TOWN OF TIMNATH
TOWN COUNCIL
Thursday, May 18, 2017
IMMEDIATELY FOLLOWING THE LIQUOR BOARD AND TIMNATH DEVELOPMENT
AUTHORITY MEETINGS AT 6:00 p.m.
4800 Goodman Street, Timnath, Colorado

1. CALL TO ORDER AND ROLL CALL
   Mayor  Jill Grossman-Belisle
   Mayor Pro Tem  Bryan Voronin
   Councilmember  Bill Neal
   Councilmember  Aaron Pearson
   Councilmember  Paul Steinway

2. AMENDMENTS TO THE AGENDA
   Note: The Council may add to this agenda, any item for discussion or action.

3. PUBLIC COMMENT:
   Note: It is requested that public comments be limited to three minutes. When several people wish to speak with the
   same position on a given item, they are requested to select a spokesperson to state that position.

4. CONSENT AGENDA
   a. Approval of the May 9, 2017, Town Council Meeting Minutes
   b. ORDINANCE NO. 14, SERIES 2017, An Ordinance Adopting by Reference Amendments
      of the Land Use Ordinances of the Town of a General and Permanent Nature entitled the
      6:00 p.m.
   c. RESOLUTION No. 37, SERIES 2017, A Resolution Appointing Alternate Marty Jost to
      Planning Commissioner

5. REPORTS
   a. Mayor and Council
   b. Staff

6. BUSINESS
   a. ORDINANCE NO. 15, SERIES 2017, An Ordinance of the Town of Timnath Approving the
      Amended Planned Development Overlay District for the Harmony Subdivision and set a
      Public Hearing on June 13, 2017, at 6:00 p.m.
      Presented by Matt Blakely, Contracted Community Development Director
   b. RESOLUTION NO. 38, SERIES 2017, PUBLIC HEARING, A Resolution Approving the
      Sketch Plan for Fisher Subdivision, Generally Located West of CR 5, and South of and
      Adjacent to CR 42E
      Presented by Matt Blakely, Contracted Community Development Director
   c. EXECUTIVE SESSION: “For the purposes of discussion concerning the purchase,
      acquisition, lease, transfer, or sale of real, personal, or other property interests under
      Section §24-6-402(a), C.R.S.; discussion regarding positions relative to matters that may
      be subject to negotiations and development of a strategy for negotiations under §24-6-
402(4)(e), C.R.S.; and conferences with the Town’s attorney for purposes of receiving legal advice on specific legal questions under §24-6-402(4)(b), C.R.S."

d. DISCUSSION/POSSIBLE ACTION: Town Manager Review

7. ADJOURNMENT
Town of Timnath
Regular Meeting Minutes
Tuesday, May 9, 2017

IMMEDIATELY FOLLOWED THE TIMNATH LIQUOR BOARD AND TIMNATH DEVELOPMENT AUTHORITY MEETINGS AT 6:00 p.m.

Meeting was held at Timnath Administration Building, 4800 Goodman Street, Timnath, Colorado

1. CALL TO ORDER AND ROLL CALL:
Mayor Grossman-Belisle called to order the meeting of the Town Council on Tuesday, May 9, 2017, at 6:02 p.m.

Present:
   a. Mayor Jill Grossman-Belisle
   b. Mayor Pro Tem Bryan Voronin
   c. Councilmember Bill Neal
   d. Councilmember Aaron Pearson

Absent:
   a. Councilmember Paul Steinway

Also Present:
   a. April Getchius, Town Manager
   b. Milissa Peters, Town Clerk
   c. Robert Rogers, Contracted Town Attorney
   d. Don Taranto, Contracted Town Engineer
   e. Matt Blakely, Contracted Community Development Director
   f. Brian Williamson, Contracted Town Planner
   g. Megan Garn, Town Intern
   h. Julie George, LiveWell Colorado
   i. Phil Goldstein, Timnath Resident

2. AMENDMENTS TO THE AGENDA:
   a. Item 4e was removed from consent and moved to item 6e.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS:
   a. NONE

4. CONSENT AGENDA:
   a. Approval of the April 25, 2017, Town Council Meeting Minutes
   b. Approval of the Check Register
   c. RESOLUTION NO. 30, SERIES 2017, A Resolution Establishing Rules for Timnath Community Park (Located at 5500 Summerfields Parkway)
d. **RESOLUTION NO. 31, SERIES 2017**, A Resolution Establishing A Pavilion Rental Policy for the Timnath Community Park

e. **REMOVED FROM CONSENT - RESOLUTION NO. 32, SERIES 2017**, A Resolution Amending the Timnath Reservoir Use Policy

Councilmember Voronin moved to approve the consent agenda as amended. **Councilmember Neal seconded the motion. The motion passed unanimously by voice vote.**

5. **REPORTS:**
   a. Mayor/Council
      i. Fallen Soldier plaque presentation
   b. Manager-Included in the packet

6. **BUSINESS:**
   a. **RESOLUTION NO. 33, SERIES 2017**, A Resolution Establishing a Policy for Healthy Living and Obesity Prevention
      
      **Staff Comments:**
      - Ms. Garn spoke to Council about the proposed resolution.
      - Ms. George further explained resources available through the program.

      **Council Comments:**
      - Councilmember Neal asked about communication for the residents and Ms. George stated that there were templates and media options to get the word out to the community as well as use of the LiveWell Colorado logo.

      **Councilmember Pearson moved to approve RESOLUTION NO. 33, SERIES 2017, A Resolution Establishing a Policy for Healthy Living and Obesity Prevention. Councilmember Neal seconded the motion. The motion passed unanimously by voice vote.**

   b. **RESOLUTION NO. 34, SERIES 2017**, A Resolution Authorizing the Town Manager to Sign a Contract for the Old Town Phase 2 South Construction Project
      
      **Staff Comments:**
      - Mr. Taranto spoke to Council about the proposed resolution.

      **Councilmember Pearson moved to approve RESOLUTION NO. 34, SERIES 2017, A Resolution Authorizing the Town Manager to Sign a Contract for the Old Town Phase 2 South Construction Project. Councilmember Neal seconded the motion. The motion passed unanimously by voice vote.**

   c. **RESOLUTION NO. 35, SERIES 2017**, A Resolution Approving the Standard Service Agreement with Connell Resources for the 2017 Road Overlay Project
      
      **Staff Comments:**
      - Mr. Taranto spoke to Council about the proposed resolution.

      **Councilmember Neal moved to approve RESOLUTION NO. 35, SERIES 2017, A Resolution Approving the Standard Service Agreement with Connell Resources for the 2017 Road Overlay**
Project. Councilmember Pearson seconded the motion. The motion passed unanimously by voice vote.

d. RESOLUTION NO. 36, SERIES 2017, A Resolution Authorizing a Full-Time Intern Position Until May 1, 2018
Staff Comments:
• Ms. Getchius spoke to Council about the proposed resolution.
Councilmember Neal moved to approve RESOLUTION NO. 36, SERIES 2017, A Resolution Authorizing a Full-Time Intern Position Until May 1, 2018. Councilmember Pearson seconded the motion. The motion passed unanimously by voice vote.

e. MOVED FROM CONSENT - RESOLUTION NO. 32, SERIES 2017, A Resolution Amending the Timnath Reservoir Use Policy
Staff Comments:
• Ms. Getchius spoke about the limitations of enforcement.
Counci,member Comments:
• Mayor Grossman-Belisle asked about boating during unauthorized times and Mr. Blakely explained that it would be possible for boating if there was boating outside of the attendant hours.
• Council and staff discussed reservoir rule violations and monitoring.
• Councilmember Neal asked about resident rescues and Mr. Blakely explained the incidents known to staff. Mr. Blakely further spoke about the abilities of the attendant as far as emergency response.
• Mayor Grossman-Belisle asked that the resident in the surrounding subdivisions be notified of the proper way to notify the Town of violators.
• Councilmember Neal asked that the rules be posted.
• Mayor Grossman-Belisle asked for a monthly report of any noted violations and Mr. Blakely spoke about some of the specific items noted on the attendant log.
Councilmember Pearson moved to approve RESOLUTION NO. 32, SERIES 2017, A Resolution Amending the Timnath Reservoir Use Policy. Councilmember Neal seconded the motion. The motion passed unanimously by voice vote.

7. ADJOURNMENT:

Mayor Grossman-Belisle adjourned the meeting 6:28 p.m.
Town Council approved the May 9, 2017, Town Council Meeting Minutes on May 18, 2017.

TOWN OF TIMNATH

_____________________________________
Jill Grossman-Belisle, Mayor

ATTEST:

_____________________________________
Milissa Peters, CMC
Town Clerk
EXECUTIVE SUMMARY:
This proposal is to amend multiple sections of the Land Use Code, it will correct tables that were missing standards for zoning districts, change designations for Motor Vehicle Repair Major and Minor, Car Wash, and add in the use of Food Trucks to the use table. It also adds permitted conditions for Clubs and Lodges, and Veterinary Facility for Small Animals as those were missing.

There is also an addition to the parking section of 5.8 of the code that now adds requirements for any commercial, mixed-use, business, and industrial developments to provide parking spaces and charging stations for electric vehicles.

The other changes are minor grammatical and technical errors.

STAFF RECOMMENDATION: Staff recommends the approval of these Land Use Code Amendments.

PLANNING COMMISSION ACTION ON 5/16/2017: Planning Commission will take action at their Public hearing on May 16, 2017. Those recommendations will be provided at the Town Council meeting on May 18, 2017

KEY POINTS/SUPPORTING INFORMATION:
The following amendments are being recommended by Staff to the Land Use Code since adoption by Town Council on January 12, 2016:

Table 4.1: There are missing designations for Pharmacy with Drive-thru in certain zoning districts. The designations for Motor Vehicle Repair Major and Minor don’t line up with the zoning district. Car wash is prohibited in the Regional Commercial (RC) while it is Permitted with Conditions (PC) in the Community Commercial (CC) and Neighborhood Commercial (NC). There is also the addition of the use of Food Trucks and those will be Permitted with Conditions (PC).

Therefore the following changes are being made to the land use table:

1. Change Car Wash from Prohibited (*) to Conditional Use (C) in the Regional Commercial (RC) zoning district.
2. Change Motor Vehicle Repair Major from Permitted (P) to Conditional Use (C) in Community Commercial (CC). Also change it from Prohibited (*) to Conditional Use (C) in Regional Commercial (RC), and change it from Prohibited (*) in Industrial (I) to Permitted (P).
3. Change Motor Vehicle Repair Minor from Conditional Use (C) to Prohibited (*) in Residential Mixed-Use (RMU), change it from Prohibited (*) to Conditional Use (C) in Commercial Mixed-Use (CMU) and Regional Commercial (RC). Change it from Permitted (P) in Neighborhood Commercial (NC) and...
Community Commercial (CC) to Conditional Use (C). Lastly change from Prohibited (*) to Permitted (P) in Industrial.

4. Add the use of Food Trucks as Permitted with Conditions (PC) in Residential Mixed-Use (RMU), Commercial Mixed-Use (CMU), Business (B), Neighborhood Commercial (NC), Community Commercial (CC), Regional Commercial (RC), and Industrial (I). Food trucks will be Prohibited (*) in all other zoning districts.

5. Pharmacy with Drive-thru will be Prohibited (*) in all residential and agricultural zones. It will also be Conditional (C) in the Community Commercial (CC), and Regional Commercial (RC) and Industrial (I) zone.

Section 4.4.10 is missing conditions for Clubs and Lodges. Those conditions are as follows:
4.4.10.1 – Hours of operation shall be no earlier than 6:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

Section 4.4.12 will be the conditions for a Food Truck Vendor. Those conditions are as follows:
4.4.12.1 – Requires a food truck vendor permit application.
4.4.12.2 – May vend only on lots in non-neighborhood zone districts or on streets in locations in non-residential zone districts where parallel parking is allowed.
4.4.12.3 – Vending may occur in a residentially zoned lot if it is apart of a Special Events permit.
4.4.12.4 – May not vend within 500 feet within a public or private school for students from pre-school through 12th grade.
4.4.12.5 – May vend only food and non-alcoholic beverages.
4.4.12.6 – Logos or signage must be permanently attached to the mobile food truck with no banners or signs put up on adjacent trees’ buildings, or light poles.
4.4.12.7 – Hours of operation when on a lot or street that abuts a existing residentially zoned lot shall be limited from 10 a.m. to 8 p.m.
4.4.12.8 – The food truck shall utilize power from an adjacent building as best as possible, if power is not available a generator can be used given it does not exceed 80 decibels.

The definition of Food Truck Vendor will be added to section 11 and will read as follows:
A person whether as owner, agent, or employee who sells or attempts to sell food or beverage to the public from motorized wheeled vehicle, or towed wheeled vehicle designed and equipped to serve food. The food is either cooked and prepared on site or where food is prepared off site and packaged to be sold on site.

Section 4.4.29 will now be conditions for Veterinary Facilities Small Animals. Those conditions are as follows:
4.4.29.1 – There shall be no exterior dog run or kenneling
4.4.29.2 – Animals that stay overnight must be kept inside the building.

Table 5.5 will add buffer yard requirements from an existing B zone to an adjacent proposed NC, CC, RC zone.

Section 5.8.18 is adding Electric Vehicle Parking & Charging Requirements
5.8.18.1 All new commercial, mixed-use, business and industrial developments shall provide designated parking spaces and wiring to provide for the charging of electric vehicles. There are three different levels of charging: Level 1 – 120V charging, provides 2-5 miles of range per hour of charging, Level 2 – 240V or 208V charging provides 10-20 miles of range per hour of charging, Level 3 – Also known as “DC Fast Charging”
208/480V AC three-phase input charging provides 50-70 miles of range per 20 minutes of charging.

A. Level 1 and 2 charging stations shall be permitted in the R-E, R-1, R-2, R-3, R-4, B, NC, CC, RC, RMU, CMU, and I zoning districts. Level 3 charging stations shall only be permitted in the CC, RC, CMU, and I zoning districts.

B. Any master planned commercial, mixed-use, and industrial development shall provide 1 charging station per every 75 parking spaces. Any individual development of one building or a development with multiple buildings with less than 75 parking spaces can apply as part of the development plan review for one of the following incentives if charging stations are provided:
   1. Option A – Density increase incentive:
      a. Increase in .25 FAR in any commercial, business, or mixed use zoning district or 1 DU/AC in the CMU or RMU zoning districts only.
   2. Option B – Reduction in required parking incentive:
      a. A decrease in 5% of required parking
   3. Option C – Open Space/Landscape reduction incentive:
      a. A decrease of required open space from 20% to 18%

C. Any existing commercial, mixed-use, business, and industrial developments wishing to convert parking spaces to electric vehicle charging stations can do so. Any existing structure and use wishing to install charging stations can apply for one of the incentives.

D. Parking stalls shall be signed and striped as a designated parking space for the exclusive use of charging electric vehicles. No person shall park in that space any nonelectric vehicle, or electric vehicle that is not connected to the electric vehicle charging station, electric vehicle that is not charging, or electric vehicle that has been charging for more than four hours.

ADVANTAGES:
- These changes will provide better clarity to the land use code on these issues.
- Will correct omissions.
- Provides regulations on Food Trucks.
- Allows the opportunity for electric car charging stations.

DISADVANTAGES:
- None

FINANCIAL IMPACT:
- None

RECOMMENDED MOTION:
- I move to recommend approval of Ordinance 14, Series 2017, Amendments to the Timnath Land Use Code

ATTACHMENTS:
1. Ordinance 14, Series 2017
2. Table of Land Use Code Changes
TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 14, SERIES 2017

AN ORDINANCE ADOPTING BY REFERENCE AMENDMENTS OF THE LAND USE ORDINANCES OF THE TOWN OF A GENERAL AND PERMANENT NATURE, ENTITLED THE “TIMNATH LAND USE CODE, 2015 EDITION”

WHEREAS, The Town of Timnath (the "Town") is a home rule municipality operating under the Timnath Home Rule Charter (the “Charter”) adopted on November 7, 2006 and the Town’s Municipal Code (the “Code”). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, The Timnath Planning Commission held a regularly scheduled meeting on May 16, 2017 and recommended approval to Town Council unanimously by 5-0 vote; and

WHEREAS, The Timnath Town Council held a regularly scheduled meeting on June 13, 2017 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, to the Town Council determines as provided below; and

WHEREAS, The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

SECTION 1 – AMENDMENTS
1. Set forth as Exhibit A

SECTION 2 – SEVERABILITY
If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

SECTION 3 – REPEAL
Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.
ARTICLE 4 – EFFECTIVE DATE
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.


MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JUNE 13, 2017.

TOWN OF TIMNATH, COLORADO

__________________________
Jill Grossman-Belisle, Mayor

ATTEST:

__________________________
Milissa Peters, CMC
Town Clerk
EXHIBIT A
Land Use Code Amendments
Section Recommended amendment (Deletion, Addition, Modification):

Table 5.5 Buffer Yard Requirements

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Table 4.1 Business/Commercial/Retail Uses

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4.4.12.1 Food Truck Vendor:
4.4.12.1 – Requires a food truck vendor permit application.
4.4.12.2 – May vend only on lots in non-neighborhood zone districts or on streets in locations in non-residential zone districts where parallel parking is allowed.
4.4.12.3 – Vending may occur in a residually zoned lot if it is apart of a Special Events permit.
4.4.12.4 – May not vend within 500 feet within a public or private school for students from pre-school through 12th grade.
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4.4.29 Veterinary Facilities, Small Animal:
4.4.29.1 – There shall be no exterior dog run or kenneling
4.4.29.2 – Animals that stay overnight must be kept inside the building.

5.8.18 Electric Vehicle Parking & Charging Requirements
5.8.18.1 All new commercial, mixed-use, business and industrial developments shall provide designated parking spaces and wiring to provide for the charging of electric vehicles. There are three different levels of charging: Level 1 – 120V charging, provides 2-5 miles of range
per hour of charging, Level 2 – 240V or 208V charging provides 10-20 miles of range per hour of charging, Level 3 – Also known as “DC Fast Charging” 208/480V AC three-phase input charging provides 50-70 miles of range per 20 minutes of charging.

A. Level 1 and 2 charging stations shall be permitted in the R-E, R-1, R-2, R-3, R-4, B, NC, CC, RC, RMU, CMU, and I zoning districts. Level 3 charging stations shall only be permitted in the CC, RC, CMU, and I zoning districts.

B. Any master planned commercial, mixed-use, and industrial development shall provide 1 charging station per every 75 parking spaces. Any individual development of one building or a development with multiple buildings with less than 75 parking spaces can apply as part of the development plan review for one of the following incentives if charging stations are provided:

1. Option A – Density increase incentive:
   a. Increase in .25 FAR in any commercial, business, or mixed use zoning district or 1 DU/AC in the CMU or RMU zoning districts only.

2. Option B – Reduction in required parking incentive:
   a. A decrease in 5% of required parking

3. Option C – Open Space/Landscape reduction incentive:
   a. A decrease of required open space from 20% to 18%

C. Any existing commercial, mixed-use, business, and industrial developments wishing to convert parking spaces to electric vehicle charging stations can do so. Any existing structure and use wishing to install charging stations can apply for one of the incentives.

D. Parking stalls shall be signed and striped as a designated parking space for the exclusive use of charging electric vehicles. No person shall park in that space any nonelectric vehicle, or electric vehicle that is not connected to the electric vehicle charging station, electric vehicle that is not charging, or electric vehicle that has been charging for more than four hours.

| Food Truck Vendor Definition | A person whether as owner, agent, or employee who sells or attempts to sell food or beverage to the public from motorized wheeled vehicle, or towed wheeled vehicle designed and equipped to serve food. The food is either cooked and prepared on site or where food is prepared off site and packaged to be sold on site. |
**EXECUTIVE SUMMARY:** With the passing Planning Commissioner Dick Weiderspon leaving the seat vacant, staff is recommending that Alternate Marty Jost be promoted to the full time seat and assume his term.

**STAFF RECOMMENDATION:** Staff recommends approval of this Resolution appointing Alternate Marty Jost to full time commissioner.

**KEY POINTS/SUPPORTING INFORMATION:**
Current Terms and status of Planning Commissioners effective on May 18, 2017:

**REGULAR PLANNING COMMISSIONERS:**
- Phil Goldstein, Chairperson March 31, 2019 (elected Chairperson by fellow Commissioners on April 18, 2017)
- Marty Jost March 31, 2019
- Kristen Seidel, Vice Chairperson March 31, 2021 (elected Vice Chairperson by fellow Commissioners on April 18, 2017)
- Scott Roys March 31, 2021
- Don Risden March 31, 2021

**ALTERNATE PLANNING COMMISSIONERS:**
- Don Nohavec March 31, 2019
- Vacant March 31, 2021

**ADVANTAGES:**
- Alternate Jost has experience and knowledge of the planning issues. He is committed to his roles as a Planning Commissioner.

**DISADVANTAGES:**
- No disadvantages

**FINANCIAL IMPACT:**
- No financial impact

**RECOMMENDED MOTION:**
- I move to approve Resolution 37, Series 2017 entitled “A Resolution Appointing Alternate Marty Jost to Planning Commissioner”

**ATTACHMENTS:**
1. Resolution 37, Series 2017
A RESOLUTION APPOINTING ALTERNATE MARTY JOST TO PLANNING COMMISSIONER

WHEREAS, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, A Planning Commission seat is vacant; and

WHEREAS, at the May 16, 2017 Planning Commission meeting, Alternate Jost was appointed to assume to vacant Planning Commissioner seat; and

WHEREAS, the Town Council, upon hearing the statements of staff, and giving consideration to the recommendation, determines as provided below:

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

Section 1. The Town of Timnath Town Council approves the appointment of Alternate Marty Jost to Planning Commissioner

PASSED, APPROVED AND ADOPTED THIS 18 DAY OF MAY, 2017.

TOWN OF TIMNATH, COLORADO

__________________________
Jill A. Grossman-Belisle, Mayor

ATTEST:

__________________________
Milissa Peters, CMC
Town Clerk
1. Due to the timing of the earlier Council meeting this month, monthly financial statements have not been included in the meeting packet. Inclusion of financial statements will resume next month.
2. Town staff is wrapping up drafting the December 31, 2016 audit report and related audit schedules. Audit fieldwork will commence by the Town independent auditor the first week of June.
3. Town staff is currently working on revamping the chart of accounts in the financial software system so that there can be more consistency between chart of accounts, the Town’s budget document and the financial statements. Since the initial software conversion, several years ago, the Town continues to grow, new projects have been added, and certain expenditures and/or revenues that were applicable at one time are no longer relevant.
4. Additional training will be provided in June to the collective Town staff that are involved with purchasing on behalf of the Town. The purpose of the training will be that all staff are better educated on the Town’s purchasing procedures and required documentation for audit trail purposes.
5. Town staff is actively working with Compass Bank related to additional TDA loan proceeds and the issuance of Certificates of Participation. It is anticipated that both will have closing dates in the fall or prior to year-end. Timing of the TDA loan will be further determined subsequent to Council’s prioritization of capital projects and Town staff preparing updated cash-flow projections.
TOWN COUNCIL COMMUNICATION

Meeting Date: May 18, 2017
Item: Engineering & Public Works Report
Presented by: Don Taranto

Ordinance ☐ Resolution ☐ For Information X

KEY POINTS/SUPPORTING INFORMATION:

1. Harmony Road Phase 3
   a. Paving of the eastbound lanes, bottom & middle lifts was started on 5/11. These lanes will not be opened to traffic immediately, but will be used to shift traffic to either side of the median while the splash block and landscaping is completed. This will reduce the need to one-lane traffic thru the construction area.
   b. Fill over the box culvert has been completed and road construction is underway. Median curb will be installed soon, then the east bound lanes built. Traffic will then be shifted to the south side of the median to allow for removal of the temporary road & completion of the new road on the north side of the median.
   c. Level 3 is the last remaining utility to move, which was notified in December 2015 that they needed to relocate. They have still not provided a completion time frame, and will be in direct conflict with construction starting in April. Level 3 temporarily relocated 3 poles to get out of the way of construction. Final relocation still pending.
   d. The railroad held a pre-bid meeting on 5/9/17 for the crossing, with bids for the crossing work due 6/1. They have tentatively scheduled the replacement & reconditioning of the railroad crossing for June 23-30. As previously discussed, this will require a full closure of Harmony, which would start the evening of 6/23 and reopen on 6/30. The railroad has been notified that due to the location of the work (no houses) & the importance of the Harmony Road crossing, that there will be no work restrictions, allowing them to work overnight to hopefully reduce the length of the closure. Once a contractor has been selected, we will have additional coordination meetings. Also, this is only for the rail & road crossing. Signal installation will not occur until later when those materials are available, so the crossing will still only be two lanes until that time. No closure should be needed for the signal work.
2. *Summerfield Parkway RR Crossing*
   a. Waiting to finish landscaping. This has been delayed due to pump issues with Timnath Ranch, that supplies the irrigation water.
   b. The railroad notified us this week that they have updated the crossing inventory with the FRA. We can now start the final application & notification process to make the crossing a Quiet Zone crossing.

3. *Public Works Maintenance Projects*
   a. Bus Grove asphalt overlay – Scheduled for mid June
   b. Asphalt patching and crack sealing – 2017 scope of services is being developed
   c. Street striping – 2017 scope of services is being developed

4. *Development Construction Activities*
   a. Wild Wing Filing 3A – Construction underway.
   b. Timnath Ranch 1st Filing, Phase 3 – Utility construction underway
   c. Timnath Ranch 1st Community Center – Construction underway

5. *Commercial Construction Activities*
   a. None at this time.
1. **Issued Building Permits:**
   - 2015 Single-Family Residential Total = 185
   - 2016 Single-Family Residential Total = 161 (Budget 171)

   2017 Single-Family Residential Budgeted = 276
   2017 Single-Family Residential April = 28 (Budget 23)
   **2017 Single-Family Residential May = 12 (Budget 23)**
   2017 Single-Family Residential ready to be issued = 8
   2017 Single-Family Residential under review = 16
   **2017 Single-Family Residential YTD (1/1/17 to 5/12/17) = 127**
   2017 Budget through April = 115

2. **Current Development Actions:**
   a. **Fewell/Feldman Annexation:** This is an annexation application for an annexation south of Harmony Road and Walker Manufacturing and west of Three Bell Parkway of roughly 162 acres. Staff has received the submittal and is currently under review.
   b. **Timnath Landing 1st Filing Final Plat:** This is a Final Plat and proposal for approximately 55 single family detached lots that range in size from 5,000 square feet to 6,500 square feet on approximately 7 acres. The Final Plat is also creating multiple tracts that will be designated as future development and will require future platting. The Town Staff has received a submittal and is currently under review.
   c. **Thornton Farms Annexation:** This is an annexation application for an annexation along CR-1 (Latham Parkway) for 347 acres of ROW and Parcels in Weld County along WCR-80 and Highway 14 (Mulberry). A Town Council hearing for Substantial Compliance was held on 2/28/17 to initiate the annexation process. The Planning Commission held a public hearing on the annexation on 4/4/2017 and recommended approval by a 5-0 vote to Town Council. The Town Council held a public hearing on the annexation on 4/25/2017 and was approved by a 5-0 vote.
   d. **Timnath Ranch 7th Filing Final Plat:** This is a Final Plat Application for the 7th Filing of the Timnath Ranch Subdivision located north of Wheatfield Drive and east of School House Drive. There are approximately 73 attached lots that will range from 1,800 square feet to 3,100 square feet. The Town Staff has received a submittal and is currently under review.
   e. **Trails at Riverbend Minor Subdivision:** This is a Minor Subdivision Plat Application to subdivide Tract 1 of the Riverbend Subdivision into easements and building envelopes for a multi-family site plan to come under the Site Plan application process. The Planning Commission held a public hearing on 4/18/17 and recommended for approval to the Town Council by a vote of 4-1. The Town Council held a public hearing on the Minor Subdivision...
on 4/25/2017 and was approved by a 5-0 vote.

f. **Riverbend Site Plan:** This is a site plan application for 176 multi-family dwelling units in Tract 1 of the Riverbend Subdivision. The site plan includes a clubhouse, 11 multi-family buildings, pool, landscaping, and 279 parking spaces including garage parking. The Planning Commission reviewed the Site Plan on 4/18/17 and recommended it for approval to the Town Council by a vote of 4-1. The Town Council held a public hearing on the site plan on 4/25/2017 and was approved by a 5-0 vote.

3. **Projects:**
   a. **Timnath Community Park:** There are final punch list items and clean up items to be completed before acceptance by the Town. Staff is finalizing a pavilion rental policy and will bring to council for adoption.
   b. **Timnath Reservoir:** Work continues at the reservoir. The seed, sod, and irrigation have been installed. Final clean-up, fencing, and roadwork is being completed. The Town has engaged Ron Fletcher to continue the 2017 season as the Town’s reservoir attendant. He started work on May 1st and will be working through the summer and early fall season. A policy amendment was approved by Town Council to allow for months with five Sundays to be open to motorized boating along with opening up access to the reservoir to residents within the GMA for shore use and non-motorized for a fee. Staff will be preparing usage statistics for Town Council and distributing them at the May 18th meeting.

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# MEMORANDUM

TO: Timnath Town Council  
FROM: Matt Blakely, Community Development Director  
Alisa Davidson, Building Permit Technician  
RE: Timnath Single-Family Building Permits – YTD 5/12/17  
DATE: May 18, 2017

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Commercial-3

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Commercial-7

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Commercial-

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Foundation Only Permit

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Modular Home

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Commercial

|                  | 2    | 8    | 3    | 7    |
### TOWN COUNCIL COMMUNICATION

| Meeting Date:  
5/18/2017 | Item: April 2017 Law Enforcement Update | For Information |
|---|---|---|
| Presented by:  
Sherri Wagner |  |  |

1) All officers are involved in several different types of meetings. Our meetings range from KidSafe to Santa Cops golf tournament. (please see Officer Andersen if you are interested in playing in the tournament). General administrative meetings that included discussions concerning the Green River Ordinance, 4th of July, and Realities Ride for Children to occur on May 28th between 1030 am to 1230 pm. Initially, the ride of 700 motorcycles was to from Prospect to Harmony on Main St. With the help of Fort Collins Police Services, Colorado State Patrol and April the organizer was persuaded to use a route that went around Old Town Timnath and our Presbyterian church.

   Police Technician Erbes has been going to informational meetings concerning evidence tracking software. Our overall system for radio dispatch, case reporting, and evidence tracking will be switching to a new provider. Heather also maintains the evidence room and monthly NIBRS submittals. She is currently working on several projects that include reviews, procedures, and processes. Her main project is updating the field training officer manual.

2) The first annual public safety fair was a huge success. Andrew Tope organized the event and the event had few if any complications. Andrew stated he enjoyed organizing the event and plans on having many more of the events. The event was attended by children, parents and dogs. The emergency vehicles were open for viewing and the emergency responders were eager to share their information. A big hit was the demonstrations by LCSO’s K-9. KidSafe was a major contributor and passed out information and bling to the children.

3) We are going through final testing and backgrounds on the officer currently in the process. If hired, we will have the officer go through the mini-academy sponsored by LCSO. This will provide the officer with a good platform for further integration into Larimer County and Timnath.

4) Nextdoor has been activated for the Timnath area. Hopefully, this will encourage residents to report crimes and other activities that need attention and or investigation.

5) If it appears the numbers for calls and services have gone up dramatically, they have. This is due to the officers going into the neighborhoods, businesses and schools on extra checks and being proactive to target suspicious behaviors and vehicles.
# Law Enforcement Incidents

## Timnath Police Dept

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<th>Feb-17</th>
<th>Mar-17</th>
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TOWN COUNCIL COMMUNICATION

Meeting Date: 5/18/2017

Presented by:
Matt Blakely
Community Development Director

Item: Ordinance 15, Series 2017, An Ordinance of the Town of Timnath Approving the Amended Planned Development Overlay District for the Harmony Subdivision – 1st Reading and setting the Public Hearing for June 13, 2017

Ordinance ✓
Resolution □
Discussion □
For Information □

EXECUTIVE SUMMARY: This action is to amend the current PD Overlay to add uses that will be permitted or conditional to the CMU zoning. All previously approved PD Overlay modifications will remain/unchanged.

STAFF RECOMMENDATION: Staff recommends the approval of the PD Overlay application.

PLANNING COMMISSION ACTION ON 5/16/2017: Planning Commission will take action at their Public hearing on May 16, 2017. Those recommendations will be provided at the Town Council meeting on May 18, 2017

KEY POINTS/SUPPORTING INFORMATION:

Owner: Harmony, LLC
Applicant: Mark Tinney
Application Type: Rezoning

Legal Description/Address: Parcel(s) of land located at the northwest corner of Harmony and Latham Parkway (LCR1) in the Harmony Subdivision.

Parcel Size (Acres): 642 +/- total acres

Existing Zoning: R-E, R-3, CMU with PD Overlay  Proposed Zoning: R-E, R-3, CMU with PD Overlay
Existing Land Use: Vacant, Single-Family Residential  Proposed Land Use: Single-Family Residential
Comprehensive Plan Designation: Very Low Density Residential, Medium Density Residential, Mixed Use

SERVICES:

Water: Fort Collins – Loveland Water District
Sewer: South Fort Collins Sanitation District
Fire: Poudre Fire Authority
Electric: Xcel

Adjacent Zoning/Land Uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>FA-1 (Larimer County)</td>
<td>Vacant Land</td>
</tr>
<tr>
<td>South</td>
<td>C-2 &amp; MU</td>
<td>Vacant Land (Timnath Ranch Subdivision)</td>
</tr>
<tr>
<td>East</td>
<td>RMU (Town of Windsor)</td>
<td>Ridge at Harmony Subdivision</td>
</tr>
</tbody>
</table>
USES BEING ADDED AS PERMITTED OR CONDITIONAL:

Permitted:
1. Multiple Family Dwellings
2. Senior Housing
3. Single Family Detached
4. Single Family Attached on small lots
5. Two Family Dwellings
6. Community Facilities
7. Auto, RV, Boat and Truck storage
8. Equipment, rental establishments with outdoor storage
9. Membership clubs
10. Mixed Use Dwelling
11. Grocery Store
12. Tourist Facility
13. Veterinary Facility, Small animal

Conditional:
1. Golf Course
2. Public facilities with business offices, repair, and storage
3. Family child care homes
4. Child care center
5. Entertainment facilities and theaters
6. Gasoline stations
7. Limited indoor recreation facility
8. Limited outdoor recreation facility
9. Motor vehicle repair, minor
10. Restaurants with drive-thru
11. Plan nurseries and greenhouses

REVIEW CRITERIA:
From Section 2.9.14.9 of the Land Use Code:

Final PD Development Plan Review Criteria:
1. The proposed Planned Development District shall have a unified character throughout the district. The Planned Development District shall have no more adverse effects on health, safety, or welfare of the surrounding properties, or shall be no more injurious to property or improvements in the area than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to:
   a. The location, type, and height of buildings or structures;
   b. The type and extent of landscaping and screening on the site; and
c. Whether the proposed use is consistent with any policy of the comprehensive plan that encourages mixed uses and/or densities

Response: This PD Overlay does not have more adverse effects on health, safety or welfare of the surrounding properties as it is only adding certain specific uses to be permitted or conditional in the Commercial Mixed Use (CMU) zone. This will actually encourage a larger range of mixed uses and/or densities. These uses were previously approved with the MU district.

2. Adequate utilities shall be provided

Response: The adequate utilities have been provided through previous platting and development.

3. The proposed Planned Development District will not substantially impair the appropriate use or development of adjacent property.

Response: This PD Overlay well not impair the appropriate use or development of adjacent property since it is only adding new uses to the Harmony Subdivision

4. No significant traffic issues are created.

Response: This PD Overlay does not create traffic issues. A traffic study was done for the entire Harmony Subdivision. If a use is proposed that exceeds the original traffic study, a memo update will be required to address any additional impacts.

5. The Planned Development District results in a more efficient development.

Response: This PD Overlay is a more efficient development with the addition of more uses to give a larger range of mixed uses to the community. The future development will require site plan review and approval that complies with the Town’s Land Use Code.

RECOMMENDED MOTION:
I move to recommend approval of Ordinance 15, Series 2017 the Harmony Amended Planned Development Overlay District, with the following conditions:

a. Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies

ATTACHMENTS:

1. Ordinance
2. Harmony Planned Development Overlay Map
3. Existing PD Overlay (For Reference)
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH APPROVING THE AMENDED PLANNED DEVELOPMENT OVERLAY FOR HARMONY SUBDIVISION, GENERALLY LOCATED WEST OF AND ADJACENT TO LATHAM PARKWAY, AND NORTH OF AND ADJACENT TO HARMONY ROAD

WHEREAS, Harmony, LLC (the “Developer”) has submitted an Amended Planned Development Overlay for the Harmony Subdivision, more particularly described in Exhibit A (legal description) and Exhibit B (Amended Planned Development Overlay) and attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, a properly noticed public hearing was held on May 16, 2017, and the above described Final Planned Development Overlay was recommended for approval to the Town Council by the Town of Timnath Planning Commission; and

WHEREAS, a properly noticed public hearing with the Town Council was held on June 13, 2017 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

Section 1. Property Zoned
That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the boundaries of the district specified, shall be and the same is hereby amended in the following particulars, to wit:

The existing R-E, R-3, and CMU zoning is amended with the addition of a Planned Development Overlay – See attached Exhibits A&B

Section 3. Public Hearing
The Town Council held a public hearing on Tuesday, June 13, 2017 regarding the zoning of the property.

Section 4. Severability
If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

Section 5. Effective Date
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Ordinance available for inspection by the public during regular business hours.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JUNE 13, 2017.

TOWN OF TIMNATH, COLORADO

______________________________
Jill Grossman-Belisle, Mayor

ATTEST:

______________________________
Milissa Peters, CMC
Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Amended Planned Development Overlay

ALL OF SECTION 38, TOWNSHIP 7 NORTH, RANGE 68 WEST, 6TH P.M.

SAID DESCRIBED TRACT CONTAINS 842.93 ACRES (28,005,993 SQUARE FEET), MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY NOW ON RECORD OR EXISTING.
EXHIBIT B

Amended Planned Development Overlay

[attached]
EXECUTIVE SUMMARY: The Fisher property is a 235.9 acre site located north of Old Town Timnath on the west side of CR 5 and is annexed to the Town of Timnath. The intent is to provide 213.1 acres of residential and 22.8 acres of residential mixed-use. Sketch plan is a bubble concept plan that is setting unit and density maximums. The proposed maximum units is 750 units which will have a maximum density of 3.18 DU/AC. The plan c The Sketch Plan is consistent with the Town’s Comprehensive Plan and PROST Plan.

The applicant is providing a lotting plan as part of the submittal for the Town Council’s review to get an illustrative idea of what the subdivision will develop as. This lotting plan is for reference only and the sketch plan as submitted will be subject to approval.

STAFF RECOMMENDATION: Staff recommends the approval of the sketch plan, with conditions.

PLANNING COMMISSION ACTION ON 5/16/2017: Planning Commission will take action at their Public hearing on May 16, 2017. Those recommendations will be provided at the Town Council meeting on May 18, 2017

KEY POINTS/SUPPORTING INFORMATION:
Owner: The Landhuis Company
Applicant: Jeff Mark, The Landhuis Company
Application Type: Sketch Plan
Case Number: SP-2015-002

Legal Description/Address: Parcel(s) of land located west of CR 5 and south of CR 42E

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<td>05/16/2017</td>
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<tr>
<td>Town Council Public Meeting</td>
<td></td>
<td>05/18/2017</td>
</tr>
</tbody>
</table>

Parcel Size (Acres): 236 +/- Total Acres
Number of Lots: Approximately 750 units

Existing Zoning: R-2, RMU           Proposed Zoning: Unchanged
Existing Land Use: Vacant / Farming Proposed Land Use: Single-Family Residential, Multi-family, Mixed-use, Open Space, Trails, Parks

SERVICES:

Water: ELCO Water District
Sewer: Boxelder Sanitation District
Fire: Poudre Fire Authority
Special Districts: None at this time

Adjacent Zoning/Land Uses:

<table>
<thead>
<tr>
<th>Direction</th>
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<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>FA-1 Unincorporated Larimer County; CR 42E</td>
<td>Vacant/Farming</td>
</tr>
<tr>
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<td>FA-1 Unincorporated Larimer County</td>
<td>Vacant/Farming</td>
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<td>West</td>
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<tr>
<td>East</td>
<td>FA-1 Unincorporated Larimer County; CR 5</td>
<td>Vacant/Farming</td>
</tr>
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This Property will be required to undergo the following processes:
  - Preliminary Plat - Future Submittal
  - Final Plat - Future Submittal

Reference Timnath Land Use Code Section 2.9.10.9.B Sketch Plan for details on the Sketch Plan Process

Land Use Code, Section 2.9.10.9.B
Sketch Plan review criteria. The Town shall use the following criteria in addition to other applicable provisions of this code to evaluate the applicants sketch plan application:

1. The land use mix within the project conforms to the Town’s Zoning District Map and Land Use Map and furthers the goals and policies of the Comprehensive Plan.
   
   Response: The sketch plan proposed uses conform with the Town’s Zoning Map and Comprehensive Plan. The property is designated as both Mixed-Use, and Residential Land Uses.

2. The sketch plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Town Comprehensive Plan.
   
   Response: The sketch plan proposed is a functional system of land use and is consistent with the Code and the Comprehensive Plan. The uses proposed are compatible with each other and are appropriate for the locations depicted.

3. The utility and transportation design is adequate, given existing and planned capacities of those systems.
   
   Response: The sketch plan has an adequate utility and transportation design at this time. A
transportation study and utility design will be done at the final plat stage.

4. Negative impact on adjacent land uses have been identified and satisfactorily mitigated.
   
   Response: The negative impacts on adjacent land uses have been identified and this sketch plan mitigates those impacts. The sketch Plan shows buffering to adjacent properties.

**REFERRAL COMMENTS:**

Not returned: AT & T Communications, Poudre River Public Library District, Poudre School District, Qwest Communications, Timnath Finance, Timnath Post Office, Timnath Public Works, Xcel Energy, Timnath Town Attorney, Larimer County Dept. of Natural Resources, Comcast Cable, Lake Canal, Cache La Poudre Reservoir Co

Returned with no comments: Safebuilt, Timnath Police Department, Poudre Fire Authority, ELCO Water District, Boxelder Sanitation District

Returned with comments: Timnath Engineering, Colo. Geological Survey, Timnath Community Development

**RECOMMENDED MOTION:**

I move to recommend approval of Resolution 38, Series 2017 the Fisher Subdivision Sketch Plan, with the following conditions:

1. Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies

**ATTACHMENTS:**

1. Resolution 38, Series 2017
2. Project Narrative/Annexation Assessment Report
3. Sketch Plan
4. Lotting Plan – For Reference
TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 38, SERIES 2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH
APPROVING THE SKETCH PLAN FOR FISHER SUBDIVISION, GENERALLY
LOCATED WEST OF CR 5, AND SOUTH OF AND ADJACENT TO CR-42E

WHEREAS, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, Landhuis Company (the “Developer”) has submitted a Sketch Plan for the Fisher Subdivision, more particularly described in Exhibit A (legal description) and Exhibit B (Sketch Plan) and attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, a properly noticed public hearing was held on May 16, 2017, and the above described Sketch Plan was recommended for approval to the Town Council by the Town of Timnath Planning Commission with the following conditions:

1. Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies

WHEREAS, a properly noticed public hearing with the Town Council was held on May 18, 2017 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOW:

Section 1. Approval
The Sketch Plan is hereby approved in substantially the form as attached hereto, subject to technical or otherwise non-substantive modifications, as deemed necessary by the Town Manager in consultation with the Town Planner, Engineer, Legal Counsel, and other applicable staff or consultants.
INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON MAY 18, 2017.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Sketch Plan


BEGINNING AT THE CENTER QUARTER CORNER OF SAID SOUTHEAST QUARTER OF SECTION 22,
THENCE NORTH 89°46'15" EAST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 2,611.12 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 5 AND A POINT ON THE TOWN LIMITS OF THE TOWN OF TIMNATH;
THENCE SOUTH 00°03'13" EAST ALONG THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 AND ALONG SAID TOWN LIMITS A DISTANCE OF 2,647.77 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 27;
THENCE SOUTH 89°43'34" WEST ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 22 AND ALONG SAID TOWN LIMITS A DISTANCE OF 10.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 5;
THENCE SOUTH 00°08'45" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND CONTINUING ALONG SAID TOWN LIMITS A DISTANCE OF 998.35 FEET;
THENCE SOUTH 89°51'15" WEST A DISTANCE OF 168.00 FEET;
THENCE SOUTH 00°08'45" EAST A DISTANCE OF 237.00 FEET;
THENCE NORTH 89°51'15" EAST A DISTANCE OF 168.00 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE AND SAID TOWN LIMITS;
THENCE SOUTH 00°08'45" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND CONTINUING ALONG SAID TOWN LIMITS A DISTANCE OF 1,330.14 FEET;
THENCE NORTH 89°56'10" WEST A DISTANCE OF 1,286.02 FEET;
THENCE NORTH 00°09'28" WEST A DISTANCE OF 1,914.41 FEET;
THENCE NORTH 28°26'45" WEST A DISTANCE OF 729.97 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22;
THENCE SOUTH 89°43'34" WEST ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 967.83 FEET TO A POINT ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;
THENCE NORTH 00°06'26" WEST ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 2,649.79 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 10,276,877 SQUARE FEET, OR 235.92 ACRES,

MORE OR LESS.
EXHIBIT B

Sketch Plan

[attached]
PROJECT DESCRIPTION

Design Rationale:

The Fisher Property is a 235.92 acre site located north of Old Town Timnath on County Road 5. Consistent with the Town’s Comprehensive Plan 2013, the majority of the site has been designated as low density, single-family homes. This area is proposed to be zoned R2 Single-Family Residential. A central area is proposed to be zoned MU Mixed Use and will include a variety of home types, with the general density tapering to single-family detached homes at the edge of the district. The MU zone may also include parks, a community recreation center, central gathering spaces, and entry monumentation. The southern portion of the site will likely be open space and is a possible location for a community park. The development will include a variety of trails, parks, and open spaces, which will provide opportunities for recreation and pedestrian/bicycle circulation outside of the formal road network. Because the R2 zone also includes parks as an allowable use, and because there is no formal Parks or Open Space zone, we are proposing that the open space portion of the Fisher Property be zoned R2.

Proposed Density:

The Fisher Property will comply with the density standards for each zone on the property. In the case of R2 Single-Family Residential, which comprises approximately 70% of the site, the minimum lot size is 6,000 sf. The MU zone permits smaller lot sizes, and therefore higher possible density in the center of the site. Please refer to the Land Use Summary table on Sheet 2 in the Sketch Plan for more information on this subject. No more than +/-750 dwelling units are proposed for the site as a whole.

Standard lots within the R2 zone are anticipated to be 54’ and 64’, with varying lot depths to comply with the Town’s minimum lots size requirements. The anticipated price of homes has not yet been determined.

Drainage and Stormwater:

The site naturally drains into the Boxelder Drainage, which is currently in the process of a substantial renovation. It is anticipated that on-site detention will be located in the open space within the Boxelder Drainage, or possibly in the MU zone as a central pond feature. This issue will be further refined in the Preliminary and Final Plat.

Water and Taps:

Water service will be provided to the site by East Larimer County (ELCO) Water District and may possibly be augmented by on-site wells. The final proposed volume of water required for the site will be determined at the time of Final Plat.

Commercial Mineral Deposits:

Mineral rights are held by Bradley Marsheffel, LLC.

Floodplain Hazards:
Currently the Boxelder Drainage floodplain and floodway encompass the southern portion of the Fisher Property. The Boxelder Drainage is currently undergoing substantial improvements and it is anticipated that the floodplain will be removed from the property.

**Relationship between Proposal and the Town Comprehensive Plan:**

This proposal is consistent with the Town’s Comprehensive Plan, and its proposed long-term land uses for the Fisher Property. Similar residential land uses are also proposed by the Comprehensive Plan for abutting and nearby properties.

For a more thorough analysis of how the Fisher Property complies with the Comprehensive Plan and the Town’s key planning documents, please refer to the attached Annexation Assessment Report that outlines in detail how the Fisher Property design meets the standards of the Town and furthers the Town’s long-term planning objectives.

We look forward to working with the Town as these plans are refined and revised. Please contact us if you have any additional questions.

Sincerely,
Norris Design

Mitch Black
Principal
FISHER PROPERTY SKETCH PLAN


LEGAL DESCRIPTION

FISHER PROPERTY ANNEXATION TO TIMNATH


BEGINNING AT THE CENTER QUARTER CORNER OF SAID SOUTHEAST QUARTER OF SECTION 22;

THENCE NORTH 89°41'0" EAST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 2,611.12 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 5 AND A POINT ON THE TOWN LIMITS OF THE TOWN OF TIMNATH;

THENCE SOUTH 10°18'0" EAST ALONG THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 AND ALONG SAID TOWN LIMITS A DISTANCE OF 2,677.17 FEET TO THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22;

THENCE SOUTH 10°18'0" WEST ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 22 AND ALONG SAID TOWN LIMITS A DISTANCE OF 10.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 5;

THENCE SOUTH 89°41'0" WEST A DISTANCE OF 156.60 FEET;

THENCE SOUTH 89°41'0" EAST A DISTANCE OF 123.00 FEET;

THENCE NORTH 89°41'0" EAST A DISTANCE OF 194.13 FEET TO SAID SOUTHEAST QUARTER;

THENCE SOUTH 10°18'0" WEST A DISTANCE OF 1,103.84 FEET;

THENCE SOUTH 10°18'0" EAST A DISTANCE OF 1,512.57 FEET;

THENCE NORTH 89°41'0" EAST A DISTANCE OF 1,306.14 FEET;

THENCE NORTH 89°41'0" WEST A DISTANCE OF 1,285.63 FEET;

THENCE SOUTH 10°18'0" WEST A DISTANCE OF 1,994.41 FEET;

THENCE NORTH 89°41'0" EAST A DISTANCE OF 129.96 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22;

THENCE SOUTH 10°18'0" WEST A DISTANCE OF 899.37 FEET TO A POINT ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89°41'0" WEST A DISTANCE OF 503.29 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 10°18'0" WEST A DISTANCE OF 967.83 FEET TO A POINT ON THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 10°18'0" EAST A DISTANCE OF 2,649.79 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 10,276,877 SQUARE FEET, OR 235.92 ACRES,

MORE OR LESS.

PLANNING COMMISSION CERTIFICATE

APPROVED THIS DAY OF ______________________, 20_______,
BY THE TOWN PLANNING COMMISSION, TIMNATH, COLORADO.

BY: __________________________________________

TOWN COUNCIL CERTIFICATE

APPROVED THIS DAY OF ______________________, 20_______,
BY THE TOWN BOARD, TIMNATH, COLORADO.

TIMNATH MAYOR

TIMNATH TOWN CLERK

BASIS OF BEARING

BASIS OF BEAINGS: BEARINGS SHOWN HEREBIN ARE BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 22, 799.999 OF THE 8TH P.M., WHICH WAS ASSUMED TO BEAR NORTH 89°41'0" EAST.
FISHER PROPERTY SKETCH PLAN


CONTEXT MAP

LEGEND

FISHER PROPERTY
REGIONAL TRAIL NETWORK (PER COMPREHENSIVE PLAN)
POCKET PARK (PER COMPREHENSIVE PLAN)
NEIGHBORHOOD PARK (PER COMPREHENSIVE PLAN)
COMMUNITY PARK (PER COMPREHENSIVE PLAN)

EXISTING WATER LINES
EXISTING SEWER LINE

NOTES:
1. FISHER PROPERTY AND ALL OTHER DEVELOPMENT PROPERTIES ARE CONCEPTUAL AS SHOWN ON THIS MAP. DEVELOPMENT MUST BE COORDINATED WITH THE TIMNATH RESERVOIR WATER DISTRICT, THE CITY OF GREELEY AND THE CITY OF TIMNATH.
2. PROPOSED COMMUNITY INCLUDES PUBLICLY MAINTAINED AND ACCESSIBLE OPEN USE AREAS FOR USE AND ENJOYMENT BY IMMEDIATELY ADJACENT COMMUNITIES.

REVIEWED BY: ____________________________
WATER/SEWER DIRECTOR
DATE: ____________________________

REVIEW DOES NOT CONSTITUTE "APPROVAL" OF PLANS PREPARED OR RESPONSIBILITY FOR PREPARED PLANS.
FISHER PROPERTY SKETCH PLAN


LAND USE SUMMARY

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<th>ACREAGE</th>
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<td>B</td>
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ESTIMATED SITE TOTAL (10) 3.43 DWELLING

CITY OF GREELEY

REVIEWED BY: ________________________
WATER/SEWER DIRECTOR
DATE: ________________________

REVIEW DOES NOT CONSTITUTE "APPROVAL" OF PLANS. PERMITTEE IS RESPONSIBLE FOR ACCURACY AND COMPLETENESS OF PLANS.

PUBLIC SERVICE COMPANY OF COLORADO

ELECTRICITY & COMMUNICATION EASEMENT
(NO WIDTH GIVEN) BOOK 1434, PAGE 290

APPROXIMATE LOCATION OF CITY OF GREELEY WATER LINE

APPROXIMATE LOCATION OF CITY OF GREELEY WATER LINES

CENTERLINE OF CITY OF GREELEY WATER PIPE LINE EASEMENT
"OF SUFFICIENT WIDTH FOR A RIGHT-OF-WAY FOR UNDERGROUND WATER PIPE LINE"
BOOK 626, PAGE 302

SATURDAY CLOTHING \n
SATURDAY CLOTHING

CITY OF GREELEY

PIECEMAN MARKETING

GHEEN, KENNETH M AND DEBORAH F

PARCEL NUMBER: 8726005701
ZONING: FA-1 FARMING

OWNER: MARTINDALE, JASON A
PARCEL NUMBER: 8723335050
ZONING: FA-1 FARMING

OWNER: PARADISE RANCH LLC
PARCEL NUMBER: 8726205703
ZONING: FA-1 FARMING

OWNER: DILLMAN, GERALD G AND VIRGINIA E
PARCEL NUMBER: 8726005702
ZONING: FA-1 FARMING

OWNER: GHEEN, KENNETH M AND DEBORAH F
PARCEL NUMBER: 8726005701
ZONING: FA-1 FARMING

OWNER: VILLARD, ARTHUR L AND CHRISTINE L
PARCEL NUMBER: 8723205001
ZONING: E-1 ESTATE

OWNER: ALLISON ESTATES LLC
PARCEL NUMBER: 8723336001
ZONING: FA-1 FARMING

OWNER: ALLISON ESTATES LLC
PARCEL NUMBER: 8723336002
ZONING: FA-1 FARMING

OWNER: PHILLIPS, H R AND NEVA J
PARCEL NUMBER: 8722206701
ZONING: FA-1 FARMING

OWNER: WILLIS BETTY FAMILY LIMITED PARTNERSHIP
PARCEL NUMBER: 8722100003
ZONING: FA-1 FARMING

OWNER: WILLIS BETTY FAMILY LIMITED PARTNERSHIP
PARCEL NUMBER: 8722100002
ZONING: FA-1 FARMING

OWNER: TRIONFERA, LOUIS M AND MARY E
PARCEL NUMBER: 8727200007
ZONING: FA-1 FARMING

OWNER: VAN DYK/VOS LLC
PARCEL NUMBER: 8722000006
ZONING: FA-1 FARMING

OWNER: VAN DYK/VOS LLC
PARCEL NUMBER: 8722000009
ZONING: FA-1 FARMING

OWNER: BRENTS RANCH LIMITED LIABILITY COMPANY
PARCEL NUMBER: 8727000017
ZONING: FA-1 FARMING

OWNER: BRENTS RANCH LIMITED LIABILITY COMPANY
PARCEL NUMBER: 8727000002
ZONING: FA-1 FARMING

OWNER: BLUM, ANDREW M AND JUDI R
PARCEL NUMBER: 8727000011
ZONING: FA-1 FARMING

PHOTOSYNTHETIC MODELING

PHOTOSYNTHETIC MODELING
FISHER PROPERTY SKETCH PLAN


POSSIBLE COMMUNITY TRAIL ALIGNMENT (PER PROST PLAN)

POSSIBLE ROADSIDE TRAIL ALIGNMENT (PER PROST PLAN)

POSSIBLE ROADSIDE TRAIL ALIGNMENT (PER PROST PLAN)

POSSIBLE NEIGHBORHOOD TRAIL ALIGNMENT

POSSIBLE NEIGHBORHOOD TRAIL ALIGNMENT

POSSIBLE INTERIM ROADSIDE TRAIL ALIGNMENT

CITY OF GREELEY REVIEWED BY: __________________________

WATER/SEWER DIRECTOR DATE: _________________________

REVIEW DOES NOT CONSTITUTE "APPROVAL" OF PLANS. PERMITTEE IS RESPONSIBLE FOR ACCURACY AND COMPLETENESS OF PLANS.
LEGEND

138  54' X 120'
435  64' X 120'
573  TOTAL

NOTE: THIS GRAPHIC IS CONCEPTUAL AND SUBJECT TO CHANGE.
**TOWN COUNCIL COMMUNICATION**

| Meeting Date: |
| Item: EXECUTIVE SESSION: “For the purposes of discussion concerning the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests under Section §24-6-402(a), C.R.S.; discussion concerning personnel matters under §24-6-402(4)(f), C.R.S.; discussion regarding positions relative to matters that may be subject to negotiations and development of a strategy for negotiations under §24-6-402(4)(e), C.R.S.; and conferences with the Town’s attorney for purposes of receiving legal advice on specific legal questions under §24-6-402(4)(b), C.R.S.” |

**Presented by:**
Town Attorney

**Ordinance □
Resolution □
Discussion X**

**KEY POINTS/SUPPORTING INFORMATION:**

EXECUTIVE SESSION: “For the purposes of discussion concerning the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests under Section §24-6-402(a), C.R.S.; discussion concerning personnel matters under §24-6-402(4)(f), C.R.S.; discussion regarding positions relative to matters that may be subject to negotiations and development of a strategy for negotiations under §24-6-402(4)(e), C.R.S.; and conferences with the Town’s attorney for purposes of receiving legal advice on specific legal questions under §24-6-402(4)(b), C.R.S.”

**ADVANTAGES:**
N/A

**DISADVANTAGES:**
N/A

**FINANCIAL IMPACT:**
N/A

**RECOMMENDATIONS:**
I move to enter into Executive Session “For ______________________________.”

**ATTACHMENTS:**
N/A