

**TOWN OF TIMNATH, COLORADO  
RESOLUTION NO. 20, SERIES 2023**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH  
APPROVING TOWN COUNCIL WAIVERS TO THE TIMNATH BEVERAGE SITE  
PLAN, GENERALLY LOCATED SOUTH OF HARMONY ROAD, NORTH OF  
INNOVATE PLACE AND EAST OF CLUB DRIVE**

**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**, Timnath Realty, LLC (the “Developer”) has submitted a Waiver Request for The Timnath Beverage Site Plan, more particularly described in **Exhibit A** (legal description) and **Exhibit B** (Requested Waivers) and attached hereto and incorporated herein by this reference (the “Property”); and

**WHEREAS**, a Planning Commission hearing was held on February 7, 2023, and the above described Waivers were recommended for approval to the Town Council by the Town of Timnath Planning Commission by unanimous vote (5-0); and

**WHEREAS**, a hearing with the Town Council was held on February 28, 2023 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

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

**Section 1. Approval**

The Waivers are 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 with the following condition:

**INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON FEBRUARY 28, 2023**

**TOWN OF TIMNATH, COLORADO**

  
Mark J. Soukup, Mayor

**ATTEST:**

  
Milissa Garcia-Peters, CMC  
Town Clerk



**EXHIBIT A**

**Legal Description of Property Proposed for the Site Plan**

LOT 2, TIMNATH RANCH 5<sup>th</sup> FILING REPLAT 2

## **EXHIBIT B**

### **Requested Waivers**

#### **Building Placement, Massing & Articulation**

5.10.7.6.E: Horizontal step backs in the façade shall be significant in relation to length of prominent massing forms and overall building length. Recess and project elements to avoid long monotonous facades. For instance, an 80' to 100' long structure, should have at least 3 primary massing elements on each façade including at least an 8' to 10' grade plane change, i.e. 8-10% of overall length.

**5.10.7.6.H: Maximize building transparency especially at the pedestrian level with at least 50% transparency on the primary front ground-level façade; at least 30% on side elevations; and a minimum 15% of the rear façade.**

**Table 5.2 Dimensional Standards: The rear setback in the CMU district is 5'.**