



Planning Commission Agenda

Thursday, January 20, 2022

Regular Meeting – 6:00 P.M.

Frederick Town Hall

401 Locust St.

Built On What Matters

In order to promote social distancing and to protect the health and safety of our Commission members, staff, and community this meeting will be hybrid and conducted via Zoom and in person.

Interested parties are encouraged to access the meeting via Zoom or in person at Town Hall.

The meeting information is as follows:

Join Zoom Meeting

<https://zoom.us/j/94063773463?pwd=aXg1M1d3V0VTKytRWnpPWHc3S2VDZz09>

Meeting ID: 940 6377 3463

Passcode: 24689

One tap mobile

+16699006833,,94063773463# US (San Jose)

+12532158782,,94063773463# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 940 6377 3463

Find your local number: <https://zoom.us/j/94063773463>

Please contact Town Clerk Meghan Martinez for questions regarding the meeting. 720-382-5500 or mmartinez@frederickco.gov

Call to Order – Roll Call

Additions to the Agenda

Action Agenda

A. Approval of minutes from the December 16, 2021 meeting

Public Hearing

- A. Consideration of 3 Mile Plan - Planner van Deutekom
- B. Consideration of Bear Industrial Park -Cruise America- Planner Welsh

Public Meeting

- A. Consideration of an Emergency Ordinance Related to the Comprehensive Plan - Planner van Deutekom
- B. Consideration of Clearview Villages - Planner van Deutekom

Other Business

Upcoming Meeting – February 3, 2022



401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435

PHONE: (720) 382-5500 • FAX: (720) 382-5520

WWW.FREDERICKCO.GOV

MINUTES
TOWN OF FREDERICK
PLANNING COMMISSION
MEETING CONDUCTED IN PERSON AND VIA ZOOM
DECEMBER 16, 2021
6:00 PM

CALL TO ORDER: At 6:04 p.m. Chairperson Moe called the meeting to order and requested roll call.

ROLL CALL:

- Present: Chairperson Moe, Vice Chair TeVelde, and Commissioner Conroy.
 - Commissioners Scott and Stark were not present.
- Staff: Planning Director Jennifer Simmons, Planner Maureen Welsh, Land Use Attorney Todd Messenger, and Deputy Town Clerk Taylor Kittilson.

APPROVAL OF AGENDA: There were no changes to the agenda as presented.

APPROVAL OF NOVEMBER 18, 2021 MINUTES: Motion by Vice Chair TeVelde and seconded by Commissioner Conroy to approve the November 18, 2021 Minutes. Upon roll call vote, motion passed unanimously.

LAND USE CODE AMENDMENT TO ARTICLES 2, 3, & 15:

Planning Director Jennifer Simmons presented the proposed land use code amendments.

Motioned by Vice Chair TeVelde and seconded by Commissioner Conroy to approve PCR-2021-19A. Upon roll call vote, motion passed unanimously.

CONSIDERATION OF EAGLE BUSINESS PARK FILING 5:

Planner Maureen Welsh presented the proposed filing.

The applicants, Joel Paas & Curtis McDonald (420 21st Avenue, Suite 101, Longmont, CO 80501) was present and did not address the commission.

At 6:17 Chairperson Moe opened the public hearing.

At 6:18 Chairperson Moe closed the public hearing.

Motioned by Commissioner Conroy and seconded by Vice Chair TeVelde to approve PCR-2021-18A. Upon roll call vote, motion passed unanimously.

OTHER BUSINESS:

Built on What Matters.

There being no further business of the Planning Commission, Chairperson Moe adjourned the meeting at 6:19 PM.

Approved by the Planning Commission:

Tracy Moe, Chairperson

ATTEST:

Taylor Kittilson, Deputy Town Clerk



TOWN OF FREDERICK PLANNING COMMISSION

Tracy Moe, Chairman

Alan Blair, Alternate Commissioner
William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner
Chad teVelde, Vice Chairman

PUBLIC HEARING TO CONSIDER AFFIRMING THE TOWN OF FREDERICK FUTURE LAND USE MAP AS THE THREE-MILE PLAN

Agenda Date: January 20, 2022

Attachments: A. Comprehensive Plan Map
B. PCR-2022-01A
C. PCR-2022-01B

Submitted by: Ali van Deutekom
Senior Planner

Summary Statement: The Town of Frederick originally adopted the Town of Frederick Comprehensive Plan Map on April 20, 2006 and it functioned as the Town's three-mile plan until its formal designation with Resolution 08-R-017 March 13, 2008. Since then, resolutions have been adopted annually to continue the designation of the Comprehensive Plan Map as the three-mile plan. This resolution would extend the designation for another year.

Detail of Issue/Request:

In March 2008, the Town of Frederick designated the Town of Frederick Comprehensive Plan Map as the Town's official three-mile plan with Resolution 08-R-017. This designation complies with Colorado Revised Statute 31-12-105.

As required by State Statute, the Town must designate a three-mile plan to be followed during the annexation process. The plan must be designated and updated annually. The Town has historically used the Comprehensive Plan Map as its three-mile plan.

Because this is an act that affects the Comprehensive Plan, the Planning Commission must review the request before presenting it to the Board of Trustees for ratification on February, 8 2022.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code. No public input has been received.

Legal/Political Considerations: The Town's Land Use Attorney has reviewed this application. State Statutes require the Planning Commission to have unilateral authority to approve the three-mile plan.

Alternatives/Options: Planning Commission may approve the request, deny the request, or approve the request with conditions.

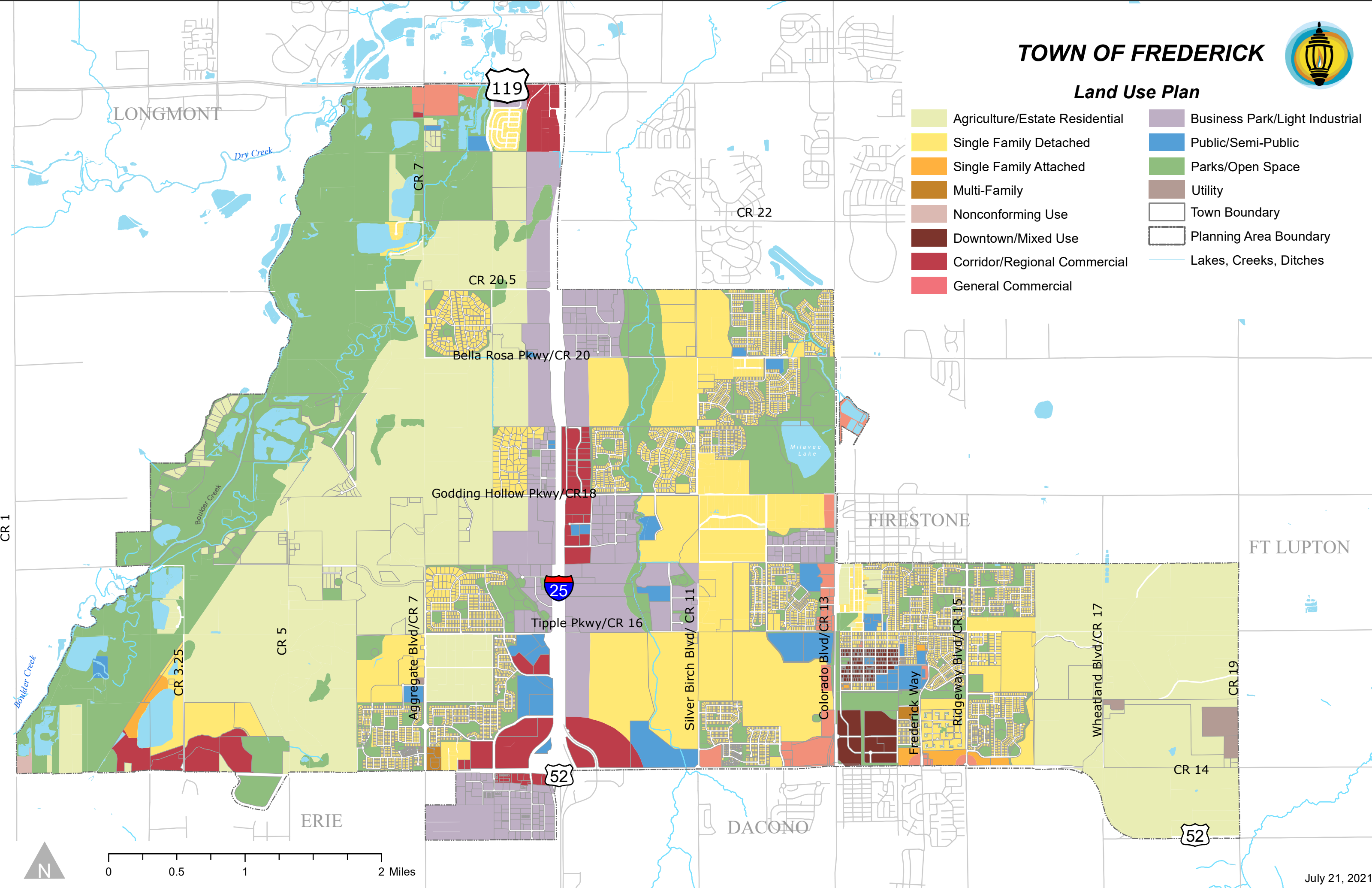
Staff Recommendation: Staff requests that the Planning Commission consider approving PCR-2022-01A which approves this request without conditions.

TOWN OF FREDERICK



Land Use Plan

- | | |
|--------------------------------|--------------------------------|
| Agriculture/Estate Residential | Business Park/Light Industrial |
| Single Family Detached | Public/Semi-Public |
| Single Family Attached | Parks/Open Space |
| Multi-Family | Utility |
| Nonconforming Use | Town Boundary |
| Downtown/Mixed Use | Planning Area Boundary |
| Corridor/Regional Commercial | Lakes, Creeks, Ditches |
| General Commercial | |



1 **PCR-2022-01A**

2 **A Resolution of the Planning Commission Affirming the Town of Frederick**
3 **Future Land Use Map as the Three-Mile Plan**

4
5 Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

6
7 Section 1. The Frederick Planning Commission finds that:

8 1.1 C.R.S. § 31-12-105(1)(e) authorizes municipalities to create a “three-mile plan”
9 for the area up to three miles offset from their municipal boundaries, within which they
10 may annex property.

11
12 1.2 C.R.S. § 31-12-105(1)(e)(I) provides in pertinent part: “Prior to completion of
13 any annexation within the three-mile area, the municipality shall have in place a plan for
14 that area that generally describes the proposed location, character, and extent of streets,
15 subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks,
16 aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for
17 water, light, sanitation, transportation, and power to be provided by the municipality and
18 the proposed land uses for the area. Such plan shall be updated at least once annually.”

19
20 1.3 C.R.S. § 31-23-206 requires the Planning Commission to create a master plan for
21 the physical development of the Town, which may include areas outside of the Town.

22
23 1.4 The Planning Commission is authorized to approve and amend, from time to time,
24 both the three-mile plan and the master plan.

25
26 1.5 In order to preserve the community’s continuous boundary, the Land Use Plan
27 provides a suitable basis for the three-mile plan.

28
29 Section 2.

30 2.1 A public hearing was held and the public was able to provide testimony.

31
32 2.2 This resolution constitutes the written report, findings, and decision of the Town
33 of Frederick Planning Commission.

34
35 Section 3. On the basis of the above, the Town of Frederick Planning Commission approves
36 designation of the Town of Frederick Comprehensive Plan Map as the Town’s
37 Three-Mile Plan.

38
39 This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

40
41
42 _____
43 Tracy Moe, Chairman, Planning Commission

1 **PCR-2022-01B**

2 **A Resolution of the Planning Commission Recommending Approval of Amendments to the**
3 **Town of Frederick Future Land Use Map as the Town's Three-Mile Plan**
4

5
6 Be it resolved by the Planning Commission of the Town of Frederick, Colorado:
7

8 Section 1. The Frederick Planning Commission finds that:

9 1.1 C.R.S. § 31-12-105(1)(e) authorizes municipalities to create a “three-mile plan”
10 for the area up to three miles offset from their municipal boundaries, within which they
11 may annex property.
12

13 1.2 C.R.S. § 31-12-105(1)(e)(I) provides in pertinent part: “Prior to completion of
14 any annexation within the three-mile area, the municipality shall have in place a plan for
15 that area that generally describes the proposed location, character, and extent of streets,
16 subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks,
17 aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for
18 water, light, sanitation, transportation, and power to be provided by the municipality and
19 the proposed land uses for the area. Such plan shall be updated at least once annually.”
20

21 1.3 C.R.S. § 31-23-206 requires the Planning Commission to create a master plan for
22 the physical development of the Town, which may include areas outside of the Town.
23

24 1.4 The Planning Commission is authorized to approve and amend, from time to time,
25 both the three-mile plan and the master plan.
26

27 1.5 In order to preserve the community's continuous boundary, the Land Use Plan
28 provides a suitable basis for the three-mile plan.
29

30 1.6 The Planning Commission finds that with amendments, the Future Land Map will
31 better represent the needs of the community.
32

33 Section 2.

34 2.1 A public hearing was held and the public was able to provide testimony.
35

36 2.2 This resolution constitutes the written report, findings, and decision of the Town of
37 Frederick Planning Commission.
38

39 Section 3. On the basis of the above, the Town of Frederick Planning Commission approves
40 designation of the Town of Frederick Future Land Use Map as the Town's Three-Mile
41 Plan with the following amendments:

- 42 1.
43 2.
44

1 This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

2

3

4

Tracy Moe, Chairman, Planning Commission



TOWN OF FREDERICK

PLANNING COMMISSION

Tracy Moe, Chairman

Alan Blair, Alternate Commissioner
William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner
Chad teVelde, Vice Chairman

CONSIDERATION OF THE BEAR INDUSTRIAL REPLAT 1 BLOCK 2 LOT 2 CONDITIONAL USE FOR CRUISE AMERICA

Agenda Date: January 20, 2022

Attachments: A. Site Plan
B. PCR-2022-02 A, B, C

Submitted by: Maureen Welsh
Planner

Summary Statement: This is a request to consider a conditional use for a recreational vehicle (RV) rental and sales business.

Detail of Issue/Request:

Applicant: Callan Miller, Baker Builders

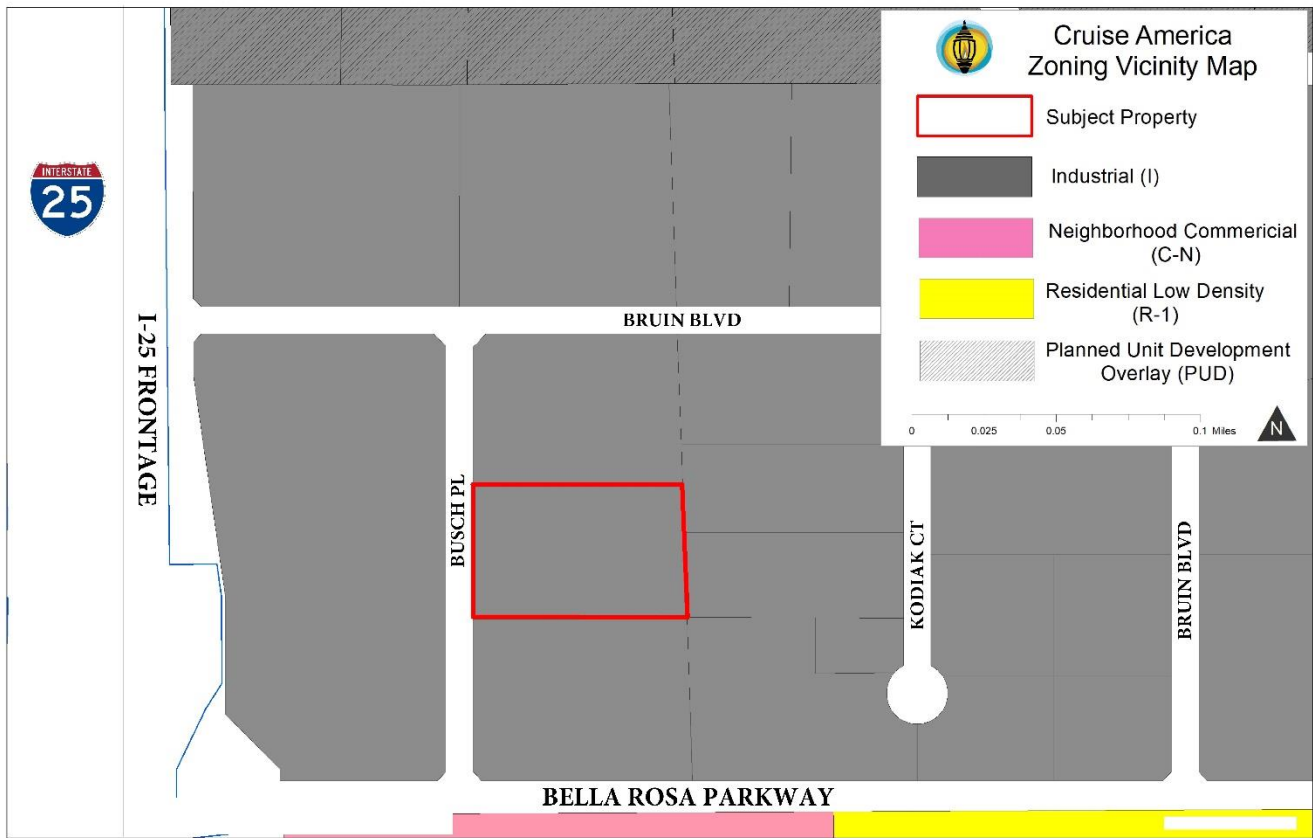
Owner: Roger Wingerberg

Location and Zoning: The project site is located approximately 300 feet north of Bella Rosa Parkway, and 500 feet east of East I-25 Frontage Road. The address is 5660 Iris Parkway. The property is zoned I (Industrial).



Surrounding Land Uses and Zoning:

North	Land use: Outdoor Storage Yard Zoning: I (Industrial)
South	Land use: vacant land Zoning: I (Industrial)
West	Land use: Trucking company office with yard Zoning: I (Industrial)
East	Land use: light industrial/manufacturing uses Zoning: I (Industrial)



Background Information:

The structure at 4180 Busch Place was partially constructed in 2019, without a tenant identified. The building is roughly 10,000 square feet with 18 parking spaces. There is a large outdoor storage area on the east side of the building. Cruise America is interested in the building and is prepared to complete the construction of the site and building, if the conditional use is approved.

Request:

The request is to allow an RV rental and sales use. There are several remaining site and building improvements which need to be completed prior to a certificate of occupancy being issued on the property. Generally, the items that need to be completed are; the fence, additional exterior material, parking lot, storage yard surface, landscaping, lighting, and the interior of the building.

Conditional Use Review Criteria:

Section 4.9.4 of the Town of Frederick Land Use Code, sets forth the following review criteria for the proposed planning action.

1. The conditional use will satisfy all applicable provisions of this Code and subdivision regulations unless a variance is being requested.

Staff Comment: There are no variances being requested.

2. The conditional use will conform with or further the goals, policies and strategies set forth in the Comprehensive Plan.

Staff Comment: The proposed conditional use is relevant to the following excerpt from the comprehensive plan Commercial & Industrial Areas goals and objectives:

Goal: Leverage Frederick's strategic location and developable areas to promote employment growth and achieve a jobs-housing balance.

Typically, RV rental and sales businesses want prominent locations with street frontage. This business is proposing to make use of a vacant light industrial/warehouse property. In doing so, they preserve a more prominent, street fronting location for a more desirable retail, restaurant or service user.

3. The conditional use will be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.

Staff Comment: All the public utilities, services and facilities were reviewed with the original site plan approval and are adequate for the RV sales use. A dump station is being proposed with the site plan amendment and will be installed if the conditional use is approved.

4. The conditional use will not substantially alter the basic character of the district in which it is located or jeopardize the development or redevelopment potential of the district.

Staff Comment: The RV inventory is kept within the building or in the outdoor storage area. The use does not alter the character of the district. The exterior of the building is consistent with other industrial/office/warehouse uses in the industrial business park.

5. The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.

Staff Comment: The applicant has estimated that on a normal business day, the business would generate 15 A.M. and P.M. peak hours trips. This is significantly lower than what the original site plan approval included which was for two 10,000 square foot buildings on site.

6. Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts:

- (a) Traffic; and
- (b) Activity levels

Staff Comment: As stated earlier, there are fewer daily trips created by the RV rental and sales use than a typical office/warehouse use. There will be very little outdoor activity on the site. There are typically 7 employees during the off-season (Nov-Mar) and up to 12 employees during the busy season (April-October).

- (c) Light

Staff Comment: The building and site lighting have been reviewed and meet the standards found in section 2.19 of the Frederick Land Use Code.

- (d) Noise
- (e) Odor

Staff Comment: There is very little noise associated with the RV rental and sales use. A new RV dump station is proposed for the east side of the building, within the storage yard. St. Vrain Sanitation has reviewed the dump station for compliance and no odors are expected to be created by the facility.

- (f) Building type, style and scale

Staff Comment: The building architecture was reviewed and approved with the original site plan application. With the addition of an outdoor storage yard, the applicant was required to add a third exterior building material. They are proposing a wood accent material for the west and south elevations.

- (f) Hours of operation

Staff Comment: The dealership hours are Monday-Saturday from 8:00am to 5:00pm.

- (g) Dust
- (h) Erosion control.

Staff Comment: The site will be fully developed. There are no dust or erosion control concerns.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code. Staff received no comments on the project.

Legal/Political Considerations: The application has been reviewed by the Town Attorney, whose comments have been incorporated accordingly.

Alternatives/Options: Planning Commission may recommend approval of the request, denial of the request, or approval of the request with conditions.

Staff Recommendation: Staff requests that the Planning Commission approval the request with PCR-22-02A.

4180 BUILDING SITE PLAN AMENDMENT

ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE TOWN OF FREDERICK DESIGN CRITERIA & CONSTRUCTION REQUIREMENTS AND ALL OTHER RULES AND REGULATIONS OF THE TOWN. WHEN REQUIRED, A PRE-CONSTRUCTION CONFERENCE SHALL BE HELD AT LEAST 48 HOURS PRIOR TO THE INITIATION OF CONSTRUCTION. THE CONTRACTOR, DEVELOPER, TOWN, DESIGN ENGINEER, AND ANTEATED UTILITY HAVE REPRESENTATIVES SHALL BE IN ATTENDANCE. THE CONTRACTOR SHALL FIELD LOCATE AND VERIFY THE LOCATION OF ALL UTILITIES WITHIN THE CONSTRUCTION AREA PRIOR TO THE INITIATION OF CONSTRUCTION AND NOTIFY THE ENGINEER OF ANY CONFLICTS. ALL EXISTING UTILITIES SHALL BE PROTECTED FROM DAMAGE BY THE CONTRACTOR'S OPERATIONS AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES AT HIS EXPENSE.

CALL FOR LOCATES AT 1-800-922-1987.

CONTRACTOR SHALL COME IN POSSESSION AT ALL TIMES, ONE (1) SIGNED COPY OF PLANS APPROVED BY THE TOWN OF FREDERICK.

ALL CONTRACTORS AND SUBCONTRACTORS SHALL BE LICENSED WITH THE TOWN OF FREDERICK. THE TOWN OF FREDERICK OR THE ENGINEER ARE NOT RESPONSIBLE FOR SAFETY IN, ON OR ABOUT THE PROJECT SITE, NOR FOR COMPLIANCE BY THE APPROPRIATE PARTY OF ANY REGULATIONS RELATING THERETO.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL DURING CONSTRUCTION. ALL TRAFFIC CONTROL SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ANY GROUNDWATER ENCOUNTERED DURING THE CONSTRUCTION OF ANY PORTION OF THIS PROJECT. GROUNDWATER SHALL BE PUMPED, PIPEED, REMOVED AND DISPOSED OF IN A MANNER WHICH DOES NOT CAUSE FLOODING OF EXISTING STREETS OR EROSION ON ABUTTING PROPERTIES IN ORDER TO CONSTRUCT THE IMPROVEMENTS SHOWN ON THESE PLANS. NO CONCRETE SHALL BE PLACED WHERE GROUNDWATER IS VISIBLE OR UNTIL THE GROUNDWATER TABLE HAS BEEN LOWERED BELOW THE PROPOSED IMPROVEMENTS. ANY UNSTABLE AREA AS A RESULT OF THE EXCAVATION OR THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE STABILIZED AS AGREED UPON BY THE CONTRACTOR, THE TOWN OF FREDERICK AND THE DESIGN ENGINEER AT THE TIME OF THEIR COOPERANCE.

IT SHALL BE THE DESIGN ENGINEER'S RESPONSIBILITY TO RESOLVE CONSTRUCTION PROBLEMS WITH THE TOWN OF FREDERICK DUE TO CHANGED CONDITIONS ENCOUNTERED BY THE CONTRACTOR DURING THE PROGRESS OF ANY PORTION OF THE PROPOSED WORK. IF, IN THE OPINION OF THE TOWN OF FREDERICK, PROPOSED ALTERATIONS TO THE SIGNED CONSTRUCTION PLANS INVOLVES SIGNIFICANT CHANGES TO THE WORK, THE CONTRACTOR, OR TO THE FUTURE (1) OF THE PUBLIC OR PRIVATE IMPROVEMENTS, THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR SUBMITTING REVISED PLANS TO THE TOWN OF FREDERICK FOR REVIEW AND APPROVAL PRIOR TO ANY FURTHER CONSTRUCTION RELATED TO THAT PORTION OF THE WORK.

THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY, AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFINE, INDEMNIFY AND HOLD HARMLESS, THE TOWN OF FREDERICK, FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK, ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE TOWN OF FREDERICK OR THE ENGINEER.

EROSION CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AS APPROVED BY THE ENGINEER AND THE TOWN OF FREDERICK. TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES PER SECTION M-107-A OF THE COLORADO DIVISION OF HIGHWAYS M AND S STANDARDS SHALL BE INSTALLED DURING CONSTRUCTION AS DEEMED NECESSARY BY THE TOWN OF FREDERICK CONSTRUCTION INSPECTOR OR THE ENGINEER.

THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, SIGNS, BARRICADES, FLAG MEN OR OTHER DEVICES NECESSARY TO PROVIDE FOR PUBLIC SAFETY IN ACCORDANCE WITH TOWN STANDARDS. CONTRACTOR SHALL NOTIFY ALL AFFECTED PARTIES, TOWN, UTILITY, AND PROJECT ENGINEER, A MINIMUM OF 72 HOURS PRIOR TO ANY WATER SERVICE INTERRUPTION, THIS INCLUDES THE LEFT HAND WATER DISTRICT - PHONE: (303) 630-4200.

ONCE PERFORMANCE TOWN, LLC ASSUMES NO RESPONSIBILITY FOR UTILITY LOCATIONS, THE UTILITIES SHOWN ON THESE PLANS DRAWINGS HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS WORK WITH LAND OWNERS, TOWN AND OTHER PARTIES AFFECTED BY HIS OPERATIONS.

CONTRACTOR SHALL SAW-CUT JOINTS ABUTTING EXISTING PAVEMENT TO PROVIDE A NEAT, UNIFORM, STRAIGHT LINE ALONG STABLE PAVEMENT.

THE FOLLOWING TYPES OF PAVEMENT SHALL BE IN COMPLIANCE WITH COT SPECIFICATIONS.

ALL CONCRETE SHALL BE CLASS 4.

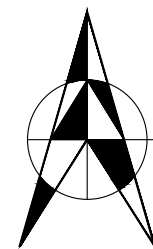
COMPACTION IN ROADWAYS, DITCH CROSSINGS, UTILITY CROSSINGS AND WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE 95% OF OPTIMUM DENSITY AS DETERMINED BY AASHTO T180 OR T19 AS APPLICABLE FOR THE SOIL TYPE.

CONTRACTOR SHALL REPAIR, AND REPLACE IF NECESSARY, THOSE PORTIONS OF EXISTING ROADS AND/OR TRAILS WHICH ARE DISTURBED DURING THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS. REPAIRS SHALL BE MADE IN ACCORDANCE WITH THE TOWN OF FREDERICK REPAIR, AND REEEDING AND REEEDING APPLICABLE SAFETY REGULATIONS AND STANDARDS.

ALL DISTURBED AREAS WITHIN THE TOWN R.O.W. ARE TO BE REEDED AFTER FINAL GRADING, AT THE DISCRETION OF THE TOWN OF FREDERICK. AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 4" OF TOP SOIL AND SHALL BE REEDED. THE FOLLOWING TYPES AND RATES SHALL BE USED:

SEEDING APPLICATION: DRILL SEED OR HAND BROADCAST .25" - .50" INTO TOPSOIL.
MULCHING REQUIREMENT AND APPLICATION: 2 TONS STRAW MULCH PER ACRE MECHANICALLY OR HAND CRIMPED INTO TOPSOIL.

2. THE TOWN OF FREDERICK OR THE ENGINEER EXERCISES NO CONTROL OF THE SAFETY OR ADEQUACY OF ANY EQUIPMENT BUILDING COMPONENTS, SCAFFOLDING, FORMS OR ANY OTHER WORK AIDS USED IN OR ABOUT THE PROJECT, OR IN THE PERFORMING OF THE SAME.
3. ALL IMPROVEMENTS WILL BE ACCURATELY SURVEYED AND STAKED IN ACCORDANCE WITH THE APPROVED PLANS PRIOR TO THEIR CONSTRUCTION.
4. ALL WORK SHALL BE INSPECTED BY THE TOWN'S REPRESENTATIVE WHO SHALL HAVE THE AUTHORITY TO HALT CONSTRUCTION WHEN, IN HIS OPINION, THE TOWN'S RULES AND REGULATIONS, THESE SPECIFICATIONS OR THE CONSTRUCTION PROTECTION ACTS HAVE NOT BEEN FULLY ADHERED TO.
5. THE TOWN OF FREDERICK SHALL BE NOTIFIED 72 HOURS IN ADVANCE OF ANY CONSTRUCTION.
6. ALL REQUIRED PERMITS FROM THE TOWN OF FREDERICK SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
7. ALL SEWER LINE SHALL BE PVC PIPE, SDR 35, ASTM D3034.
8. WATERVULN BEING SHALL BE SQUEEGEE MATERIAL, 100% BY WEIGHT SHALL PASS 3/8" SIEVE, 0% 5/8" SHALL PASS NO. 200 SIEVE.
9. DEFLECTION OF PIPE SHALL CONFORM TO AWWA AND/OR 80% OF MANUFACTURERS RECOMMENDED MAXIMUM DEFLECTION WHICHEVER IS MORE STRINGENT.
10. PROVIDE CONCRETE REACTION BLOCKING AT ALL TEES, BENDS, PLUGS, AND HYDRANTS PER TOWN OF FREDERICK SPECIFICATION.
11. WATER AND SANITARY SEWER SERVICE LINES SHALL HAVE A MINIMUM 10' HORIZONTAL SEPARATION, PER THE UNIFORM PLUMBING CODE, LATEST REVISION THEREOF.
12. ALL HANDICAP RAMPS ARE TO MEET ADA STANDARDS WHICH INCLUDE INSTALLING DETECTABLE RAISED PANELS.
13. ALL CURB/UTV PIPE SHALL BE RECP, CLASS III, ASTM C 76 WITH R-4 JOINTS.
14. RESTORE OFFSITE IMPROVEMENTS DISTURBED BY CONSTRUCTION ACTIVITY, SUCH AS DRIVEWAYS, FENCES, CURB/UTS, SIGNAGE, ETC. TO ORIGINAL CONDITION, OR BETTER AS REQUIRED.
15. PROVIDE CONCRETE REACTION BLOCKS AND "MEGA-LOU" MECHANICAL RESTRAINT, ON PIPE LENGTH EACH SIDE, AT TEES, BENDS, PLUGS AND HYDRANTS.
16. AS A CONDITION OF THE AWARD, THE CONTRACTOR SHALL BE SUBMITTED PRIOR TO THE PROBATIONARY ACCEPTANCE OF THE CONSTRUCTION. CONTRACTOR TO MAINTAIN A CURRENT UPDATED REDLINE AS-BUILT SET DURING CONSTRUCTION AND HAVE AVAILABLE FOR REVIEW.



SCALE: 1" = 500'

EMPLOYMENT INFORMATION
15 EMPLOYEES DURING THE
SUMMER MONTHS AND 7
EMPLOYEES DURING THE WINTER
MONTHS ARE ESTIMATED

GROUP B: 1-STORY OFFICE SPACE
GROUP S-2: MAINTENANCE/WAREHOUSE SPACE

TYPE II-B

A FIRE SUPPRESSION SYSTEM WILL BE INSTALLED WITH THIS OCCUPANCY.

INCLUDE ONE (1) VAN ACCESSIBLE HANDICAP SPACE

THE SITE PLAN MAP OF 4180 BUILDING SITE PLAN AMENDMENT, IS APPROVED
AND ACCEPTED BY THE TOWN OF FREDERICK STAFF THIS ____ DAY
OF ____ 2021.

I, BRADLEY J. OLSEN, A REGISTERED CIVIL ENGINEER IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SITE PLAN MAP SHOWN HEREON IS A CORRECT DELINEATION OF THE ABOVE DESCRIBED PARCEL OF LAND.

I FURTHER CERTIFY THAT THIS SITE PLAN MAP (AND LEGAL DESCRIPTION) WAS PREPARED UNDER MY PERSONAL SUPERVISION AND IN ACCORD WITH APPLICABLE STATE OF COLORADO REQUIREMENTS ON THIS 1st DAY OF DECEMBER, 2021.

BY

SEAL



KNOW ALL MEN BY THESE PRESENTS THAT 4180 BUSCH PLACE, LLC, BEING THE OWNER, MORTGAGEE OR LIENHOLDER OF CERTAIN LANDS IN FREDERICK, COLORADO DESCRIBED AS FOLLOWS:

4180 BUILDING SITE PLAN AMENDMENT

HAVE LAID OUT THIS SITE PLAN MAP OF THE ABOVE DESCRIBED LAND UNDER THE NAME AND STYLE OF 4180 BUILDING SITE PLAN AMENDMENT. THIS DESCRIBED SITE PLAN MAP CONTAINS 2.149 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY EXISTING AND/OR OF PUBLIC RECORD.

EXECUTED THIS _____ DAY OF _____ 2021.

ROGER WINGERBERG, MEMBER

STATE OF COLORADO)
) SS
COUNTY WELD)

THE FOREGOING CERTIFICATE OF OWNERSHIP AND MAINTENANCE WAS
ACKNOWLEDGED BEFORE ME BY _____ ACTING
IN HIS/HER CAPACITY AS _____ OF _____ THIS _____ DAY,
OF _____, 2021

WITNESS MY HAND AND SEAL _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

SITE DATA TABLE		
DESCRIPTION	AREA (S.F.)	AREA %
BUILDING FOOTPRINT	9800	10
PAVEMENT	33366	36
CONCRETE WALK/PANS	3581	4
LANDSCAPE/OPEN SPACE	27083	29
GRAVEL	19824	21
TOTAL AREA (S.F.)	93654	100
TOTAL AREA (AC.) REPLAT OF LOT 1, BLOCK 1	2.150	100

b.olsen@olsenperformance.com
www.olsenperformance.com



5660 Iris Parkway
Frederick, CO 80504
(720) 588-2494
www.bakersteelerectors.com

1. THE UTILITIES SHOWN ON THIS PLAN ARE FROM ONLY A REPRESENTATION DERIVED FROM LOCATES AND ONSITE OBSERVATIONS. NOT ALL UTILITIES ARE SHOWN.
2. CONTRACTOR TO VERIFY HORIZONTAL AND VERTICAL EXTENTS OF ANY EXISTING UTILITIES PRIOR TO COMMENCEMENT OF WORK. UTILITIES SHALL BE EXPOSED FOR ACCURATE LOCATION.
3. CONTRACTOR WILL BE RESPONSIBLE FOR CALLING THE UTILITY NOTIFICATION CENTER OF COLORADO AT 1-800-922-1987 A MINIMUM OF 2 WORKING DAYS PRIOR TO CONSTRUCTION.
4. REFER TO BUILDING PLUMBING PLANS FOR UTILITY CONTINUATIONS.
5. THE WORK SITE SHALL BE MAINTAINED IN A NEAT CLEAN, HAZARD FREE, ORDERLY STATE THROUGHOUT CONSTRUCTION.
6. ROOF DOWNSPOUTS ARE TO BE EXTENDED TO THE PAVEMENT AND/OR CURB SECTIONS.
7. REFER TO THE LANDSCAPE PLANS FOR DETAILS ON PROPOSED LANDSCAPING.
8. REFER TO C-111 - PHOTOMETRIC PLAN FOR DETAILS ON SITE LIGHTING.
5. REFER TO SHEET C-105, C-106, AND C-107 FOR ADDITIONAL DETAILS.
6. PLUMBING PLANS MUST BE SUBMITTED TO ST. VRAIN SANITATION DISTRICT FOR APPROVAL BEFORE INSTALLATION.
7. **STORAGE IS NOT ALLOWED IN DETENTION POND AREA.**
8. NO EXTERIOR MONUMENT BUSINESS SIGN IS ANTICIPATED AT THIS TIME.

STANDARD 9' x 18' STALLS	17
ADA 8' WIDE VAN STALL	1
TOTAL	18

[illegible]

**4180 BUILDING
SITE PLAN AMENDMENT**
4180 Busch Place
Lot 2, Block 2, Bear Industrial Park, Replat 1
Frederick, Weld County, Colorado

DRAWING NO.	REVISION
C-101	2



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Recommending Approval of the Bear Industrial Replat 1 Block 2 Lot 2 Conditional Use

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Bear Industrial Replat 1 Block 2 Lot 2 Conditional Use has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held January 20, 2022.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.9.4 of the Frederick Land Use Code.

Section 2.

- 2.1 A public hearing was held and the public was able to provide testimony.
- 2.2 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends approval of the application.

This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

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Recommending Denial of the Bear Industrial Replat 1 Block 2 Lot 2 Conditional Use

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Bear Industrial Replat 1 Block 2 Lot 2 Conditional Use has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held January 20, 2022.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.9.4 of the Frederick Land Use Code.

Section 2.

- 2.1 A public hearing was held and the public was able to provide testimony.
- 2.2 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends denial of the application.

This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

1 **PCR-2022-02C**

2 **A Resolution of the Planning Commission**

3 **Recommending Conditional Approval of the Bear Industrial Replat 1 Block 2 Lot 2**
4 **Conditional Use**

5
6 Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

7
8 Section 1. The Frederick Planning Commission finds that:

9 1.1 An application for the Bear Industrial Replat 1 Block 2 Lot 2 Conditional Use has
10 been submitted.

11 1.2 Said application was found to be complete through the review process.

12 1.3 Said application was considered during a public meeting held January 20, 2022.

13 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.

14 1.5 Said application conforms with the applicable requirements of Section 4.9.4 of the
15 Frederick Land Use Code.

16 Section 2.

17 2.1 A public hearing was held and the public was able to provide testimony.

18
19 2.2 The Planning Commission recommendation is based on competent, substantial
20 evidence in the written record and the testimony provided at the public hearing.

21
22 Section 3. On the basis of the above, the Town of Frederick Planning Commission
23 recommends approval of the application with the following conditions:

24 1.

25 2.

26
27 This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

28
29 _____
30 Tracy Moe, Chairperson, Planning Commission
31



TOWN OF FREDERICK

PLANNING COMMISSION

Tracy Moe, Chairman

Alan Blair, Alternate Commissioner
William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner
Chad teVelde, Vice Chairman

CONSIDERATION TO LIMIT THE WEIGHT GIVEN TO THE COMPREHENSIVE PLAN IN LAND USE DECISION-MAKING

Agenda Date: January 20, 2022

Attachments: A. PCR-2022-04 A-C

Submitted by: Ali van Deutekom
Senior Planner

Summary Statement: This is a request to consider emergency amendments to the Land Use Code to limit the weight given to the comprehensive plan in Land Use decision-making after it has been in effect without comprehensive review and update or re-approval for a period of 5 years or more, and to remove consideration of the Comprehensive Plan from certain decision-making procedures in which compliance with the land development code without further reference to the comprehensive plan provides an appropriate standard.

Detail of Issue/Request:

Background Information:

A comprehensive plan sets forth goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within a community. Best practices in comprehensive planning suggest comprehensive plans should be updated at most, every ten years. In the case of a rapidly growing community, updates may need to take place every five years. The Board of Trustees has recognized that our current comprehensive plan, which was adopted on March 15, 2016, has not been reviewed and updated since its adoption. Thus, many of the policy provisions may be out of date and contrary to the Town's interests. The Board of Trustees has allocated resources for an update to the comprehensive plan in 2022. Until the update is complete, they are requesting the emphasis on compliance with the comprehensive plan be amended to reduce its weight in land use decision-making.

Request:

The amendments are described here.

Section 1. Section 1.9, Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

It is the intention of the Town that this Code implement the planning policies adopted in the Comprehensive Plan for the Town and its extraterritorial planning area. While this relationship is reaffirmed, it is the intent of the Town that neither this Code nor any amendment to it may be challenged on the basis of any alleged nonconformity with the Comprehensive Plan.

It is the intent (but not the obligation) of the Town that a Comprehensive Plan Update occur at intervals of not more than five years. When more than five years elapses between Comprehensive Plan Updates, it is the policy of the Town that the plan shall be given less weight in certain land use decisions (as specifically provided in this Code) until the next Comprehensive Plan Update occurs.

1. Requirement for Comprehensive Plan amendment. Where a development proposal would be in substantial conflict with the Comprehensive Plan, an amendment to the Comprehensive Plan will be required prior to any zoning or subdivision approvals. A substantial conflict will exist when a development proposal would result in changes from the designations of the Land Use Plan Map, Transportation Plan Map or Parks and Open Space Map in the Comprehensive Plan.

2. Criteria for evaluating amendment proposals. Amendments to the Comprehensive Plan resulting from development proposals under this Code shall be evaluated according to the criteria and procedure outlined in Article 4 of the Land Use Code.

Section 2. Section 1.15, Town of Frederick Land Use Code, is amended to add the following definition after the definition of the phrase “Comprehensive Plan” (double underline is added text):

Comprehensive Plan Update means an update to or replacement of the Comprehensive Plan that is adopted by the Planning Commission and approved by the Board. The phrase Comprehensive Plan Update also includes ratification of an existing Comprehensive Plan by resolution of the Board after a review of the plan in its entirety.

Section 3. Section 2.4., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

2. *General provisions.*

a. The Town has established a Comprehensive Plan and adopted a cooperative planning area policy by Ordinance 571, Uniform Baseline Standards for Weld County, Firestone, Frederick and Dacono, dated September 7, 1998. The purpose of these documents is to direct growth within the established planning area. No development shall be approved unless, in addition to the other applicable standards of this Code, it is located within the established planning area and is consistent with the Town of Frederick Comprehensive Plan Land Use Map, adopted April 20, 2006, as amended from time to time.

* * *

Section 4. Section 2.11., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

5. *Types of parks and open space by use and zoning district.* * * *

* * *

c. *Neighborhood parks.* * * *

* * *

(3) Developers providing land shall submit a conceptual design for the park to demonstrate that it meets the intent of Article 2, Community Design Principles and Development Standards, and applicable Town plans regarding parks, open space, and trails~~the Frederick Comprehensive Plan~~ at preliminary plat and a final design at final plat.

Section 5. Section 4.1., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

3. These Regulations in conjunction with the Zoning Code, establish procedural and substantive rules for obtaining the necessary approval to develop land and construct buildings and structures. Development applications will be reviewed for compliance with the Comprehensive Plan (as provided herein) and with adopted regulations, policies, and other guidelines.

Section 6. Section 4.2., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

This Article is designed and enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town by:

1. Encouraging new subdivision developments to relate to the Town's historic development pattern.
2. Promoting compact, well-defined, sustainable neighborhoods that enhance the Town's character.
3. Creating livable neighborhoods that foster a sense of community and reduce dependency on private vehicles.
4. Encouraging the proper arrangement of streets in relation to existing or planned streets and ensuring that streets facilitate safe, efficient and pleasant walking, biking and driving.
5. Providing a variety of lot sizes and housing types in every neighborhood.

6. Protecting sensitive natural and historic areas and the Town's environmental quality.
7. Providing for adequate and convenient open spaces for traffic, utilities, access of fire apparatus, recreation, light and air and for the avoidance of congestion of population.
8. Providing open spaces for adequate storm water management.
9. Providing adequate spaces for educational facilities.
10. Providing protection from geologic hazards and flood prone areas.
11. Ensuring compliance with this Code, ~~the Comprehensive Plan, and~~ the Community Design Principles and Development Standards (Article 2 of this Code), and consistency with the Comprehensive Plan to the extent such consistency is provided for herein.
12. Regulating such other matters as the Board of Trustees may deem necessary in order to protect the best interest of the public.

Section 7. Section 4.7.2., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

d. *Review Criteria.* For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the official zoning map shall not be amended except:

(1) To correct a manifest error in an ordinance establishing the zoning for a specific property;

(2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;

(3) ~~The land to be rezoned was zoned in error and as presently zoned is inconsistent with~~ To bring the official zoning map into conformity with the policies and goals of the Comprehensive Plan, provided that if a Comprehensive Plan Update has not occurred in the five years preceding the application date, the Board specifically finds that the public health, safety, and welfare will be advanced by amending the official zoning map to conform to the Comprehensive Plan;

(4) ~~The proposed rezoning is necessary to~~ To provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and which specifically advances public health, safety, or welfare by optimizing the delivery of necessary services or amenities that the Town Board determines are a high priority~~the rezoning will be consistent with the policies and goals of the Comprehensive Plan;~~

(5) To encourage development or redevelopment of an area that has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment in accordance with an amended official zoning map;~~The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; or~~

~~(6) A rezoning to Planned Unit Development overlay district is requested to encourage innovative and creative design and to promote a mix of land uses in the development.~~

This declaration of criteria for zoning map amendments shall not control an amendment that occurs incidentally to a general revision of the zoning map.

* * *

Section 8. Section 4.7.3., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

c. *Sketch plan review criteria.* The Town shall use the following criteria to evaluate the applicant's sketch plan application:

(1) The land use mix within the project conforms to the Town's Zoning District Map and ~~Comprehensive Land Use Map and~~ furthers the following planning objectives:~~goals and policies of the Comprehensive Plan, including:~~

(a) The proposed development promotes the Town's small-town, rural character, or implements a Board-approved sub-area, corridor, or urban renewal plan, however titled;

(b) Proposed residential development adds diversity to the Town's housing supply;

(c) Proposed commercial development will benefit the Town's economic base;

(d) Parks and open space are incorporated into the site design, as appropriate to the proposed principal use or uses of the land;

(e) The proposed project protects the Town's environmental quality; and

(f) The development enhances cultural, historical, educational and/or human service opportunities.

(2) The sketch plan represents a functional system of land use and is consistent with the ~~rational and~~ criteria set forth in this Code ~~and the Comprehensive Plan.~~

(3) The utility and transportation design is adequate, given existing and planned capacities of those systems.

(4) Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.

(5) There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

* * *

Section 9. Section 4.7.4., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

b. *Preliminary plat review criteria.* The Town shall use the following criteria to evaluate the applicant's request:

(1) The preliminary plat ~~represents~~provides for a functional system of land use and is consistent with the ~~rational and~~ criteria set forth in this Code ~~and the Comprehensive Plan.~~

(2) The application is consistent with the approved sketch plan and incorporates the Planning Commission's recommendations and conditions of approval.

(3) The land use mix within the project conforms to the Town's Zoning District Map ~~and Comprehensive Land Use Map~~ and furthers the following planning objectives:~~goals and policies of the Comprehensive Plan, including:~~

(a) The proposed development promotes the Town's small-town, rural character, or implements a Board-approved sub-area, corridor, or urban renewal plan, however titled;

(b) Proposed residential development adds diversity to the Town's housing supply;

(c) Proposed commercial development will benefit the Town's economic base;

(d) Parks and open space are incorporated into the site design, as appropriate to the proposed principal use or uses of the land;

(e) The proposed project protects the Town's environmental quality; and

(f) The development enhances cultural, historical, educational and/or human service opportunities.

(4) The utility and transportation design is adequate, given existing and planned capacities of those systems.

(5) Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.

(6) There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

* * *

Section 10. Section 4.7.5., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

e. *Preliminary development plan review criteria.* The following review criteria will be used to evaluate a preliminary development plan application.

(1) The proposed benefits offset the proposed exceptions to the Zoning and Subdivision standards, and that such exceptions are in the best interest of the public health, safety, and welfare of the community.

(2) The proposed development plan does not conflict with the restrictions on development plans, and the proposed zoning is compatible with the surrounding land uses.

(3) The development plan proposes creative and innovative design and high quality development, thereby protecting and promoting public safety, convenience, health, and general welfare.

(4) The uses and densities in the proposed development plan are compatible, and will be effectively integrated with adjacent neighborhoods which now exist or are proposed in the future.

(5) The proposed development plan is in general conformance with the Comprehensive Plan

~~(6) One (1) or more of the criteria for amendment of the official zoning map has been satisfied (See Section 4.7.2).~~

* * *

Section 11. Section 4.7.7., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

7. *Appeals and Variances.*

a. *Purpose.* The Board of Trustees, sitting as a Board of Adjustment, shall hear and decide appeals from any order, requirement, decision or determination made by any administrative official charged with the enforcement of this Code. In addition, the Board of Adjustment shall hear and decide all requests for a variance from the requirements of this Code. Such variance shall not be granted if it would be detrimental to the public good, ~~create a conflict with the Comprehensive Plan~~ or impair the intent and purpose of this Code.

* * *

c. *Variance application.* Any person of interest or an officer or department of the Town may apply to the Board for a variance from the literal interpretation of the provisions this Code.

(1) Variances requests in conjunction with other applications. In addition to the submittal requirements found in Appendix A, the Applicant shall submit the following to the Planning Department in conjunction with the other application:

(a) Explanation letter, identifying the variance being requested.

(b) A citation of the portion of this Code from which relief is requested and explaining what exceptional condition, practical difficulty or unnecessary hardship exists to require the variance.

(c) A letter addressing how the variance, if granted, will not be detrimental to the public good, ~~create a conflict with the Comprehensive Plan~~ or impair the intent and purpose of this Code.

(2) Stand-alone variance requests. If the variance request is not accompanying another application which graphically depicts the variance, the applicant shall submit the following to the Planning Department in addition to the requirements found in Appendix A:

(a) Explanation letter addressing how the variance, if granted, will not be detrimental to the public good, ~~create a conflict with the Comprehensive Plan~~ or impair the intent and purpose of this Code.

* * *

d. *Appeal criteria for approval.* The Board, in hearing an appeal from an interpretation of this Code, shall consider:

(1) The technical meaning of the provision being appealed;

(2) Evidence of the manner in which the provision has been interpreted in the past;

(3) The positive or negative impact of the requested appeal on the achievement of stated Town development goals and objectives; and

(4) The intent of the provision in implementing the Comprehensive Plan, provided that if a Comprehensive Plan Update has not occurred in the five years preceding the application date, the Board may consider the level of benefit that will be created by granting the appeal against the level of risk to current Town planning priorities that the Board determines may be created by granting the appeal.

In approving a requested interpretation, the Board shall provide a written record of its findings, including determinations of current planning priorities pursuant to subsection 4.7.7.d.(4), above, if any, and the staff shall use it to propose amendments that address future interpretation problems.

* * *

Section 12. Section 4.7.8., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

8. *Waivers.*

a. *Purpose.* The Board of Trustees authorizes waivers from the Land Use Code as provided in this subsection 8.~~in cases where, due to exceptional conditions peculiar to the site, practical difficulties or an unnecessary hardship is placed on the landowner. Such waiver shall not be granted if it would be detrimental to the public good, create a conflict with the Comprehensive Plan, or impair the intent and purpose of this Code.~~

b. *Waiver application; waiver requests in conjunction with other applications.* In addition to the requirements of Appendix A, the Applicant shall submit the following to the Planning Department in conjunction with another application:

(1) Explanation letter, identifying the waiver being requested and explaining what exceptional condition, practical difficulty or unnecessary hardship exists to require the waiver. The letter shall also address how the waiver, if granted, will not be detrimental to

the public good, ~~create a conflict with the Comprehensive Plan~~ or impair the intent and purpose of this Code.

c. *Waiver criteria for approval.* The condition of any waiver authorized shall be stated in writing in the minutes of the Board of Trustees with the justifications set forth. Waivers may be granted only if ~~they meet the following criteria:~~ all of the following criteria are met:

(1) The waiver, if granted, will not be detrimental to the public good.

(2) Due to exceptional conditions peculiar to the site, practical difficulties or an unnecessary hardship is placed on the landowner, and such practical difficulties or unnecessary hardship has not been created by the applicant.

(3) The waiver, if granted, does not create a conflict with a Comprehensive Plan that has been the subject of a Comprehensive Plan Update within the five years preceding the application.

(4) The waiver, if granted, does not impair the intent and purpose of this Code.

~~(5)~~ (5) The waiver, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor diminish the value, use or enjoyment of adjacent property.

~~(6)~~ (6) The waiver, if granted, is the minimum variance that will afford relief and is the least modification possible of the subdivision ordinance provisions which are in question.

~~(3) Such practical difficulties or unnecessary hardship has not been created by the applicant.~~

* * *

Section 13. Section 4.9.4, Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

c. *Conditional use review criteria.* The Town shall use the following criteria to evaluate the Applicant's request:

(1) The conditional use will satisfy all applicable provisions of this Code and subdivision regulations unless a variance is being requested.

(2) The conditional use will conform with or further the goals, policies and strategies set forth in the Comprehensive Plan, provided that if a Comprehensive Plan Update has not occurred in the five years preceding the application date, the Board may consider instead the impacts of the conditional use on public health, safety, and welfare, including but not limited to its anticipated impacts on the balance of land uses in the Town and the need for the conditional use in the context in which it is proposed.

(3) The conditional use will be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit,

storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.

(4) The conditional use will not substantially alter the basic character of the district in which it is located or jeopardize the development or redevelopment potential of the district.

(5) The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.

(6) Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts:

- (a) Traffic;
- (b) Activity levels;
- (c) Light;
- (d) Noise;
- (e) Odor;
- (f) Building type, style and scale;
- (g) Hours of operation;
- (h) Dust; and
- (i) Erosion control.

(7) The applicant has submitted evidence that all applicable local, state, and federal permits have been or will be obtained.

* * *

Section 14. Section 4.11.4., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

d. *Review criteria.* The Planning Director may approve minor modifications only upon finding that:

(1) The modification is necessary to satisfy the federal requirements for reasonable accommodation of housing for protected groups under the Federal Fair Housing Amendments Act; or

(2) The modification is necessary to eliminate a substantial burden on religious exercise as guaranteed by the federal RLUIPA of 2000; or

(3) All of the following criteria have been met:

(a) The requested modification ~~is generally consistent with the Frederick Comprehensive Plan and~~ is consistent with the stated purposes of this Land Use Code;

(b) As applicable, the requested modification is consistent with the approved final plan or plat;

(c) The requested modification eliminates an unnecessary inconvenience or practical difficulty to the applicant and will have no significant adverse impact on the health, safety or general welfare of surrounding property owners or the general public;

(d) Any adverse impacts resulting from the minor modification will be mitigated to the maximum extent practical; and

(e) The requested minor modification is either:

i) Of a technical nature and is required to compensate for some practical difficulty or unusual aspect of the site or the proposed development that is not shared by landowners in general; or

ii) An alternative or innovative design practice that achieves to the same or better degree the objective of the existing design standard sought to be modified.

Practical difficulties. In determining practical difficulty, the Planning Director shall consider and apply the factors stated in Section 4.7.7.e of the Land Use Code (review criteria for variances).

Section 15. Section 4.11.6., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

6. *Temporary use.*

a. *General.* Operation or establishment of a temporary use or structure shall be conditioned upon full prior compliance with the provisions stated in this subsection.

b. *Review procedure.* All applications for temporary use shall follow the core procedure for review of administrative applications, stated in Section 4.10, except for the following modifications:

(1) *Permit required.* An approved temporary use shall be issued a Temporary Use Permit that shall include the duration of the approval and shall include or reference all conditions of approval.

(2) *Conditions of approval.* In approving a temporary use, the Planning Director may impose conditions including but not limited to control of nuisance factors (e.g., glare, noise, smoke, dust), provision of security and safety measures, and limitations on hours of operation, storage, and parking, provided such conditions are reasonably necessary to:

(a) Satisfy the review criteria of this subsection and the specific purposes of the zoning district in which the temporary use will be located, ~~or to be consistent with the Comprehensive Plan;~~

(b) Protect the public health, safety, and general welfare; or

(c) Ensure operation and maintenance of the temporary use in a manner compatible with existing uses on adjoining properties and in the surrounding area.

* * *

d. *Review criteria.* An application for a temporary use or structure shall demonstrate compliance with the general standards stated in this subsection and all of the following criteria:

(1) The proposed site for the temporary use or structure is adequate in size and shape to accommodate the temporary use.

(2) The proposed temporary use will be located, operated, and maintained in a manner consistent with the ~~Comprehensive Plan and the~~ provisions of the Land Use Code.

(3) The operation of the requested use at the proposed location and within the time period specified will not create adverse impacts on surrounding properties or neighborhoods.

(4) To the maximum extent feasible, site design, including but not limited to location of parking, structures, and lighting, shall assure compatibility with surrounding uses.

(5) Temporary uses shall not violate any applicable conditions of approval that apply to the principal use on the site.

(6) The Applicant or operator shall be responsible for obtaining any other required permits, such as health department permits.

(7) Permanent alterations to the site are prohibited.

Section 16. Section 8.12., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

* * *

2. Approval or denial of a Development Permit by the Town Engineer shall be based on all of the provisions of this Article and the following relevant factors:

a. The danger to life and property due to flooding or erosion damage;

b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

c. The danger that materials may be swept onto other lands to the injury of others;

d. The compatibility of the proposed use with existing and anticipated development;

e. The safety of access to the property in times of flood for ordinary and emergency vehicles;

f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

- g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable; and
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
- ~~j. The relationship of the proposed use to the Comprehensive Plan for that area.~~

Section 17. Section 12.6., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

a. *Form of submitted materials.* The applicant shall submit the required information to the Town Clerk on paper and by electronic media as required. Accompanying the submission shall be a filing fee as established by the current fee schedule and a signed fee agreement form. The submission shall be reviewed by the Town staff for completeness and compliance with the provisions of ~~the Comprehensive Plan,~~ the Municipal Code and this Article. The applicant shall be notified of any deficiencies or inadequacies. An incomplete submission shall not be processed or be considered by the Planning Commission or Board of Trustees.

* * *

6. *Project summary.* Except for individual items as may be waived in whole or in part by the Town Clerk, the applicant shall submit a written project summary that completely addresses the following:

* * *

~~(k) Compliance with the Comprehensive Plan, and~~

(k) Provide a chart titled "Comparison Analysis" on 8 1/2" x 11" paper comparing elements in the proposed MH Park development plan to the corresponding requirements for those elements in the then-current zone for the property as contained in this Code.

* * *

d. MH District review and approval criteria. In addition to the criteria set forth for zoning amendments (Section 3.11(d)), the following criteria shall be considered by the Planning Commission and Board of Trustees in the review of MH District zoning applications:

- 1. Whether the application is in compliance with the requirements of this Subsection;
- 2. Whether the proposed zoning is compatible with the surrounding land uses; and
- 3. Whether the subject land is suitable for the intended use and is compatible with the natural environment; and
- ~~4. Whether the MH district is compatible with the Comprehensive Plan and related plans and documents.~~

Section 18. Section 12.10., Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text, double underline is added text, * * * represents large blocks of text that are not changed by this Ordinance):

a. *Form of submitted materials.* The applicant shall submit the required information to the Town Clerk on paper and by electronic media as required. Accompanying the submission shall be a filing fee as established by the current fee schedule and a signed fee agreement form. The submission shall be reviewed by the Town staff for completeness and compliance with ~~the provisions of the Comprehensive Plan,~~ the Municipal Code and this Article. The applicant shall be notified of any deficiencies or inadequacies. An incomplete submission shall not be processed or considered by the Planning Commission or Board of Trustees.

* * *

d. *MFH District review and approval criteria.* In addition to the criteria set forth for zoning amendments (Section 3.11(d)), the following criteria shall be considered by the Planning Commission and Board of Trustees in the review of MFH District zoning applications:

1. Whether the application is in compliance with the requirements of this Subsection;
2. Whether the proposed zoning is compatible with the surrounding land uses; and
3. Whether the subject land is suitable for the intended use and is compatible with the natural environment; and
- ~~4. Whether the MFH District is compatible with the Comprehensive Plan and related plans and documents.~~

* * *

Section 19. Effective Date. This Ordinance shall become effective immediately.

Section 20. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 21. Necessity. The Board of Trustees of the Town of Frederick finds that this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Frederick.

Section 22. Certification. The Town Clerk shall certify to the passage of this ordinance to the Weld County Clerk and Recorder's office, and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

Review Criteria:

Section 4.7.9.b. For the purpose of establishing and maintaining sound, stable, and desirable development within the Town, the text of this Code shall not be amended except:

- (1) To correct a manifest error in the text of this Code;
- (2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff;
- (3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Code; or
- (4) To further the implementation of the goals and objectives of the Comprehensive Plan.

The proposed amendments will satisfy criteria number 3. These amendments allow time to update the comprehensive plan to align with current policies and interests of the Town.

Public Notice: This project was properly noticed according to the requirements found in C.R.S. §24-6-402(2)(c).

Legal/Political Considerations: The application has been reviewed by the Town Attorney, whose comments have been incorporated accordingly.

Alternatives/Options: Planning Commission may recommend approval of the request, denial of the request, or approval of the request with amendments.

Staff Recommendation: Staff requests that the Planning Commission consider approving PCR-2022-04A which recommends approval of this request without conditions.

1 **PCR-2022-04A**

2 **A Resolution of the Planning Commission Recommending Approval of**
3 **Amendments to the Town of Frederick Land Use Code Articles 1, 2, 4, 8 and 12**

4
5 Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

6
7 Section 1. The Frederick Planning Commission finds that:

8 1.1 Amendments to Land Use Code Sections 1, 2, 4, 8 and 12 to limit the
9 weight given to the comprehensive plan in land use decision making.

10 1.2 Said amendments generally conform with the applicable requirements of
11 Section 4.7.9.b. of the Frederick Land Use Code.

12 Section 2. This resolution constitutes the written report, findings and decision of the
13 Town of Frederick Planning Commission.

14 Section 3. On the basis of the above, the Town of Frederick Planning Commission
15 recommends approval of the application.

16
17
18 This resolution approved this 20th day of January, 2022, by a vote of __ to __.

19
20 _____
21 Tracy Moe, Chairman, Planning Commission

**A Resolution of the Planning Commission Recommending Denial of Amendments to
the Town of Frederick Land Use Code Articles 1, 2, 4, 8 and 12**

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

1.3 Amendments to Land Use Code Sections 1, 2, 4, 8 and 12 to limit the
weight given to the comprehensive plan in land use decision making.

1.4 Said amendments do not conform with the applicable requirements of
Section 4.7.9.b. of the Frederick Land Use Code.

Section 2. This resolution constitutes the written report, findings and decision of the
Town of Frederick Planning Commission.

Section 3. On the basis of the above, the Town of Frederick Planning Commission
recommends denial of the application.

This resolution approved this 20th day of January, 2022, by a vote of ___ to ___.

Tracy Moe, Chairman, Planning Commission

**A Resolution of the Planning Commission Recommending Conditional Approval of
Amendments to the Town of Frederick Land Use Code Articles 1, 2, 4, 8 and 12**

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

1.5 Amendments to Land Use Code Sections 1, 2, 4, 8 and 12 to limit the
weight given to the comprehensive plan in land use decision making.

1.6 Said amendments generally conform with the applicable requirements of
Section 4.7.9.b. of the Frederick Land Use Code.

Section 2. This resolution constitutes the written report, findings and decision of the
Town of Frederick Planning Commission.

Section 3. On the basis of the above, the Town of Frederick Planning Commission
recommends approval of the application with the following amendments:

- 1.
- 2.
- 3.

This resolution approved this 20th day of January, 2022, by a vote of __ to __.

Tracy Moe, Chairman, Planning Commission



TOWN OF FREDERICK PLANNING COMMISSION

Tracy Moe, Chairman

Alan Blair, Alternate Commissioner
William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner
Chad teVelde, Vice Chairman

CONSIDERATION OF THE CLEARVIEW VILLAGES PRELIMINARY/FINAL PLAT

Agenda Date: January 20, 2022

Attachments: A. Preliminary/Final Plat
B. Landscape Plans
C. PCR-2022-03 A-C
D. Letter of opposition

Submitted by: Ali van Deutekom
Senior Planner

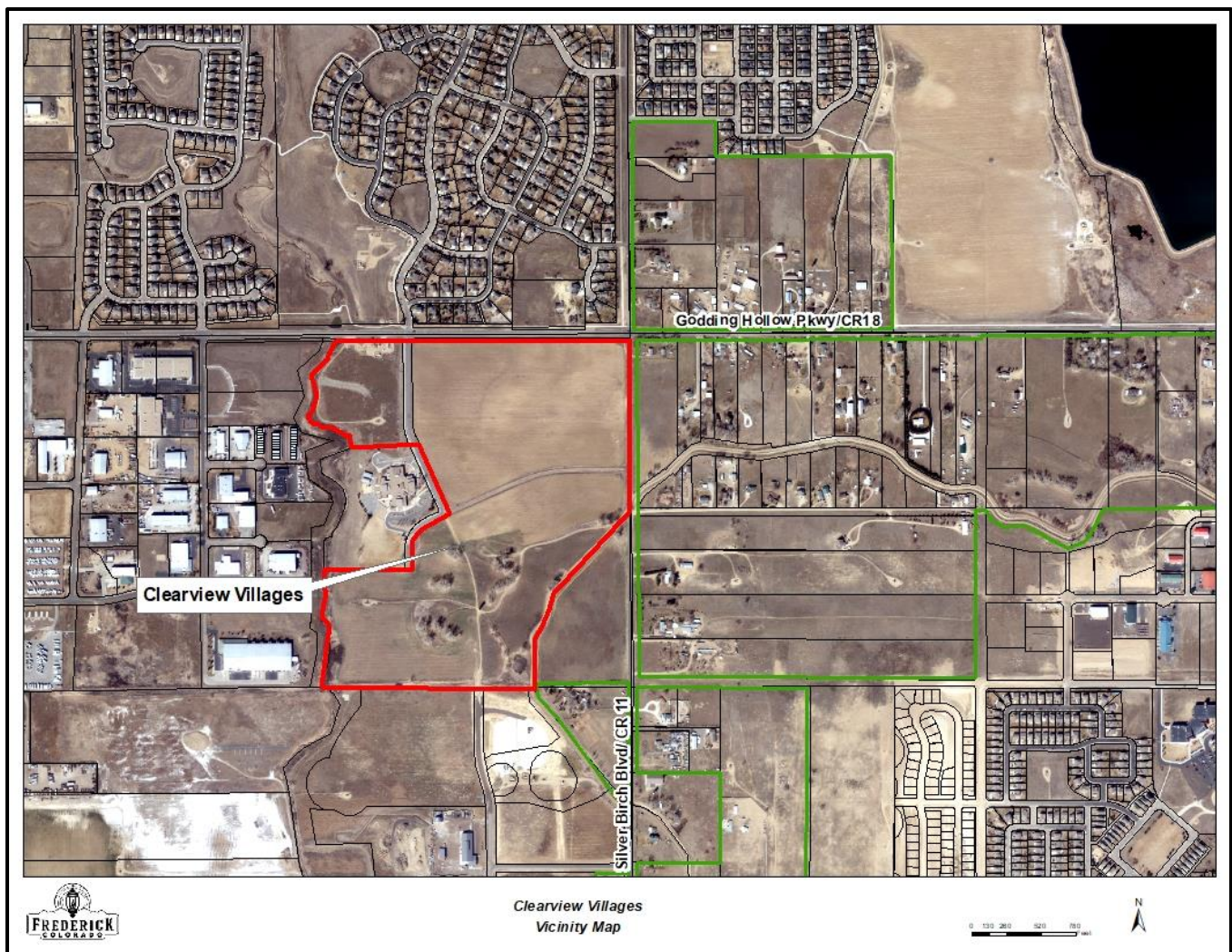
Summary Statement: This is a request for the Planning Commission to consider an application for a combined preliminary/final plat for the Clearview Villages property in order to permit the Planning Commission to make a formal recommendation to the Board of Trustees on the application. The application proposes 301 single-family home lots.

Detail of Issue/Request:

Applicant: LAI Design Group

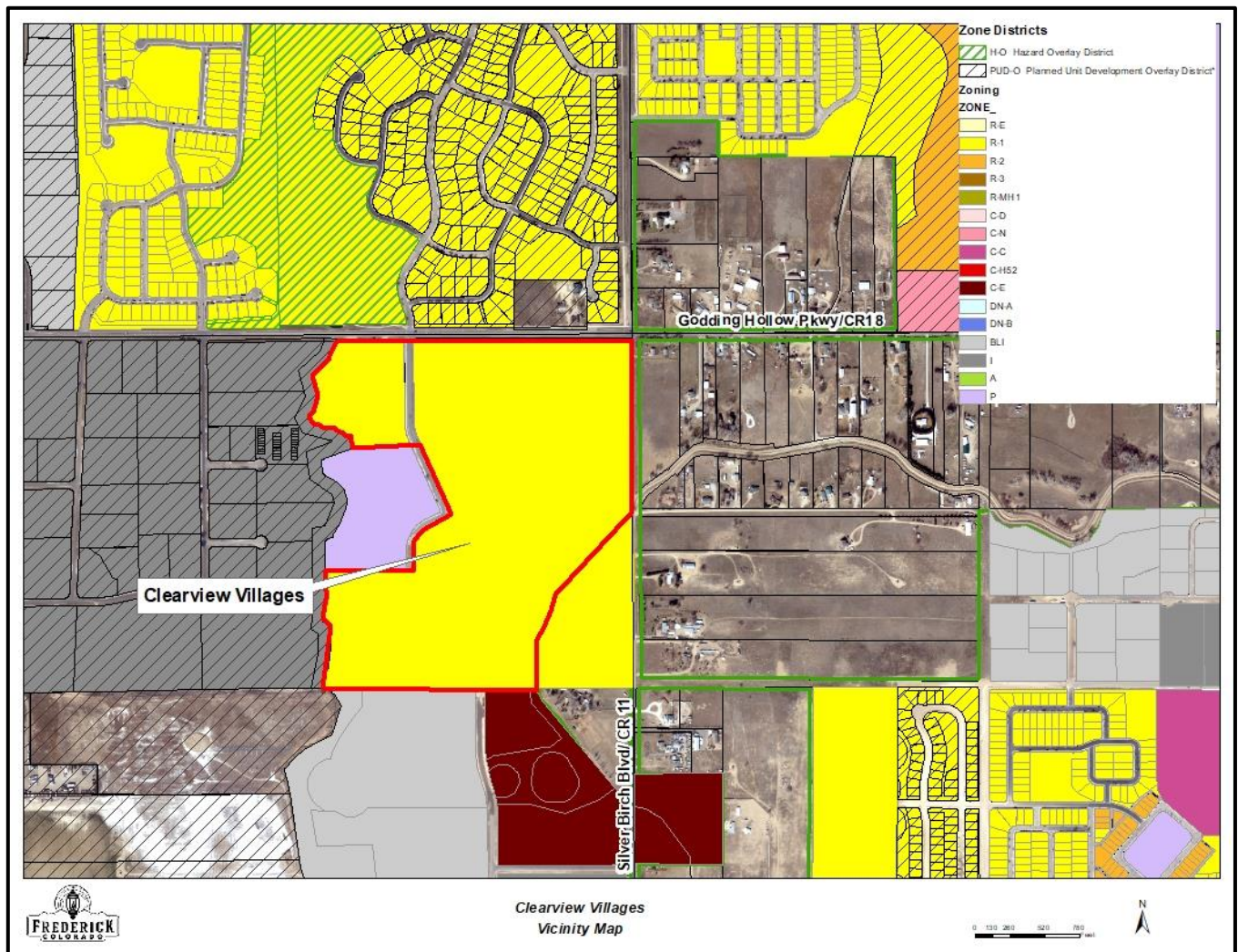
Owner: BCL Colorado, LP

Location and Zoning: The project site is located at the southwest corner of Silver Birch Blvd. and Godding Hollow Pkwy. It is zoned R-1 (Residential Low Density). A vicinity map is set forth at the top of the next page.



Surrounding Land Uses and Zoning:

North	Land use: single family detached residences (Eagle Valley) Zoning: R-1 with a PUD overlay
South	Land use: platted industrial lots and a single-family residence Zoning: BLI (Business Light Industrial) and Weld County Ag
West	Land use: industrial buildings and Legacy Elementary School Zoning: I (Industrial) with a PUD overlay and P (Public)
East	Land use: single family residences Zoning: Weld County Ag



Background Information:

The property was annexed into the Town in February 1988 as a portion of parcel 3, of the Grant Annexation.

On July 9th 2019, the Board of Trustees heard a proposal to add a Planned Unit Development overlay district on the property and approve a sketch plan. The Board of Trustees voted to deny the PUD overlay request and approve the sketch plan.

The sketch plan approved a maximum of 447 dwelling units on 116.804 acres. This equates to a density of 3.8 dwelling units per acre. The R-1 zone district permits a maximum of 5 dwelling units per acre. The sketch plan dedicates 25% of the property to open space (as required by a PUD) and included street and trail connections.

On January 26, 2021, the Board of Trustees heard a proposal to add a PUD overlay to the property and approve a preliminary/final development plan and preliminary/final plat for 344 dwelling units. The Board of Trustees voted to deny the PUD overlay request. At that point, the applicant withdrew the application.

Request:

This is a request to approve a combined preliminary/final plat in the R-1 (residential low-density) zone district. The applicant is proposing 301 single family detached lots ranging in size from 6,250 square feet to 12,337 square feet. With this project, Eagle Boulevard will be extended to the southern property line as a collector road and Fields Street will be constructed from Legacy Elementary to Silver Birch Boulevard as a collector road.

Review Criteria

The Town of Frederick Land Use Code sets forth the following review criteria for each of the proposed planning actions. Staff has provided comments for each set of criteria.

Preliminary Plat Review Criteria Analysis

1. The preliminary plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Comprehensive Plan.

Staff Comment: The proposed preliminary plat is consistent with Frederick Land Use Code. The proposal is also relevant to the following excerpts from the comprehensive plan Growth and Development objective; limit sprawl through targeted growth and conservation design measures. Residential Neighborhoods objectives; encourage development within the primary growth area to leverage existing community facilities and infrastructure, promote a mix of housing types to accommodate a range of incomes, ages, and families, ensure residential developments demonstrate multi-modal connectivity, and promote the use of conservation design to preserve Frederick's open space areas. Transportation and Mobility objective; ensure new neighborhoods are well-connected to older neighborhoods through both motorized and non-motorized transportation options.

2. The application is consistent with the approved sketch plan and incorporates the Planning Commission's recommendations and conditions of approval.

Staff Comment: The plat is consistent with the approved sketch plan approved by the Board of Trustees on July 9th, 2019, which allowed for up to 447 single-family detached dwellings. There were no conditions of approval placed on the project.

3. The land use mix within the project conforms to the Town's Zoning District Map and Comprehensive Land Use Map and furthers the goals and policies of the Comprehensive Plan, including:

- (a) The proposed development promotes the Town's small-town, rural character;

Staff Comment: The Clearview Villages project will further promote the Town's small-town character by providing family-friendly, single family lots with access to parks and tree-lined streets. There is an existing elementary school in the neighborhood making these homes a desirable choice for young families.

- (b) Proposed residential development adds diversity to the Town's housing supply;

Staff comment: While the Clearview Villages development is a single-family project, the variety of lot sizes provide future homeowners with a choice. The proposal will offer a lot sizes ranging from 6,250 square feet to 12,337 feet, with the majority of the single family detached lots falling in the 6,600 – 7,000 square feet range. As proposed, the smaller profile lots will assist the Town with achieving certain goals articulated in the 2016 Comprehensive Plan, including encouraging a diverse housing mix to include smaller-scale homes.

- (c) Proposed commercial development will benefit the Town’s economic base;

Staff comment: There are no commercial uses proposed for Clearview Villages.

- (d) Parks and open space are incorporated into the site design;

Staff comment: The project is required to dedicate 20% of the total acreage to open space. The applicant has gone above the required dedication and provided 25.1% open space. Two pocket parks will be dispersed across the site; as well as, a large passive recreation area around the floodplain and water quality pond areas. Off road trails will provide connectivity throughout the site and link to the sidewalks of each public rights -of-way.

- (e) The proposed project protects the Town’s environmental quality; and

Staff comment: Clearview Villages has taken steps, above the submittal requirements, to protect the Town’s environmental quality. They are plugging and abandoning multiple oil & gas wells and removing tanks on site. As part of that process, soil and water monitoring has been put in place and is estimated to continue. Finally, environmental and wildlife reports have been completed with recommendations on how to protect the numerous raptors that frequent the site.

- (f) The development enhances cultural, historical, educational and/or human service opportunities.

Staff comment: The development’s intent is to offer diversity and affordability; and as a result, bring together different buyers who will create a diverse neighborhood of different backgrounds. The development will provide better access to the existing elementary school.

- 4. The utility and transportation design is adequate, given existing and planned capacities of those systems.

Staff Comment: The Town Engineer has reviewed the transportation impact report and construction documents and is drafting a memorandum of agreement for public improvements based on the findings. The MOAPI will need to be approved by the Board of Trustees and executed by the applicant/owner and the Town prior to the combined preliminary/final plat being recorded.

- 5. Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.

Staff comment: During the neighborhood meetings, the major concern of the neighbors was additional traffic. This development hopes to improve vehicular circulation around the school by adding additional street connections. The development will contribute funds into the construction of

a traffic light on Godding Hollow Parkway and Silver Birch Boulevard. They will also build half the ultimate section of road on Godding Hollow Parkway and Silver Birch Boulevard adding an extra lane adjacent to the site.

6. There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

Staff comment:

The vision statement included in Chapter 4 of the Town's 2016 Comprehensive Plan sets forth the following:

"In the year 2036...

Frederick is the historic and cultural heart of the Carbon Valley. Faced with rapid regional growth, the Town has maintained its local charm and character, while accommodating new housing, commercial, and light industrial development. The Town has effectively captured and maintained its century-old heritage and built upon existing assets to be a regional destination while providing a high quality of life for the residents who call Frederick home."

(emphasis supplied). The applicant's development proposes new residential infill development on property that is identified in the LAND USE PLAN (page 45 of the 2016 Comprehensive Plan) as property that should be developed as single family detached.

As set forth above, the applicant is proposing 301 single family detached lots ranging in size from 6,250 square feet to 12,337 square feet. The majority of the single family detached lots fall in the 6,600 – 7,000 square feet range. These smaller profile lots will assist the Town with achieving certain goals articulated in the 2016 Comprehensive Plan, including encouraging a diverse housing mix to include smaller-scale homes and units that cater to residents looking to downsize.

The 2016 Comprehensive Plan also highlights the importance of maintaining parks, open space and the environment as the Town grows. The applicant has made parks and open space a priority by proposing to dedicate 25.1% of the property as open space (which exceeds the 20% requirement set forth in Code).

Staff concludes that the Preliminary Plat Review Criteria have been met, as specifically set forth above.

Final Plat Review Criteria Analysis

1. The final plat conforms with the approved preliminary plat and incorporates recommended changes, modifications, and conditions attached to the approval of the preliminary plat unless otherwise approved by the Board of Trustees.

Staff Comment: This is a combined preliminary and final plat. You will be voting to approve the preliminary plat prior to the final plat.

2. The development will substantially comply with the community design principles and development standards as set forth in Article 2 of this Code.

Staff Comment: The final plat complies with current community design principles as defined in Article 2 of the Town Code.

3. All applicable technical standards have been met.

Staff Comment: All technical standards have been met.

4. An updated title commitment dated current to within fourteen (14) days of the Board of Trustees meeting.

Staff Comment: An updated title commitment will be delivered to the Town prior to the date of the Board of Trustees meeting. The Board of Trustees is currently scheduled to consider the application at its February 8, 2022 regular meeting.

Staff concludes that the Final Plat Review Criteria have been met, as specifically set forth above.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code. There have been no concerns with the proposal submitted to the Town.

Legal/Political Considerations: The application has been reviewed by the Town Attorney, whose comments have been incorporated accordingly.

Alternatives/Options: Planning Commission may recommend approval of the application, denial of the application, or approval of the application with conditions.

In the event a member of the Planning Commission desires to make a motion to deny the application, Town Staff recommends that the Planning Commission member consult with the Town Attorney prior to making the motion.

Staff Recommendation: Staff requests that the Planning Commission consider approving the following:

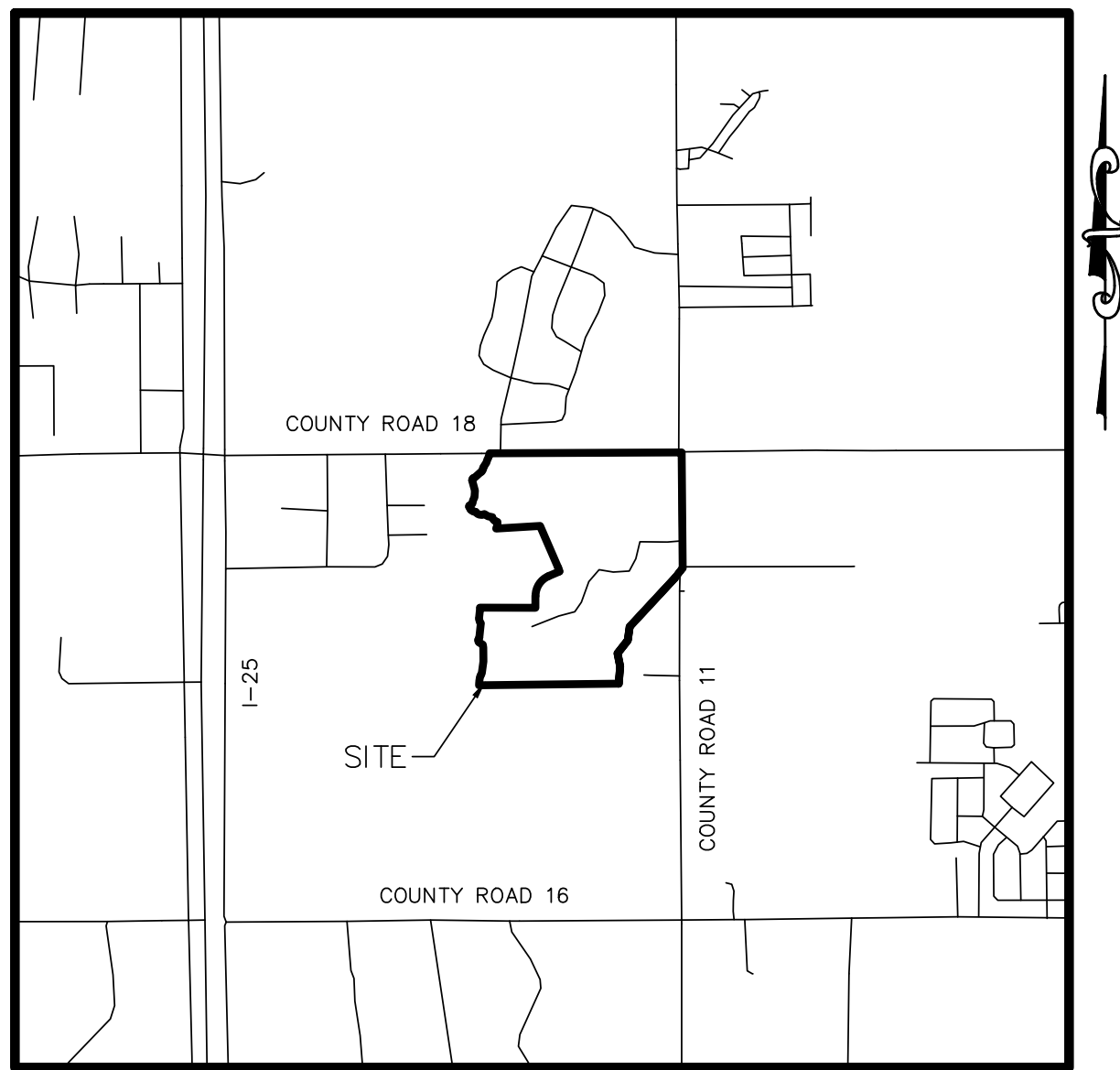
- **PCR-2022-03A** recommending approval of the combined preliminary/final plat to the Board of Trustees

A PARCEL OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH,
RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO
±105 ACRES - 301 LOTS
ZONING: R-1

KNOW ALL MEN BY THESE PRESENTS THAT BOL COLORADO LP, BEING THE OWNER AND FIRSTIER BANK THE LIENHOLDER OF CERTAIN LOTS IN FREDERICK, COLORADO, DESCRIBED HEREIN, HAS CAUSED SAID LOT TO BE FINAL PLATTED INTO LOTS, TRACTS, BLOCKS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME OF CLEARVIEW VILLAGES, AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER SUCH PUBLIC STREETS, RIGHTS-OF-WAY, EASEMENTS AND OUTLOTS A THROUGH-1 DESIGNATED OR DESCRIBED AS FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN. THE ENTITIES NAMED ON THE EASEMENT, OR RESPONSIBLE FOR THE SERVICES AND/OR UTILITIES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR THE PURPOSES NAMED ON THE EASEMENT OR FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. THE PUBLIC STREET, PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS, OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES SHOWN HEREON IN THE SUBDIVISION ARE DEDICATED AND CONVEYED TO THE TOWN OF FREDERICK, COLORADO, IN FEE SIMPLE ABSOLUTE, WITH MARKETABLE TITLE, FOR PUBLIC USE AND PURPOSES. ALL CONDITIONS, TERMS AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS. THE SIGNATURE OF ANY REPRESENTATIVE OF ANY PARTNERSHIP OR CORPORATE ENTITY INDICATES THAT ALL REQUIRED PARTNERSHIP OR CORPORATE APPROVALS HAVE BEEN OBTAINED.

THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP TWO (2) NORTH, RANGE SIXTY-EIGHT (68) WEST OF THE SIXTH P.M., COUNTY OF WELD, STATE OF COLORADO.
EXCEPT ANY PORTION THEREOF LYING WITHIN THE BOUNDARIES OF FILING 3 FINAL PLAT FREDERICK WEST BUSINESS CENTER AND ANY PROPERTY LYING SOUTH AND EAST OF THE CENTERLINE OF THE CANAL EASEMENT GRANTED TO THE NORTHERN COLORADO WATER CONSERVATION DISTRICT BY INSTRUMENT RECORDED FEBRUARY 16, 1968 AS BOOK 1442, PAGE 615.
ALSO EXCEPT THAT PORTION CONVEYED TO ST. VRAIN SCHOOL DISTRICT RE-1J BY DEED RECORDED AUGUST 21, 2003 AT RECEPTION NO. 3190749 AND ALL THAT PORTION PLATTED AS MINOR SUBDIVISION PLAT ELEMENTARY 21, FREDERICK RECORDED JUNE 17, 2004 AS RECEPTION NO. 3190074.
ALSO EXCEPT THAT PORTION DESCRIBED IN DEED RECORDED OCTOBER 13, 2009 AT RECEPTION NO. 3653854.
AND EXCEPT THOSE PORTIONS DESCRIBED IN DEEDS RECORDED SEPTEMBER 1, 2015 AT RECEPTION NO. 4141629 AND 4141630.
SAID DESCRIBED PARCEL CONTAINS 102.966 ACRES, MORE OR LESS (±).

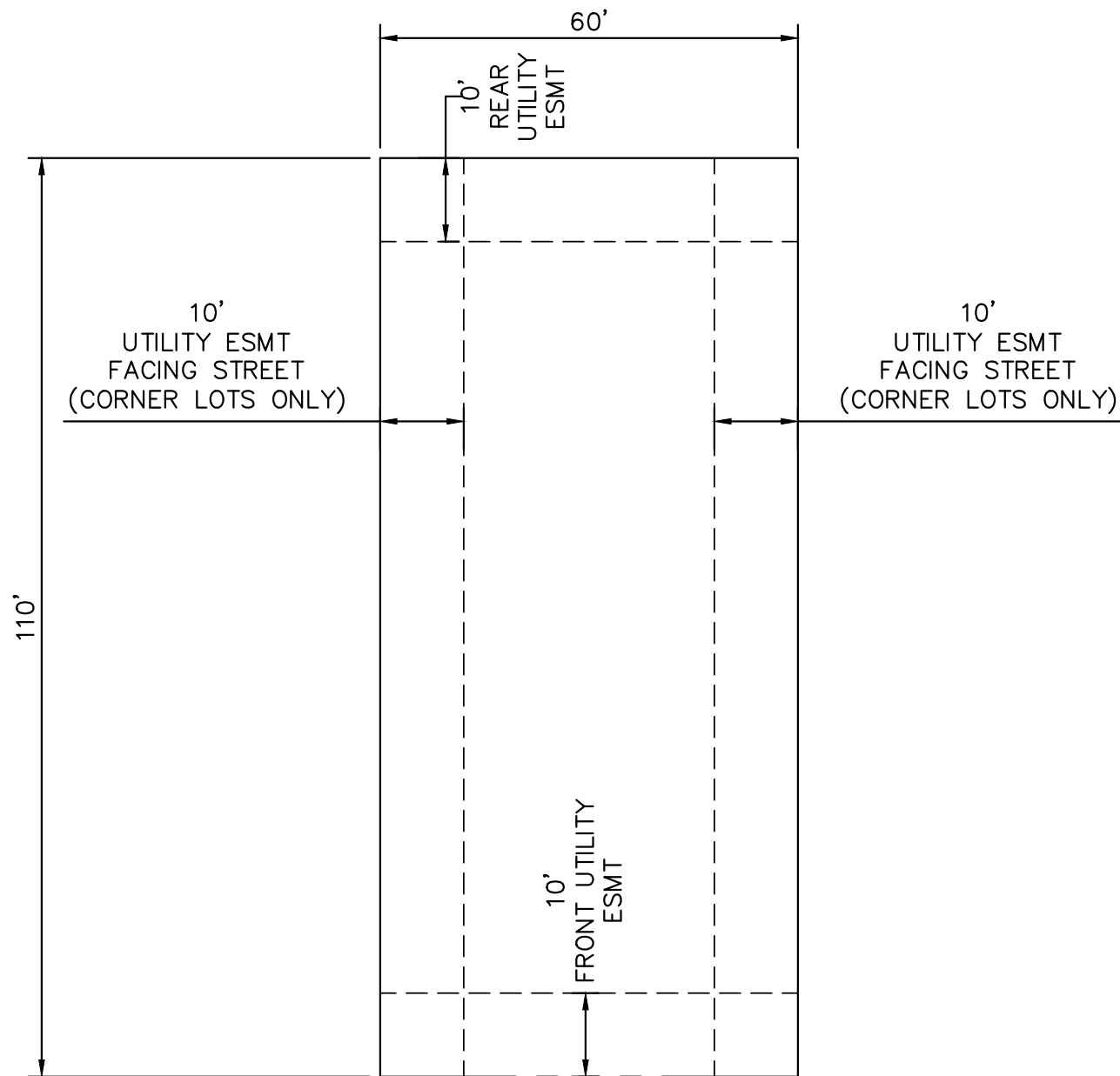
NOTARY PUBLIC



VICINITY MAP
SCALE: 1" = 2000'

- _____ SECTION LINE
 _____ **PROPOSED BOUNDARY**
 _____ RIGHT-OF-WAY
 _____ EXISTING RIGHT-OF-WAY
 _____ ROAD CENTER LINE
 _____ EXISTING ROAD CENTER LINE
 _____ LOT LINE
 _____ SETBACK LINE
 _____ EASEMENT LINE
 _____ EXISTING EASEMENT

- ☐ FOUND ALIQUOT CORNER AS DESCRIBED
- ☒ FOUND MONUMENT AS DESCRIBED
- ☐ FOUND #4 REBAR WITH A RED PLASTIC CAP STAMPED LS 34995
- ☒ SET 24" OF #4 REBAR WITH A RED PLASTIC CAP STAMPED KSI, LS 38348
- ☐ CALCULATED POSITION



TYPICAL LOT STANDARD
N.T.S.

NOTARY PUBLIC

OUTLOT AREA USE AND DEDICATION TABLE OWNED AND MAINTAINED BY CLEARVIEW VILLAGES METROPOLITAN DISTRICT		
OUTLOT ID	AREA (SF)	PROPOSED USE
A	150,913.4	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
B	64,437.1	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
C	28,763.5	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
D	2,135.5	UTILITIES, OPEN SPACE
E	100,733.1	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
F	27,558.7	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
G	16,443.5	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
H	27,978.9	UTILITIES, OPEN SPACE
I	27,614.1	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
J	429,114.7	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
K	8,838.6	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
L	483,428.1	ACCESS, DRAINAGE, UTILITIES, OPEN SPACE
TOTAL	1,367,989.2 (31.4 ACRES)	

IT IS THE OWNER'S INTENT TO DEDICATE ALL OUTLOTS, EXCEPT OUTLOT C, TO THE METRO DISTRICT UPON COMPLETION OF THE IMPROVEMENTS, BUT DEED AT THE TIME OF COMPLETION/INITIAL ACCEPTANCE. OWNER SHALL BE OBLIGATED TO CONVEY BY DEED OUTLOTS A THROUGH L, EXCEPT C, TO THE CLEARVIEW VILLAGES METROPOLITAN DISTRICT AT A SPECIFIED TRIGGER DATE AGREED TO BY THE TOWN WITH COPIES OF THE CONVEYANCE DOCUMENTS BEING PROVIDED TO THE TOWN. OUTLOT C SHALL REMAIN IN THE NAME OF THE DEVELOPER AND NOT CONVEYED TO THE DISTRICT.

TOWN CLERK

PLANNING DEPARTMENT
401 LOCUST STREET
FREDERICK, COLORADO 80530
PHONE: (720) 382-5500
CONTACT: ALI VAN DEUTEKOM

BENCHMARK:
A 2-1/2" STEEL POST WITH 3 1/4" BRASS CAP STAMPED BLM 1952
AT THE NORTHEAST CORNER OF SECTION 26, T.2N., R.68W.
EL= 4967.43 - NAVD88 DATUM

[illegible]

NOT FOR
CONSTRUCTION



Know what's below.
Call 811 before you dig.

NOT TO SCALE IF SHEET
SIZE OTHER THAN 24"x36"

DESIGNED BY: JMG

DRAWN BY: JOA

CHECKED BY: LE

PRELIMINARY/FINAL
PLAT
COVER SHEET

CLEARVIEW VILLAGES
TOWN OF FREDERICK, CO

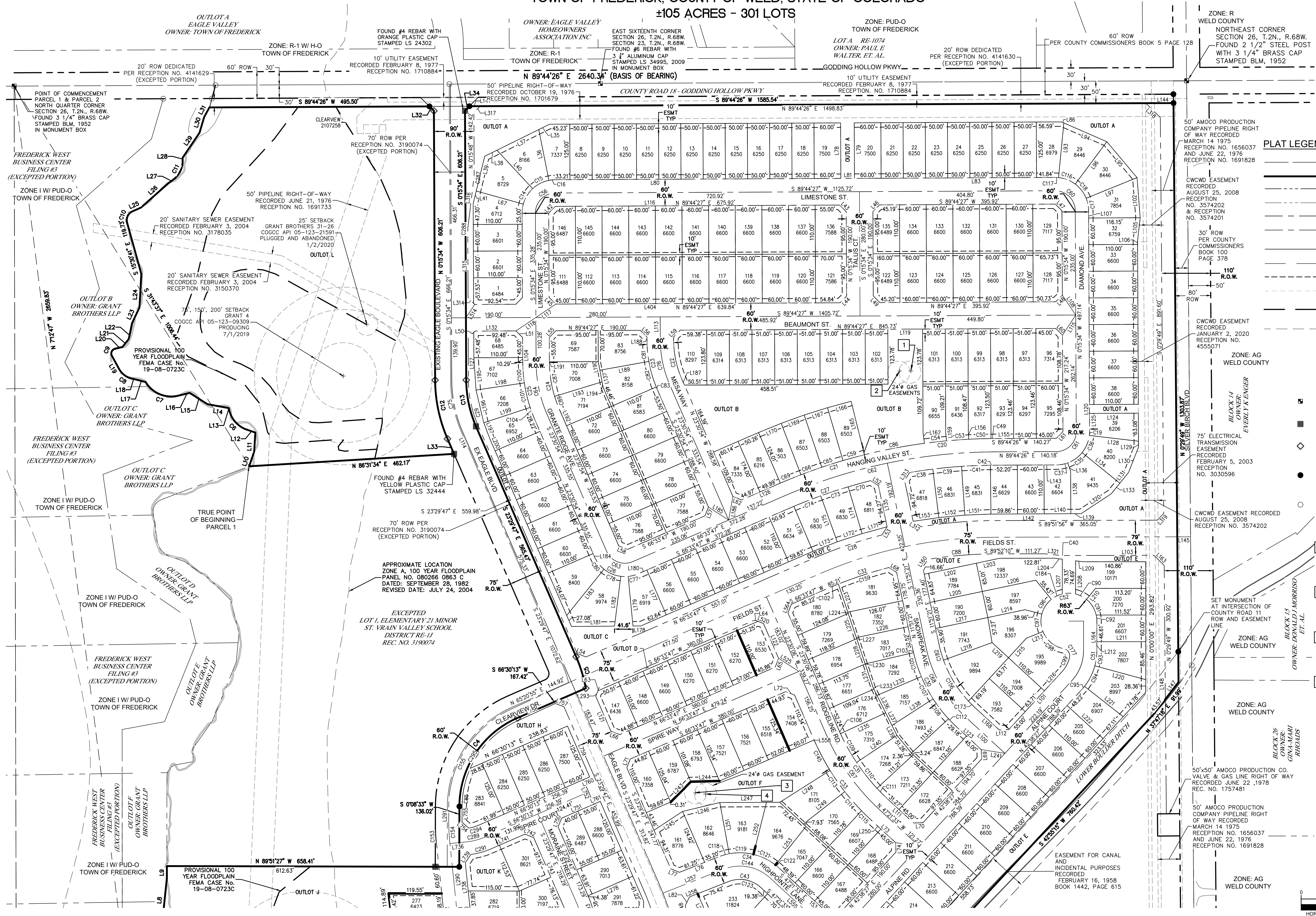
DATE: 06/04/2021

PROJECT NO.: 18218

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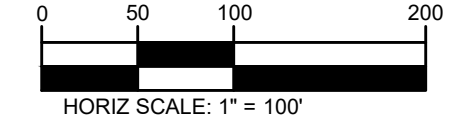
CLEARVIEW VILLAGES PRELIMINARY/FINAL PLAT

A PARCEL OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH,
RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO
±105 ACRES - 301 LOTS



PLAT LEGEND:

- SECTION LINE
- PROPOSED BOUNDARY
- RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- ROAD CENTER LINE
- EXISTING ROAD CENTER LINE
- LOT LINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING EASEMENT
- PROPOSED 100 YEAR FLOODPLAIN
- APPROXIMATE LOCATION ZONE A, 100 YEAR FLOOD ZONE
- LOT NUMBER
- LOT SIZE IN SQUARE FEET
- FOUND ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- FOUND #4 REBAR WITH A RED PLASTIC CAP STAMPED LS 34995
- SET 24" OF #4 REBAR WITH A RED PLASTIC CAP STAMPED KSI, LS 38348
- CALCULATED POSITION
- SETBACK NOTES:
 - 25' SETBACK GRANT BROTHERS 21-26J COGCC API 05-123-30006 PLUGGED AND ABANDONED 3/18/2014
 - 25' SETBACK GRANT BROTHERS 41-26J COGCC API 05-123-30006 PLUGGED AND ABANDONED 3/18/2014
 - 25' SETBACK GRANT BROTHERS 42-26 COGCC API 05-123-22010 PLUGGED AND ABANDONED 1/2/2020
 - 25' SETBACK GRANT BROTHERS 2-26 COGCC API 05-123-15108 PLUGGED AND ABANDONED 8/21/2018



PHELPS
ENGINEERING

7200 E Hampden Ave, Suite 300
Denver, CO 80224 (303) 298-1644
www.phelpsengineering.net

NOT FOR
CONSTRUCTION

811

Know what's below.
Call 811 before you dig.

NOT TO SCALE IF SHEET
SIZE OTHER THAN 24"x36"

DESIGNED BY: JMG
DRAWN BY: JOA
CHECKED BY: LEP

CLEARVIEW VILLAGES
TOWN OF FREDERICK, CO

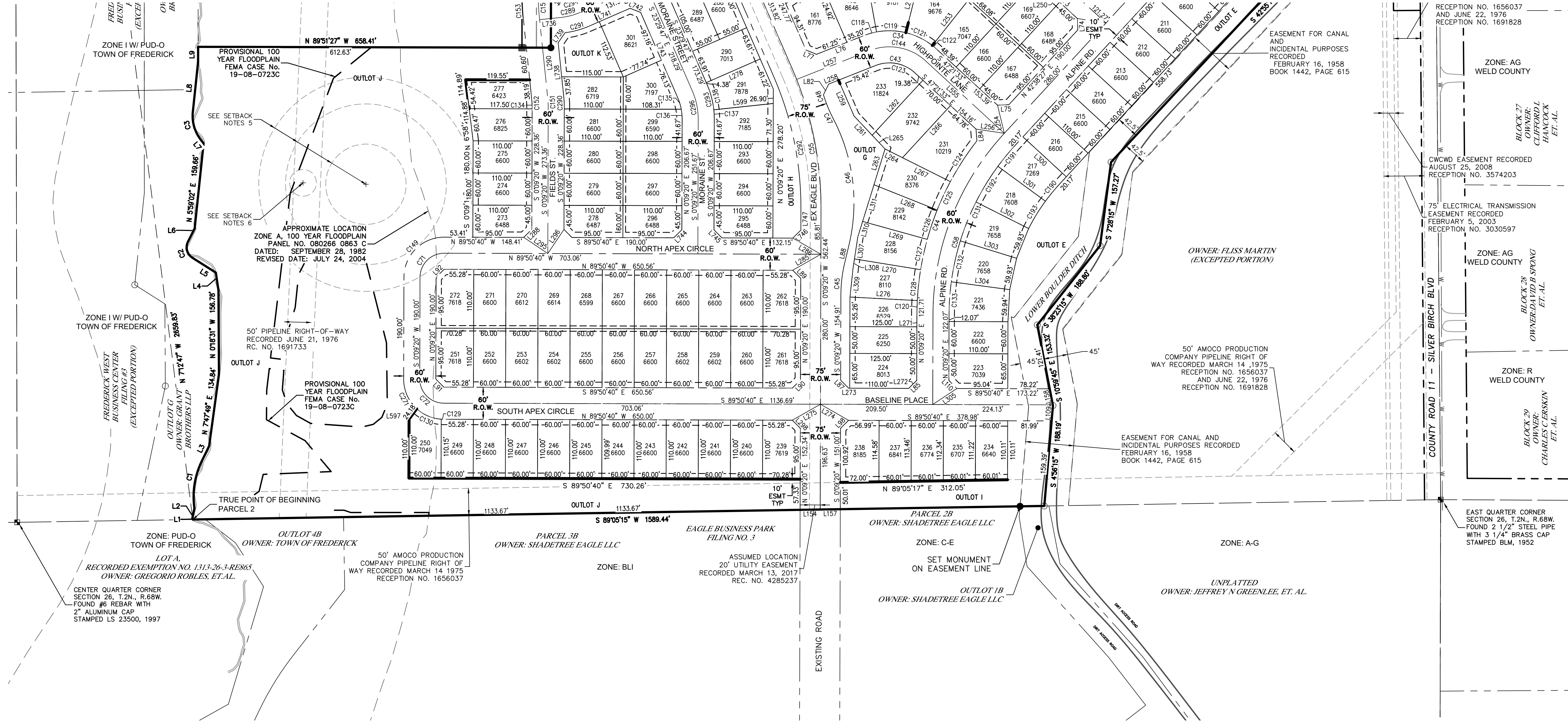
PRELIMINARY/FINAL
PLAT

DATE: 06/04/2021
PROJECT NO.: 18218

2 of 5

NO.	REVISIONS	DATE
1	PER TOWN OF FREDERICK COMMENTS	10/17/2021
2	PER TOWN OF FREDERICK COMMENTS	12/17/2021

CLEARVIEW VILLAGES
PRELIMINARY/FINAL PLAT
A PARCEL OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH,
RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO
±105 ACRES - 301 LOTS

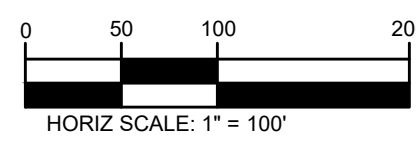


PLAT LEGEND:

- SECTION LINE
- PROPOSED BOUNDARY
- RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- ROAD CENTER LINE
- EXISTING ROAD CENTER LINE
- LOT LINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING EASEMENT
- PROPOSED 100 YEAR FLOODPLAIN
- APPROXIMATE LOCATION ZONE A, 100 YEAR FLOOD ZONE
- FOUND ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- FOUND #4 REBAR WITH A RED PLASTIC CAP STAMPED LS 34995
- SET 24" OF #4 REBAR WITH A RED PLASTIC CAP STAMPED KSI, LS 38348
- CALCULATED POSITION

SETBACK NOTES:

- 75', 150', 200' SETBACK GRANT 1 COGCC API 05-123-08568 PRODUCING 7/1/2019
- 25' SETBACK GRANT BROTHERS 32-26 COGCC API 05-123-19714 PLUGGED AND ABANDONED 8/23/2018



LOT NUMBER
LOT SIZE
IN SQUARE
FEET

NO.	DATE	REVISIONS
1	10/17/2021	PER TOWN OF FREDERICK COMMENTS
2	12/17/2021	PER TOWN OF FREDERICK COMMENTS

PHELPS
ENGINEERING
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www.phelpsengineering.net

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CONSTRUCTION

811
Know what's below.
Call 811 before you dig.
NOT TO SCALE IF SHEET
SIZE OTHER THAN 24"x36"
DESIGNED BY: JMG
DRAWN BY: JOA
CHECKED BY: LEP

CLEARVIEW VILLAGES
TOWN OF FREDERICK, CO
PRELIMINARY/FINAL
PLAT
DATE: 06/04/2021
PROJECT NO.: 18218
3 of 5

Drawing name: C:\Users\Ntwob\AppData\Local\Temp\AcPublish_5852\18218_PLAT.dwg L-TABLES Jan 11, 2022 11:02am by: Ntwob

CLEARVIEW VILLAGES
PRELIMINARY/FINAL PLAT

A PARCEL OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH,
RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO - ±105 ACRES, 301 LOTS

Line Table		
Line #	Length	Direction
L1	2.38'	N20° 43' 28"W
L2	19.11'	N11° 53' 12"E
L3	31.80'	N25° 51' 35"E
L4	33.57'	N08° 30' 50"W
L5	51.99'	N57° 36' 13"W
L6	28.10'	N26° 41' 08"E
L7	6.75'	N39° 00' 57"W
L8	94.68'	N05° 58' 52"E
L9	27.32'	N00° 00' 22"W
L10	35.11'	S18° 43' 27"W
L11	42.72'	S03° 36' 26"W
L12	20.23'	S71° 04' 08"E
L13	3.90'	S12° 21' 27"E
L14	49.18'	S79° 30' 10"E
L15	46.96'	S57° 33' 06"E
L16	26.76'	N76° 37' 03"E
L17	26.65'	S75° 12' 50"E
L18	2.49'	S80° 33' 13"E
L19	33.65'	S28° 39' 13"E
L20	17.06'	S76° 48' 16"W
L21	23.29'	S38° 26' 43"W

Line Table		
Line #	Length	Direction
L22	36.16'	S11° 45' 55"W
L23	39.38'	S25° 10' 48"W
L24	75.57'	S03° 07' 24"W
L25	20.56'	S66° 21' 16"W
L26	82.13'	S48° 29' 10"W
L27	14.48'	S53° 02' 44"W
L28	7.94'	S00° 44' 06"W
L29	67.79'	S34° 04' 49"W
L30	37.07'	S16° 23' 11"W
L31	24.56'	S28° 41' 27"W
L32	14.14'	N45° 15' 17"W
L33	37.15'	N23° 29' 47"W
L34	14.15'	S44° 44' 26"W

Line Table		
Line #	Length	Direction
L35	27.28'	S63° 43' 10"W
L36	116.55'	S11° 15' 17"E
L37	105.11'	S63° 43' 10"W
L38	30.61'	S63° 43' 10"W
L39	80.51'	S13° 45' 16"W
L40	118.13'	N42° 57' 56"W
L41	28.94'	S13° 45' 16"W
L42	21.21'	S44° 44' 27"W
L43	21.21'	N45° 15' 33"W
L44	21.33'	N45° 03' 01"E
L45	21.21'	S45° 15' 34"E
L46	21.08'	S44° 21' 52"W
L47	21.21'	N45° 15' 34"W
L48	21.21'	N44° 44' 26"E
L49	21.08'	S44° 52' 56"E
L50	21.24'	S44° 44' 26"W
L51	21.21'	N45° 15' 34"W
L52	20.87'	N57° 44' 27"W
L53	21.59'	N32° 06' 31"E
L54	21.22'	S68° 28' 00"E
L55	21.22'	N44° 44' 57"E

Line Table		
Line #	Length	Direction
L102	90.63'	S04° 30' 56"E
L103	203.44'	N89° 51' 56"E
L104	55.29'	N00° 15' 34"W
L105	52.02'	N06° 31' 51"E
L106	8.34'	N00° 15' 34"W
L107	16.62'	N00° 15' 34"W
L108	54.08'	S33° 56' 58"E
L109	28.80'	N04° 56' 15"E
L110	21.21'	N44° 50' 40"W
L111	76.27'	N47° 21' 33"W
L112	21.21'	S87° 38' 27"W
L113	52.96'	S00° 15' 34"E
L114	37.15'	S23° 29' 47"E
L115	54.08'	N33° 25' 50"E
L117	54.08'	N56° 03' 02"E
L118	54.08'	N56° 03' 02"E
L121	85.51'	S23° 30' 06"E
L122	85.51'	N23° 30' 06"W
L123	74.18'	S47° 21' 33"E
L124	110.00'	S89° 44' 26"W
L125	40.49'	S00° 15' 34"E

Line Table		
Line #	Length	Direction
L56	21.21'	S45° 15' 34"E
L57	21.20'	S21° 31' 26"W
L58	21.23'	N68° 28' 34"W
L59	21.21'	N44° 44' 26"E
L60	21.21'	S45° 15' 34"E
L61	21.21'	S44° 44' 26"W
L62	21.23'	N68° 28' 34"W
L63	21.20'	S21° 31' 50"W
L64	21.23'	N68° 28' 10"W
L65	21.20'	N21° 31' 50"E
L66	21.23'	S68° 28' 10"E
L67	109.98'	N74° 27' 25"W
L68	20.79'	S57° 59' 04"E
L69	21.21'	S02° 21' 34"E
L70	21.21'	S87° 38' 28"W
L71	21.20'	S21° 32' 00"W
L72	21.23'	N68° 28' 10"W
L73	76.27'	N47° 21' 33"W
L74	21.21'	N02° 21' 33"W
L75	21.21'	N87° 38' 27"E
L76	96.45'	N68° 26' 46"E

Line Table		
Line #	Length	Direction
L126	92.26'	S66° 33' 47"W
L127	94.88'	S00° 15' 34"E
L128	111.36'	N83° 20' 21"W
L129	13.40'	N00° 15' 34"W
L130	61.30'	N21° 28' 08"E
L131	31.17'	N39° 05' 40"E
L132	92.48'	S89° 44' 26"W
L133	30.56'	N39° 05' 40"E
L134	109.39'	N50° 54' 20"W
L135	94.27'	N11° 51' 21"W
L136	19.75'	N19° 57' 02"W
L137	26.73'	N10° 42' 36"W
L138	95.87'	S00° 15' 34"E
L139	23.12'	N89° 33' 04"E
L140	60.00'	N89° 48' 49"E
L141	24.22'	S89° 44' 26"W
L143	28.20'	S89° 44' 26"W
L144	62.50'	S89° 44' 26"W
L146	110.00'	S00° 40' 25"E
L149	110.00'	S03° 51' 25"E
L150	110.00'	S07° 02' 25"E

Line Table		
Line #	Length	Direction
L77	21.16'	S67° 20' 35"E
L78	125.00'	N00° 15' 33"W
L79	125.00'	S00° 15' 33"E
L82	22.25'	N26° 05' 21"E
L84	21.93'	S04° 16' 28"E
L85	21.21'	S45° 09' 26"W
L86	5.93'	S66° 25' 24"E
L87	21.21'	N44° 50' 40"W
L88	34.95'	N13° 24' 53"E
L89	21.21'	S44° 50' 40"E
L90	21.21'	S45° 09' 20"W
L91	21.21'	N44° 50' 40"W
L92	21.21'	N45° 09' 20"E
L93	123.63'	N05° 34' 15"E
L94	105.63'	S66° 25' 24"E
L95	105.63'	S40° 03' 54"E
L96	119.01'	N36° 45' 21"E
L97	123.63'	N67° 56' 28"E
L98	21.21'	N45° 09' 20"E
L100	119.18'	S47° 21' 33"E
L101	177.19'	S42° 38' 27"W

Line Table		
Line #	Length	Direction
L151	58.89'	N87° 44' 05"E
L152	58.89'	N84° 33' 05"E
L153	58.34'	N81° 42' 05"E
L155	44.27'	N89° 44' 26"E
L156	16.34'	N02° 54' 51"W
L158	31.90'	N10° 59' 45"W
L159	19.00'	N05° 15' 12"W
L160	20.80'	N34° 15' 37"E
L162	23.96'	S07° 34' 18"E
L163	32.62'	S45° 21' 09"E
L165	124.01'	N13° 59' 37"W
L166	55.04'	S74° 50' 30"W
L167	55.04'	S72° 30' 45"W
L168	74.18'	N47° 21' 33"W
L169	55.04'	S70° 10' 59"W
L170	55.05'	S67° 51' 35"W
L171	58.34'	N74° 42' 40"E
L172	58.88'	N71° 49' 08"E
L173	58.88'	N68° 38' 09"E
L174	110.00'	S16° 35' 23"E
L175	110.00'	S19° 46' 22"E

Line Table		
Line #	Length	Direction
L176	110.00'	S22° 57' 21"E
L177	110.00'	S23° 26' 13"E
L178	17.45'	S89° 33' 36"W
L179	112.19'	N05° 35' 41"W
L180	21.35'	N66° 33' 47"E
L181	96.84'	S89° 33' 36"W
L182	113.07'	S07° 08' 45"W
L183	133.77'	S38° 52' 37"W
L184	7.33'	S23° 30' 54"E
L185	54.12'	N57° 10' 52"W
L186	54.05'	N10° 11' 56"E
L187	15.19'	S23° 30' 54"E
L188	7.96'	N00° 15' 34"W
L189	112.09'	S79° 47' 34"W
L190	19.74'	S10° 42' 36"E
L191	0.29'	S00° 15' 34"E
L192	40.53'	S23° 30' 54"E
L193	111.77'	S73° 03' 49"W
L194	12.67'	S10° 42' 36"E
L195	72.97'	S03° 46' 12"E
L196	75.64'	S13° 21' 46"E

Line Table		
Line #	Length	Direction
L197	40.08'	S20° 54' 16"E
L198	110.00'	N81° 34' 06"E
L199	110.00'	N71° 42' 21"E
L200	28.22'	S23° 30' 54"E
L202	119.85'	S78° 03' 30"W
L203	53.33'	S78° 03' 30"W
L204	18.77'	N83° 00' 34"W
L205	119.95'	N78° 08' 39"E
L206	123.29'	N78° 08' 39"E
L207	78.33'	N00° 04' 58"E
L208	74.69'	S00° 04' 58"W
L209	17.07'	N83° 00' 34"W
L210	31.97'	S39° 01' 26"W
L211	110.00'	N90° 00' 00"W
L212	20.15'	S00° 00' 00"E
L213	39.75'	S68° 12' 04"W
L214	85.74'	N78° 08' 39"E
L215	60.00'	S42° 38' 27"W
L216	58.49'	N42° 38' 27"E
L217	120.04'	S78° 08' 39"W
L218	116.30'	S70° 10' 14"W

Line Table		
Line #	Length	Direction
L219	50.22'	N47° 21' 33"W
L220	118.73'	S74° 46' 37"E
L221	110.74'	S51° 51' 31"E
L222	110.00'	N47° 21' 33"W
L223	66.77'	N18° 33' 51"W
L224	3.04'	S18° 33' 51"E
L225	57.38'	S18° 33' 51"E
L228	119.01'	S78° 08' 39"W
L227	2.60'	S18° 33' 51"E
L228	59.81'	S18° 33' 51"E
L229	111.82'	N76° 55' 01"E
L230	0.19'	N18° 33' 51"W
L231	56.76'	N18° 33' 51"W
L232	108.45'	S67° 03' 16"W
L233	3.27'	N26° 32' 48"W
L234	15.66'	N26° 32' 48"W
L235	112.13'	S65° 20' 01"W
L236	43.95'	S26° 32' 48"E
L238	110.21'	N57° 11' 31"E
L240	109.50'	S56° 16' 14"W
L241	54.08'	S81° 02' 57"E

Line Table		
Line #	Length	Direction
L242	54.08'	S81° 02' 57"E
L243	64.31'	N44° 41' 40"E
L244	64.72'	N88° 34' 51"E
L245	77.15'	S56° 35' 40"W
L246	86.22'	S76° 33' 18"W
L247	105.07'	N89° 46' 55"E
L248	134.08'	S57° 41' 06"W
L249	118.51'	N51° 56' 07"E
L250	31.27'	N47° 21' 33"W
L251	117.27'	N10° 22' 01"W
L252	120.78'	N14° 02' 35"E
L253	110.73'	N38° 27' 12"E
L254	54.08'	N13° 40' 09"W
L256	53.45'	N81° 30' 19"W
L257	146.69'	N68° 26' 32"E
L259	72.99'	N23° 26' 13"W
L261	49.30'	N43° 12' 39"W
L262	139.79'	S42° 38' 27"W
L263	69.92'	S17° 10' 17"W
L264	36.45'	S63° 26' 16"E
L265	35.06'	S43° 12' 39"E

Line Table		
Line #	Length	Direction
L266	132.24'	N42° 38' 27"E
L267	99.89'	S63° 26' 16"E
L268	127.03'	S68° 13' 08"E
L269	125.23'	N74° 30' 59"W
L270	125.04'	N80° 44' 56"W
L271	22.02'	N00° 09' 20"E
L272	21.21'	N45° 09' 26"E
L274	60.47'	S60° 06' 06"E
L275	60.46'	S60° 24' 31"W
L276	125.84'	N87° 01' 14"W
L278	110.00'	N66° 20' 53"E
L285	60.47'	S60° 24' 46"W
L286	60.47'	S60° 06' 06"E
L288	21.21'	S45° 09' 20"W
L290	148.82'	N05° 54' 18"W
L291	28.35'	N00° 08' 33"E
L293	13.41'	S21° 31' 50"W
L295	54.08'	N56° 09' 16"W
L296	54.08'	N33° 50' 44"E
L297	190.00'	S00° 09' 20"W
L298	21.21'	N44° 50' 40"W

Line Table		
Line #	Length	Direction
L300	110.00'	S47° 21' 33"E
L301	110.00'	N53° 41' 55"W
L302	110.00'	N63° 14' 53"W
L303	110.00'	N72° 47' 50"W
L304	110.00'	N82° 20' 48"W
L305	54.08'	N56° 27' 58"E
L307	41.84'	S08° 38' 12"W
L308	17.92'	S08° 38' 12"W
L309	53.74'	S06° 05' 18"W
L310	29.88'	S17° 15' 26"W
L311	71.80'	S17° 12' 26"W
L312	21.59'	N55° 49' 13"W
L313	20.86'	S34° 04' 52"W
L314	17.71'	N45° 08' 54"W
L315	149.96'	N00° 15' 34"W
L316	108.98'	N06° 55' 24"E
L317	20.13'	N44° 41' 58"E
L318	46.06'	S45° 22' 41"E
L319	21.15'	S44° 41' 07"W
L320	81.35'	N56° 36' 07"E
L321	32.03'	N84° 12' 15"W

A PARCEL OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH,
RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO - ±105 ACRES, 301 LOTS

Curve Table					
Curve #	Length	Radius	Delta	CHORD	CH BEARING
C124	90.98'	530.00'	9°50'06"	90.86'	N33° 01' 00"E
C125	58.44'	530.00'	6°19'05"	58.41'	N24° 56' 24"E
C126	57.94'	637.38'	5°12'31"	57.92'	N18° 38' 55"E
C127	57.94'	637.38'	5°12'31"	57.92'	N12° 23' 01"E
C128	57.94'	637.35'	5°12'31"	57.92'	N6° 04' 50"E
C129	4.72'	75.00'	3°36'29"	4.72'	N88° 02' 26"W
C130	50.71'	75.00'	38°44'09"	49.74'	N66° 52' 06"W
C131	78.33'	470.00'	9°32'57"	78.24'	S21° 58' 38"W
C132	78.33'	470.00'	9°32'57"	78.24'	S12° 25' 41"W
C133	62.32'	470.00'	7°35'50"	62.28'	S3° 51' 17"W
C134	12.69'	120.00'	6°03'37"	12.69'	N2° 52' 29"W
C135	22.85'	100.00'	13°05'23"	22.80'	N16° 57' 06"W
C136	18.43'	100.00'	10°33'44"	18.41'	N5° 07' 32"W
C137	17.49'	160.00'	6°15'47"	17.48'	S2° 58' 34"E
C138	48.56'	160.00'	17°23'20"	48.37'	N14° 48' 07"W
C144	112.05'	100.00'	64°11'55"	106.28'	S79° 27' 30"E
C145	76.52'	530.00'	8°16'22"	76.46'	S27° 38' 17"E
C149	117.81'	75.00'	90°00'00"	106.07'	S45° 09' 20"W
C151	15.87'	150.00'	6°03'37"	15.86'	N2° 52' 29"W
C152	12.69'	120.00'	6°03'37"	12.69'	S2° 52' 29"E

Curve Table					
Curve #	Length	Radius	Delta	CHORD	CH BEARING
C153	55.94'	530.00'	6°02'51"	55.91'	S2° 52' 52"E
C154	52.77'	500.00'	6°02'51"	52.75'	N2° 52' 52"W
C155	282.37'	242.00'	66°51'13"	266.63'	N33° 04' 38"E
C156	108.89'	269.99'	23°06'29"	108.15'	S31° 23' 13"E
C159	119.67'	962.50'	7°07'25"	119.59'	S71° 52' 44"W
C173	20.84'	270.00'	4°25'18"	20.83'	N45° 07' 14"W
C177	25.63'	16.00'	91°46'11"	22.97'	N33° 45' 18"W
C182	37.57'	270.00'	7°58'25"	37.54'	S15° 50' 50"E
C184	27.67'	63.00'	25°10'02"	27.45'	N63° 43' 30"E
C190	39.83'	360.00'	6°20'22"	39.81'	S39° 28' 16"W
C191	52.00'	470.00'	6°20'22"	51.98'	N39° 28' 16"E
C192	78.33'	470.00'	9°32'57"	78.24'	N31° 31' 36"E
C193	60.00'	360.00'	9°32'57"	59.93'	S31° 31' 36"W
C271	117.81'	75.00'	90°00'00"	106.07'	S44° 50' 40"E
C287	11.35'	90.50'	7°10'58"	11.34'	N3° 19' 55"E
C288	10.59'	84.50'	7°10'58"	10.59'	N3° 19' 55"E
C289	39.91'	130.00'	17°35'29"	39.76'	S75° 17' 58"W
C290	19.04'	180.00'	6°03'37"	19.03'	S2° 52' 29"E
C291	43.04'	160.00'	15°24'51"	42.91'	S75° 17' 58"W
C293	66.05'	160.00'	23°39'07"	65.58'	S11° 40' 14"E

Curve Table					
Curve #	Length	Radius	Delta	CHORD	CH BEARING
C294	23.66'	100.00'	13°33'20"	23.60'	N73° 16' 53"E
C296	53.66'	130.00'	23°39'07"	53.28'	S11° 40' 14"E

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CLEARVIEW VILLAGES

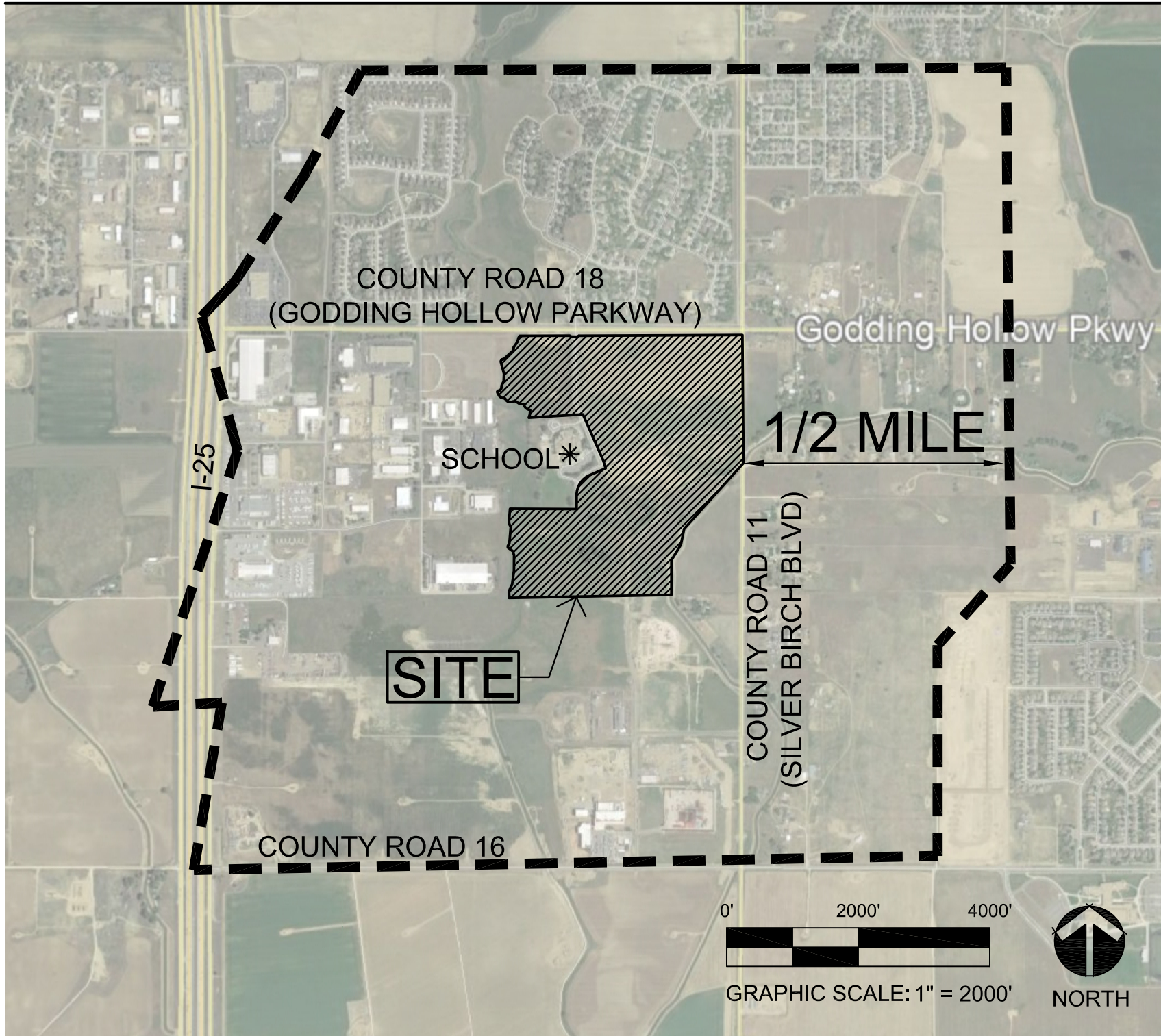
LANDSCAPE & IRRIGATION CONSTRUCTION DOCUMENTS

THE TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO

PARCEL 131326100088: A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
PARCEL 131326100090: A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO

TOTAL: ± 105 ACRES

VICINITY MAP



CONTACTS

OWNER / CLIENT:
BCL COLORADO L.P.
CONTACT: LOUIS CONRAD
9601 KATY FREEWAY, SUITE 475
HOUSTON, TEXAS 77024 / T 713-468-4261

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT:
LAI DESIGN GROUP
CONTACT: JENNIFER CARPENTER
88 INVERNESS CIRCLE EAST - BUILDING J, SUITE 101
ENGLEWOOD, COLORADO 80112 / T 303.734.1777

CIVIL ENGINEER:
PHELPS ENGINEERING SERVICES, INC.
CONTACT: LONNY E. PHELPS
7200 E. HAMPDEN AVENUE, SUITE 300
DENVER, COLORADO 80224 / T 303.298.1644

SHEET INDEX

- 01 COVER SHEET
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OWNERSHIP & MAINTENANCE:

TYPE OF OPEN SPACE	OUTLOT	INSTALLATION	OWNERSHIP / MAINTENANCE	ACREAGE / LF
NEIGHBORHOOD PARKS	J,L	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	20.95 AC
POCKET PARKS	B,F	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	2.11 AC
PUBLIC TRAILS	A,B,C,F,J,L	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	13,099 LF
LANDSCAPED TRACTS	A,B,C,D,E,F,G H,J,K, L	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	8.62 AC
WATER QUALITY PONDS	J,L	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	4.07 AC
OIL & GAS SETBACKS AREAS	B,J,L	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	5.91 AC
FLOODPLAIN	J,L	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	CLEARVIEW VILLAGES METROPOLITAN DISTRICT	7.78 AC

ARCHITECT / PLANNER



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LANDSCAPE PLANS
CLEARVIEW VILLAGES
FREDERICK, COLORADO
COVER SHEET

PROFESSIONAL STAMP

PROJECT INFORMATION

PROJECT #: 181024/29
DRAWN BY: LAI
CHECKED BY: JC

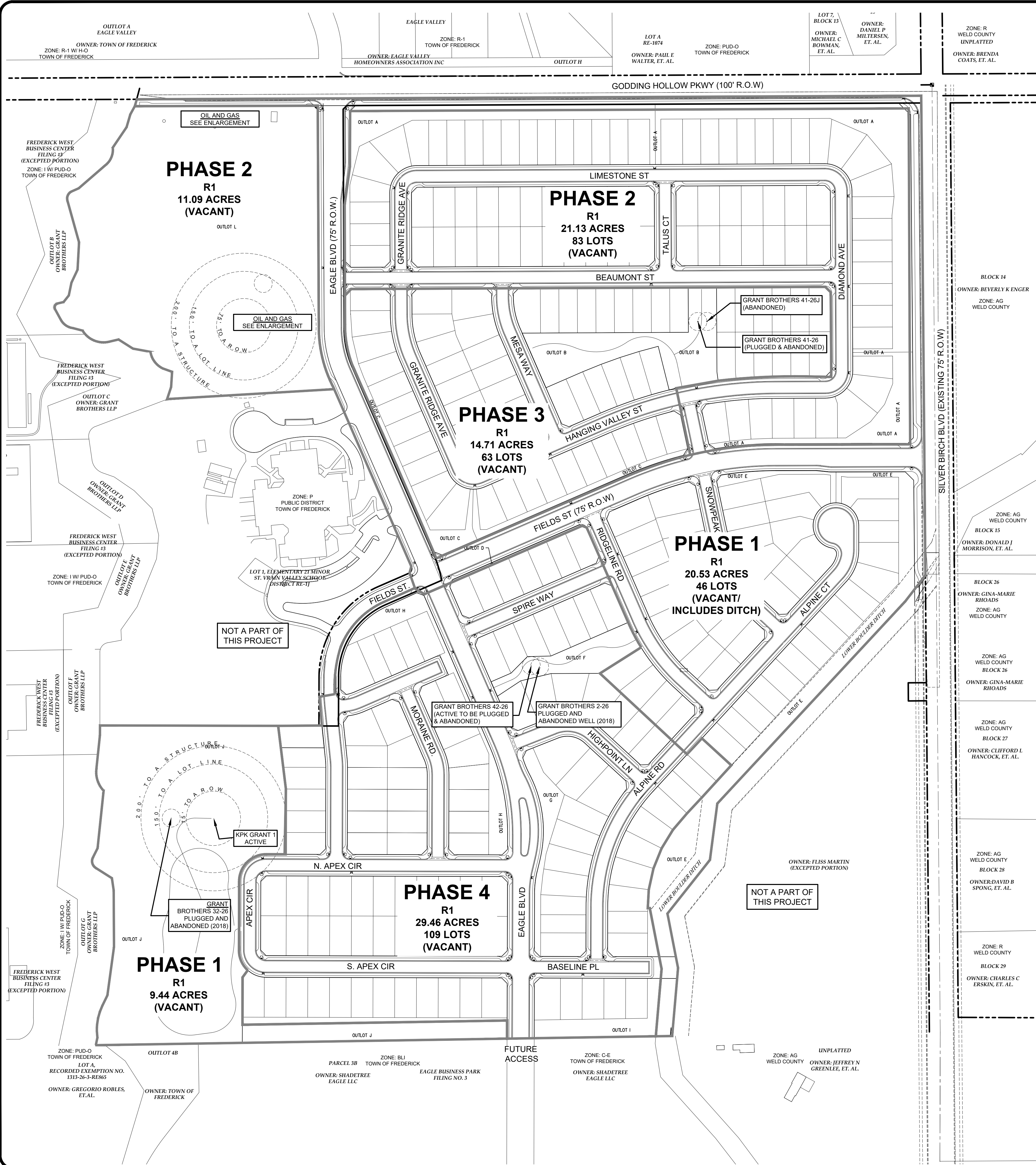
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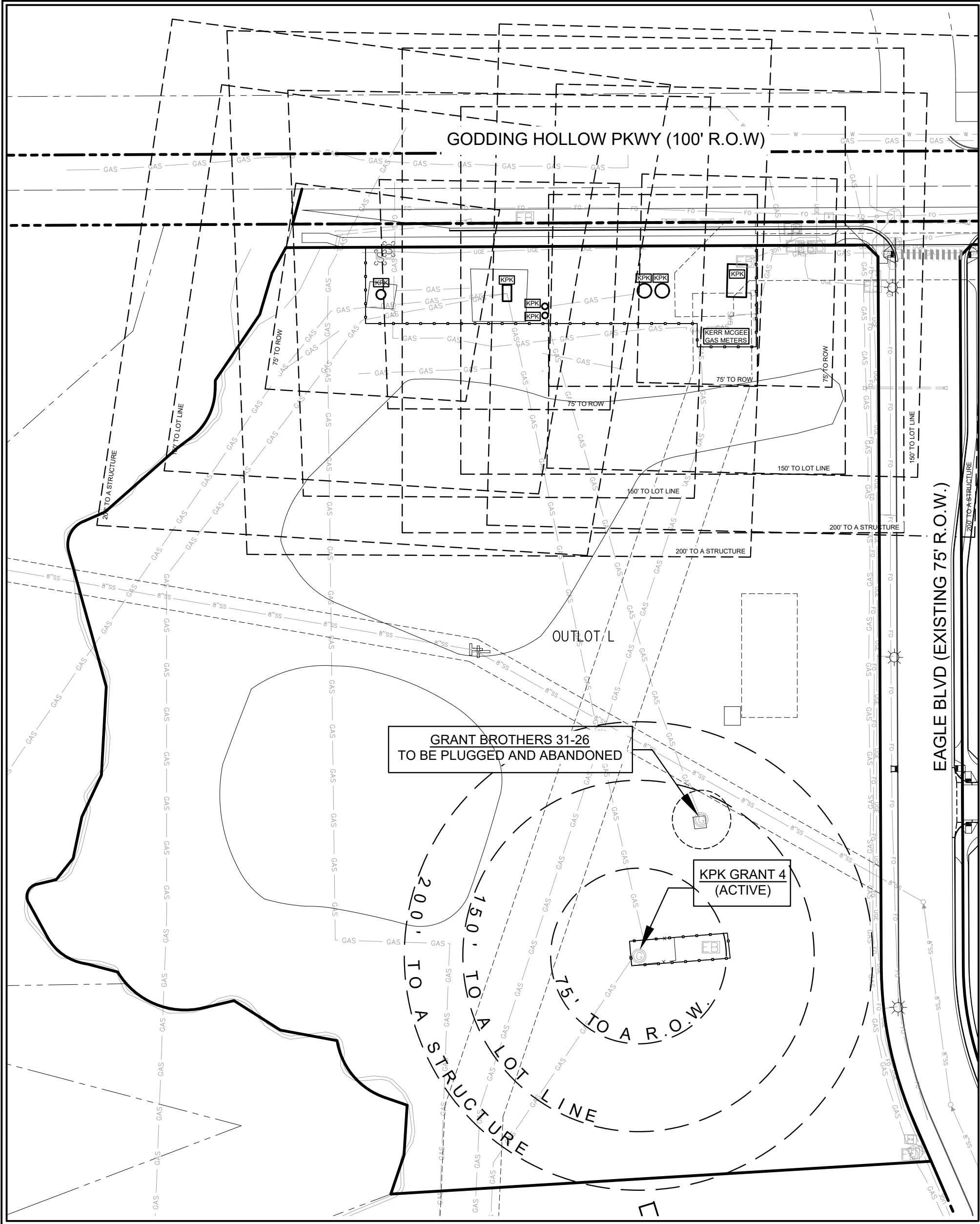
1 OF 23



LAND USE TABLE:

Planning Area	Zoning	Use	Gross Area	% Total Area	Maximum Density	R-1 Maximum DU	PLAT Proposed DU
PHASE-1 (Includes Ditch)	R1	Single Family Detached	20.53 AC	19%	5.0 DU/AC	102 Units	46 Units
PHASE-2	R1	Single Family Detached	32.22 AC	30%	5.0 DU/AC	161 Units	83 Units
PHASE-3	R1	Single Family Detached	14.71 AC	14%	5.0 DU/AC	73 Units	63 Units
PHASE-4	R1	Single Family Detached	38.90 AC	37%	5.0 DU/AC	194 Units	109 Units
Total	-	-	106.36 AC	100%	5 DU/AC	530 Units	301 Units

OIL AND GAS SETBACKS (ENLARGEMENT PLAN):



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LANDSCAPE PLANS
CLEARVIEW VILLAGES
FREDERICK, COLORADO
PHASING PLAN

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PROJECT INFORMATION

PROJECT #: 181024/29
DRAWN BY: LAI
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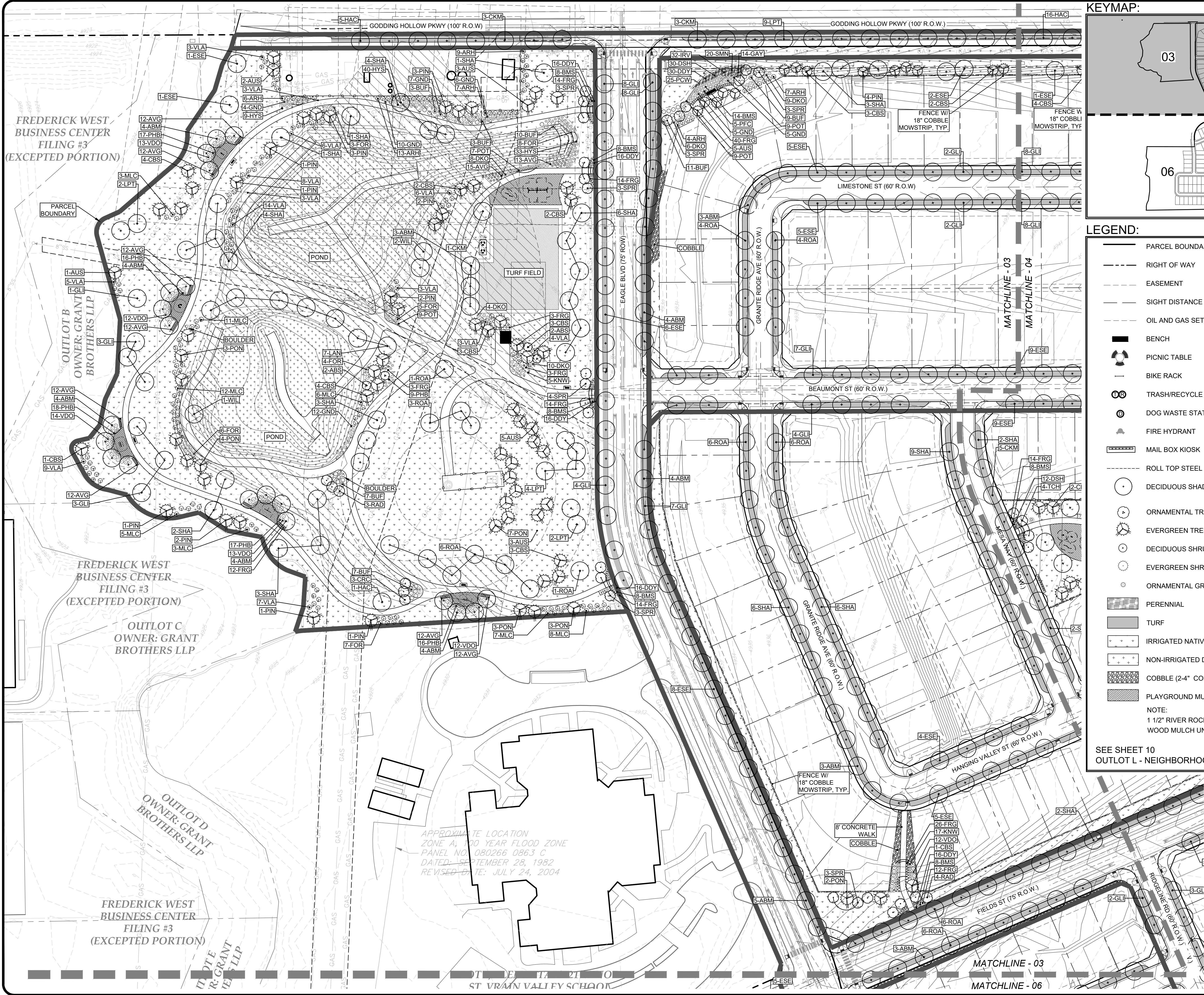
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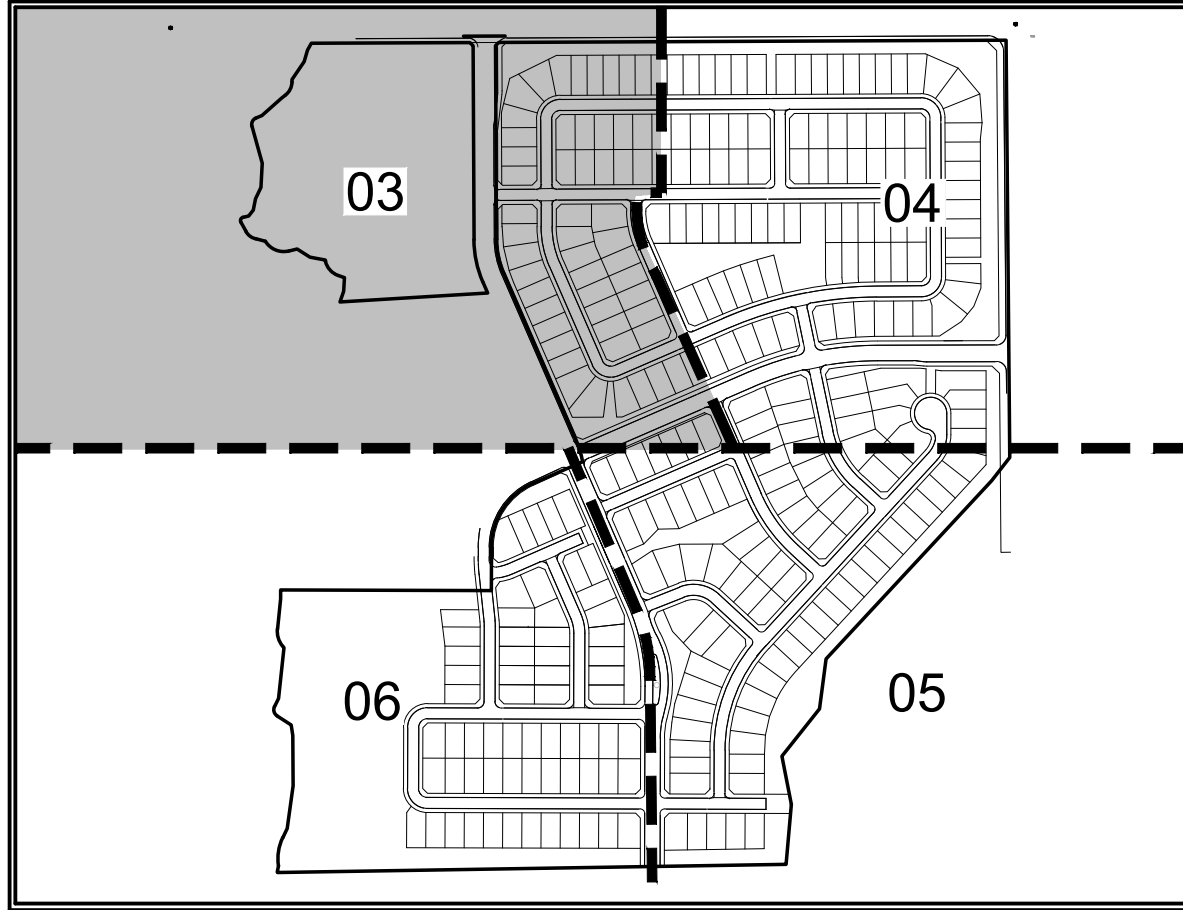
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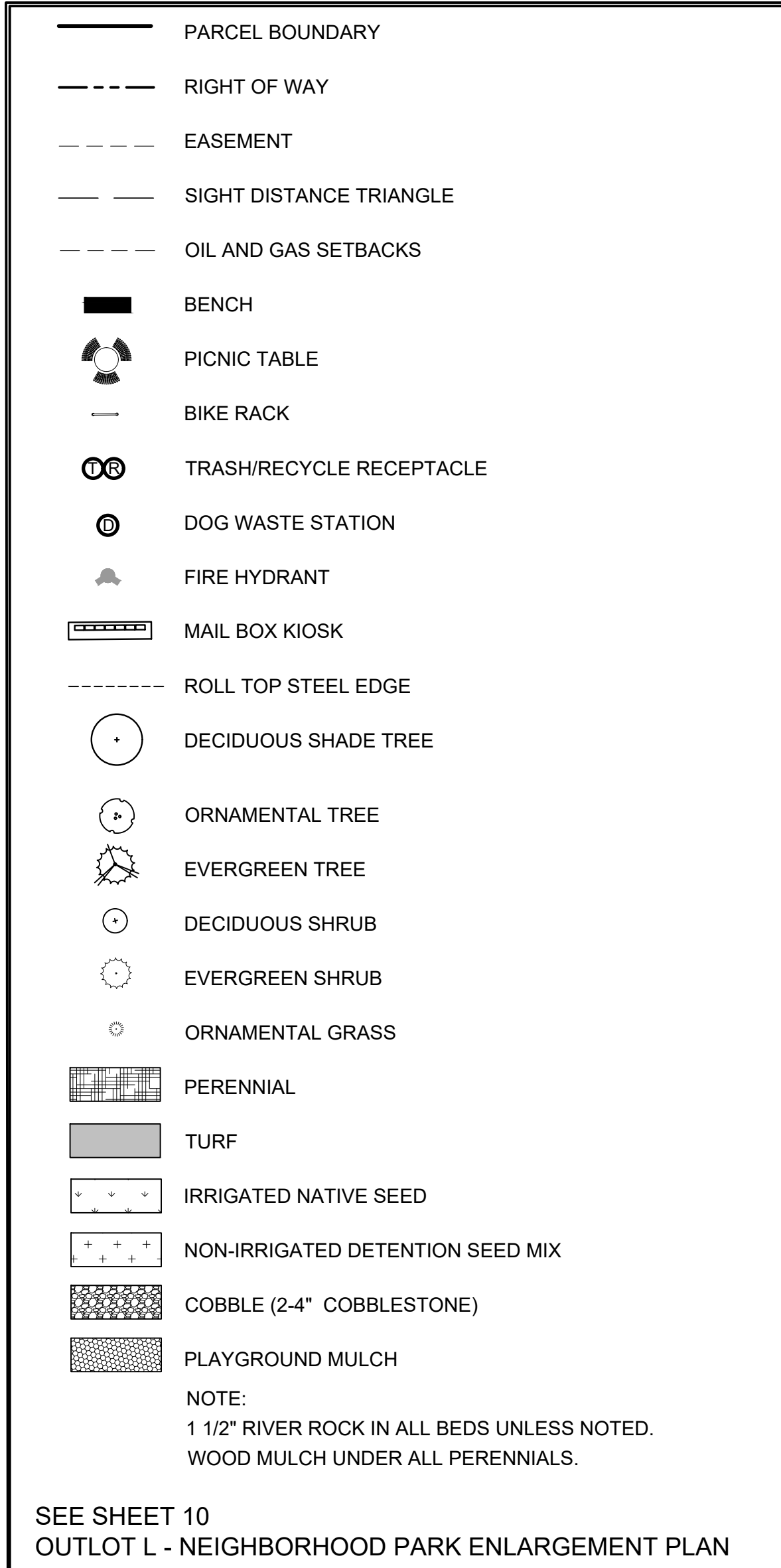
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KEYMAP:



LEGEND:



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LANDSCAPE PLANS CLEARVIEW VILLAGES FREDERICK, COLORADO LANDSCAPE PLAN

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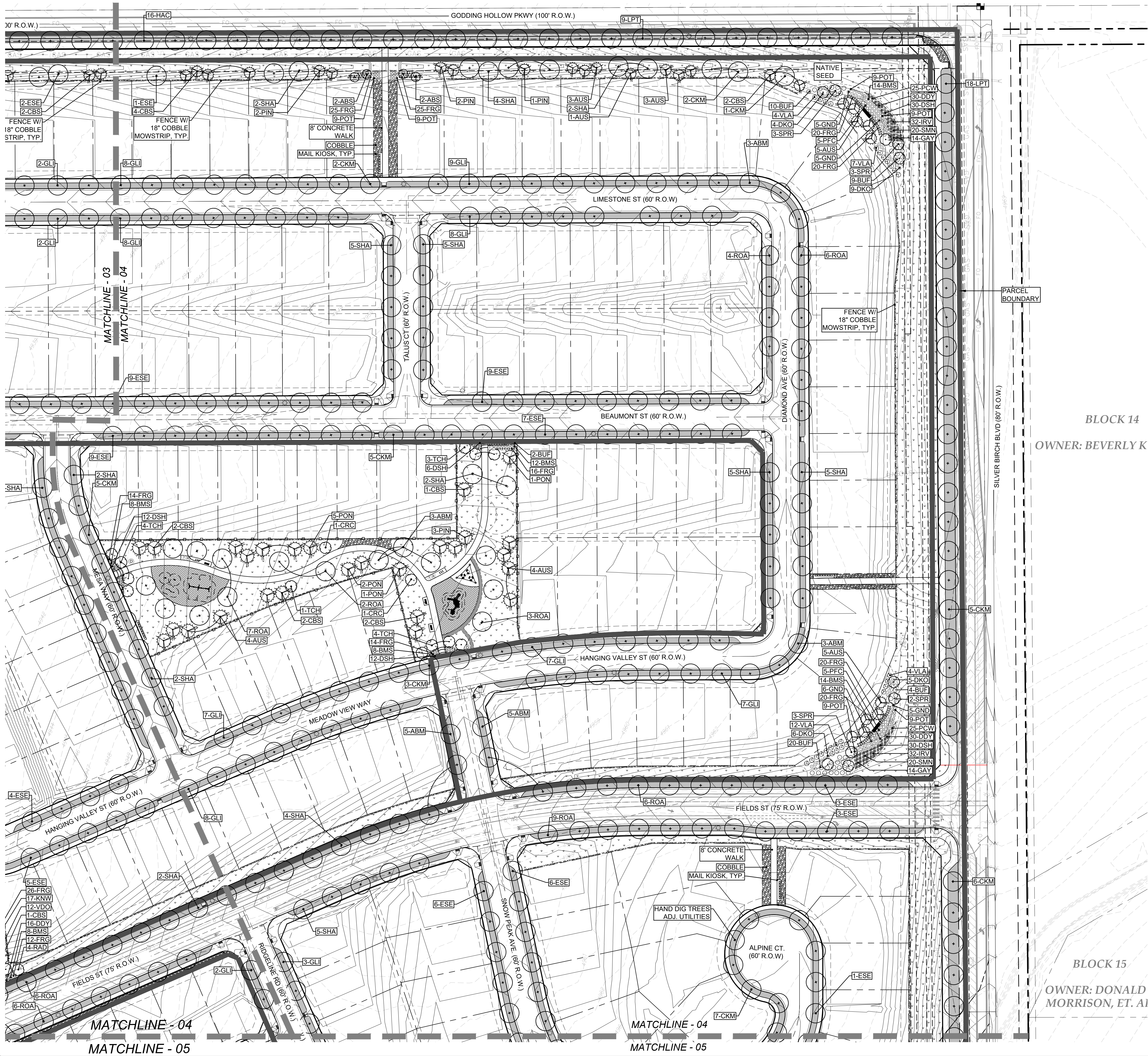
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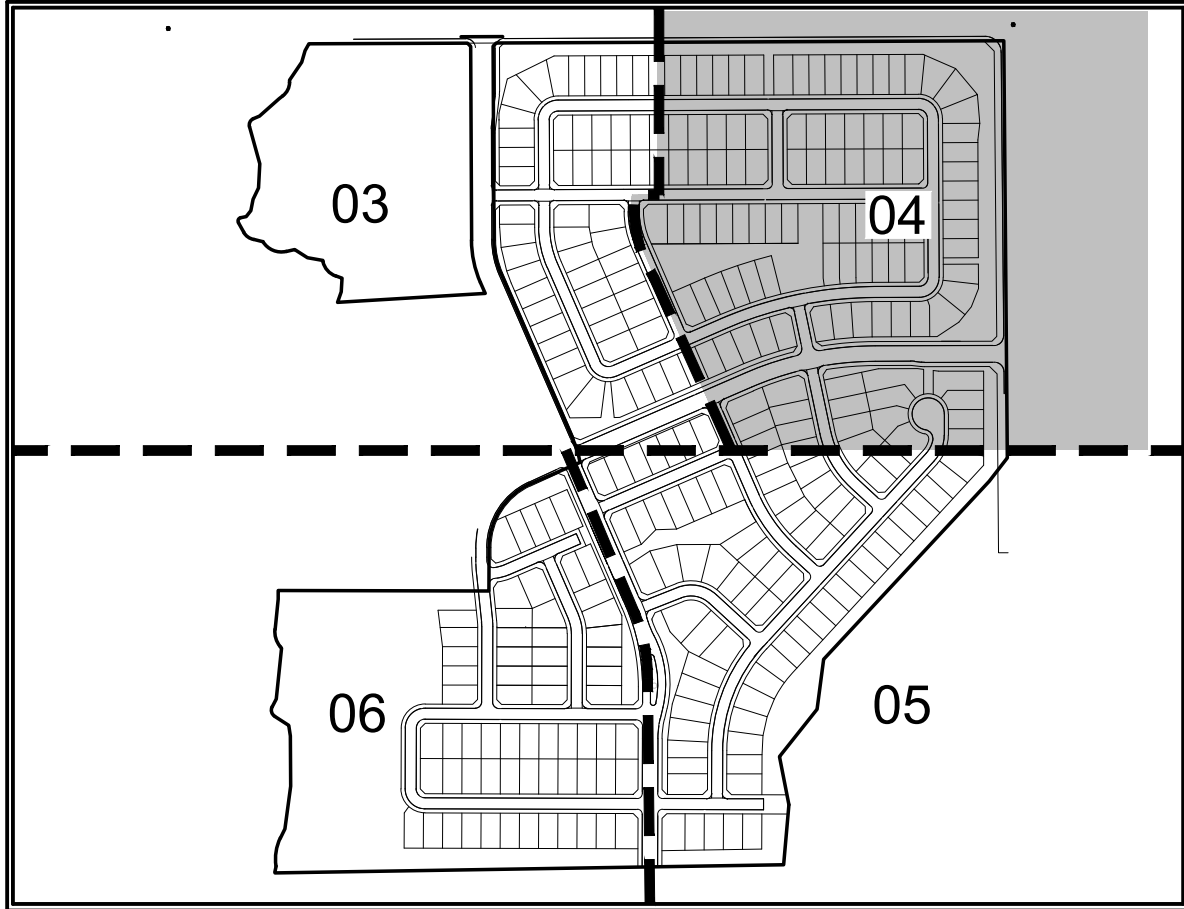
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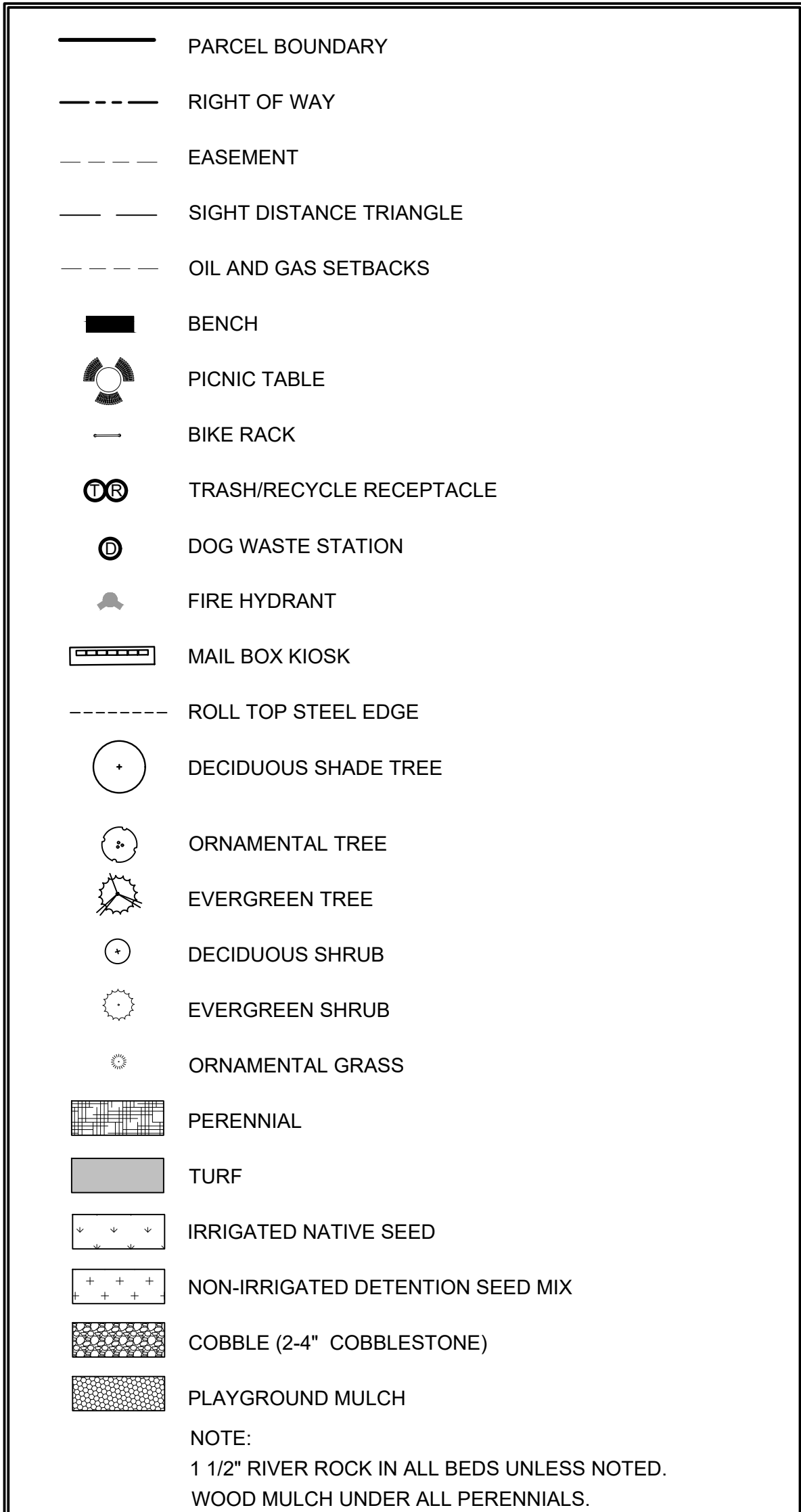
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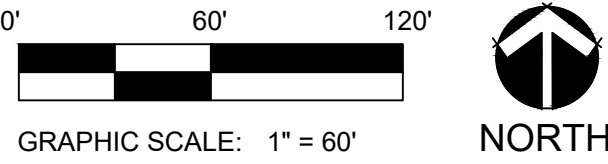
KEYMAP:



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SEE SHEET 13
OUTLOT B - POCKET PARK ENLARGEMENT PLAN



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LANDSCAPE PLANS
CLEARVIEW VILLAGES
FREDERICK, COLORADO
LANDSCAPE PLAN

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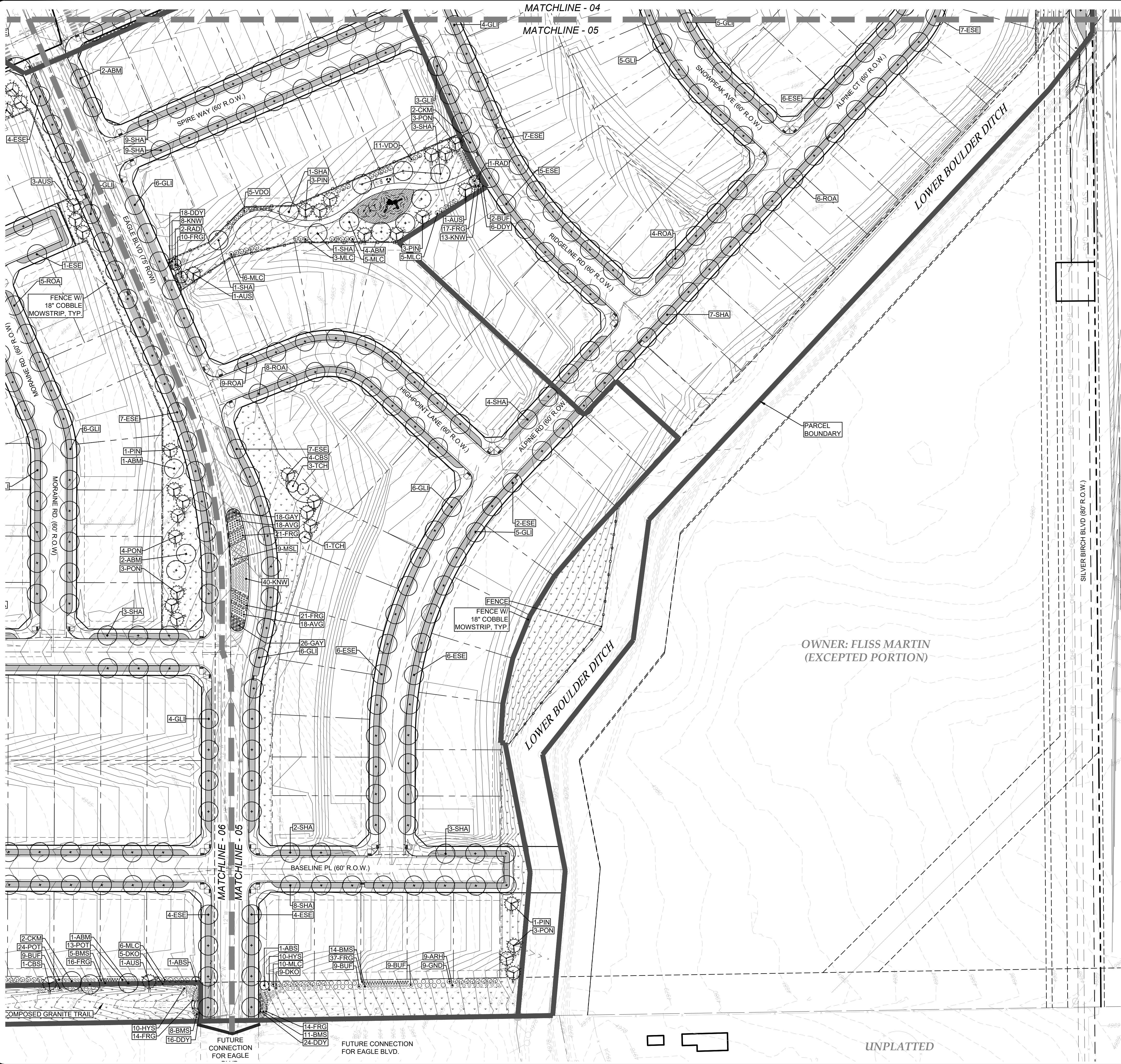
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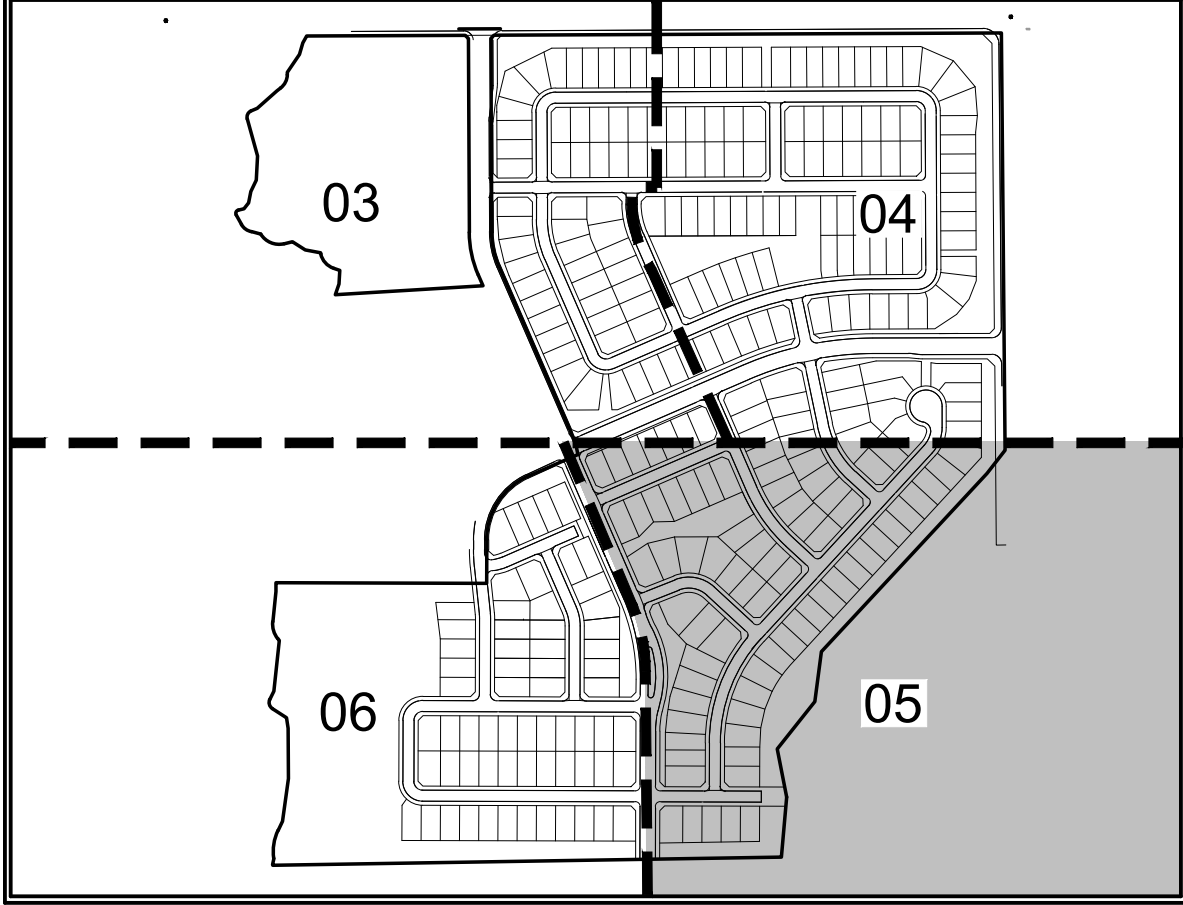
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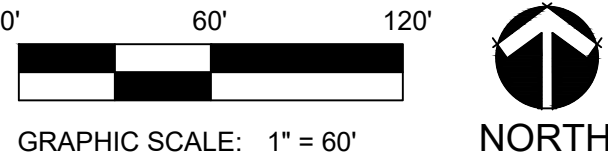
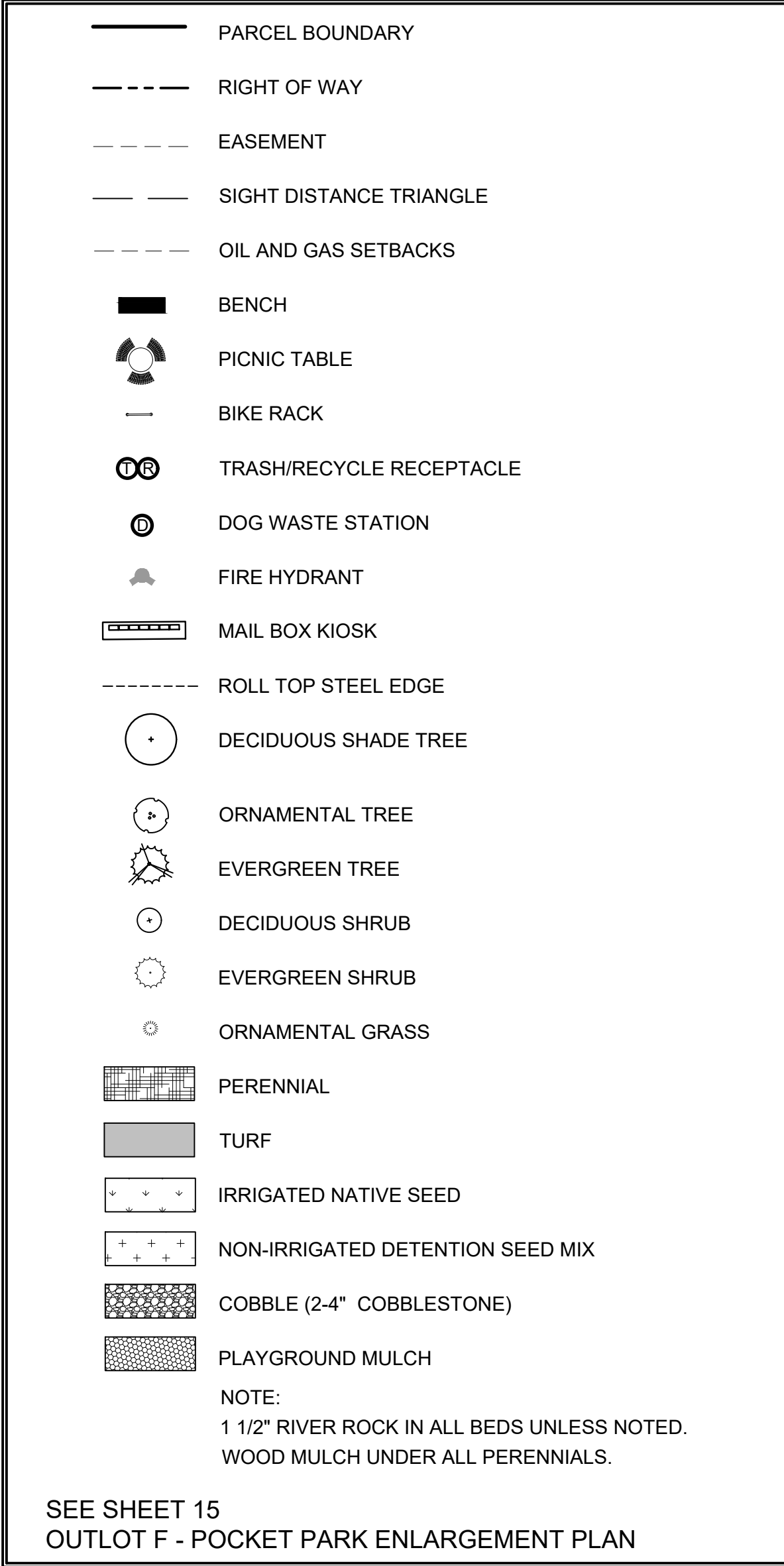
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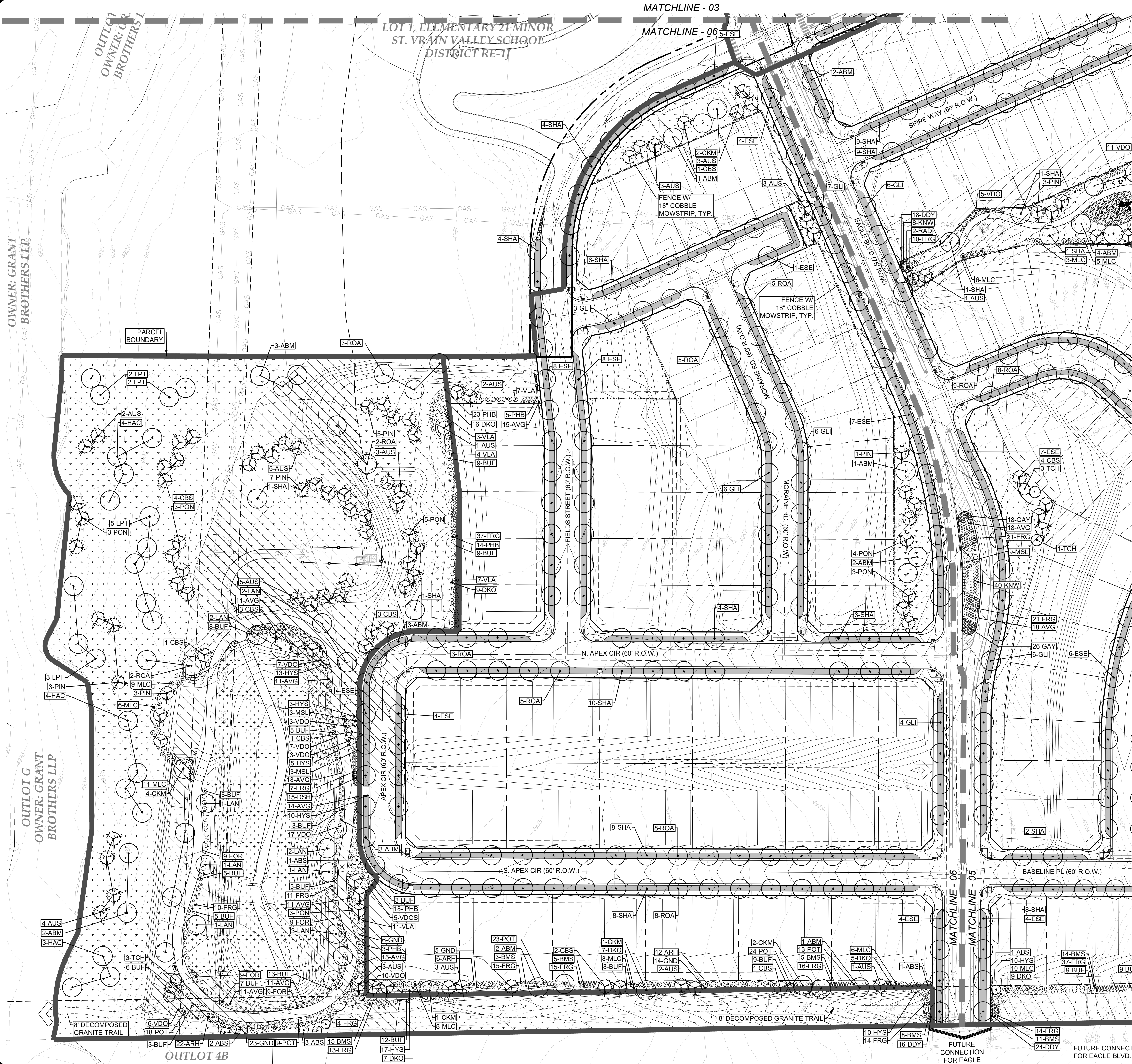
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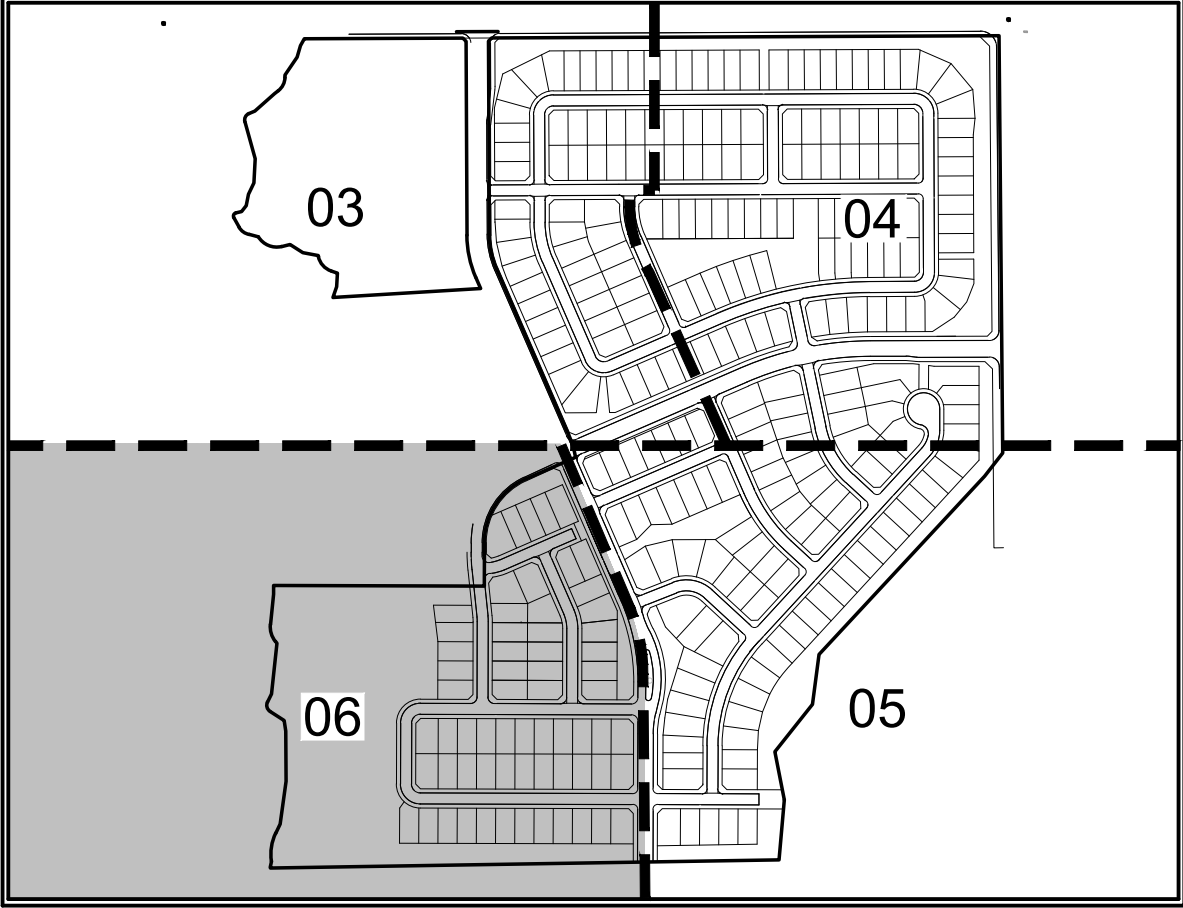
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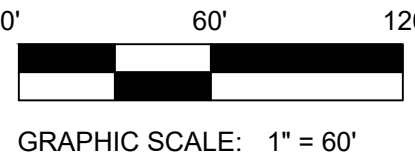
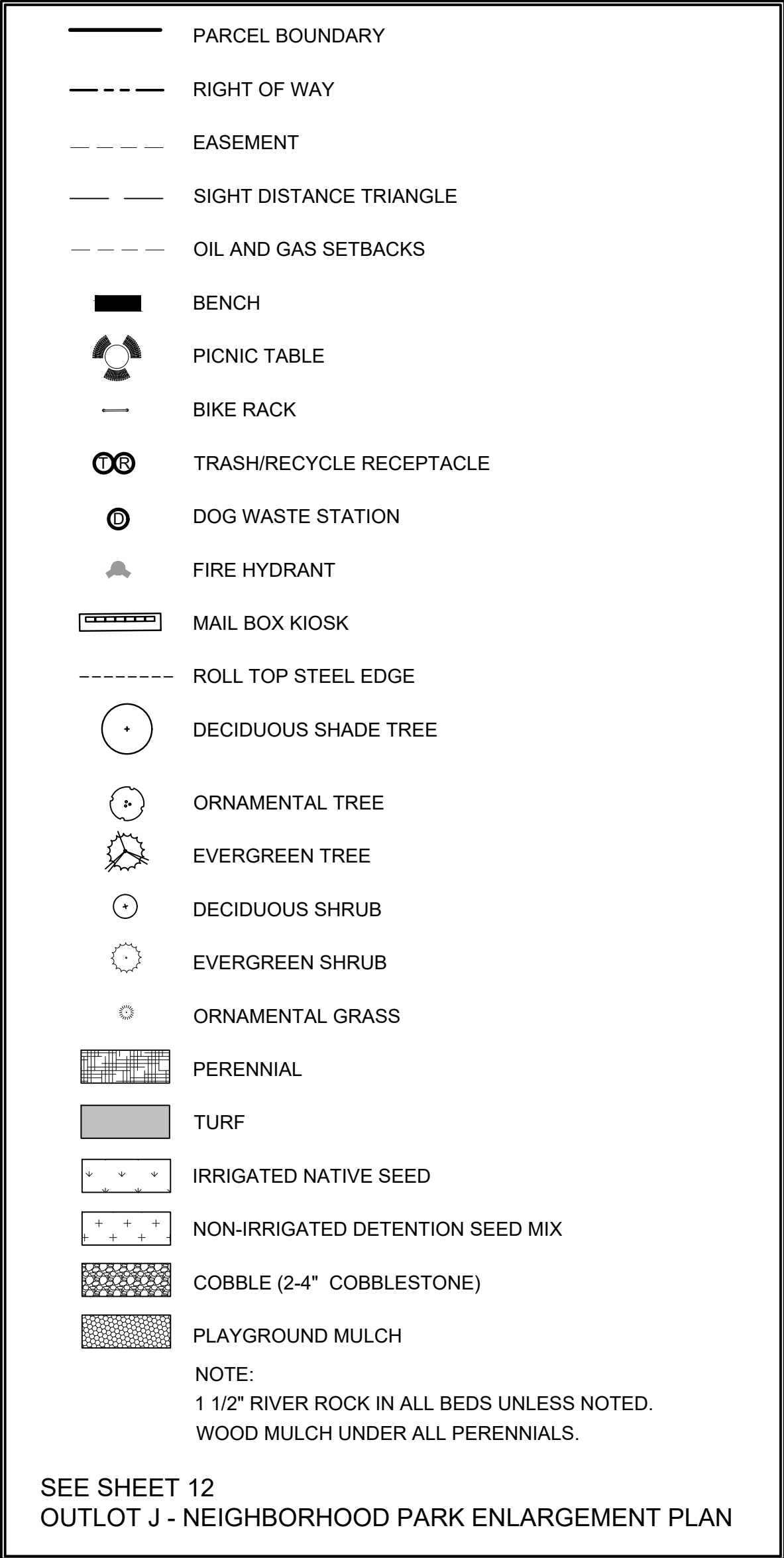
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LANDSCAPE PLANS
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LANDSCAPE PLAN

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Recommending Approval of the Clearview Preliminary/Final Plat

Section 1. The Frederick Planning Commission finds that:

1.1 An application for the Clearview Preliminary/Final Plat has been submitted.

1.2 Said application was found to be complete through the review process.

1.3 Said application was considered during a public meeting held January 20, 2022.

1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.

1.5 Said application conforms with the applicable requirements of Section 4.7.4 and 4.9.1 of the Frederick Land Use Code.

Section 2. This resolution constitutes the written report, findings and decision of the Town of Frederick Planning Commission.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends approval of the application.

This resolution approved this 20th day of January 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

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Recommending Denial of the Clearview Preliminary/Final Plat

Section 1. The Frederick Planning Commission finds that:

1.1 An application for the Clearview Preliminary/Final Plat has been submitted.

1.2 Said application was found to be complete through the review process.

1.3 Said application was considered during a public meeting held January 20, 2022.

1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.

1.5 Said application conforms with the applicable requirements of Section 4.7.4 and 4.9.1 of the Frederick Land Use Code.

Section 2. This resolution constitutes the written report, findings and decision of the Town of Frederick Planning Commission.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends denial of the application.

This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

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Recommending Conditional Approval of the Clearview Preliminary/Final Plat

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

- 1.1 An application for the Clearview Preliminary/Final Plat has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held January 20, 2022.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.7.4 and 4.9.1 of the Frederick Land Use Code.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends approval of the application with the following conditions:

- 1.

This resolution approved this 20th day of January, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

From: [Marti Crapo](#)
To: [Ali van Deutekom](#)
Subject: Clearview Villages
Date: Saturday, June 19, 2021 4:57:20 PM

CAUTION: This email originated from outside of the Town of Frederick.
Do not click links or open attachments unless you can confirm the sender and content is safe

My husband and I live in Eagle Valley on Eagle Blvd. I received the notice about the application from LAI Design Group. I was unable to attend the last announced meeting but I presumed that the application was denied. The area will be a terrible traffic jam not to mention all the other negatives. The density of population along with the school congestion is a definite negative. I have a couple of questions.

1) is the project still a possibility

2) if yes, what changes are being addressed by the new application?

3) Will you be discussing this at a future meeting?

Just for the record, my husband and I are opposed to this development.

Thanks in advance to your response.

--

Marti Crapo

"If you want to fly, you have to give up everything that weighs you down."

TONI MORRISON