 32 Special Districts.

- Fences will be allowed on private lots according to the following criteria:
• Backyard fencing between lots: 6' privacy fences will be permitted.
• Sideyard fencing on corner lots: 6' privacy fences will be permitted, setback a minimum of 10' from adjacent sidewalk, or property line where no walk is present.

The fencing shall not extend beyond the front of the dwelling unit, the fence is serving.

- Fencing adjacent to the Louden Ditch: shall be 3-rail in design and limited to a maximum height of 48"
• Side and Backyard fencing adjacent to arterial roadways shall be limited to a maximum height of 5' feet.

C. Landscaping

1. Overall Concept

Landscaping is designed with a comprehensive theme for the entire development. The project entry/identity features are designed to complement the site design. By maximizing the use of the planned open spaces, the desired effect is achieved. The landscaping of the detention ponds shall be open in nature to create useable spaces within the ponds, that can serve as detention ponds and large open spaces for playfields. The theme of landscaping that shall be used in park settings allows park uses to take place along with creating visual interest within the park.

All plants shall meet the following minimum size requirements.

- Canopy Trees: 2" Caliper Ornamental Trees: 1-1/2" Caliper
Coniferous Trees: 6' Height Shrubs: 5 Gallon

Contractors shall guarantee all plant material for one year from date of final inspection.

2. Maintenance

The landscaped areas of the development, including perimeter areas, common open space, commonly owned buffer yards and entry features will be maintained by appropriate Homeowner's Association(s) or Title 32 Special Districts.

3. Dry Creek

Landscaping of the areas along Dry Creek shall be planted with native species, and meet all requirements for bufferyard standards, per the City of Loveland Municipal Code, where needed, as listed above.

4. Installation

The Master Developer shall install all landscaping in tracts, collector and arterial street rights of way, pocket parks active play fields and open space corridors. This will include trees, shrubs and perennials, turf grasses, plant bed mulch, and in-ground irrigation where required. It will also include pathways, perimeter fencing, play structures and site amenities within Landscape Plans. The Master Developer shall install or financially secure all landscaping within each construction phase prior to the release of the first building permit within that phase.

The Home Builders shall install all on-lot front yard landscaping associated with the homes. This landscaping will be installed as indicated prior to issuance of the Certificate of Occupancy for each home.

The Eagle Brook Meadows Homeowner's Association(s) or applicable Title 32 Special Districts shall maintain all common open areas and amenities to a level at least equal to that of the initial installation.

No deciduous trees shall be placed within 5' of the edge of the Louden Ditch Easement. No coniferous trees will be placed within 12' of the edge of the Louden Ditch Easement.

All trees shall have a minimum of 4' horizontal separation from the centerline of underground gas mains.

D. Architecture

1. Overall Concept

To ensure an attractive and desirable neighborhood, the following architectural elements must be incorporated into the design of all structures:

2. Single Family Detached Homes

- A. Roofs
i. A sloping roof with at least one break in the roof line.
ii. All main roof areas will have a minimum roof pitch of 5/12, however flatter accent roof pitches (2/12, 3/12 & 4/12) are allowed and encouraged where they add visual character and interest.
iv. Roof forms are limited to Gable, Shed or Hip. Flat Roofs are not permitted.

B. Building Mass

- i. A minimum of two-thirds of all home exteriors offered within this community are required to incorporate masonry elements (brick, stucco, stone, synthetic stone, etc.).
ii. Where a home's exterior includes the use of masonry materials (brick, stucco, stone, synthetic stone, etc.), the masonry elements are required to cover at least 40% of the first-floor front elevation, excluding doors, garage doors and windows.
iii. Alternate exterior styles offered within this community that do not include the use of masonry shall create visual interest through the use of alternative materials, patterns and colors, with an emphasis on low maintenance products.
iv. No vinyl or aluminum siding will be allowed.
v. The minimum square footage of single-story homes shall be 1000 square feet for a ranch home and 1400 square feet for a two story or tri-level home.

C. Character

- i. Offsets and protrusions along exterior walls are encouraged throughout the community and are required on elevations abutting a street or open space.
ii. Windows, exterior window treatments, and/or other similar architectural features on all elevations of the buildings shall be required (except similar building types where privacy is a factor in the placement of windows)
iii. No wood steps or stoops shall be allowed for front entries.
iv. All soffit dimensions will be a minimum of 12" wide.
v. Sizes, shapes proportions and trim of windows and doors will be consistent with the architectural style of the home.

D. Additional Requirements

- i. There will be no three car garages on lots where the minimum dimension at the front setback line is less than 60' in width, with the exception of side loaded lots and tandem (3rd car) garage configurations.
ii. Coordinated roofing materials, windows, building materials and finish, and accents to achieve a cohesive appearance shall be required.
iii. Where floor plans are offered on a repeating basis, alternative elevations shall be developed, and the same elevation and exterior color scheme shall not be repeated adjacent to or across the street from one another.

3. Materials

Potential building materials and forms are outlined below:
Siding - Brick, stone, hardboard lap siding, wood siding, stucco or synthetic stucco
Roofing - Asphalt shingles, tile.
Architectural materials may include, but are not limited to, the use of brick, stone, lap or other wood siding, synthetic stucco, asphalt shingles, tiles, wood shingles.

The provisions of these elements in the architecture of Eaglebrook Meadows will serve to create an attractive streetscape and identity for the development. Additionally, these guidelines are designed to encourage visual interest from adjoining streets and properties.

E. Landform Modification

The existing area within the Eagle Brook Meadows SDP has gently rolling topography generally falling from west to east. The development within the Eagle Brook Meadows SDP conforms generally to existing topography, with minor grade modifications as needed to facilitate proper drainage.

Significant grade modifications include the development of detention ponds along the eastern and southern property lines.

The grading minimizes the amount of stormwater runoff that enters the Louden Ditch. The overall final grading is not significantly different from the existing conditions.

III. IMPLEMENTATION

A. Regulatory Procedures

The following regulatory procedures shall apply to all development within the Eagle Brook Meadows Planned Unit Development, in accordance with Chapter 18.41 of the Loveland Municipal Code. It is the intent of this plan to provide a mechanism by which land can be developed in a manner that encourages flexibility and innovative design of residential development, in compliance with other applicable land use and development regulations in effect at the time of approval of this Plan.

1. Permitted Uses

a. Permitted uses include the following:

Residential Areas, Blocks 1-20 - The following uses are permitted in Blocks 1-20. Single Family Detached Homes as defined in 1.B.2 above; and: home occupations as permitted by Loveland Municipal Code.

All development and use of the land shown on this SDP shall be regulated by the appropriate sections of the City of Loveland Municipal Code unless other provisions are specifically set forth in this SDP.

2. Building Setbacks

The following minimum setbacks shall apply to all residential development within this PUD:

a. Front Setbacks:

- i. S.F.D Homes shall be setback a minimum of 15' from front property line to building envelope.
Front Loaded Garages:
20 ft. to face of garage door.

Staggered front yard setbacks will be required for all residential development (i.e., every house must be staggered a minimum of 2' closer to, or further from, the right-of-way than the adjacent homes - 15' / 18' / 16' / 20'). Please see the matrix located on Sheet 4 of 18 to achieve the staggered lot front setback requirement.

ii. Accessory Structures:

All accessory structures will be required a minimum front setback equal to the setback of the primary structure they are serving plus 50% of the primary structure's overall building depth.

b. Side Setbacks:

i. Single Family Detached Homes:

- Minimum side yard setback dimensions will be determined for an individual lot based upon the width of the lot as measured either at the front or rear setback line, whichever is least (narrower) in width for that lot. For lots whose width dimension is:
• Equal to or greater than seventy-two (72) feet, the side setback shall be a minimum of six (6) feet.
• Less than seventy-two (72) feet, the side setback shall be a minimum of five (5) feet.

ii. Accessory Structures:

All accessory structures shall comply with the minimum side yard setback criteria established for an individual lot as set forth above (Single Family Detached Homes).

c. Rear Setbacks:

i. Single Family Detached Homes

All S.F.D. Homes along W 57th St. shall have a minimum 80' separation between the W57th St. R.O.W. and the rearyard setback. All S.F.D. Homes along Coolidge Avenue shall have a minimum 70' separation between the Coolidge Avenue R.O.W. and the rearyard setback. All other S.F.D. Homes will have a minimum 15' rear setback from the rear property line.

ii. Accessory Structures:

All accessory structures shall have a minimum rear setback of 6' from the rear property line.

d. Encroachments:

Overhangs, fireplaces and cantilevers, including structural elements may encroach into the required setback by no more than 24 inches, as per Loveland City Code.

The applicable U.B.C. for fire protection et al shall apply.

e. Driveway Setbacks and Design Requirements:

On all corner lots driveways must maintain a minimum corner clearance of 80 feet from the center line of the driveway to the intersection of the streets. On all corner lots where driveways access a collector street, the driveway must maintain a minimum corner clearance of 100 feet of separation from the center line of the driveway to the intersection of the collector street, unless otherwise permitted by the City Engineer. Please see the corresponding chart for the lots affected, and requiring shared drives.



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Eagle Brook Meadows
Site Development Plan
Loveland, Colorado
Front Range Investment Holdings, LLC

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Recording
SHEET TITLE
SDP
NARRATIVE

SHEET NUMBER