



If you would like to address City Council, please place your name on the sign-up sheet located at the back of the council room. You will be recognized to speak during the "audience participation" portion of the agenda.

AGENDA

Regular Meeting

May 03, 2016 - 7:30 p.m.

City Council meeting packets are prepared several days prior to the meetings. This information is reviewed and studied by the Councilmembers, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. An informational packet is available for public inspection on our website at www.evanscolorado.gov and posted immediately on the bulletin board adjacent to the Council Chambers.

1. CALL TO ORDER

2. PLEDGE

3. ROLL CALL

Mayor:	John Morris
Mayor Pro-Tem:	Brian Rudy
Council Members:	Mark Clark
	Sherri Finn
	Lance Homann
	Jay Schaffer
	Laura Speer

4. PROCLAMATIONS

- A. Small Business Week
- B. Economic Development Month

5. AUDIENCE PARTICIPATION

The City Council welcomes you here and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address City Council. Your comments will be limited to two (2) minutes. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and your questions may be directed to the appropriate staff person for follow-up. Thank you!

6. APPROVAL OF AGENDA

7. CONSENT AGENDA

- A. Approval of Minutes of the Regular Meeting of April 19, 2016
- B. Ordinance No. 649-16 – Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning (Second Reading)
(Continued from the April 19, 2016 Regular Meeting)

8. NEW BUSINESS

- A. Resolution No. 21-2016 – Authorizing Revisions to the Watershed Coordinator Grant from the Colorado Department of Local Affairs.
- B. Resolution No. 22-2016 – Authorizing Staff to Submit Applications for Round Three Community Development Block Grant–Disaster Relief Grants to Fund the Restoration and Redevelopment of Riverside Park

9. REPORTS

- A. City Manager
- B. City Attorney

10. AUDIENCE PARTICIPATION (general comments)

Please review the Audience Participation section listed at the beginning of the agenda for procedures on addressing City Council.

11. EXECUTIVE SESSION

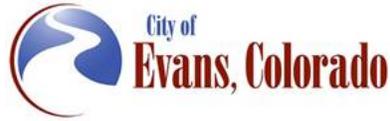
- A. To Determine Positions Relative to Matters that May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators, Pursuant to C.R.S. 24-6-402(4)(e)

12. ADJOURNMENT

CITY OF EVANS – MISSION STATEMENT

“To deliver sustainable, citizen-driven services for the health, safety, and welfare of the community.”

It is the policy of the City of Evans that all programs and activities shall be accessible to, and usable by, persons with disabilities. Persons needing assistance shall contact the Safety & Risk Management Specialist at the City of Evans. Please provide three to five business day’s advance notice so we can adequately meet your needs.



PROCLAMATION SMALL BUSINESS WEEK

WHEREAS, The City of Evans recognize the initiative, enterprise and perseverance of small businesses and small business owners and workers in the State of Colorado and the City of Evans; and

WHEREAS, Small business helps to foster innovation, redefine excellence and create new pathways towards prosperity; and

WHEREAS, The nearly 600,000 businesses in our state help drive our economy and they are an important component of our long term success and vitality; and

WHEREAS, Small businesses provide for almost 1,000,000 jobs in Colorado or 98% of our total private workforce; and

WHEREAS, The State of Colorado has declared May 4 – 8, 2016 as Small Business Week; and

WHEREAS, Small businesses should be commended for their contribution to our state and our city's prosperity and for reflecting the true entrepreneurial spirit of Colorado.

NOW, THEREFORE, BE IT RESOLVED, that The City of Evans:

Does hereby proclaim May 2 – 6, 2016 as Small Business Week in the City of Evans, Colorado.

ATTEST:

CITY OF EVANS, COLORADO

City Clerk

By _____
Mayor



INTERNATIONAL
ECONOMIC DEVELOPMENT
COUNCIL



Proclamation for Economic Development

The Year of the Economic Developer - #YearofEconDev

May 8-14, 2016

Recognizing 2016 as the 90th anniversary of the International Economic Development Council and as “The Year of the Economic Developer.”

WHEREAS, the International Economic Development Council is celebrating its 90th anniversary in 2016; and

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program and the Certified Economic Developer designation; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work in the City of Evans within the State of Colorado; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Evans do hereby—

- 1) commend the International Economic Development Council and its officers, staff, and members on its 90th anniversary;

- 2) recognize 2016 as “The Year of the Economic Developer”

in the City of Evans and remind individuals of the importance of this profession in expanding career opportunities and improving quality of life.

BE IT FURTHER RESOLVED that the City Council is authorized and directed to transmit an appropriate copy of this proclamation to the International Economic Development Council.

IN TESTIMONY WHEREOF the Mayor of the City of Evans has hereunto subscribed his name and has caused the Official Seal of the City of Evans to be hereunto affixed on this 3rd day of May, 2016.

ATTEST:

CITY OF EVANS, COLORADO

City Clerk

By _____
Mayor

COUNCIL COMMUNICATION

DATE: May 3, 2016
AGENDA ITEM: 7.A
SUBJECT: Approval of the Minutes April 19th City Council Meeting
PRESENTED BY: City Clerk

AGENDA ITEM DESCRIPTION:

Approval of minutes.

FINANCIAL SUMMARY:

N/A

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

"I move to approve the minutes as presented."

MINUTES
EVANS CITY COUNCIL
April 19, 2016

CALL TO ORDER

Mayor Morris called the meeting to order at 7:30 p.m.

PLEDGE

ROLL CALL

Present: Mayor Morris, Mayor Pro-Tem Schaffer, Council Members Brown, Clark, Finn, Homann, and Rudy.

PROCLAMATION

A. Holocaust Memorial Observance

Mayor Morris read the proclamation and presented it to Naomi Johnson, member of the Holocaust Memorial Committee. Ms. Johnson, spoke about the activities of the Holocaust Memorial Committee and thanked the Evans City Council for the proclamation.

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

Raegan Robb, Evans City Clerk, made two changes to the agenda – removing item 7.B from Consent Agenda and adding the Election of Mayor Pro-Tem as the first item under New Business (Item 10.A).

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to approve the Agenda, as amended. The motion passed with all voting in favor thereof.

CONSENT AGENDA

- A. Approval of Minutes of the Regular Meeting of April 5, 2016**
- B. Ordinance No. ~~649-16~~ – Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning (Second Reading)**
- C. Ordinance No. 650-16 – Amending the Planned Unit Development (PUD) for Vintage Villas (Second Reading)**
- D. Ordinance No. 651-16 – Amending Ordinance No. 632-15 and Appropriating Sum of Revenues and Fund Balances for the Amended 2016 City of Evans Budget (Second Reading)**

E. Ordinance No. 652-16 Approving a Loan from the Colorado Water Resources and Power Development Authority (CWRPDA) in the Principal Amount not to Exceed \$41,429,000 to Proceed with Improvements to the City Waste Water Treatment Facilities (Second Reading)

Mayor Pro-Tem Schaffer made the motion, seconded by Council Member Rudy, to approve the Consent Agenda, as amended, to remove Item 7.B and reschedule it to the May 3rd Consent Agenda. The motion passed with all voting in favor thereof.

SPECIAL RECOGNITION

A. Recognizing Council Member Laura Brown

Mayor Morris and Aden Hogan, City Manager, presented Council Member Brown with a gift to honor and thank her for her time on the Evans City Council.

SWEARING IN NEW COUNCIL MEMBERS

The following members of the 2016-2018 Evans City Council were sworn in by the City Clerk:

Mayor: John Morris, 2-year term;
Council Members: Laura Speer, Ward 1, 4-year term;
Mark Clark, Ward 2, 4-year term; and
Brian Rudy, Ward 3, 4-year term.

NEW BUSINESS

A. Election of Mayor Pro-Tem

Council Member Homann nominated Mayor Pro-Tem Schaffer, the motion failed for lack of a second.

Council Member Clark made a substitute motion, seconded by Council Member Finn, to nominate Brian Rudy for Mayor Pro-Tem.

The motion passed 6-1 with Mayor Pro-Tem Schaffer opposed.

B. Resolution No. 20-2016 Approval of Contract Extension and Preliminary Budget Revision for Long Range Planner

Sheryl Trent, Evans Economic Development Director, explained the need for Resolution 20-2016 to amend the State Community Development Block Grant (CDBG) funded through the Department of Housing and Urban Development (HUD). In 2014 the City applied for and were granted staffing funds to assist with our long range planning efforts, and hired Chad Reischl as the City Planner for that position.

According to Ms. Trent, the grant dates do not follow the City of Evans budget dates, which are based on a calendar year of January 1st – December 31st. Therefore, the City currently has \$25,953.00 budgeted for 2016 for the position which covers January – April. The amended grant contract is for \$106,000 which is for eighteen (18) months which begins when the State signs the grant (after approval by the City Council). The end date of the amended grant contract, if the Resolution is adopted, would be October 31, 2017.

Ms. Trent clarified some questions about the grant change and the 2016 budget. According to Ms. Trent, the Resolution is an administrative and budget change based on the months that have lapsed in 2016. She stated that the total personnel budget for 2016 will be \$72,246.00, and the City's contribution of that amount will be \$4,495.

Council Member Clark made the motion, seconded by Mayor Pro-Tem Rudy. The motion passed 6-1, with Council Member Speer opposed.

C. Authorization to Purchase City Street Sweeper

Jacque Trout, City Finance Manager, and Dawn Anderson, City Engineer, presented this agenda item on behalf of the Public Works Department and discussed the recommendation from staff to participate in a cooperative pricing arrangement for the purchase of a new City street sweeper.

They explained that the City entered into an Interlocal Contract for Cooperative Purchasing with HGACBuy on February 12, 2016, which is a political subdivision of the State of Texas that is empowered to enter into agreements with other governmental jurisdictions for the purpose of purchasing goods and services.

By entering into this agreement, the City of Evans is able to utilize the broader purchasing power of HGACBuy to acquire certain goods at a lower price through

the HGACBuy competitive bidding process.

According to Ms. Troudt, the City received a quote for a new Street Sweeper through the HGACBuy program at a price of \$270,220 for a street sweeper matching the City of Evans specifications and requirements.

Council Member Clark asked about the number of street sweepers the City currently owns.

Ms. Anderson explained there were currently two street sweepers owned by the City, but one is at the end of its life span.

Council Member Clark and Mayor Morris asked about the lifespan of street sweepers. Conversation ensued between City Council and Ms. Anderson concerning the current conditions of City street sweepers.

Council Member Homann asked about the amount of funds remaining from the budgeted amount of \$300,000 for the purchase of a Street Sweeper.

Ms. Troudt explained that other repairs or parts could be purchased for the City street sweepers in 2016 with these funds.

Council Member Speer asked when the new street sweeper would arrive.

Ms. Anderson stated that the City could expect to receive the new street sweeper in approximately 60 days.

Council Member Homann made the motion, seconded by Council Member Finn, to direct City Staff to purchase a Street Sweeper utilizing the HGACBuy Cooperative Purchasing Program for the amount of \$270,220.
The motion passed with all voting in favor thereof.

REPORTS

A. City Manager

Mr. Hogan acknowledged Chief Rick Brandt, Evans Police Department, who received the Victims' Services Award from Weld County Victims' Services Division. Mr. Hogan also directed City Council to the updates in the City Monitoring Report and spoke about the early sales taxes collected for January and February, 2016, which are under the amount collected over the same time in 2015.

B. City Attorney

Scott Krob, City Attorney, explained that the scheduled executive session was for the purpose of providing updates to City Council regarding the recent mediation resulting from the Ashcroft litigation and equivalent residential units (EQRs) in the Tuscany subdivision.

Mayor Morris thanked them both for their reports and complimented Aden on the material in the monitoring report.

AUDIENCE PARTICIPATION

There was no audience participation.

EXECUTIVE SESSION

A. To Determine Positions Relative to Matters that May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators, Pursuant to C.R.S. 24-6-402(4)(e)

Council Member Schaffer made the motion, seconded by Mayor Pro-Tem Rudy, to adjourn into executive session to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e).

The motion passed with all voting in favor thereof.

The Council adjourned into executive session.

The executive session concluded at 8:02 p.m.

Mr. Krob noted for the record that the contents of the executive session were subject to attorney client privilege and within the scope of the state statutes.

ADJOURNMENT

The regular meeting adjourned at 8:04 p.m.


Raegan Robb, City Clerk



CITY COUNCIL COMMUNICATION
May 3, 2016

AGENDA ITEM: **7.B-** Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning; Preliminary & Final Plat

PREPARED BY: Sean Wheeler, City Planner

ACTION: Consideration by City Council

REVIEWED BY: Fred Starr, Public Works Director

SITE INFORMATION		
Location:	The site is located at the northeast corner of the intersection of Trinidad and 37 th Streets in east Evans. It is approximately 5.9-acres in size. (See attached Vicinity Map)	
Applicant:	Jim Feehan, 3610 Trinidad LLC. dba Bella Vista MHP Norris Design (Consultant)	
Existing Land Use:	Abandoned Residential Manufactured Home District (Destroyed in 2013 Flood)	
Proposed Land Use:	Re-designed Manufactured Home Community PUD; Preliminary and Final Plat Approval.	
Surrounding Land Uses:	North	Single Family Residential
	South	Single Family Residential
	East	Undeveloped Land
	West	Single Family Residential
Existing Zoning:	RMH (Residential Manufactured Home)	
Proposed Zoning:	Planned Unit Development (Residential Manufactured Home Community)	
Surrounding Zoning:	North	R-1 Residential
	South	R-1, R-2, RMH (Residential Manufactured Home), Riverside Meadow PUD & Timberline Subdivision (Single Family Residential)
	East	R-1 (Single Family Residential)
	West	R-2 (Two Family Residential)
Future Land Use Designation:	High Density Residential	



PROJECT DESCRIPTION:

1. The applicant seeks approval for redevelopment of the Bella Vista Manufactured Home Park as a Planned Unit Development (PUD) for a new manufactured home community. This process requires City approval of a request to rezone the property to a PUD, approval of a PUD Plan and approval of a subdivision plat. For historic reference, the Bella Vista manufactured home park sustained significant damage during the 2013 flood and all of the homes deemed uninhabitable.
 2. The subject property is located at the northeast corner of Trinidad and 37th Streets in east Evans and it is approximately 5.9 acres in size. The proposed development includes spaces for 52 manufactured homes along with areas for guest parking and open space. The plan also includes a revised layout for the homes, a new interior circulation plan, updated utilities, landscaping and on-site detention for drainage. Access is proposed off both Trinidad and 37th Streets.
-

PLANNING COMMISSION:

The Planning Commission considered the request at a public hearing on March 22, 2016. Planning Staff will provide a synopsis of their discussion for the City Council at the public hearing. The Planning Commission voted 5 to 0 in favor of approval of the PUD Rezoning and the Subdivision Plat.

ANALYSIS / ISSUES:

1. Rezoning & PUD Requirements: Attached for consideration is the Staff report provided to the Planning Commission. It outlines the detailed staff analysis for this Rezoning and Plat approval request. Approval of the request is subject to several provisions of the municipal code including;

- ❖ Chapter 19.22 Residential Manufactured Home (RMH) District
- ❖ Chapter 18.28 Planned Unit Development (PUD) Districts
- ❖ Chapter 19.60 Zoning Amendments

2. Assessment: Staff's assessment is that this request has (or can meet) the requirements of the above cited chapters of the Municipal Code for a Planned Unit Development as a Manufactured Home Park. Historic use of the site was for this purpose until it was significantly damaged in the 2013 flood. The plan, as proposed, would improve the site to current standards and restore a lost neighborhood.

3. Comprehensive Plan: The request satisfies the requirements of the Evans Comprehensive Plan for creating a diversity of residential neighborhoods in the City, with a goal to serve a variety of income levels and life styles. Chapter 4 of the Comprehensive Plan outlines "Goals, Policies and Actions" to guide land use decisions. Policy 1.1 – Actions on page 4-4 recommends revisions to the zoning map to reflect the future land use map designations. The future land use map identifies the site for residential urban neighborhood uses. Based on the stated objectives in the Comprehensive Plan and the Future Land Use Map designation, this request satisfies both standards for rezoning the property to a Manufactured Home Park PUD.

4. Site Plan: The Municipal Code designates site plan approval as a function of staff, under the direction of the City Manager. Elements of the site plan are attached to this report for reference, and to illustrate the intended layout and use of the property. The PUD Plan requires approval by the City Council to rezone the property to this use.

5. Subdivision Plat: Title 18.28 of the Code requires approval of a PUD Plan showing in detail the locations of the buildings and the designs of streets, lanes, parking areas, parks and other open areas. The attached subdivision plat is a graphic representation of that plan. All lots within the property will remain owned by the applicant until such a time as the owner may determine that lots can be sold individually. There are no public easements or rights-of-way designated with approval of this plat. As the platting of lots is an element of the PUD Plan and specific to this site, the plat requires approval by the City Council.

STRAGIC PLAN, FOCUS, GOALS:



This project relates most directly to three of the City Council's identified strategic goals and objectives for Evans:

- 1. Creating a Diverse Economy:** The creation of diverse neighborhoods adds to the City's economy by increasing the population base that will utilize Evans businesses and contributing to the City's tax base.
 - 2. Creating a Self-Sustaining City:** The use provides another residential area to serve individuals who are employed in Evans, thus reducing the commute requirements for those employed in our municipality,
 - 3. Creating a Family-Friendly Community:** The use restores a neighborhood that will residents who may not desire single-family residential property, thus increasing the diversity of neighborhood options for individuals considering Evans as a home.
-

CONDITIONS OF APPROVAL

A. Conditions of Approval: The below conditions of approval are based on the Development Review Team assessment and the requirements of the Municipal Code for this application.

1. All representations of the applicant are considered conditions of approval unless modified by the City.
 2. The applicant shall submit a PUD Final Plat and Final PUD Plan for approval prior to development of the site.
 3. The applicant shall comply with all requirements of the City Engineer related to road and other infrastructure improvements including the submittal of final construction plans and details; a final opinion of costs and schedule of improvements, and all other elements determined appropriate by the City Engineer prior to development of the site.
 4. The applicant shall provide a Final Drainage Plan and Final Traffic Memo to be reviewed and approved by the City Engineer prior to development of the site.
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DRAFT MOTIONS FOR AGENDA ITEM A.i – ORDINANCE NO. 649-16:

“I move to adopt Ordinance No. 649-16 on second and final reading.”

“I move to deny Ordinance No. 649-16 for the following reasons.”

Attachments:

1. Staff Report to Council
2. Staff Report to Planning Commission
3. Vicinity Map
4. PUD Development Guide
5. PUD Site Plan
6. Applicant Project Description
7. Applicant Response to Staff Review
8. Bella Vista PUD Plat



PLANNING COMMISSION
March 22, 2016

AGENDA ITEM: Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning and Preliminary and Final Plat

PREPARED BY: Sean Wheeler, City Planner

ACTION: Review for recommendation to City Council

REVIEWED BY: Fred Starr, Public Works Director

CITY COUNCIL DATE: April 5th, 2016 (Tentative)

SITE INFORMATION		
Location:	The site is located at the northeast corner of the intersection of Trinidad and 37 th Streets in east Evans. It is approximately 5.9-acres in size. (See attached Vicinity Map)	
Applicant:	Jim Feehan, 3610 Trinidad LLC. dba Bella Vista MHP Norris Design (Consultant)	
Existing Land Use:	Abandoned Residential Manufactured Home District (Destroyed in 2013 Flood)	
Proposed Land Use:	Re-designed Manufactured Home Community PUD, Preliminary and Final Plat Approval.	
Surrounding Land Uses:	North	Single Family Residential
	South	Single Family Residential
	East	Undeveloped Land
	West	Single Family Residential
Existing Zoning:	RMH (Residential Manufactured Home)	
Proposed Zoning / Use:	Planned Unit Development (Residential Manufactured Home Community)	
Surrounding Zoning:	North	R-2 (Two Family Residential)
	South	R-1, R-2, RMH (Residential Manufactured Home), Riverside Meadows PUD & Timberline Subdivision (Single Family Residential)
	East	R-1 (Single Family Residential)
	West	R-2 (Two Family Residential)
Comprehensive Plan Future Use Designation:	High Density Residential	

PROJECT DESCRIPTION:

1. The applicant seeks approval for redevelopment of the Bella Vista Manufactured Home Park as a Planned Unit Development (PUD) for a new manufactured home community. This process requires City approval of a request to rezone the property to a PUD, approval of a PUD Plan and approval of a subdivision plat. The Bella Vista manufactured home park sustained significant damage during the 2013 flood and all of the homes became uninhabitable.
2. The subject property is located at the northeast corner of Trinidad and 37th Streets in east Evans and it is approximately 5.9 acres in size. The proposed development includes spaces for 52 manufactured homes along with areas for guest parking and open space. The plan also includes a revised layout for the homes, a new interior circulation plan, updated utilities, landscaping and on-site detention for drainage. Access is proposed off both Trinidad and 37th Streets.

ANALYSIS & ISSUES

1. Rezoning & PUD Requirements: The below Chapters of the Municipal Code provide direction and outline the process required to rezone a property to a Planned Unit Development.

A. Chapter 19.22 Residential Manufactured Home (RMH) District: Sub-section 19.22.070 of this chapter requires that redevelopment of Manufactured Home Parks shall be processed as a PUD, when an existing park has discontinued use for three (3) or more consecutive months. This chapter also provides the minimum requirements for a PUD Plan to include standards for setbacks, utilities, accessory structures, open space and landscaping, etc. It further requires compliance with the additional PUD standards contained in **Chapter 18.28** of the Municipal Code, and requires submittal of a rezoning application in compliance with **Chapter 19.60** of the Municipal Code.

B. Chapter 18.28 Planned Unit Development (PUD) Districts:

- 1) **18.28.030: Size – Development Plan:** This section states that a property under consideration for PUD approval may also be subdivided into separate parcels. The division of land this way is a platting process, however the Municipal Code does not provide the standards for a Preliminary Plat. It only provides the standards for a Final Plat. Instead, the preliminary layout of lots, streets, open space, etc. is covered by approval of either a “Preliminary Plan” or a “PUD Plan”. Essentially both are the same, except that a PUD Plan is typically more detailed to allow for specialized setbacks, lot sizes, etc. A preliminary plat for this property is attached to this report for consideration. Approval of the preliminary plat is required
- 2) **18.28.100 – PUD Plan:** Here the Code provides added requirements for a PUD Plan. Under the provisions of this chapter, if the PUD rezoning and Plan are approved then staff shall review the site plan for compliance with the approved zoning document. Staff’s assessment is that the proposed PUD application will satisfy the requirements of the municipal code, subject to compliance with the conditions of approval included below. A copy of the applicant’s PUD Plan is attached to this report for review and recommendation. The site plan is also attached as for reference purposes.

C. Chapter 19.60 Zoning Amendments: This chapter outlines the process for amendments to zoning. It requires that rezoning a property to a PUD shall be done in conformance with the requirements in Chapter 18.28 PUD Districts described above. Zoning amendments shall be approved only if the proposed zoning is in substantial conformance with the 2010 Comprehensive Plan or there exists substantial reasoning for amending the Comprehensive Plan, discussed in the next section below.

D. Subdivision Plat: Title 18.28 of the Code requires approval of a PUD Plan showing in detail the locations of the buildings and the designs of streets, lanes, parking areas, parks and other open areas. The attached subdivision plat is a graphic representation of that plan. All lots within the property will remain owned by the applicant until such a time as the owner may determine that lots can be sold individually. There are no public easements or rights-of-way designated with approval of this plat. As the platting of lots is an element of the PUD Plan and specific to this site, the plat requires approval by the City Council.

2. Compatibility: The site is zoned RMH (Residential Manufactured Home) and is surrounded by other areas zoned for similar residential uses and densities. Historically the proposed use has existed at this site and the rezoning to a PUD will allow for continued use as a manufactured home development. This process also provides for significant improvements to the property as well. Staff's assessment is that the proposed use and rezoning are compatible with the surrounding area.

3. 2010 Comprehensive Plan: Chapter 3 of the 2010 Comprehensive Plan speaks to the City's desire to create different types of residential areas to address a variety of income levels and life styles. The applicant's plan addresses this goal of the Comprehensive Plan. Other sections of the Comprehensive Plan support promoting growth that fits within existing areas and can be supported by existing infrastructure, plus enhance the overall quality of life in Evans. Redevelopment of this area as proposed meets those standards, increases housing options for residents and restores an area damaged in the 2013 flood. Staff's assessment is the proposed use satisfies the goals and objectives of the 2010 Comprehensive Plan.

4. Engineering: The City Engineer has reviewed the preliminary information provided by the applicant and supports approval of the rezoning application. Prior to development of the site, the applicant shall provide final construction drawings in compliance with standards and details monitored by the City Engineer. The final drawings shall be consistent with the approved PUD, and the applicant must obtain approval from the City Engineer for the plans prior to development of the site. This requirement is included as a condition of approval for the application below.

5. Fire District: The Evans Fire Protection District will review the final construction plans for development of the site in compliance with the standards they monitor in IFC 2012 with regard to this use in Appendix C and D of the fire code and related to fire protection requirements. Final approval will be based on a review of the final plans, and no issues are anticipated to be of concern so long as the final drawings are consistent with the approved PUD Plan.

6. Landscape Plan (Chapter 19.47 Municipal Code): The City Parks and Grounds Superintendent worked with the applicant to craft a tree mitigation plan in compliance with the city code requirements. The applicant provided a preliminary landscape plan to include a total of at least 49 trees. The applicant will install turf in the open space and detention basin areas, around the sports court. In addition each lot will have one (1) ornamental tree and three shrubs at a minimum. The plan includes all low-water use trees and shrubs, addressing a desired xeriscape approach and the issue of water impacts from landscaping. On approval of the PUD Plan, the city will review a final landscape plan for compliance with the PUD Plan approval and anticipates no problematic issues with the proposed landscaping. This requirement is included as a condition of approval for the application.

REVIEW CRITERIA

1. Because this proposed use subject to four chapters of the Municipal Code, each shall be addressed for applicable review criteria.



A. Chapter 19.22 Residential Manufactured Home (RMH) District: Subchapter 19.22.070 lists the minimum requirements for a PUD Plan, and directs further compliance with the standards in Chapter 18.28 for a PUD. Staff's assessment is that approval of the PUD Plan can satisfy the requirements contained in both Chapters of the Code, subject to the recommended conditions of approval below.

B. Chapter 18.28 Planned Unit Development (PUD) Districts: The criteria for approval described in Chapter 18.28 states that a PUD plan must serve the public interest, and the self-regulating aspects of the proposed PUD will provide adequate safeguards to the public and persons owning and occupying land in the PUD. Staff's assessment is the proposed PUD serves the public interest as it meets the stated goals of the City's 2010 Comprehensive Plan for establishing different types of neighborhoods and the benefits therein. This chapter also notes that for the City Council to approve the PUD, it shall consider the project in terms of compatibility of the application with the surrounding neighborhood in terms of traffic impacts, appearance and recreational amenities. Staff's assessment is the proposed PUD request satisfies all of these standards for approval as well.

C. Chapter 19.60 Zoning Amendments: This Chapter states that zoning amendments shall be approved if the application is in substantial conformance with the Comprehensive Plan or there exists substantial reasoning for amending the Comprehensive Plan. Staff's assessment is that the rezoning request satisfies this standard based on densities and surrounding uses.

SUMMARY & STAFF RECOMMENDATION

Based on the above assessment of the requirements of the Municipal Code, Staff's assessment is the project can meet the requirements for rezoning to a PUD to allow redevelopment of the site as a Manufactured Home Park, provided the applicant comply with the recommended conditions of approval below. Should the Planning Commission determine that a recommendation to support approval is appropriate, Staff recommends including the following Conditions be included with the motion.

CONDITIONS OF APPROVAL

1. All representations of the applicant are considered conditions of approval unless modified by the City.
2. The applicant shall submit a PUD Final Plat and Final PUD Plan for approval prior to development of the site.
3. The applicant shall comply with all requirements of the City Engineer related to road and other infrastructure improvements including the submittal of final construction plans and details; a final opinion of costs and schedule of improvements, and all other elements determined appropriate by the City Engineer prior to development of the site.
4. The applicant shall provide a Final Drainage Plan and Final Traffic Memo to be reviewed and approved by the City Engineer prior to development of the site.

DRAFT MOTIONS:



“I recommend supporting a motion of approval by the City Council for the Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning, along with the Final Plat with conditions of approval 1- 4, as found in the staff report, or as modified by the Planning commission.”

“I recommend supporting a motion of denial by the City Council for the Bella Vista Manufactured Home District, Planned Unit Development (PUD) Rezoning and the Final Plat.”

Attachments: 1. Vicinity Map, 2. Project Description, 3. PUD Plan, 4. Final Plat



BELLA VISTA PUD SITE



EXHIBIT “A”

Bella Vista Planned Unit Development (PUD) PLAN

1. **Access:** Access is provided in two locations. The Trinidad Street entrance is a local road entrance with 30’ roadway entering and exiting the project. The 37th Street entrance is a local road entrance with 28’ roadway entering and exiting the property.
2. **Allowed Use:** The PUD allows for single-family residential uses as a Manufactured Home Park. Uses other than those allowed as home occupations in the Municipal Code, are not allowed by the PUD zoning.
3. **Fencing:** A six (6) foot privacy fence shall be constructed and maintained along the north property line of Bella Vista by the park owner. Should the lots be sold independently at a future date, the owners of lots adjacent to the fence shall be responsible for maintenance of the fence. No other fencing is proposed within the Bella Vista PUD.
4. **Landscaping:** Landscaping layout shall conform to a landscaping plan reviewed and approved by the City as part of the site plan. All common landscaped areas (drainage areas, entry features, perimeter landscaping, sport court) will be owned and maintained by the owner of the Bella Vista community. Landscaping within individual home sites will be maintained by the individual homeowners consistent with leasing requirements set forth by the owners of the Bella Vista community. The owner of the Bella Vista community will install 1 (2” caliper) ornamental/small deciduous tree and 5 (#5 container) evergreen or deciduous shrubs on each lot to be located in such a manner that would not obstruct homes from moving on and off the lots.
5. **Lighting:** Street lights shall be installed in accordance with the attached PUD plan, Exhibit B.
6. **Lot Size Minimum:** The minimum lot size shall be 2580 square feet in size. All manufactured homes are subject to the setback and placements standards described in sections 15 and 19 of this Plan. For larger homes, an amended plat shall be required to combine lots to accommodate these units in compliance with placement and set back standards.
7. **Maintenance:**
 - A. The owner of a home shall be responsible for maintaining the exterior of the home, including but not limited to roofing, siding and skirting, in good condition and shall promptly replace or repair any damage or defects to such exterior. The owner of a home shall be responsible for maintaining the yard or open space within his or her designated home space, including but not limited to keeping such area free of weeds, trash or other violation of the municipal code. Any such violation shall be punishable in accordance with the requirements of the municipal code, as applicable.
 - B. The owner of a park shall be responsible for ensuring that every home within his or her park conforms to the International Property Maintenance Code as adopted and amended in the municipal code. Existence of violations of said code within a park shall be grounds for withholding of permits for replacement homes until such violations are corrected. Documented efforts made by the park owner will be taken into consideration when the City reviews the permit process.
 - C. The owner of a park shall be responsible for maintaining in good condition any and all of the following within his or her park and shall promptly replace or repair any damage or defects to such:
 - 1) Private streets, driveways, guest parking areas and walkways.
 - 2) Landscaping, not within an occupied, designated home space, including that which is located within adjacent right-of-way between streets or sidewalks and the park property line.
 - 3) Fencing around the park or on the adjacent right-of-way.

- 4) Signage within the park or on the adjacent right-of-way.
- 5) Lighting within the park.
- 6) Private water and sewer service lines.
- 7) Storm water detention ponds and structures.
- 8) Accessory buildings that are owned by the park owner, whether or not they are within a designated home space.
- 9) The owner of a park shall be responsible for any home space that is not occupied by a home, including keeping such spaces free of weeds, trash or other violations of this Code. Any such violation shall be punishable in accordance with Chapter 1.16 and/or Chapter 1.17 of this Code, as applicable, and shall be grounds for withholding of permits for replacement homes until such violations are corrected.

D. The owner of the Bella Vista community, successors and assigns will own and operate the proposed development and will be responsible for all upkeep and maintenance for areas within the development boundaries. Maintenance adjoining public rights-of-way shall be in accordance with the City of Evans standard procedures. The City of Evans assumes no responsibility in regard to maintaining or upkeep of the lands or utilities within the P.U.D. Development, including water, sewer and storm sewer systems, sidewalks, roadways and irrigation systems. The City of Evans reserves the right to inspect such system at anytime to ascertain compliance with such standards and applicable health codes and regulations.

8. Ownership: All manufactured homes will be either leased from the land owner or will owned by the tenant. Homes will be 2015 or newer from the years 2015 to 2019, and no older than 4 years for all subsequent years of 2020 forward.

9. Parking: All lots will have a minimum of two off-street parking spaces. There are an additional 12 off-street guest parking spaces, as shown on the site plan. Within the guest parking areas, any type of storage (recreational vehicles, boats trailers, campers, and similar vehicles) is prohibited. Long-term parking of automobiles and motorcycles within the visitor parking areas is prohibited. The owner of the land lease community shall be responsible for enforcement of the regulations governing the guest parking areas.

10. Property Management: A property management company will be engaged to manage the property with an on-site manager who will own and therefore reside on the property. This individual will be an employee of the management company. There will be no management office and no HOA. A set of rules and regulations is provided to all new residents.

11. Recreation Facilities: A sport court shall be constructed at time of other on-site improvements and maintained by the property manager, as shown on the site plan approved as Exhibit B to this document.

12. Setbacks: Setbacks for manufactured homes shall be a minimum of five (5) feet on the front and rear, five (5) feet on one side and fifteen (15) feet on the opposite side. Accessory storage shed shall be setback a minimum of five (5) feet.

13. Signage: All signage for the project shall conform to that illustrated in the attached Bella Vista PUD plan, Exhibit B.

14. Spacing of Structures: Details addressing spacing between structures **are shown** on the site plan and described here. Separation between structures shall be as follows:

- A. Homes placed end-to-end shall have a minimum of a ten (10) foot separation.
- B. Homes placed side-by-side shall have a minimum of twenty (20) foot separation.
- C. Homes placed side-to-end shall have a minimum of fifteen-foot separation.

- D. No home shall be located closer than ten (10) feet from any building within the park or from any property line bounding the park. No decks, stairs or other appurtenances shall be located within five (5) feet of any perimeter property line.
- E. Homes including any carports, decks, awnings or other additions non-removable tow hitches shall be set back at least five (5) feet from private streets and roadways, and twenty-five (25) feet from public rights-of-way.
- F. Carports shall maintain a five (5) foot separation from adjacent structures.

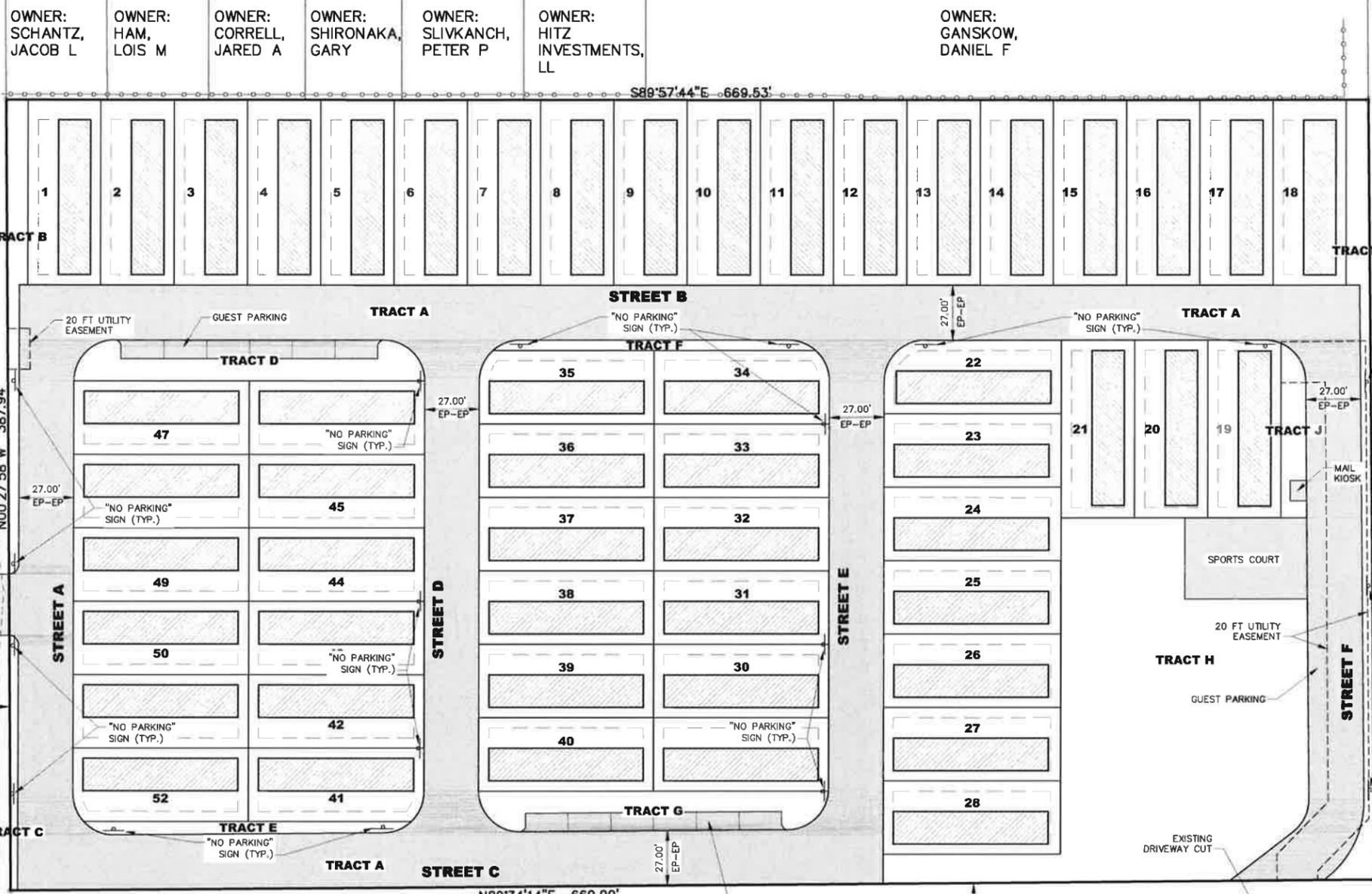
20. Storage Units: One storage unit or shed may be placed on each home site to address storage of residentially permitted uses. Storage sheds must be a minimum of 10' from the Bella Vista property line and 5' from adjacent structure. Accessory structures shall only be permitted in accordance with Chapter 19.48 of the Evans Municipal Code. No storage shall be permitted underneath any home unless properly designed and enclosed with skirting. No flammable, combustible or hazardous material shall be stored underneath any home.

22. Utilities

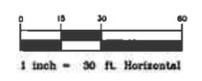
- A. **Potable Water System:** The water system shall be designed by a Professional Engineer registered in the State of Colorado and installed in accordance with such plans as approved by the City of Evans and must be maintained as per the City of Evans standards. The City of Evans reserves the right to inspect such system at any time to ascertain compliance with such standards and applicable health codes and regulations.
- B. **Sanitary Sewer System:** The sanitary sewer system shall be designed by a Professional Engineer registered in the State of Colorado and installed in accordance with such plans as approved by the City of Evans and must be maintained as per the City of Evans standards. The City of Evans reserves the right to inspect such system at any time to ascertain compliance with such standards and applicable health codes and regulations.
- C. **Other Utilities:** Electric, Gas, Cable T.V., Telephone, and similar utilities shall be installed in accordance with applicable standards and regulations.

LIST OF EXHIBITS

- A. Legal Description
- B. Bella Vista PUD Plan Set
- C. Graphic Representations of Manufactured Homes



OWNER:
BIRTS,
JAMES R.



LEGEND

- ROW/PROPERTY LINE ————
- CENTERLINE ————
- PROPERTY BOUNDARY ————
- SETBACK - - - - -
- EASEMENT - - - - -
- PROP. 4" PRIVATE WATER MAIN (UNLESS NOTED OTHERWISE) — W — W —
- PROP. WATER VALVE —
- PROP. FIRE HYDRANT —
- PROP. 8" (PRIVATE) SANITARY SEWER MAIN — S —
- PROP. STORM DRAIN — D —
- PROP. STORM DRAIN INLET —
- SANITARY SEWER MANHOLE NUMBER — 16 —
- STORM DRAINAGE MANHOLE NUMBER — MH-5 —
- EX. GAS MAIN — G — G — G —
- EX. WATER MAIN — W — W — W —
- EX. WATER VALVE —
- EX. FIRE HYDRANT —
- EX. SANITARY SEWERS — S —
- EX. STORM DRAIN —
- EX. STORM DRAIN INLET —
- EX. POWER POLE —
- EX. UNDERGROUND ELECTRIC — E — E —
- EX. UNDERGROUND TELEPHONE — T —
- EX. FENCE — X — X — X —

OWNER:
BIRTS,
JAMES R.

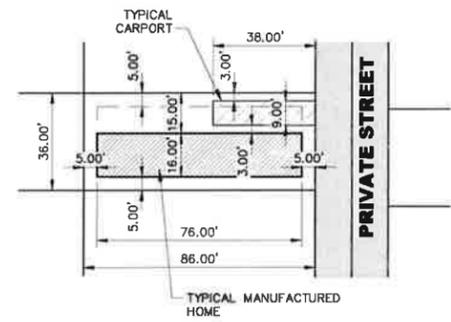
BELLA VISTA
PRE-APP SITE PLAN
EVANS, COLORADO

OWNER:
3610 Trinidad LLC
DBA: Bella Vista MH-HP
PO Box 202319
Denver, CO 80220
720-201-5685
Jim Feehan

Engineer
Calibre
Calibre Engineering
9001 South Regis Road, Suite 100
Highlands Ranch, CO 80129 303.720.0424
www.calibre-engineering.com

DATE:
8/20/15 SUBMITTAL
11/11/15 SUBMITTAL

SHEET TITLE:
SITE PLAN



TYPICAL LOT DETAIL

LEGAL DESCRIPTION:

LOTS 43, 44, 45, 46 AND 47 IN THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., AS SUBDIVIDED BY THE ST. LOUIS WESTERN COLONY, COUNTY OF WELD, STATE OF COLORADO, TOGETHER WITH ALL THAT PART OF VACATED TERRYALL STREET ADJACENT TO LOTS 43 AND 47, AS VACATED BY ORDINANCE NO. 132, RECORDED FEBRUARY 15, 1961 IN BOOK 1577 AT PAGE 512 AND RE-RECORDED FEBRUARY 23, 1961 IN BOOK 1578 AT PAGE 269. AND OUTLOT A, HEATHERWAY SUBDIVISION, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO. AND THE EAST 10 FEET OF TRINIDAD STREET ADJOINING LOTS 45, 46 AND 47 AND OUTLOT A AS VACATED BY ORDINANCE 1160-99 ON FEBRUARY 23, 2000 (AS SET FORTH ON DEED RECORDED SEPTEMBER 26, 2002 AT RECEPTION NO. 2990813).

P:\2015\Bella Vista\Bella Vista MH-HP\11/11/15\11/11/15 SITE PLAN.dwg
 CHECKED BY: [Signature]
 DRAWN BY: [Signature]

1101 Bannock Street
Denver, Colorado 80204
303.892.1166



November 12, 2015

Mr. Sean Wheeler
City of Evans Community Development
1100 37th Street
Evans, Colorado 80620

Re: Bella Vista MHP PUD
Rezoning and Site Plan – 1st Submittal Response Letter

Dear Mr. Wheeler,

Thank you for your 1st submittal comments, which we received on October 2, 2015. We have reviewed all comments and addressed them in the attached resubmittal. Please find the below items in our resubmittal package:

- PUD Site Plan
- Response to Comments Letter
- Sample Rules and Regulations
- Project Description
- PUD Development Guide
- Utility Conformance Letter
- Preliminary Drainage Report and Exhibit

We look forward to continually working with the City on this project. As always, feel free to contact me with any questions at 303.892.1166.

Sincerely
Norris Design

A handwritten signature in black ink that reads 'Leanne Vielehr'. The signature is written in a cursive, flowing style.

Leanne Vielehr
Associate

STAFF ASSESSMENTS

1. BUILDING & NEIGHBORHOOD SERVICES: The Evans Flood Recovery, Building and Neighborhood Services Manager provided the following comments:

The jurisdiction of the building division will not occur until the site is deemed ready for the placement of homes. At such time, the City of Evans will require a Manufactured Home Permit with each unit being moved in. Such permit will need to include: 1. Photo of home, and; 2. Proof of age (copy of data plate).

In Addition the Evans Building Division will inspect anchorage, utility connections and skirting for each residential use.

Response: Noted.

2. ENGINEERING: The City Engineer provided the following comments:

The applicant submitted a *Preliminary Drainage Report, a Traffic Conformance Letter, a Utility Conformance Letter, and a Site Plan. The Site Plan includes a Utility and Grading Sheet, an Existing Conditions and Survey Map Sheet, a Conceptual Landscaping and details Sheet.*

A. Site Plan:

S1 – The applicant shall provide locations of all proposed signs and lights. A complete sign permit, including specifications for the signs and lights, including type, height and general conformance to the code.

Response: Lights have been provided at the entrances from public streets. Stop signs have also been provided at these connection points. No parking signs have been added to one side on all private drives.

S2 – The applicant shall provide the distance from all proposed buildings or structures to adjacent lot lines, easements and adjacent structures.

Response: Typical building/structure placement has been provided in the form of a typical lot detail on the Site Plan.

S3 – The applicant shall provide the square footage of all proposed buildings and the footprint of the proposed buildings.

Response: All proposed building will be 16' x 76' and 1,216 sq. ft. A footprint has been shown on the site plan.

S4 – The applicant shall provide more information on public trash removal or show trash disposal areas and enclosures including specifications for said enclosures if applicable.

Response: Trash and recycling pickup will be provided by a third party provider such as Waste Management. There is no central trash location planned.

S5 - The applicant shall provide a public access easement for the fire department to ensure appropriate access and turn-around room is provided.

Response: Public Access has been provided in the form of Tract A.

S6 - The applicant shall label all existing and proposed sidewalk accessible handicap ramps and reference them accordingly to the correct construction detail.

Response: There will be no interior sidewalks and therefore, no new ramps added. Existing Ramps have been labeled on the Site Plan.

S7 - According to the home site typical labeled number 1 on the conceptual landscaping plan the distance from homes placed side-by-side will be 15' when the minimum required is 20'. Please clarify this layout and make sure the minimum setback is met.

Response: Home Site Typical has been adjusted to show proper home spacing of 20'. Minimum setback for all homes is 5'.

S8 - Is the applicant planning on having any on-street parking permitted? If so signs stating "No Parking - Fire Lane" or "Parking This Side Only" or similar as approved by the City will be required on each side of every roadway less than thirty-two (32) feet in width. Please show on plans if applicable.

Response: Yes, "No Parking" signs have been added to one side of private drives.

B. Utility Plan

U1 - The applicant shall label the size and type of all existing water lines.

Response: Existing lines have been labeled accordingly.

U2 - The applicant shall show the plan and profile of all utilities.

Response: Connection points and plan view orientation have been provided. Profiles and final detail will be provided with the construction documents.

U3 - The applicant shall provide the location, size, and material type of all existing and proposed water and sewer service connections and tap sizes (including those for irrigation systems).

Response: This information will be provided on the construction documents.

U4 - The applicant shall number manholes per city standards and label them accordingly.

Response: Calibre will add this to construction documents.

U5 - The applicant shall reference all service lines to an appropriate installation detail and label material type.

Response: Calibre will add this to construction documents.

U6 - The applicant shall provide a note stating to protect existing pipes, poles, etc. per 12.04.150

Response: Calibre will add this to construction documents.

U7 - The applicant shall provide callouts for all meters and reference an installation detail accordingly.

Response: Calibre will add this to construction documents.

C. Landscaping Plan:

L1 - The applicant shall show the approximate location and character of all existing vegetation, labeled "to be removed" or "to remain".

Response: All existing vegetation has been represented and accurately described in the legend.

D. Drainage Report:

D1 – The applicant shall ensure water quality and their intent to meet 2 year return interval water quality standards.

Response: The 2 year return interval water quality standard will be met.

D2 – The applicant shall provide a maintenance policy for the multiple proposed detention/retention basins on site to ensure water quality.

Response: A maintenance policy will be provided.

E. Geotechnical Report:

GR1 - The applicant shall provide an investigation report regarding area stability for the proposed development. This report shall include a list of economically recoverable minerals in the land within the subdivision boundary. The statement must also include any known hazards and other important environmental conditions are present on the property.

Response: We are working on preparing this information.

F. General:

G1 – The applicant shall provide certificate blocks for signatures of owner, engineer, surveyor and City approval, as applicable on all plans.

Response: Signature blocks have been added to the cover sheet per comment.

G2 – Please note that all reports and construction plans completed by a Colorado Registered Professional Engineer must be signed and wet stamped prior to final acceptance.

Response: Comment Noted. Stamp and signature will be provided.

G3 – Please include the email address of the property owner on the site plan.

Response: The Property Owner's email has been added to the cover sheet.

G4 – The applicant shall include the lot size (square footage) on the cover sheet.

Response: Lot size table has been included on cover sheet.

G5 – The applicant shall list all benchmarks and bearings on the cover sheet.

Response: Benchmarks and basis of bearings have been provided on the PUD Survey Plat.

G6 - The applicant shall provide a general notes and construction notes page in the plan set that references all applicable standards and care for construction in the City of Evans.

Response: General notes and construction notes have been added to the cover page.

G7 - The applicant shall include all applicable Details and reference them with respect to the plans.

Response: All applicable details have been added to the plans.

G8 – The applicant shall update the Utility Conformance Letter to 6" minimum water line and stamp the document.

Response: The conformance letter has been updated, as requested.

3. **FIRE:** The Evans Fire Protection District provided the following comments:

A. Since all of the streets are private they will serve as fire lanes and must meet the design criteria established in Appendix D of the 2012 edition of the International Fire Code.

Response: All private streets meet the aforementioned criteria.

B. Private fire protection water supplies must be installed AND maintained in accordance with NFPA 25-2011.

Response: Comment Noted.

C. We do not believe one connection to the Municipal water supply will allow the needed fire flows- a second connection to the Municipal water supply may be needed and will prevent a dead end loop situation.

Response: We now have three independent connections for fire flows.

D. Two fire hydrants are not sufficient for this project. Fire hydrant spacing must conform to Appendix C of the 2012 edition of the International Fire Code

Response: There are now three hydrants planned for the area.

4. **PARKS:** The City Parks & Grounds Superintendent provided the following comments:

A. The Landscape Plan is missing some of the required information, including addressing the standards in Chapter 19.47.160 - Landscaping and irrigation plan requirements, with specific items noted as follows:

1. Mature trees and other existing vegetation, labeled "to be removed" or "to remain." See below also.
19.47.140 - Mature tree preservation and mitigation:

- Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practical, as determined by the City. Certain trees and shrubs may be deemed unsuitable or unpreservable but must be shown on the landscape plan and shall not be removed until approval is granted by the City. The value of trees that cannot be preserved and need to be removed shall be determined by the City Forester and appropriate new replacements shall be planted at the rate of one (1) tree for every four (4) inches of DBH (diameter at breast height) lost. Location of replacement trees may be within the development or at an acceptable location within City right-of-way as approved by the City Forester.

Response: ND

- A list of all proposed plant and landscape material including species, size and quantity and labeled on the plan.

Response: ND

- When adding the quantities please keep 19.47.040 - Minimum species diversity in mind.

Response: Thank you. 19.47.040 has been utilized to maintain species diversity.

- Soil amendments not called out per Chapter 19.47.080 - Soil amendments and rock mulch or gravel. Soil in areas intended for plantings shall first be amended according to City standards in order to loosen compacted soil, improve the viability of plantings and reduce the amount of watering required. Rock mulch or gravel shall not be placed within two (2) feet of required trees. (Ord. 286-04)

Response: Soil Amendment note has been added to the Landscaping Notes on the Cover Sheet.

- No irrigation plan submitted. Per Chapter 19.47.070 - Irrigation. All required landscaping shall be irrigated. Use of non-potable irrigation water is encouraged. The Director of Parks and Recreation may approve a temporary irrigation system for plants that can survive without irrigation once established. (Ord. 286-04)

Response: An irrigation plan is included in this submittal.

5. **CITY PLANNING:** The City Planner notes the following requirements as applicable to this request.

A. CHAPTER 19.60 Zoning Amendments: The applicant provided the items required by this chapter for review of a zoning amendment. In addition Chapter 19.60 requires compliance with the requirements found in Chapter 18.28 PUD Districts, as discussed in the next item below.

Response: Noted.

B. CHAPTER 18.28: PUD Districts:

1. **18.28.100 - PUD Plan.** A PUD Plan or PUD Development Guide is required for this request with the next submittal. The plan must contain sufficient detail to establish the perimeters for zoning definitions applied to this PUD, as required by the Municipal Code or desired by the applicant, to include setback requirements, layout standards for individual spaces, site management, covenant or controlling documents and other elements such as the following:

- **Accessory Structures:** Accessory structures shall only be permitted in accordance with Chapter 19.48 of the Evans Municipal Code.
- **Amenities:** Describe amenities provided for residents if any.
- **Definitions of Use:** State the allowed use by right for this PUD as being only for a single-family Manufactured Home Park.
- **Density Standards:** State the maximum number or units allowed within the PUD.
- **Landscaping and Maintenance Requirements:** Describe the minimum landscaping and maintenance requirements for individual units.
- **Manufactured Homes:** The Municipal Code states that only Manufactured Homes are allowed in new development. The PUD Plan shall show in detail the types and designs of units allowed in the development. This section shall include definitions of the minimum and maximum sizes of units as well. The Municipal Code defines Manufactured Homes as follows *"a home built entirely in a factory and*

certified pursuant to National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, et seq., commonly referred to as the HUD code. The code went into effect June 15, 1976.”
(Chapter 18.30.030 - Definitions)

Please note, Chapter 19.04.580 also defines “Manufactured Home” as any dwelling which is: 1) partially or entirely manufactured in a factory, 2) is not less than twenty-four (24) feet in width and thirty-six (36) feet in length; 3) is installed on an engineered permanent foundation; 4) has brick, wood, or cosmetically equivalent exterior siding and a pitched roof; 5) and is certified pursuant to “National Manufactured Housing Construction and Safety Standards Act of 1974,” 42 U.S.C. 5401 et seq. as amended.

Industry standards such as those quoted in both definitions will be the minimum definition for a manufactured home. The PUD Plan should state if other requirements such as a minimum size, roof pitch, etc. are to be applied to the definition for a manufactured home. City building code requirements would apply regardless, though the PUD standard can exceed the building code requirements. PUD requirements cannot reduce building code standards or other applicable regulations such as those of the Fire Code. Planning staff recommends consulting with the City Building Department for further direction in this area, should clarification be required.

- **Ownership:** Describe ownership of units and space and leasing requirements.
- **Parking, Guest:** The site plan must identify the location and use of guest parking areas.
- **Property Management / Homeowner’s Association:** Describe how management of the property is provided and include supporting legal documents such as HOA information. Identify the location of onsite property management office or residence.
- **Setbacks:** Establish the minimum setback requirements for individual units, regardless of size or style.
- **Storage:** No storage shall be permitted underneath any home unless properly designed and enclosed with skirting. No flammable, combustible or hazardous material shall be stored underneath any home.
- **Typical Lot Layout Drawing:** Provide a typical lot layout to show in compliance with 18.30.037 as follows:
 - A) The area devoted to each home space shall be no less than three thousand (3,000) square feet, and shall have the following setbacks.
 - B) Separation between units:
 - 1) Homes placed end-to-end shall have a minimum of a ten-foot separation.
 - 2) Homes placed side-by-side shall have a minimum of twenty-foot separation.
 - 3) Homes placed side-to-end shall have a minimum of fifteen-foot separation.
 - 4) No home shall be located closer than ten (10) feet from any building within the park or from any property line bounding the park.
 - 5) Homes including non-removable tow hitches shall be set back at least five (5) feet from

private streets and roadways, and twenty-five (25) feet from public rights-of-way.

- C) Parking:
- 1) Two paved off-street parking spaces shall be required per home.
 - 2) On-street parking shall be allowed only if a twenty-foot wide traveled way is maintained at all times.
 - 3) Visitor parking lots should be established and distributed in an accessible manner functional with surrounding properties.
- D) Skirting. Each home shall have perimeter skirting between the ground and the bottom of the home floor within (30) thirty days after placement is made. Such skirting shall be durable, rigid weather-resistant material.
- E) Tie-down requirements. All licensees, as well as owners and occupiers of homes, shall be required to comply with any requirements imposed by Colorado law or by regulations issued by any agency of the State of Colorado, including but not limited to the Colorado Division of Housing, pertaining to anchoring or tying down homes as a safety precaution against wind.
- F) Decks/landing. A deck/landing is required at all exterior doors complying with minimum standards as set forth by the International Building Code.
- **Utility Requirements:** Describe the utilities provided to each unit and how those shall be billed either to individual unit owners or to the Property Manager.
 - **Uses by Right:** The PUD Plan shall state that the site is limited to single family residential uses. Commercial and industrial uses, other than those allowed as home occupations in the Municipal Code are not allowed by zoning.
Response: A Development Guide has been provided with the resubmittal addressing the items outlined above.
2. **PUD Site Plan:** The approved site plan shall be attached as an exhibit to the PUD Plan or PUD Development Guide. It shall show at a minimum the location of all buildings, signs, streets, lanes, parking areas, parks, open areas, recreational facilities and all other improvements; the dimensions of all structures, streets, parking areas and recreational facilities, and the distances between structures and boundary lines.
Response: Noted.
3. **PUD Survey Plat:** Under Chapter 18.28.110, a survey plat of the property is required. The survey plat shall identify individual unit spaces as building envelopes, with appropriate bearing and distance information shown to establish the exact locations. Other areas such may be identified as landscape easements, play easements and detention easement. The survey plat shall include showing the outer boundaries of the area and showing elevation contours at two-foot intervals.
Response: The PUD Survey Plat has been provided, as requested.
- C. 18.28.110 - Application for PUD Plan Approval - Signatures Required - Contents.

This section of the Municipal Code describes the requirements for PUD Plan approval. The requirements for this section are already on file (such as the legal description) or are described elsewhere in these comments, or in the comments provided by other reviewing offices.

Response: Noted.

D. CHAPTER 18.30 Manufactured Home Park Plan:

This section of the Municipal Code describes the requirements for the Manufactured Home Park Plan. The requirements for this section are already on file (such as the legal description) or are described elsewhere in these comments, or in the comments provided by other reviewing offices. The remaining items from this section include:

1. Directory Sign: Provide draft example of a directory poster per 18.30.080 as follows:

A) A poster shall be installed at or near each entrance to such home park to assist fire, police and service personnel in locating particular home spaces within the park. The poster shall be at least five (5) feet by four (4) feet and shall depict an aerial view of the community in such a way as to identify homes by the number or letter to be posted at each home space. PER Each home space shall be equipped with a permanent sign with the appropriate number and/or letter having a minimum height of five (5) inches and a minimum stroke of one (1) inch, prominently displayed, showing the number or letter assigned to each such home space.

Response: A Way-Finding Poster has been added to the Landscape Plan. Refer to Sheet L1.00 for locations and Sheet S-1.00 for the detail.

B) Existing manufactured home parks/communities shall comply with the installation of a directory poster, and will not be considered legal nonconforming.

Response: A directory poster has been included with plans. Reference the Comprehensive sign plan on Sheet S-1.00

2. Controlling Documents: Covenants or similar documents to describe management of the site and to ensure compliance with requirements such as those in 18.30.110 (Storage, accessory structures) etc.

Response: Rules and Regulations will be established for this community as the controlling document. A draft of the Rules and Regulations have been included with this submittal.

E. Chapter 18.31 - Residential Neighborhood Design Standards

1. Homeowner's Association (Section 18.41.040): This section requires the creation of a Homeowner's Association in compliance with Colorado Common Interest Ownership Act standards.

Response: The nature of this type of community is managed more like an apartment complex than a SFD or SFA community and therefore no Homeowner's Association will be established. The land Owner along with their property management company will maintain the property. Any fees to the tenants will be rolled into the rents.

2. Minimum Subdivision Design Standards (Section 18.31.050): This section provides standards for lot layouts, fencing, lighting standards, sidewalks, etc. The project description and site plan shall be revised to address these standards.

Some of the standards may not be applicable as the internal circulation network for this project is private vs. being publically dedicated. For example, Item G speaks to the size requirements for *public sidewalks*, and this development will be private for use of the residents.

Thus the applicant may present a compelling argument that a sidewalk is not normally part of the communities and should not be required here if desired. For other elements, such as the solid perimeter fencing, this section of the Municipal Code does not differentiate between public vs. private uses and thus fencing is clearly required. Ultimately the requirements in this subsection must either be addressed in an updated project description, which could impact the final site plan layout as well.

Response: Noted. An updated project description has been provided to address why no internal sidewalks are proposed.

- 3. Neighborhood Identity Features (Subsection 18.31.060):** This section describes the requirements for a neighborhood identity feature. The requirement for a single neighborhood identity feature is tied to the size of the property and the number of units proposed. The applicant is advised to provide a neighborhood identity feature and identify that on the site plan per the requirements of this sub-section.

Response: A neighborhood Identity Feature has been added to the site plan in the form of a Sport Court.

- 4. Neighborhood Development Plan (Subsection 18.31.080):** This section requires submittal of a neighborhood development plan, being a conceptual master plan for this project. The requirements for a neighborhood development plan are outlined in this section of the Municipal Code, but are addressed by the site plan, the plat and the PUD Development Plan requirements. The Municipal Code does allow for approval of neighborhood development plans after approval of a final plat but prior to its being recorded. Under Item C 2. of the submittal requirements, the Code states the following:

Each NDP shall contain the following elements unless the Director of Public Works determines that one (1) or more of the elements are unnecessary *because all planning issues concerning the internal organization of the development and the relationship of the development to surrounding areas can be resolved through either subsequent subdivision or development review* for the development.

Because this section of the Code allows for provision of a neighborhood development plan at a later point in the review, and because the other elements of this section are addressed in other requirements, Planning Staff will seek clarification on if this will be required or not. Our intent is to provide the applicant with further direction when meeting with the Development Review Team to review these comments.

Response: Noted. Please inform us if the Neighborhood Development Plan will be required as soon as possible.

Other Considerations:

- A. Density / Design / Layout:** It is not clear that the current density can be achieved if this project is to meet all other requirements, such as providing a neighborhood identity feature, guest parking areas, minimum set back requirements, sizes of units proposed, landscaping, etc. Lot 22 for example, could be removed and that area leading into the onsite detention basin used for a playground feature. Consideration of the standards noted by the City Planning Department and others is anticipated to require a reduction in the number of lots. While the

lots as shown meet the minimum size standards, addressing that requirement still must be considered along with other code requirements.

Response: The site layout and design has been modified to provide on-site parking and a neighborhood identity feature.

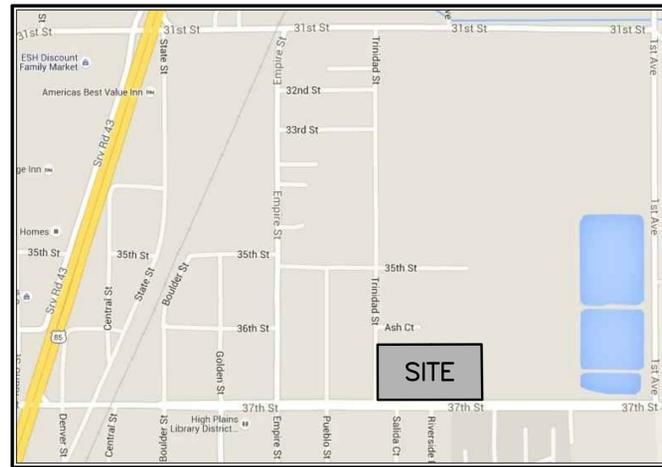
B. Tracts: In the next submittal please identify what the specific uses are as planned for areas identified as tracts.

Response: All tracts and their uses have been identified on the Cover Sheet.

C. Mail Delivery: Please identify where mail boxes will be located and ensure that the street area next to the mail box location is sized appropriately to allow the mail truck or other vehicles to pull off of the main street for collection/delivery.

Response: A Mail Kiosk has been added to this site plan.

BELLA VISTA SUBDIVISION
 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,
 TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
 CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO
 5.9242 ACRES – 52 LOTS / 9 TRACTS
 FP _____



VICINITY MAP

SCALE: 1"=600'

SHEET INDEX

- 1 COVER SHEET
- 2 OVERALL BOUNDARY
- 3 FINAL PLAT LAYOUT

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW BY ALL MEN THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, OR LIEN HOLDERS OF CERTAIN LANDS IN THE TOWN OF ERIE, COUNTY OF WELD, COLORADO, DESCRIBED AS FOLLOWS:

LOTS 43, 44, 45, 46 AND 47 IN THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., AS SUBDIVIDED BY THE ST. LOUIS WESTERN COLONY, COUNTY OF WELD, STATE OF COLORADO,

TOGETHER WITH ALL THAT PART OF VACATED TERRYALL STREET ADJACENT TO LOTS 43 AND 47, AS VACATED BY ORDINANCE NO. 132 RECORDED FEBRUARY 15, 1961 IN BOOK 1577 AT PAGE 512 AND RE-RECORDED FEBRUARY 23, 1961 IN BOOK 1578 AT PAGE 269.

AND

OUTLOT A, HEATHERWAY SUBDIVISION, CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO.

AND

THE EAST 10 FEET OF TRINIDAD STREET ADJOINING LOTS 45, 46 AND 47 AND OUTLOT A AS VACATED BY ORDINANCE 1160-99 ON FEBRUARY 23, 2000 (AS SET FORTH ON DEED RECORDED SEPTEMBER 26, 2002 AT RECEPTION NO. 2990813).

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, TRACTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF BELLA VISTA. THE STREETS AND TRACTS SHOWN HEREON ARE PRIVATELY OWNED, TO BE MAINTAINED BY THE OWNER. EASEMENTS SHOWN HEREON ARE DEDICATED AND CONVEYED TO

OWNER SIGNATURE

3610 TRINIDAD LLC

BY: _____ DATE _____

TITLE: _____

STATE OF COLORADO)
) SS.
 COUNTY OF _____)

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____ AS _____

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

BASIS OF BEARINGS

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.: ASSUMED TO BEAR S89°34'14"W, WITH ALL OTHER BEARINGS RELATIVE THERETO, BOTH ENDS OF SAID LINE ARE MONUMENTED AS SHOWN HEREON.

NOTES

1. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUE 18-4-508 OF THE COLORADO REVISED STATUTES.
3. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
4. ACCORDING TO FLOOD INSURANCE RATE MAP 08123C1543E, EFFECTIVE DATE JANUARY 20, 2016, SUBJECT PROPERTY LIES PARTIALLY IN ZONE X "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD", AND PARTIALLY IN ZONE X "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", AS SHOWN.
5. (NOTE: ALL LOTS, TRACTS AND PRIVATE ROADS HAVE A DRAINAGE EASEMENT FOR DEVELOPMENT...) WE COULD NOT FIND AN EXAMPLE OF SUCH NOTE ON ANY OF THE WELD COUNTY PLATS WE HAVE. COULD YOU PROVIDE A STANDARD NOTE, ALSO SPECIFY WHETHER EASEMENT ARE BLANKET OR OF SPECIFIC LOCATION / SIZE.
6. TRACT A IS DEDICATED BY THIS PLAT AS A PRIVATE RIGHT-OF-WAY. A NON-EXCLUSIVE BLANKET EMERGENCY ACCESS EASEMENT IS GRANTED HERewith OVER AND ACROSS ALL OF SAID TRACT A.
7. ALL BLOCK CORNER RIGHT-OF-WAY RADII ARE 20.00 FOOT UNLESS SHOWN OTHERWISE.
8. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EMK CONSULTANTS, INC. TO DETERMINE TITLE OR EASEMENTS OF RECORD. RESEARCH FOR THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH CRS 38-51-106 AND THE RULES OF PROCEDURE AND BOARD POLICY STATEMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, SPECIFICALLY THOSE BOARD RULES AND POLICY STATEMENTS RELATING TO THE DEPICTION OF EASEMENTS AND RIGHTS OF WAY ON SUBDIVISION PLATS. FOR ALL INFORMATION REGARDING TITLE AND EASEMENTS OR RIGHTS-OF-WAY OF RECORD AND CIVIL COURT ACTIONS OF RECORD, EMK CONSULTANTS, INC. RELIED UPON COMMITMENT FOR TITLE INSURANCE FILE NO. 01330-59222-AMENDMENT NO. C-2, EFFECTIVE DATE AUGUST 18, 2015, AT 8:00 A.M., PREPARED BY STEWART TITLE GUARANTY COMPANY.

TITLE VERIFICATION CERTIFICATE

WE, STEWART TITLE GUARANTY COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

STEWART TITLE GUARANTY COMPANY
 BY: _____ DATE _____
 TITLE: _____

STATE OF COLORADO)
) SS.
 COUNTY OF _____)

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____ AS _____

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, STEPHEN H. HARDING, PLS #29040, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON JANUARY 23, 2016, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND.



STEPHEN H. HARDING, PLS #29040
 FOR AND ON BEHALF OF
 EMK CONSULTANTS, INC. DATE _____

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO)
) SS.
 COUNTY OF WELD)

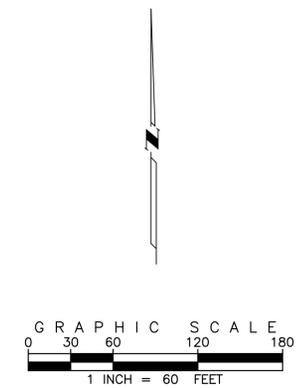
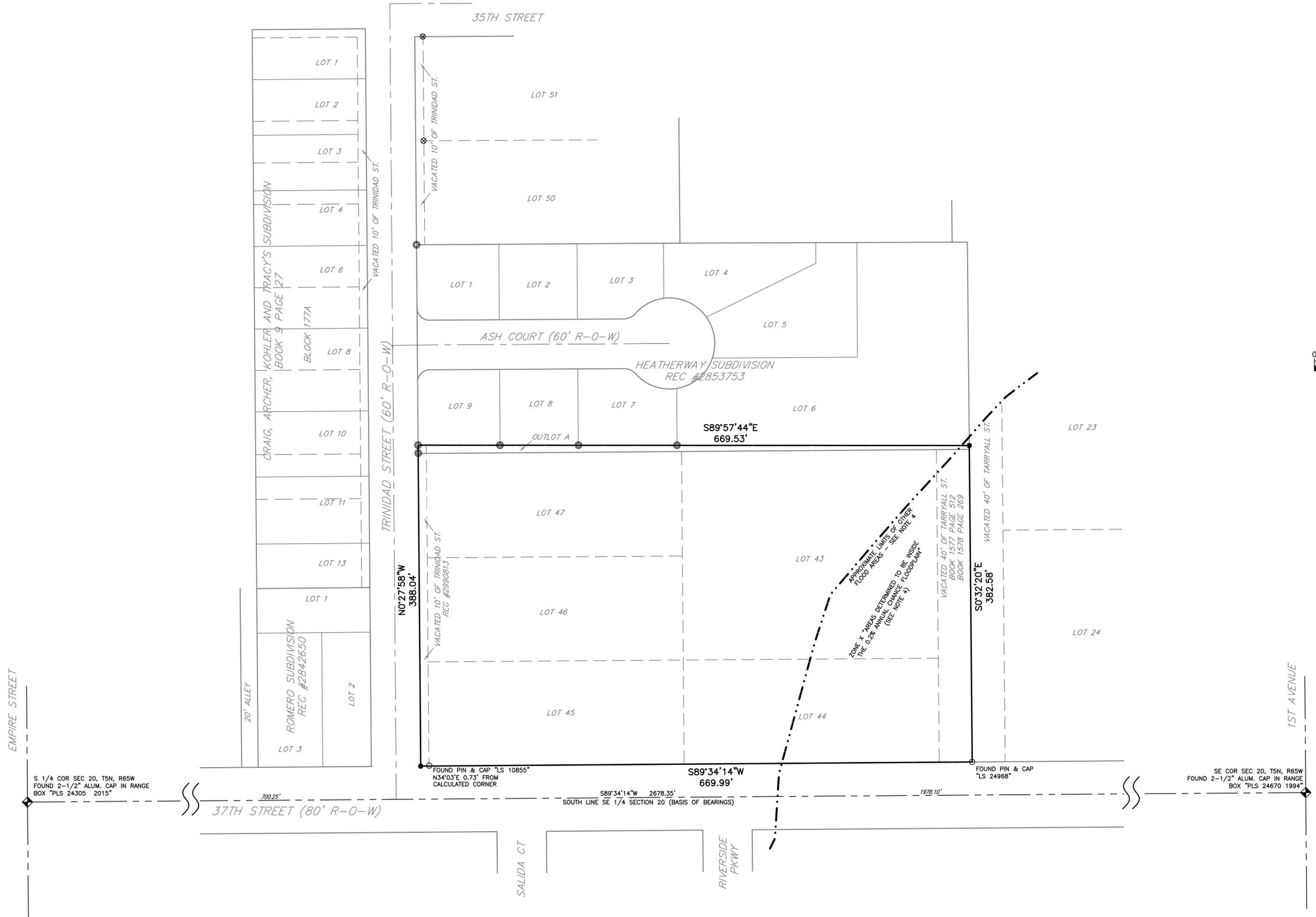
I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____ A.D. AND WAS RECORDED AT RECEPTION NUMBER _____

_____ COUNTY CLERK AND RECORDER



BELLA VISTA SUBDIVISION
 DATE PREPARED: FEBRUARY 01, 2016

BELLA VISTA SUBDIVISION
 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,
 TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
 CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO
 5.9242 ACRES - 52 LOTS / 9 TRACTS
 FP _____



- LEGEND:**
- - SET 18" #5 REBAR WITH 1-1/2" ALUM. CAP "LS 29040"
 - ⊗ - FOUND PIN AND CAP "LS 4392"
 - ⊙ - FOUND PIN AND CAP "LS 7242"
 - - FOUND PIN AND CAP AS DESCRIBED
 - UTILITY EASEMENT

S 1/4 COR SEC 20, T5N, R65W
 FOUND 2-1/2" ALUM. CAP IN RANGE
 BOX "PLS 24305 2015"

FOUND PIN & CAP "LS 10855"
 N34°03'E 0.73' FROM
 CALCULATED CORNER

S89°34'14"W 669.99'
 SOUTH LINE SE 1/4 SECTION 20 (BASIS OF BEARINGS)

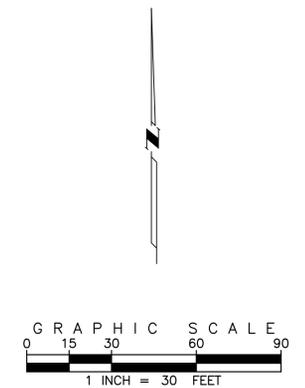
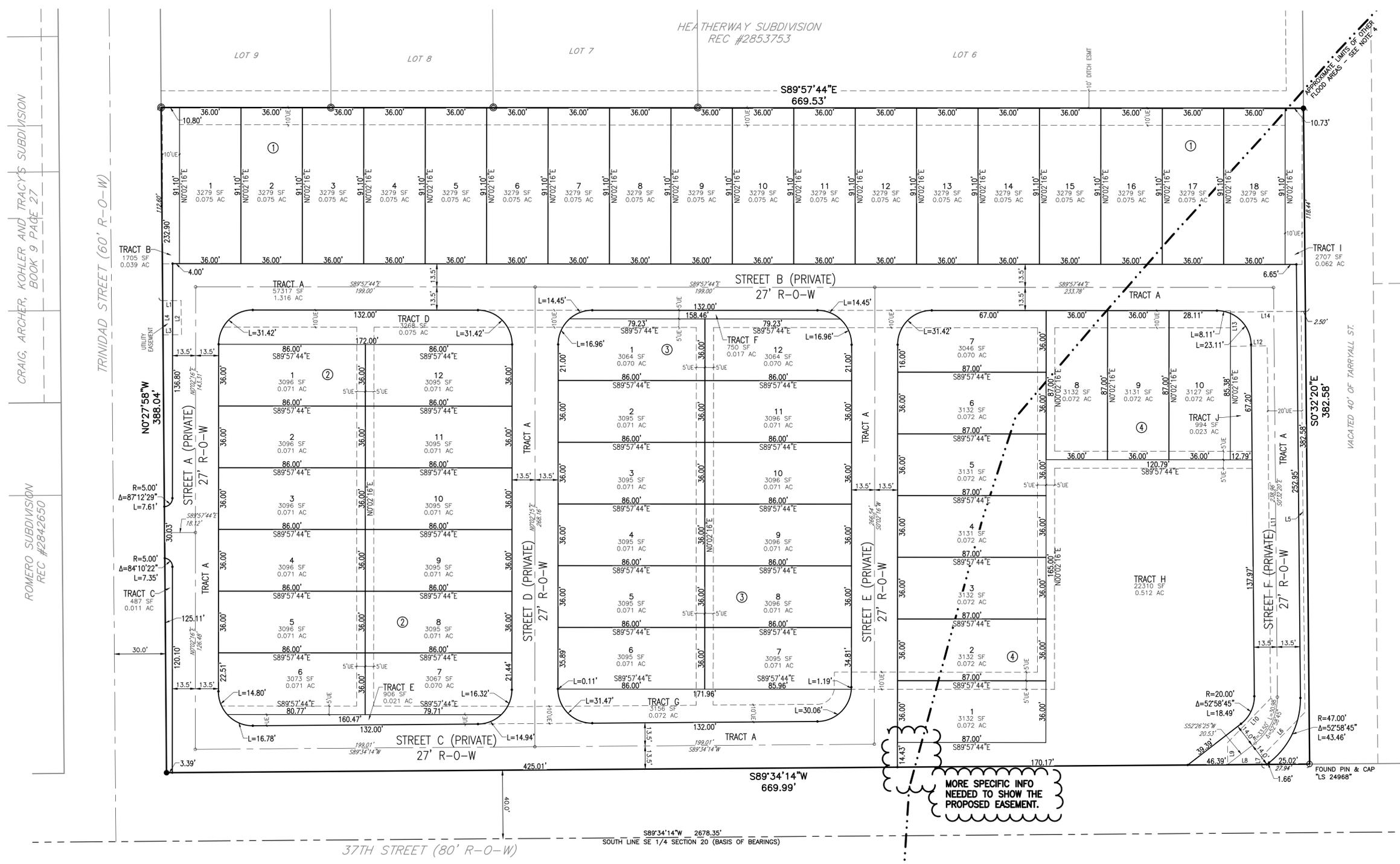
FOUND PIN & CAP
 "LS 24968"

SE COR SEC 20, T5N, R65W
 FOUND 2-1/2" ALUM. CAP IN RANGE
 BOX "PLS 24670 1994"

EMK EMK CONSULTANTS, INC.
 LAND DEVELOPMENT
 ENGINEERING & SURVEYING
 7006 SOUTH ALTON WAY, BLDG. F
 CENTENNIAL, COLORADO 80112-2019
 (303)694-1520 www.EMKC.com

JOB NO. 12928
BELLA VISTA SUBDIVISION
 DATE PREPARED: FEBRUARY 01, 2016

BELLA VISTA SUBDIVISION
 A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,
 TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
 CITY OF EVANS, COUNTY OF WELD, STATE OF COLORADO
 5.9242 ACRES - 52 LOTS / 9 TRACTS
 FP _____



LINE #	DIRECTION	LENGTH
L1	S89°32'02"W	10.80'
L2	N07°27'58"W	20.00'
L3	N89°32'02"E	10.80'
L4	S07°27'58"E	20.00'
L5	S03°32'20"E	233.99'
L6	S44°27'40"W	36.01'
L7	S04°47'30"E	4.63'
L8	S89°34'14"W	20.00'
L9	N04°47'30"W	12.84'
L10	N44°27'40"E	36.06'
L11	N03°32'20"W	205.71'
L12	S89°27'40"W	21.62'
L13	N07°02'16"E	20.00'
L14	N89°27'40"E	41.42'

- LEGEND:**
- - SET 18" #5 REBAR WITH 1-1/2" ALUM. CAP "LS 29040"
 - ⊗ - FOUND PIN AND CAP "LS 4392"
 - ⊙ - FOUND PIN AND CAP "LS 7242"
 - - FOUND PIN AND CAP AS DESCRIBED
 - UE - UTILITY EASEMENT

EMK EMK CONSULTANTS, INC.
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 7008 SOUTH ALTON WAY, BLDG. F
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BELLA VISTA SUBDIVISION
 DATE PREPARED: FEBRUARY 01, 2016

JOB NO. 12928

CITY OF EVANS, COLORADO

ORDINANCE NO. 649-16

AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT (P.U.D.) PLAN TO BE KNOWN AS THE BELLA VISTA PLANNED UNIT DEVELOPMENT LOCATED WITHIN THE CITY OF EVANS

WHEREAS, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado; and

WHEREAS, pursuant to Chapter 18.28 and 19.40 of the Evans Municipal Code, the City has received a request for approval of the Bella Vista Planned Unit Development (PUD) Plan, (“the Application”); and

WHEREAS, the Application seeks approval of the Bella Vista Planned Unit Development Plan as described in Exhibit A, attached, and seeks approval of the Bella Vista Site Plan as described in Exhibit B, attached; and

WHEREAS, following proper notice, the Planning Commission considered the Application at its regular meeting on March 22, 2016 and recommended approval of the Application; and

WHEREAS, at its regular meeting on April 5, 2016, the City Council reviewed the file herein, considered the Planning Commission's recommendation, and conducted a hearing concerning the Application in accordance with Chapter 18.28 and 19.40 of the Evans Municipal Code, found that approving the Application met all applicable criteria and requirements, and would serve the public interest.

NOW; THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

Section 1. The Bella Vista Planned Unit Development (PUD) Plan is hereby approved as described in Exhibit “A”

Section 2. Site Plan: The Bella Vista Site Plan is hereby approved as described in Exhibit “B”.

Section 3. Publication and Effective Date: This ordinance after its passage on final reading, shall be numbered, recorded, published and posted as required by the City Charter and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the City Clerk, and by the Certificate of Publication. This ordinance shall become effective upon final passage.

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

Section 5. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 5TH DAY OF APRIL, 2016.

ATTEST:

CITY OF EVANS, COLORADO

Raegan Robb, City Clerk

BY: _____
John L. Morris, Mayor

PASSED AND ADOPTED ON A SECOND READING THIS 19TH DAY OF APRIL, 2016.

ATTEST:

CITY OF EVANS, COLORADO

Raegan Robb, City Clerk

BY: _____
John L. Morris, Mayor

CITY COUNCIL COMMUNICATION

DATE: May 3, 2016

AGENDA ITEM: 8.A

SUBJECT: Approval of Resolution No. 21-2016 Authorizing Revisions to the Watershed Coordinator Grant from the Colorado Department of Local Affairs.

PRESENTED BY: Sheryl Trent, Economic Development Director

PROJECT DESCRIPTION:

As a result of the 2013 flood, Community Development Block Grants for Disaster Recovery (CDBG-DR) were made available to support the hiring of a Watershed Coordinator for the Middle South Platte River Alliance (MSPRA). The City of Evans, as fiscal agent of MSPRA, was awarded \$105,300.00 to cover salary and benefits for this position for 18 months. Due to a miscalculation by the staff at the state Department of Local Affairs (DOLA) who is administering the grant, we are now being asked to de-obligate \$35,000 of this Grant and change the end date of the contract to December 31, 2016. The \$35,000 that we are de-obligating will be rolled over into a new grant that will start January 1, 2017.

BACKGROUND:

In March of 2015, MSPRA, with the City of Evans as its fiscal agent, was awarded a grant in the amount of \$105,300 to hire a Watershed Coordinator. This coordinator helps manage the day-to-day activity of the Alliance, manage river restoration projects and, ultimately, works to make MSPRA its own legal entity. Kacey Blum was hired to fulfill this role in January of 2016.

The watershed coordinator grant is part of the State of Colorado's second round of CDBG-DR funding. All CDBG-DR funds come with a 2 year clock. The time clock for all Round 2 grants ends on December 31, 2016. Unfortunately, when writing the watershed coordinator contracts for MSPRA (and other coalitions), DOLA authored contracts that extended past the December 31st deadline for expenditure of funds. The state is now working on correcting this error so that coalitions like MSPRA do not lose funds that they were promised.

DOLA has worked with City of Evans Staff to determine the amount of funds needed to pay the salary and benefits for the watershed coordinator for the remainder of the year. Once we provided DOLA the necessary figure, they created an amended contract that de-obligates the \$35,000 anticipated to be spent after the December 31st deadline. The State will then roll that same amount into a grant extension with dollars from a new batch of CDBG-DR funds that has a new 2 year clock. While the amount of funding that the City will receive will not change, this de-obligation and (the eventual) re-obligation will need to be signed and accepted by the City on behalf of the

Middle South Platte River Alliance. As a result of this process, there will be no gap in funding for salary or operating expenses going into next year as Kacey finishes her contract employment with the City and MSPRA.

FINANCIAL:

There are no new or different financial implications with this resolution.

STAFF RECOMMENDATION:

The City of Evans staff recommends that the City Council approve Resolution No. 21-2016, amending this contract.

SUGGESTED MOTIONS:

“I move to approve Resolution No. 21-2016.”

“I move to deny the approval of Resolution No. 21-2016”

CITY OF EVANS, COLORADO

RESOLUTION NO. 21-2016

A RESOLUTION SUPPORTING AN AMENDMENT TO A GRANT FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS THAT FUNDS THE WORK OF A WATERSHED COORDINATOR FOR THE MIDDLE SOUTH PLATTE RIVER ALLIANCE.

WHEREAS, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado;

WHEREAS, the City was awarded \$105,000 in a Round 2 planning/staffing grant from the Department of Local Affairs (DOLA) in March, 2015 for the purpose of employing a watershed coordinator for the Middle South Platte River Alliance, and

WHEREAS, funds in the amount of \$35,000 need to be de-obligated from the current contract and re-obligated into a contract extension for the purposes of meeting the funding timelines of the U.S. Department of Housing and Urban Development, who has awarded the money to DOLA, and

WHEREAS, DOLA has issued a contract amendment for the grant that must be signed by the chief elected official

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

1. The City Council hereby supports the CDBG-DR grant amendment de-obligating \$35,000 from the existing contract, and changing the end date to December 31, and
2. The City Council of the City of Evans authorizes the Mayor to sign the contract amendment.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 3RD DAY OF MAY, 2016.

ATTEST:

CITY OF EVANS, COLORADO

Raegan Robb, City Clerk

BY: _____
John Morris, Mayor

CITY COUNCIL COMMUNICATION

DATE: May 3, 2016

AGENDA ITEM: 8.B

SUBJECT: Approval of Resolution No. 22-2016 Authorizing Staff to Submit Applications for Round Three Community Development Block Grant-Disaster Relief Grants to Fund the Restoration and Redevelopment of Riverside Park

PRESENTED BY: Gary Wilson, Project Manager

PROJECT DESCRIPTION:

In May 2015, Council authorized applications for \$10,623,362 in Round 2 of Community Development Block Grant - Disaster Relief funds to rebuild Riverside Park. This item is a request to authorize re-submitting two of the applications from Round 2 that were not funded.

The CDBG-DR program is a special authorization of federal funding for disaster relief efforts across Colorado and administered primarily by the Colorado Division of Homeland Security and Emergency Management (DHSEM). There is no matching requirement for these grants.

The City submitted several applications for Riverside Park during the CDBG-DR Round 2 in 2015 and was awarded \$5,000,000 in funding for the floodplain restoration component of the project. This funding will cover the cost to remove and/or cap landfill material on the site and complete earthwork to reshape the park as envisioned by the Master Plan to restore the 100-year floodplain on the northern portion of the Park.

The proposed applications include two unfunded requests from 2015: \$4,293,362 for park infrastructure and recreation improvements and \$700,000 to cover the City's 12.5 percent funding share of the FEMA Public Assistance funding for the Park. These two applications are proposed to be re-submitted as authorized in 2015, but with updated information regarding the status of the project which has advanced considerably since last year.

The Environmental Assessment required for Round 2 CDBG-DR funding, started in September 2015, is nearly complete and represents accomplishment of a major milestone. The EA was funded by DHSEM. The consultant team retained by the City in November 2015 has been preparing construction drawings and working toward permits for the project. This team has advanced to about the 50 percent completion stage of their work. A short preview of renderings will be shown during the meeting for this item.

FUNDING SUMMARY AND PRIORITIES

Current Funding: Funding awarded to date to rebuild Riverside Park, including the City's required 12.5% share of the FEMA funding, is approximately \$11.3 million. Based on preliminary cost estimates for the project, it is anticipated that this funding will be sufficient to move forward with a partial reconstruction of the Park. This funding is estimated to be sufficient to fund:

- Removal and/or capping of landfill material;
- Earthwork to restore the floodplain and elevate the access road and active use areas of the park and revegetation of the floodplain;
- Reconstruction of the access road;
- Substantial completion of the ballfield complex;
- Reconstruction of most of the trail system;
- Construction of a new restroom and shelter at the ballfield complex;
- Partial paving of parking areas;
- Partial playground reconstruction; and
- Other improvements, depending on results the construction bidding.

Round 3 CDBG-DR: The \$4.26M of proposed Round 3 CDBG-DR funding, together with the existing \$11.3M funding, would be sufficient to substantially complete the entire Park as envisioned by the Park Master Plan. However, the total CDBG-DR Round 3 allocation by the state for Weld County is only \$1.8M. Consequently, if awarded, it is anticipated that the City will receive substantially less than the proposed \$4.26M in CDBG-DR funding.

If awarded, priorities for use of CDBG-DR Round 3 funding include completion of park infrastructure such as full pavement of parking lots, completion of the trail system and shade shelters. Depending on the funding level, secondary priorities would go to such things as the playground, basketball courts, and landscaping along roads and active recreation areas.

The State's highest priority for CDBG-DR Round 3 funding will go to projects that primarily benefit low and moderate income residents, which is the primary national objective for this funding. As part of the City's CDBG-DR Round 2 applications in 2015, the Riverside Park project was qualified as meeting this primary objective. Riverside Park was the only such qualified project in Weld County confirmed during the Round 2 process. Because of this fact, the Riverside Park project is well positioned to be highly ranked for funding in Round 3 as well.

Other Funding: There are other funding opportunities in addition to CDBG-DR funding that will be pursued. One of the primary sources is Great Outdoor Colorado. This program can be used to fund a variety of outdoor recreation improvements such as trails, playgrounds, shelters and basketball courts. Staff anticipates applying to GOCO for funding in the fall of 2016.

FINANCIAL:

There is no matching fund requirement for CDBG-DR grants and no additional funding from the City is required for these grants. If funded, the application for \$700,000 to cover the City's matching share of FEMA funding would reduce the City's financial contribution to the project by \$700,000, and this would be a financial benefit to the City.

Grants require staff time to manage, however, most of this staff time will be from positions funded by other grants. There would be some non-grant staff time required for grant management. This support will come from existing funded positions.

There will be an annual maintenance expense for Riverside Park, but no increase in maintenance costs over what was required when the Park was open prior to the 2013 flood. The proposed plan for rebuilding the Park will decrease maintenance costs due to the greater use of low-maintenance, native vegetation.

STAFF RECOMMENDATION:

Staff recommends the City submit applications for the following projects related to Riverside Park.

1. Riverside Park Development and Restoration - \$4,293,362
2. Matching funds for FEMA PW 997 – \$700,000

Resolution 22-2016 asks City Council to authorize staff to submit applications for these projects in the priority shown above and to authorize the Mayor to execute CDBG-DR Round 3 funding agreements for funds that may be awarded as requested by these applications.

The application for funding of park improvements is recommended to be ranked as the City's highest priority. During Round 2, local match requests were indicated as the lowest priority for CDBG-DR awards and this was the ranking of applications submitted by the City in 2015.

SUGGESTED MOTIONS:

“I move to approve Resolution No. 22-2016”

“I move to deny the adoption of Resolution No. 22-2016”

CITY OF EVANS, COLORADO

RESOLUTION NO. 22-2016

AUTHORIZING STAFF TO SUBMIT APPLICATIONS FOR ROUND 3
COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RELIEF GRANTS TO
PARTIALLY FUND THE RESTORATION AND REDEVELOPMENT OF RIVERSIDE
PARK

WHEREAS, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado;

WHEREAS, Riverside Park was completely destroyed in the 2013 flood event and needs to be reconstructed for the health and welfare of the community.

WHEREAS, the community supports the creation of a flood resilient and sustainable park that incorporates floodplain restoration and redevelopment and restoration of park facilities, and;

WHEREAS, this plan will cost significantly more than the repair-only funding allotted to the city by FEMA and DHSEM, and;

WHEREAS, the Colorado Department of Local Affairs has allotted CDBG-DR funding for communities affected by the 2013 floods;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

1. The City Council authorizes staff to submit CDBG-DR Round 3 applications for \$4,293,362 to fund park improvements and \$700,000 to fund the City's match for FEMA Public Assistance funding.
2. The City Council further authorizes the Mayor to execute CDBG-DR grant agreements for funds awarded to the City for purposes as proposed by these applications.

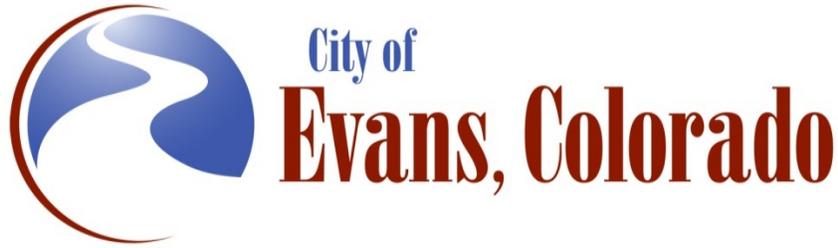
PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 3RD DAY OF MAY, 2016.

ATTEST:

CITY OF EVANS, COLORADO

Raegan Robb, City Clerk

BY: _____
John Morris, Mayor



City Manager - Monitoring Report

April 19, 2016

Below is a compellation of updates and projects that are either new or have changed since the last City Council meeting.

➤ **Finance**

Sales Tax Update

Please find the Final January sales tax update below.

January 2016 - Final			
Category	2015 YTD	2016 YTD	% Change
Base	194,389	164,850	-15%
Commercial	160,970	152,310	-5%
Industrial	194,728	71,339	-63%
Utilities	84,149	64,616	-23%
Motor Vehicle	117,392	81,430	-31%
Total	751,629	534,545	-29%
January 2016 - Final			
Lodging	7,998	5,898	-26%

Please find the Preliminary February 2016 sales tax update below.

Year-to-date Actual vs. Budget we are \$156,883 short.

As far as the February monthly projection goes, we are \$126,416 short of what we needed to collect this month to meet our annual budget. This does not include motor vehicle tax.

February 2016 - Preliminary			
Category	2015 YTD	2016 YTD	% Change
Base	372,122	327,445	-12%
Commercial	305,320	296,309	-3%
Industrial	374,712	153,497	-59%
Utilities	151,174	125,771	-17%
February 2016 - Preliminary			
Lodging	15,304	11,830	-23%



New Business License List - March

The chart below is a list of new Business and Tax License Applications received. The columns show the company and Doing Business As (DBA) name. "In/Out" indicates whether or not the business is located "In" Evans or "Out" of Evans. "Account Start" is the date the business/account started, location address and type of business conducted.

New businesses located in Evans go through a review process. Please contact me by email at jpacheco@evanscolorado.gov or by phone at 970-475-1109 if you would like to know if an Evans business listed below was approved, denied or still under review.



New Accounts

3/1/2016

Business/Doing Business As	In/Out	Acct Start	Address	Nature of Business
ARB Niobrara Connector LLC	O	3/1/2016	1600 Broadway Ste 2400 Denver, CO 80202	Rail facility for crude oil and porppants
AT&T Digital Life Inc	O	3/1/2016	1025 Lenox Park Blvde NE Atlanta, GA 30319	Security Systems Service
Fit and Nurticion LLC	I	3/1/2016	818 31st St Evans, CO 80620	Dance and fitness
New Avon LLC	O	3/1/2016	777 Third Avenue New York, NY 10017	Manuf and direct sales of cosmetics, toiletries, fragrances and fashion acc
Saf-Gard Safety Shoe Inc	O	3/1/2016	2701 Patterson Street Greensboro, NC 27407	Retailer of shoes
Crasco LLC	O	3/4/2016	925 N35th Ave Greeley, CO 80634	Crack fill
Inspire Dance Academy	I	3/7/2016	1015 42nd St Evans, CO 80620	Dance Lessons
Copperleaf Custom Builders	O	3/10/2016	2688 Grace Way Mead, CO 80542	General Contractor
Helix TCS Inc	O	3/11/2016	5300 DTC Parkw ay Greenwood Village, CO	Private Security/Transportation
Maria Gerlach	I	3/15/2016	3028 Sunset Drive Evans, CO 80620	Vacation Rental Property
La Costenita Market LLC	I	3/18/2016	3505 11th Ave #3 Evans, CO 80620	Grocery store, bakery & butcher
Taqueria La Costenita LLC	I	3/18/2016	3505 11th Ave #3 Evans, CO 80620	Restaurant
Gremlins Electric LLC	I	3/21/2016	3901 Harbor Lane Evans, CO 80620	Electrical Services
Savage Services Corporation	I	3/22/2016	7300 47th Ave Evans, CO 80645	Transload - Transportation Support Services
Wooden Nickel Salsa	I	3/25/2016	3419 39th Ave Evans, CO 80620	Salsa
BH Inc	O	3/28/2016	826 South 1500 East Vernal, UT 84078	Electrical Contractor
Western Skies Construction LLC	O	3/28/2016	33154 CR 51 Greeley, CO 80631	General Construction

PUBLIC WORKS

Operations: Potable Water - We are making headway on the final swaps. Non-Potable Water – All GLIC systems are loaded with potable water at this time, Salida Court has been switched over to the pump now. Irrigation – Due to the unforeseen weather, we have decided to wait to start the irrigation until 4/20/2016. Miscellaneous – We had to postpone the final Spring Clean Up weekend due to the weather, it has been scheduled for Saturday 4/30 and Sunday 5/1.

Parks: With the recent weather we will continue to charge irrigation main lines however we won't be watering until it is necessary. Mowing Operations will begin once the snow has melted and areas have dried out. All pump stations are ready to begin pumping non-potable water once it arrives. All restrooms are also open now. We are working with THK on the Riverside Park drawings, we are at 60%. Staff has toured softball complexes in Erie and Longmont looking at ideas for shade, dugouts, maintainability and asking about their lessons learned. We have met with the representatives from Wright Tree Service and Xcel Energy. The trees that were planted along 35th Avenue easement over ten years ago are now too tall and encroaching Xcel's lines. They are going to remove 4 trees that died last year as a result of the harsh conditions over the last four years. They will also be removing eight live trees that are in violation of their standards. Staff has negotiated a deal with them to replace six of the trees located on 35th Avenue outside of their area of concern.

Waste Water: Staff has moved back into the offices at the Evans Plant as of Wednesday, April 13th. Internet connection has been re-established and phones will be set up on Tuesday, April 19th.

BUILDING

Non-Residential Construction Projects In Progress

	Project	Type	Location	Description	Stage
A	America's Best Value Inn	Remodel	800 31 st St.	Remodeling Bar/Restaurant area into 8 hotel rooms	Complete, Certificate of Occupancy issued 3/31/16
B	Evans VFW	Building Addition	3501 State Street	1200 Sq. Ft. Shed	Under construction
C	Harvest Time Tabernacle Inc	Building Addition	3040 11 th Avenue	Adding on an additional room	Under construction
D	Evans Fast Break	Remodel	1100 42 nd Street	Storage Room Renovation	Under construction
E	Hi Crush	Commercial Development	7300 47 th Avenue	Pit foundation, scale, and scale house	Complete 3/8/16
F	Verizon	Building Addition	3819 St. Vrain Street	Maintenance/upgrade to wireless communications antennas & equipment	Under construction
G	Advanced Wireless Communications	Building Addition	1111 40 th Street	Addition to existing building	Under construction

Building Department Construction Activity Comparative Analysis

		March 2016	March 2015	YTD 2016	YTD 2015
New Single Family Dwelling Units	# of Permits Valuation	5 868,883	2 287,323	10 1,697,410	3 436,606
Single Family Footing & Foundation Only	# of Permits	0	0	3	2
New Multi-Family Dwellings Units	# of Permits Valuation	0	0	0	0
Multi-Family Footing & Foundation Only	# of Permits Valuation	0	0	0	0
Residential Additions and Remodels	# of Permits Valuation	36 280,308	17 134,072	61 428,949	40 375,508
New Commercial Projects	# of Permits Valuation	0		0	0
Commercial Footing & Foundation Only	# of Permits Valuation	0	0	0	0
Commercial Additions and Remodels	# of Permits Valuation	2 245,000	0	4 281,063	8 708,935
Miscellaneous Permits	# of Permits Valuation	13 56,363	18 77,328	51 153,981	43 181,027
Mobile Home Permits	# of Permits	0	20	4	21
TOTALS	# of Permits Valuation	56 1,450,554	57 498,723	133 2,561,403	117 1,702,076

COUNCIL COMMUNICATION

DATE: May 3, 2016
AGENDA ITEM: 11.A
SUBJECT: Adjournment to Executive Session

AGENDA ITEM DESCRIPTION:

The City Council will adjourn into an executive session to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e).

FINANCIAL SUMMARY:

N/A

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

“I move to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e).”
