FIRESTONE
COLORADO

PLANNING AND ZONING COMMISSION

REGULAR MEETING AGENDA
November 7, 2019
7:00 PM
151 Grant Avenue
Firestone, CO 80520

1. **Call to Order & Roll Call**

2. **Pledge of Allegiance**

3. **Approval of Agenda**

4. **Approval of Minutes**

   a. Regular Meeting 09-19-19

5. **Public Comment** * (maximum time permitted for all Public Comment is 30 minutes)

6. **Action/Discussion**

   6.a. **Resolution PC-19-14:** A RESOLUTION FINDING THE BIGHORN URBAN RENEWAL PLAN TO BE IN CONFORMITY WITH THE FIRESTONE MASTER PLAN AND RECOMMENDING APPROVAL OF SAID URBAN RENEWAL PLAN

7. **Public Hearings**

   a. **Resolution PC-19-15:** A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO, APPROVING LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT, AGRA HOLDINGS, L.P. BUILDING EXPANSION FINAL DEVELOPMENT PLAN NO. 2

   b. **Resolution PC-19-16;** A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT TO SECTION 16.12.8 OF THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS PERTAINING TO LANDSCAPING OF SINGLE-FAMILY RESIDENTIAL LOTS

8. **Staff Reports**

* Individuals that desire to address the Planning and Zoning Commission are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to two minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes for each Public Comment noted on Agenda.

If you need special assistance in order to participate in a Planning and Zoning Commission meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

9. Commissioner Comments

10. Adjournment

* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to two minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes.

If you need special assistance in order to participate in a Board of Trustees meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

FIRESTONE PLANNING AND ZONING COMMISSION
RESOLUTION NO. PC-19-14

A RESOLUTION FINDING THE BIGHORN URBAN RENEWAL PLAN TO BE IN CONFORMITY WITH THE FIRESTONE MASTER PLAN AND RECOMMENDING APPROVAL OF SAID URBAN RENEWAL PLAN

WHEREAS, the Town of Firestone has adopted the Town of Firestone Master Plan, most recently updated and effective as of 2013, pursuant to the requirement in C.R.S. § 31-23-206 that each municipality adopt a general plan for the development of the municipality as a whole;

WHEREAS, the Firestone Urban Renewal Authority ("FURA") has commissioned the preparation of the Bighorn Urban Renewal Plan (the "Plan") to implement the goals of FURA, including helping provide important services to the area, attracting private investment, utilizing underdeveloped land, and leveraging public investment to provide necessary public infrastructure to serve the area, all for the purpose of remedying and preventing blight;

WHEREAS, pursuant to C.R.S.§ 31-25-107(2), the proposed Plan has been submitted to the Firestone Planning and Zoning Commission for the Commission's review and recommendation as to the Plan's conformity with the Firestone Master Plan;

WHEREAS, the Firestone Planning and Zoning Commission has held a public meeting to discuss the conformity of the Plan with the Firestone Master Plan, has provided public notice of such meeting, and has received public comment on the Plan; and

WHEREAS, based on the Commission's review of the Plan and the other documents and comments presented to it at said meeting, the Firestone Planning and Zoning Commission hereby finds:

(a) That the Plan is in conformity with the Firestone Master Plan;

(b) That, in particular, the Plan does not seek to amend or alter the Master Plan, but rather supports, implements and will further the Master Plan; and

(c) That, in particular, the Plan is in conformance with the goals, principals and polices of the Master Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO:

Based on the foregoing findings which are incorporated herein by reference, and pursuant to C.R.S. § 31-25-107(2), the Planning and Zoning Commission of the Town of Firestone, Colorado hereby finds that the proposed Bighorn Urban Renewal Plan (the "Plan") is in conformity with the 2013 Firestone Master Plan, and does hereby recommend the Board of Trustees of the Town of Firestone approve the Plan.

PASSED AND ADOPTED this 7th day of November, 2019.

PLANNING AND ZONING COMMISSION
OF THE TOWN OF FIRESTONE, COLORADO

_____
Chairperson

ATTEST:

_____
Secretary

Urban Renewal Plan for

Bighorn Urban Renewal Area

Firestone, Colorado

Prepared for:

Firestone Urban Renewal Authority
151 Grant Ave., Firestone, CO 80520

Prepared by:

DGC Consulting
18331 E. Davies Avenue
Foxfield, CO 80016

FINAL
October 2019

Background information and other data have been furnished to DGC Consulting (DGC) by Town of Firestone Urban Renewal Authority, Town of Firestone, and/or third parties, which DGC has used in preparing this report. DGC has relied on this information as furnished, and is neither responsible for nor has confirmed the accuracy of this information.

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1.0 Introduction

1.1 Preface

This Bighorn Urban Renewal Plan (the "Plan" or the "Urban Renewal Plan") has been prepared for the Town of Firestone, Colorado, which is a statutory town of the State of Colorado (the "Town"). The Plan will be carried out by the Firestone Urban Renewal Authority (the "Authority"), pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973 (the "Act"), as in effect on the date of approval of this Plan. The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project by the Board of Trustees of the Town ("Town Board"). In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the Town Board must find that the presence of those conditions of blight substantially impair or arrest the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.

The Bighorn Conditions Study prepared by DGC Consulting, dated October 2019, provided to the Authority under separate cover and incorporated herein by this reference (the "Conditions Study"), demonstrates that the Bighorn Study Area ("Study Area"), as defined in the Conditions Study, is eligible to be declared a blighted area by the Town Board under the Act.

1.3 Other Findings

The Area (defined in Section 1.4) is appropriate for an urban renewal project to be carried out by the Authority. The activities and undertakings that constitute the urban renewal project as defined in the Act include, without limitation, demolition and clearance of existing improvements, site preparation, installation of needed public improvements, relocation of and provision of new utilities, parking improvements, traffic improvements, and life safety measures. Such actions are necessary to eliminate unsafe conditions, obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of blight.

As required by §31-25-107(4)(g) of the Act, this Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the Town, for the redevelopment of the Urban Renewal Area by private enterprise.

It is the intent of the Town Board in adopting this Plan that the Authority exercises all powers authorized in the Act which may be necessary, convenient, or appropriate to accomplish the objectives of this Plan, including the power of eminent domain. It is the intent of this Plan that the Authority may exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised. Upon approval by the Town, this Plan will have been legislatively determined to be in the public interest and necessity.

1.4 Urban Renewal Area Boundaries

The Bighorn Urban Renewal Area (the "Urban Renewal Area" or the "Area") is comprised of approximately 235.43 acres in Firestone. The Area includes one parcel of land. The Area is bounded on the north by the Sable Avenue right-of-way, on the east by private property, on the south by the Pine Cone Avenue right-of-way, and on the west by private property.

The Area is depicted and shown on Appendix A: Bighorn Urban Renewal Area and Legal Description.

2.0 Definitions

Act – has the meaning given to such term in Section 1.1 above.

Area or Urban Renewal Area – has the meaning given to such term in Section 1.4 above.

Authority – has the meaning given to such term in Section 1.1 above.

Available Property Tax Increment Revenues – means all Property Tax Increment Revenues available pursuant to the Tax Increment Financing provisions of the Act not payable to taxing bodies pursuant to agreements, if any, with the Authority or otherwise as provided in §31-25-107(9.5) of the Act. In the event that an agreement is reached with a taxing body pursuant to § 31-25-107(9.5) of the Act after the Effective Date of Plan Approval, the Property Tax Increment Revenues generated by said taxing body's mill levy shall become Available Property Tax Increment Revenues, and the authorization for the Authority to receive and expend such revenue shall not be a substantial modification to this Plan.

Base Valuation Revenues – means the revenues produced by the base valuation for taxable property as provided in Section 7.0 of this Plan.

Blighted Area – shall have the same meaning as in §31-25-103 of the Act. See below:

> *"Blighted area" means an area that, in its present condition and use and, by reason of the presence of at least four of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:*
>
> *a. Slum, deteriorated, or deteriorating structures;*
> *b. Predominance of defective or inadequate street layout;*
> *c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
> *d. Unsanitary or unsafe conditions;*
> *e. Deterioration of site or other improvements;*
> *f. Unusual topography or inadequate public improvements or utilities;*

g. Defective or unusual conditions of title rendering the title non-marketable;

h. The existence of conditions that endanger life or property by fire and other causes;

i. Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;

j. Environmental contamination of buildings or property; or

k.5 The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or

l. If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any <u>one</u> of the factors specified in paragraphs (a) to (k.5) of this subsection (2), substantially impairs or arrests the sound growth of the municipality, liability, and is a menace to the public health, safety, morals, or welfare. For purposes of this paragraph (l), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.

Board of Trustees – means the Town of Firestone Board of Trustees.

Bonds – shall have the same meaning as in §31-25-103(3) and 109 of the Act, and, without limitation, includes costs pursuant to any Redevelopment/Development Agreements or other reimbursement agreements between the Authority and owners and developers, and cooperation or pledge agreements between the Authority and one or more Districts.

Conditions Study (or Study or Survey) – has the meaning given to such term in Section 1.2 above.

Cooperation Agreement – means any agreement between the Authority and Town, or between the Authority and any public body (the term "public body" being used in this Plan is as defined by the Act) respecting action to be taken pursuant to any of the powers set forth in the Act, including but not limited to the allocation of Increment Valuation Revenues, or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the Authority under this Plan.

County Treasurer – means the Weld County Treasurer.

C.R.S. – means the Colorado Revised Statutes, in effect on the Effective Date of Plan Approval.

District (or Districts) – means a metropolitan district which is a quasi-municipal corporation and political subdivision of the State of Colorado organized under the Colorado Special District Act, 32-1-101, et seq., C.R.S., as from time to time amended, or a business improvement district which is a quasi-municipal

corporation and political subdivision of the State of Colorado organized under the Colorado Business Improvement District Act, §31-25-1201, et seq., C.R.S.

Duration – means the entire twenty-five (25) year time period authorized by §31-25-107(9) of the Act.

Effective Date of Plan Approval – means the date this Plan is approved by resolution of the Town Board.

Impact Report – means the Bighorn Urban Renewal Area Tax Forecast and County Impact Report, prepared by DGC Consulting, dated October 2019.

Increment Valuation Revenues – means the revenues produced by the incremental valuation of taxable property as described in Section 7.0 of this Urban Renewal Plan.

Plan or Urban Renewal Plan – has the meaning given to such term in Section 1.1 above.

Project or Urban Renewal Project – means all activities and undertakings described in §31-25-103(10), C.R.S., and otherwise authorized by the Act as required for the Duration of the Project to complete development and redevelopment of the Urban Renewal Area, including, without limitation financing and construction of all public and private improvements and payment of all financing obligations included in the definition of Bonds.

Property Taxes – means, without limitation, all levies to be made on an ad valorem basis by or for the benefit of any public body upon taxable real and personal property in the Area.

Property Tax Increment Revenues – means the property tax revenues allocated to the Authority pursuant to §31-25-107(9)(a)(11) of the Act and Section 7.0 of this Plan.

Public Body – shall have the same meaning as in §31-25-103(5) of the Act.

Redevelopment / Development Agreement – means one or more agreements between the Authority and developer(s) and / or property owners or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan.

Study Area – has the meaning given to such term in Section 1.2 above.

Taxing Body or Taxing Entities – means any public body that levies ad valorem taxes on real and personal property within the Area.

Town – has the meaning given to such term in Section 1.1 above.

Town of Firestone Master Plan (or Comprehensive Plan) – means 2013 Town of Firestone Master Plan, as such plan has been or may be amended from time to time.

Tax Increment Financing or TIF – means tax increment or allocation financing described in §31-25- 107(9) of the Act as in effect on the date this Plan is approved by the Town Board. Tax Increment Financing shall be required for the full Duration to carry out all activities and undertakings to complete the Urban Renewal Project, including, without limitation, payment of all Bonds.

3.0 Purpose of the Plan

The main public purpose of this Plan is to reduce, eliminate, and prevent the spread of blight within the Area through redevelopment by private enterprise. The Plan sets goals to achieve this through implementing established objectives for the Area and assisting with the eligible costs of redevelopment, promoting economic growth, and private investment through the tools available within the context of urban renewal tools, laws, and guidelines, including, without limitation, Tax Increment Financing.

Establishment of the Urban Renewal Area will take advantage of improving conditions and the upcoming development cycle by focusing urban renewal efforts in a small Area for the Duration in accordance with the mandates of the Act.

The Authority commissioned a Conditions Study by DGC Consulting to determine if the Urban Renewal Area contained the factors that constitute a Blighted Area as defined in §31-25-103 of the Act. The Conditions Study was issued and approved in (insert date). It concluded that five of the statutory factors are present in the Area, which supports a finding by the Town Board that the Area is a Blighted Area as defined in the Act.

4.0 Blight Conditions

Before an urban renewal plan can be approved and adopted by the Town Board, the area must be found and declared to be a "blighted area" as defined in Section 31-25-103(2) of the Act. The Act provides that, in order for blight to be present within the area, at least four specific blight factors must be present in the area, and that such area, in its present condition and use substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

a. Slum, deteriorated, or deteriorating structures;

b. Predominance of defective or inadequate street layout;

c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

d. Unsanitary or unsafe conditions;

e. Deterioration of site or other improvements;

f. Unusual topography or inadequate public improvements or utilities;

g. Defective or unusual conditions of title rendering the title nonmarketable;

h. The existence of conditions that endanger life or property by fire or other causes;

i. Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;

j. Environmental contamination of buildings or property;

k.5 The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

DGC conducted the Conditions Study according to the following methodology:

1. Defined the Study Area;

2. Conducted a visual field survey for the property and evaluate current conditions;

3. Reviewed data provided by the Town;

4. Evaluated conditions found in the context of statutory blight criteria; and

5. Documented the survey findings, as presented in the Conditions Study.

The Study Area is 235.43 acres, more or less, is owned by private entities, and is located within the incorporated municipal boundaries of the Town. A portion of the Study Area is being developed with oil and gas wells and the remainder is planned for residential development.

Of the eleven qualifying factors identified in the Act, the Conditions Study revealed the following five qualifying conditions of blight, as defined in §31-25-103(2) of the Act, evident within the Study Area.

b. Predominance of defective or inadequate street layout – OBSERVED

d. Unsanitary or unsafe conditions – OBSERVED

e. Deterioration of site or other improvements – OBSERVED

f. Unusual topography or inadequate public improvements or utilities – OBSERVED

g. Defective or unusual conditions of title rendering the title nonmarketable – OBSERVED

5.0 Plan's Relationship to Local Objectives and Appropriate Land Uses

5.1 Plan Conformity

Implementation of this Plan supports the objectives and requirements of the Comprehensive Plan with respect to connectivity to neighborhoods, accessibility to open space, completion of infrastructure, and preservation of natural features, and quality design that promotes Firestone's unique identity. As development occurs in the Area, it shall conform to the Comprehensive Plan and any subsequent updates; the Firestone Building Code, the Firestone Municipal Code, the Firestone Development Code, and any rules, regulations, and policies promulgated pursuant thereto; any site-specific planning documents that might impact properties in the Area including, but not limited to, Town-approved site, drainage, and public improvement plans; and, any applicable Town design standards, all as in effect and as may be amended from time to time. Finally, existing conditions present within the Area will be remedied by the proposed Plan, which remediation may be funded in whole or in part by tax increment revenues and improvements phased as the market allows.

5.2 Consistency with Comprehensive Plan

As explained above, a comprehensive or general plan for the Town known as the Firestone Master Plan was adopted in 2013. The Authority, with the cooperation of the Town, private businesses, and other public bodies, will undertake projects and activities described herein in order to eliminate the identified conditions of blight while also implementing the goals and objectives of the Comprehensive Plan and all other Town-adopted plans which impact properties within the Area. These include the recent key goals and policies of that plan which this Urban Renewal Plan will advance are described in detail in Appendix B: Excerpts from 2013 Firestone Master Plan.

5.3 Relationship to Other Community Plans

Implementation of this Plan will be consistent with the development goals and objectives in other community plans and guides which pertain to development in the Area. The Sump Basin Master Drainage Plan (2010), Town of Firestone Raw Water Irrigation System Master Plan (2010), Town of Firestone Potable Water Master Plan (2010), South Weld I-25 Corridor Master Plan (2010), Town of Firestone Design Criteria and Construction Regulations, and Town of Firestone Parks Design Criteria Manual.

6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. The Authority is authorized to provide both financial assistance and improvements in partnership with property owners and other affected parties in order to accomplish the objectives stated herein. Public-private partnerships and other forms of cooperative development, including Cooperation Agreements, will be essential to the Authority's strategy for preventing the spread of blight and eliminating existing

blighting conditions. Without limitation, undertakings and activities of the Authority in the furtherance of this Plan as described as follows.

6.1 Undertakings and Activities to Remedy Blight

As described in Section 4.0 of this Plan, five qualifying conditions of blight were identified in the Study Area of which this Urban Renewal Plan Area is a part. Implementation of this Plan by providing urban renewal resources for public and private improvements will remedy many of the following conditions:

b. Predominance of defective or inadequate street layout – OBSERVED

The site survey determined that perimeter access to the Study area is very poor and there are no permanent public streets or rights-of-way. The Study Area can only be accessed from two locations: a temporary drilling access road on the south and a ranch pasture gate on the north. Otherwise, the site is enclosed by continuous fencing without access points.

Urban renewal tools and resources can help finance development that provides improved access to and within the Area.

d. Unsanitary or unsafe conditions – OBSERVED

The site survey and additional research noted the presence of abandoned well locations on the site and active drilling are unsafe conditions within the Study Area. As a safety and security precaution, the drilling pad is fenced and managed by a security guard to limit access. It is not clear what safety and security measures will be imposed after drilling is completed and the wells are in the production phase.

Urban renewal tools and resources that contribute to quality development will eliminate unsanitary and unsafe conditions within the Area.

e. Deterioration of site or other improvements – OBSERVED

Although the Study Area is not developed with streets and buildings, existing and former well sites are deteriorated. Perimeter fencing is also in degraded condition compared with other urban areas.

Urban renewal tools and resources can help finance development that includes site improvements such as roads, utilities, parking areas, sidewalks, landscaping, open space, and other features. Development that includes these features will improve the Area.

f. Unusual topography or inadequate public improvements or utilities – OBSERVED

Inadequate public improvements and utilities were observed throughout the Study Area due to the undeveloped state. Water, sewer, natural gas, and electric power do not yet reach the

Study Area, which has not been annexed to a sanitation district. The South Platte Supply Canal crosses the southern and eastern parts of the Study Area and is a significant obstacle to development.

Urban renewal tools and resources can help finance development that provides right-of-way and other public land dedications. They can also be used to finance and construct physical improvements to public streets, utilities, and parks. Urban renewal tools and resources may also support mitigation measures to reduce the impact of the existing irrigation canal crossing the Area.

g. Defective or unusual conditions of title rendering the title nonmarketable – OBSERVED

The Special Use Permit (SUP) approved in 2018 by the Town of Firestone prescribes conditions related to drilling 19 oil and gas wells in the south portion of the Study Area. Features of the SUP include drilling equipment, tanks, fencing, parking areas, and access roads. The SUP and the conditions that it imposes on property within the Study Area are legal limitations that will make it difficult to market and/or develop property within the Study Area. In addition, existing oil and gas wells, even if they were plugged, will impose limitations on how the property in the Study Area can be developed. The South Platte Supply Canal easement also makes that portion of the Study Area non-developable.

Urban renewal tools and resources can be used to address issues related to the irrigation canal easement as well as finance and construct measures to mitigate the impacts of the oil and gas wells within the Area.

Therefore, conditions of title may make portions of the Study nonmarketable for development.

6.2 Project Development Plan

The primary goal of this Plan is to eliminate the current conditions of blight in the Area and prevent those conditions from reoccurring. Recognizing that oil and gas wells are the initial activity planned for the Area, ultimate development is residential housing planned around decommissioned or operating oil and gas wells primarily located in the southern part of the site. This can be accomplished through careful site planning that provides ample open space and other natural buffers where oil and gas wells are located. However, the Authority is authorized to approve any uses for the Area that eliminate blight and are consistent with the Comprehensive Plan and applicable zoning, including, without limitation, mixed use development, including residential, commercial, industrial, and public uses.

6.3 Complete Public Improvements and Facilities

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or may cause others, including, without limitation, one or more Districts to install, construct, and reconstruct any public improvements, including, without limitation, parking facilities. The Authority may, or may cause others to, demolish and clear buildings and existing improvements for the purpose of promoting the objectives of the Plan and the Act. Additionally, the Authority may, or may

cause others to, install, construct and reconstruct any other authorized improvements, including, without limitation, other authorized undertakings, or improvements for the purpose of promoting the objectives of this Plan and the Act.

6.4 Plan Modification

The Authority may propose, and the Town Board may make, modifications to this Plan as may be necessary; provided, however, any modification of the Plan shall (a) comply with the provisions of the Act, including §31-25-107(7); (b) not impair Bonds or the ability of the Authority to pay any outstanding Bonds, including any reimbursement obligations of the Authority; or (c) not impair the ability of the Authority or any party to any then-existing agreement to fully perform their respective covenants and duties under any such agreement. The Authority may, in specific cases, allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement or application of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein, but not substantial modifications.

In the future, all or a portion of the property in the Area may be included into metropolitan districts or other existing districts or future taxing bodies. Such inclusion is not a substantial modification of this Plan and the Authority anticipates negotiating cooperation or tax sharing agreements with the Taxing Bodies at that time.

6.5 Provide Relocation Assistance

While it is not anticipated as of the date of this Plan that acquisition of real property will result in the relocation of any individuals, families, or business concerns; if such relocation becomes necessary, the Authority will adopt a relocation plan as necessary to comply with applicable provisions of the Act.

6.6 Demolish, Clear and Prepare Improvements

The Authority is authorized to demolish or cooperate with others to clear buildings, structures and other improvements within the Area in an effort to advance projects deemed consistent with the vision stated herein. Such demolition or site clearance is necessary to eliminate unhealthy, unsanitary, and unsafe conditions; eliminate obsolete uses deemed detrimental to the public welfare; remove and prevent the spread of blight; and facilitate redevelopment of the Area by private enterprise.

6.7 Acquire and Dispose of Property

It is not expected that the Authority will be required to acquire property to carry out the Project. However, if the Authority determines such acquisition is necessary, it is authorized to acquire any such property by negotiation or any other method, including eminent domain. Properties acquired by the Authority may be temporarily operated, managed and maintained by the Authority if requested to do so by the acquiring entity and deemed in the best interest of the Urban Renewal Project and the Plan. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions, and restrictions, including architectural and design controls, time restrictions on development, and building requirements in accordance with the Act and this Plan.

6.8 Enter into Redevelopment / Development Agreements

The Authority may enter into Redevelopment / Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities determined to be necessary to carry out the purposes of this Plan, including the pledge by the Authority of Available Property Tax Increment Revenues to pay eligible costs pursuant to the Act or any other applicable law. Further, such Redevelopment/ Development Agreements, or other contracts, may contain terms, provisions, activities, and undertakings contemplated by this Plan and the Act. Any existing agreements between the Town and private parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.

6.9 Enter Into Cooperation Agreements

The Authority is authorized to enter into such Cooperation Agreements as may be required by the Act, including tax sharing agreements. The Authority may also use the mediation and other provisions of the Act when necessary to provide adequate financing to carry out this Plan. This paragraph shall not be construed to require any particular form of cooperation.

6.10 Other Project Undertakings and Activities

Other Project undertakings and activities deemed necessary by the Authority to carry out the Plan may be undertaken and performed by the Authority or pursuant to agreements with other parties or public bodies in accordance with the authorization of the Act and any applicable law or laws.

7.0 Project Financing

The Authority is authorized to finance the Project by any method authorized by the Act or any other applicable law, including without limitation, appropriations, loans or advances from the Town; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities including, without limitation, Districts; issuance of Bonds; sale of securities; Tax Increment Financing (including property tax increments); loans, advances and grants from any other available source.

Any financing method legally available to the Town, the Authority, any private developer, redeveloper or owner may be used to finance in whole or in part any lawful cost or financial obligation, including without limitation, the cost of public improvements described, authorized or anticipated in the Act or Plan or in any manner related or incidental to the redevelopment of the Area. Such methods may be combined to finance all or any part of the Project. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for Bonds and all forms of indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the Town to finance the Project in whole or in part.

The Authority is authorized to issue Bonds in amounts sufficient to finance all or part of the Project. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest and any premiums due on or in connection with such indebtedness may be paid from Tax Increment Financing revenue or any other funds available to the Authority.

The Project may be financed by the Authority pursuant to the Tax Increment Financing provisions of the Act. Property taxes levied after the effective date of the approval of this Plan upon taxable property in the Area each year by or for the benefit of each specific public body that levies Property Taxes in the Urban Area on taxable property in the Urban Renewal Area, shall be divided for a period not to exceed twenty-five (25) years after the effective date of this allocation provision, as follows:

7.1 Base Valuation Revenues

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each such specific public body upon the valuation for assessment of taxable property in the Area last certified prior to the effective date of approval of the Plan or, as to an area later added to the Area, the effective date of the modification of the Plan.

7.2 Increment Valuation Revenues

That portion of said property taxes in excess of the base amount of property taxes paid into the funds of each such public body as provided above must be allocated to and, when collected, paid into a special fund of the authority to pay the principal of, the interest on, and any premiums due in connection with the Bonds of, loans or advances to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the Authority for financing or refinancing, in whole or in part, the Urban Renewal Project, or to make payments under an agreement executed pursuant to §31-25-107 of the Act.

Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area exceeds the base valuation for assessment of the taxable property in the Urban Renewal Area, as provided above, all of the taxes levied upon the taxable property in the Urban Renewal Area must be paid into the funds of the respective public bodies.

When such Bonds, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area must be paid into the funds of the respective public bodies, and all moneys remaining in the special fund that have not previously been rebated and that originated as property tax increment generated based on the mill levy of a taxing body, other than the municipality, within the boundaries of the Urban Renewal Area must be repaid to each taxing body based on the pro rata share of the prior year's property tax increment attributable to each taxing body's current mill levy in which property taxes were divided pursuant to provision. Any moneys remaining in the special fund not generated by property tax increment are excluded from any such repayment requirement. Notwithstanding any other provision of law, revenues excluded by §31-25-107(9) (a) (II) of the Act are not intended to be included in Available Property Tax Increment Revenues.

Available Property Tax Increment Revenues shall be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such Bonds, including any loans, advances and other indebtedness incurred by the Authority to finance the Urban Renewal Project, but excluding any offsets collected by the County Treasurer for return of overpayments or any reserve funds reserved by the Authority for such purposes in accordance with §31-25-107(9)(a)(III) and (b) of the Act, and also excluding a reasonable amount each year as determined by the Authority for payment of maintenance and operating expenses associated with administering the Plan, carrying out the Urban Renewal Project, and maintaining the existence of the Authority.

The Available Property Tax Increment Revenues (as described and defined in this Plan) are immediately subject to the lien provided by the provisions of §11-57-208, C.R.S., effective as of the date this Plan is approved by the Town Board of Trustees. Such pledge is necessary and required for the benefit of the Authority and private enterprise to carry the Urban Renewal Project in accordance with the requirements of §31-25-107(4)(g) of the Act. Such Available Property Tax Increment Revenues are and shall be subject to the lien of such pledge for the Duration of the Project without any physical delivery, filing, or further act. The creation, perfection, enforcement and priority of the pledge of the Available Property Tax Increment Revenues as provided herein shall be governed by §11-57-208, C.R.S. The lien of such pledge on the Available Property Tax Increment Revenues shall have priority over any and all other obligations and liabilities of the Authority with respect to the Available Property Tax Increment Revenues.

8.0 Severability

If any portion of this Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

Appendix

Appendix A: Bighorn Urban Renewal Area Legal Description and Map

Firestone Big Horn Urban Renewal Area

BEING A PART OF SECTION 17, T2N, R67W OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17, THENCE S 89°52'35" W, 330.00 FEET ALONG THE NORTH LINE OF SAID SECTION 17 TO A POINT; THENCE S 02°09'00" W A DISTANCE OF 30.02 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND, AND THE TRUE POINT OF BEGINNING:

THENCE S 02°09'00" W, 1359.91 FEET TO A POINT;

THENCE N 32°06'00" E, 182.82 FEET TO A POINT;

THENCE N 49°05'10" E, 95.06 FEET TO A POINT;

THENCE N 56°44'35" E, 104.76 FEET TO A POINT;

THENCE N 68°47'40" E, 58.42 FEET TO A POINT 30 FEET WEST OF THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 17;

THENCE S 02°09'00" W, 1544.15 FEET ALONG A LINE 30 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 17 TO A POINT;

THENCE S 01°50'35" W, 1921.15 FEET ALONG A LINE 30 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 17 TO A POINT;

THENCE S 22°48'07" W, 81.53 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE 199.62 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF TANGENT, SAID ARC HAVING A RADIUS OF 165.00 FEET, A DELTA ANGLE OF 69°19'00" AND BEING SUBTENDED BY A CHORD THAT BEARS S 57°27'37" W, 187.66 FEET;

THENCE N 87°52'53" W, 395.81 FEET TO A POINT;

THENCE N 75°49'03" W, 153.75 FEET TO A POINT;

THENCE S 00°09'57" W 574.76 FEET TO A POINT 30 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 17;

THENCE S 89°25'57" W, 612.03 FEET ALONG A LINE 30 FEET NORTH OF AND PARALLEL THE SOUTH LINE OF THE SOUTHEAST ¼ SAID SECTION 17 TO A POINT;

THENCE N 00°34'03" W, 633.60 FEET TO A POINT;

THENCE N89°25'57" E, 105.00 FEET TO A POINT;

THENCE N 00°34'03" W, 660.00 FEET TO A NO. 4 REBAR WITH AN ALUMINUM CAP STAMPED LS 2149;

THENCE CONTINUING N 00°34'03" W, 325.07 FEET TO A NO. 5 REBAR WITH A PLASTIC CAP STAMPED PLS 22576;

THENCE S 89°25'57" W, 670.00 FEET TO A NO. 5 REBAR WITH A PLASTIC CAP STAMPED PLS 22576;

THENCE N 00°34'03" W, 99.75 FEET TO A NO. 4 REBAR WITH AN ALUMINUM CAP STAMPED LS 2149 AT A POINT OF CURVE TO THE LEFT;

THENCE 670.45 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 750.00 FEET, A DELTA ANGLE OF 51°13'08" AND BEING SUBTENDED BY A CHORD THAT BEARS N 26°10'37" W, 648.35 FEET TO A POINT;

THENCE N 51°47'11" W, 118.29 FEET TO A POINT;

THENCE N 38°12'49" E 645.98 FEET TO A POINT;

THENCE N 51°47'11" W, 485.34 FEET TO A POINT;

THENCE N 71°19'37" W 212.22 FEET TO A POINT;

THENCE N 00°52'00" W, 707.88 FEET TO A POINT;

THENCE S 89°08'00" W, 155.32 FEET TO A POINT;

THENCE N 00°52'00" W, 646.77 FEET TO A POINT;

THENCE S89°53'00" W, 44.96 FEET TO A POINT;

THENCE N 00°07'00" W, 255.00 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE 110.72 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 128°52.11" AND BEING SUBTENDED BY A CHORD THAT BEARS N 26°26'54" E, 89.44 FEET;

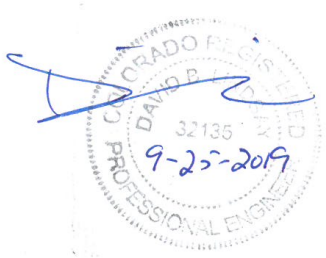
THENCE 32.18 FEET ALONG THE ARC OF SAID REVERSE CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 36°52'11" AND BEING SUBTENDED BY A CHORD THAT BEARS N 18°33'06" W, 31.62 FEET TO A POINT;

THENCE N 00°07'00" W, 265.00 FEET TO A POINT 30 FEET SOUTH OF THE NORTH LINE OF THE NW ¼ OF SAID SECTION 17;

THENCE N 89°53'00" E, 148.15 FEET ALONG A LINE 30 FEET SOUTH AND PARALLEL THE NORTH LINE OF THE NW ¼ OF SAID SECTION 17 TO POINT 30 FEET SOUTH OF THE NORTH ¼ CORNER OF SAID SECTION 17;

THENCE N 89°52'35" E, 2395.38 FEET ALONG A LINE 30 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 17 TO THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA = 235.43 ACRES, MORE OR LESS.



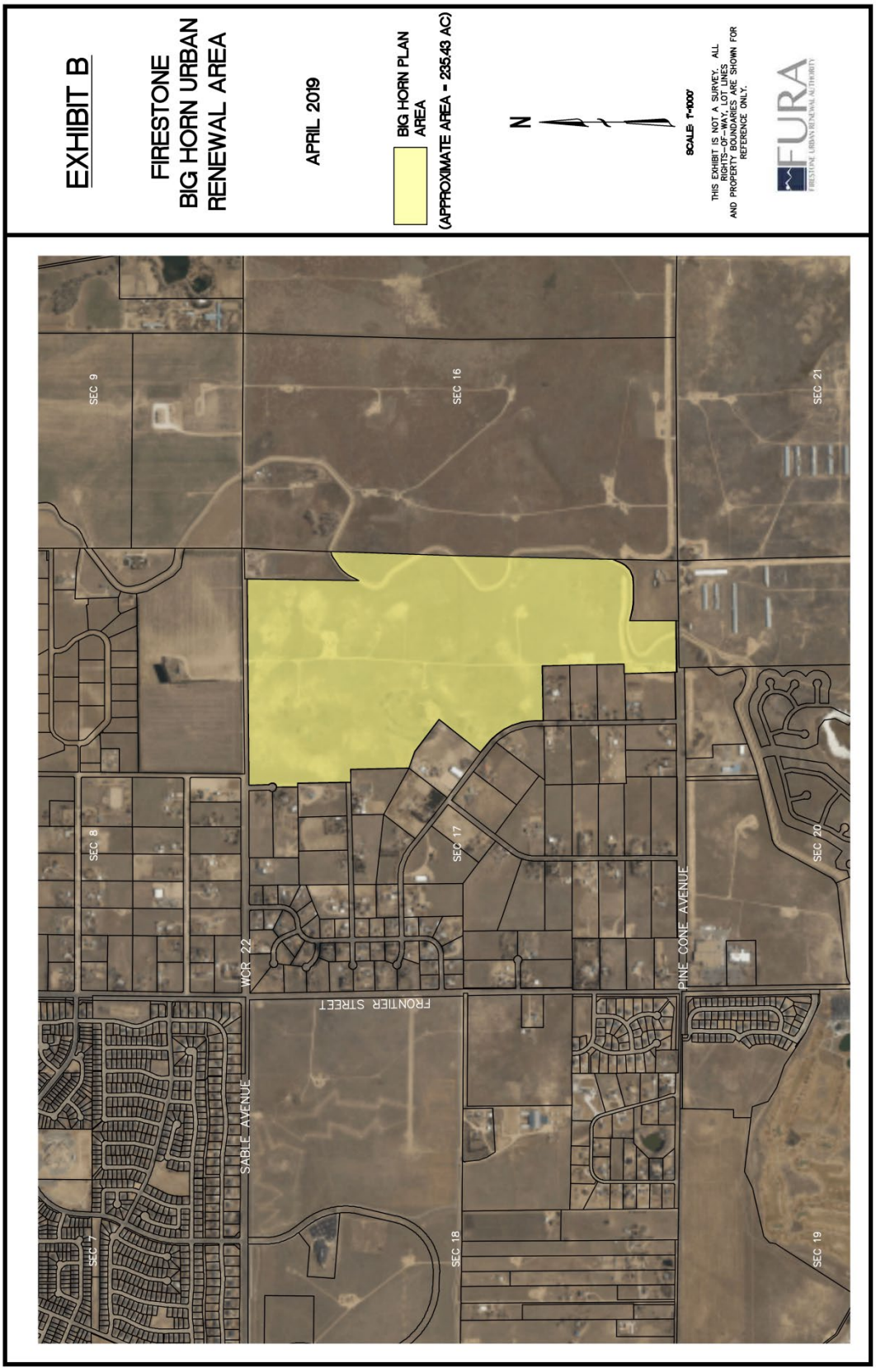


EXHIBIT B
FIRESTONE
BIG HORN URBAN
RENEWAL AREA
APRIL 2019
BIG HORN PLAN AREA
(APPROXIMATE AREA = 235.43 AC)
N
SCALE: 1"=1000'
THIS EXHIBIT IS NOT A SURVEY. ALL RIGHTS-OF-WAY, LOT LINES AND PROPERTY BOUNDARIES ARE SHOWN FOR REFERENCE ONLY.
FURA
FIRESTONE URBAN RENEWAL AUTHORITY
SEC 9
SEC 16
SEC 21
SEC 8
SEC 17
SEC 20
WCR 22
FRONTIER STREET
PINE CONE AVENUE
SABLE AVENUE
SEC 7
SEC 18
SEC 19

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Appendix B: Excerpts from 2013 Firestone Master Plan

Town of Firestone Master Plan, adopted 2013 (excerpts taken verbatim, but formatted for clarity). Policies summarized here are relevant to the proposal Urban Renewal Area.

12.0 LAND USE

12.1 Community Character Elements

Firestone has a character unique to the region. A variety of elements work together to create the Firestone community, including the following:

- A transportation system that is properly designed and constructed to meet the current needs of the existing traffic volumes.
- A comprehensive and unified parks and trails system. Firestone is a pedestrian and non-motorized connected community, where one can walk to work, home or service centers on a comfortable and convenient trail system.
- Effective and efficient public safety and security. Without public safety, Firestone citizens and employees cannot be free to enjoy the benefits of their community.
- "Four-sided" architecture is required along major streets and visual corridors.
- A "world class" Central Park campus that inspires national and international recognition as a Civic, Cultural and Community Center.
- Superior recreational facilities, including the Firestone Regional Sports Complex.
- A balanced approach to a blend of housing and commercial opportunities.
- An equal number of available jobs to employable citizens.
- A focus on a comprehensive "cradle" to "grave" land use and community system where all components of the life cycle are considered and accommodated.
- A community where the freedom to worship is fully embraced.
- A specific focus on the senior segments of the Firestone community, to assure these residents are appropriately considered in land use and community decisions. If optimized, the senior population can bestow valuable leadership and wisdom that comes from experience of time.
- Proper transition and integration between different types of land uses.
- Convenient access to a wide variety of retail goods and services.
- Downcast lighting and strategies to effectively preserve the "night sky."
- Low, but appropriate, taxes.
- Stable political leadership.
- A tangible and inspired sense of community.

12.2 Employment and Office

Employment and Office land use areas provide for office and light industrial uses where primary employment opportunities exist.

12.3 Commercial and Office

Commercial land use areas provide for retail commercial and office areas. These land uses are located along key arterial streets and the intersections of key arterial streets. Regional commercial and office land uses are generally located near I-25.

12.4 Residential Low

Residential low-density land use areas are generally located in the central and eastern portions of the MPA. Residential Low provides for only single-family residential uses or clustered multi-family land uses.

12.5 Residential Medium

Residential Medium land use areas provide for single family or single-family attached land uses, including duplexes and town homes, but excluding condominiums and apartments unless they are clustered. These use areas are generally located in and along arterial streets and at or near key intersections.

12.6 Residential High

Like Residential Medium land use areas, Residential High land use areas provide for higher density town homes, condominiums, and apartments. These land use areas are generally located in and along arterial streets and at or near key intersections.

12.7 Mixed Use

Mixed-Use land use areas provide for a potential mix of all land uses, except for very low-density single family residential. To the extent possible, based on ownership boundaries, Mixed Use areas should be master planned as one comprehensive project to assure compatibility and the appropriate balance of the various intended uses.

The larger Mixed Use areas should provide for a significant portion of the area dedicated to retail commercial, office or employment uses. These Mixed Use areas can on a local scale accommodate the concepts of “new urbanism” providing places where people can live, work, recreate and shop for goods and services.

The Mixed Use areas along Locust Street, SH-66 and Road 7 may vary somewhat in size and shape to accommodate market needs. Mixed Use areas may accommodate residential land uses located above retail commercial uses if proper compatibility can be assured.

12.8 Parks, Trails, Open Space, and Recreation

One of the key features of the Firestone Parks and Trails system is the Firestone Trail, which is an integral part of the Colorado Front Range Trail system. This approximately 9 mile long trail is generally shown in Figure 17. Firestone sold its ownership in the trail south of SH-52 to the City of Dacono, to enable Dacono to annex it and coordinate trail development.

Since acquisition by the Town in 1997, numerous improvements to the Firestone Trail have been installed by the Town. Over half of the entire length of the Firestone Trail within the Urban Growth Boundary has been paved with a 10-foot wide concrete trail. It is planned that the area outside of the Town Boundary, the Firestone Trail will be maintained in a dirt or crusher fines surface.

12.9 Community Separators

Community Separators are areas intended for non-urban development. Agricultural farming and ranching uses are encouraged in these areas, except for large scale dairy farming and poultry operations, which are considered too intense to be compatible with the urban development. The Town should continue to work with local governments and private individuals and groups to develop detailed acquisition strategies and implementation plans to potentially acquire development rights and conservation easements in these areas.

12.10 Educational Facilities

The St. Vrain Valley School District and the Weld RE-1 School District prepare a facilities plan

for their respective areas of the MPA. Based on average residential densities, approximately one elementary school is required for each section. A high school site is planned for the Central Park property as described in Section 12.11.

12.11 Central Park and Other Public Facilities

The Firestone Board of Trustees, Planning Commission, and Parks, Trails and Recreation Advisory Board have worked diligently with public input to refine the overall master plan for Firestone's 272-acre Central Park, which was acquired by the Town in 2005. Central Park has been planned to be a world-class campus that inspires national and international recognition as a civic, cultural and community center. An Amended Preliminary Development Plan for the Park was approved in 2009. Specific focus has been on architectural styles and themes for building and park amenities.

12.12 Historic Firestone and "The Loop"

The extension of McClure Street to Colorado Boulevard is a high priority. This extension is critical to the development of "The Loop". By having access to Colorado Boulevard from both McClure Street and

Grant Avenue a “loop” opportunity is created, which will help revitalize and restore this mixed-use area of historic Firestone back to a quaint residential, commercial and office area as it was originally established.

12.13 Community Support Facilities

The Firestone Development Regulations provide the opportunity for community support facilities, such as religious institutions or cemeteries, in almost all land use categories. The Town encourages the preservation of property for such purposes in larger scale developments. Because of their overall need and benefit to the community, senior housing developments have the potential to be located in all land uses areas, except those designated for open space and parks. Such developments would need to be appropriately screened and buffered from adjoining land uses to assure compatibility. Furthermore, any such proposal would be subject to the Town’s Land Development Regulations and the stated conditions and standards of approval.

12.14 Conditional, Special, Temporary, and Accessory Land Uses

The Firestone Development Regulations and Municipal Code provide information regarding Conditional, Special, Temporary, and Accessory Land Uses. For applications that require formal processing and action by the Town Board of Trustees, specific submittal requirements and processing information is specified in the Regulations or the Code. Information about these uses as they relate to a specific property is often described in a development plan recorded with the Weld County Clerk and Recorder.

12.15 Firestone Master Plan Map

The Firestone Master Plan Map shows both the MPA and the UGA, as well as other Master Plan components. Specifically, the Master Plan Map shows all different types of land uses and the key arterial transportation corridors that serve them. Major park and trail improvements are also shown. Certain areas outside of the UGB, which are not annexed or shown as within the existing limits of Weld County’s RUA, are shown as Community Separator areas.

Staff Report

Lot 3, Del Camino Junction Business Park Fifth Minor Plat,

Agra Holdings, L.P. Building Expansion

Final Development Plan Amendment No. 2

Prepared by the
Town of Firestone for the
Planning and Zoning Commission

November 7, 2019

Applications
This staff report is for Lot 3, Del Camino Junction Business Park Fifth Minor Pat, Agra Holdings, L.P. Building Expansion, Final Development Plan, Amendment No. 2 ("FDP"). The applicant for the FDP is Agra Holdings LP.

Notice
Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published. Proof of notification to owners of interest and surrounding property owners and a property posting log will be provided by the applicants prior to the hearings.

Location and Process
The location of the FDP is the southwest side of Business Park Circle accessed from East I-25 Frontage Road, the address is 11347 Business Park Circle. The FDP is the final step in the Firestone Development Review process prior to the building permit process.

Site Analysis, Circulation and Parking
The FDP is proposed on Lot 3, Del Camino Junction Business Park Fifth Minor Plat, and is approximately 1.326 acres in size. The site is generally flat and is appropriate for the existing use. There are two driveways that access the property directly from Business Park Circle. Off-street parking is provided on the north and east sides of the building and consists of 46 parking spaces, inclusive of two ADA parking spaces. Parking is consistent with the approved Final Development Plan for Agra Holdings, L.P. Building Expansion, Amendment No. 1. The main entrance into the building is from the east.

Plan Analysis
Agra Holdings is an existing commercial building. The FDP proposes to add 5,504 square-feet to the building on the north side of the existing building. The addition will be two-stories, each level being 2,752 square-feet, for a total addition of 5,504 square-feet. The FDP proposes a two story addition, which will bring the total building to 16,088 square-feet of floor area. The addition will match all of the existing exterior materials, including: stucco, metal roof, metal fascia, dark brown wood timber columns, decorative wood trim, precast stone, and 20-guage steel. Additionally, a new trash enclosure, water service, and additional parking spaces are proposed. The project will be consistent with adjacent developments and will complement the overall Del Camino Business Park development. Furthermore, the development will comply with applicable landscape, lighting, architecture and signage requirements.

Building Height
The proposed building height is approximately 33'-8", in accordance with Firestone development standards.

Fiscal Impacts
The office building expansion permitted by the FDP will provide employment opportunities to the community of Firestone and promote the local economy of Town of Firestone within an area zoned for commercial use. The increase of office space in this area will generate additional traffic counts that retailers require when identifying ideal sites for successful retail outlets.

Utility and Services
Public infrastructure and utilities are available to the site.

Planning and Zoning Commission and Board of Trustees Conditions and Standards for Approval

For your general reference, attached are the conditions and standards of approval for a PUD district that are stated in the Firestone Development Regulations.

Conditions and Standards for Approval
The Planning Commission and the Town Board of Trustees may approve a PUD application if it meets the intent of these Regulations and complies with the Town Code and other controlling regulations and documents, including the development standards specified herein. The Planning Commission and Town Board shall consider the following in making their decision for approval, approval with conditions, or denial of a PUD:

A. The proposed PUD district is compatible with present development in the surrounding area, and will not have a significant, adverse effect on the surrounding area;

B. The proposed PUD district is consistent with the public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;

C. The proposed PUD district is consistent with the overall direction, intent of Titles 16 and 17 of the Town Code, and the intent and policies of the Town's comprehensive plan and other policy documents of the Town;

D. The proposed PUD district provides for a creative and innovative design which could not otherwise be achieved through other standard zoning districts;

E. The exceptions from the zoning regulations requested in the proposed PUD are warranted by virtue of innovative design and amenities incorporated in the PUD district;

F. The PUD provides adequate circulation in terms of internal street circulation system, designed for the type of traffic generated, for separate living areas, convenience, safety, access, and noise and exhaust control. Proper circulation in parking areas shall be provided in terms of safety, convenience, separation and screening. The PUD should provide for buffering from collector and arterial streets through earthen berms, landscaping, and other methods;

G. The PUD provides functional open space in terms of practical usability and accessibility, and optimum preservation of natural features, including trees and drainage areas, recreation, views, natural stream courses, bodies of water and wetlands;

H. To the extent practicable, the PUD provides variety in terms of housing types, housing size, densities, facilities and open space;

I. The PUD provides for pedestrian and bicycle traffic in terms of safety, separation, convenience, access, destination and attractiveness. If possible, there shall be an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels, parks, open space, or recreational facilities within the PUD as well as links to trail systems of the Town;

J. Building types in terms of appropriateness to density, site relationship and bulk;

K. Building design in terms of orientation, spacing, materials, color, texture, storage,

signs and lighting;

L. Landscaping of the site in terms of purpose, such as screening, types and materials used, maintenance suitability, water demands and effect on the area;

M. Services including utilities, fire, police protection and other such services are available or can be made available to adequately serve the development;

N. No structures in the PUD shall encroach on a floodplain except as permitted by the Town's floodplain ordinance;

O. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved by the Town;

P. Visual relief and variety of visual sitings shall be located within the PUD through building placement, shortened or interrupted street vistas, visual access to open space and other design methods;

Q. The fiscal impacts on the Town, relative to expected service provision costs and anticipated revenue to the Town;

R. Compliance with the provisions of any applicable intergovernmental agreements;

S. The PUD incorporates a lighting plan and facilities to minimize of light drift outside the PUD in an effort to help preserve the night sky;

T. To the extent reasonably practicable, the PUD shall strive to incorporate "green" building standards and design guidelines for all residential and commercial development in an effort increase energy efficiency and reduce energy consumption;

U. To the extent reasonably practicable, the PUD shall strive to incorporate renewable energy technologies;

V. To the extent reasonably practicable, the PUD shall strive to incorporate best management practices in recycling, water conservation, soils preservation and sustainable development practices;

W. To the extent reasonably practicable, the PUD shall strive to incorporate Infrastructure design that emphasizes technology that will encourage the development of "knowledge workers" and will facilitate telecommuting.

Planning Commission or Board of Trustees Action

The Planning Commission Board or Board of Trustees has the following options relative to the action on applications in general. As necessary additional information relative to continuances, etc. can be provided by the Town Attorney.

A. Make a decision and vote on the application, using the draft resolution previously prepared, as may be amended during the hearing; or

B. Make a decision and vote on the application, but request the Town Attorney to prepare findings of fact and conclusions for approval and adoption at the next regular meeting; or

C. Defer a decision and direct the Town Attorney to prepare findings of fact and conclusions to be submitted to the Board of Trustees at its next regular meeting,

with final deliberation, decision and adoption of the findings of fact and conclusion at that meeting; or

D. Defer a decision until a date certain, as is mutually agreed upon by the Applicant and the Board of Trustees, by which time the record and all evidence can be reviewed. At that time the Board of Trustees can either adopt findings of fact and conclusions or direct the Town Attorney to prepare findings of fact and conclusions for adoption at the next regular meeting after the meeting to which the matter has been deferred.

RECOMMENDATION

Town staff recommends the Planning Commission approve draft Resolution PC-19-15, a resolution recommending approval of the application to the Board of Trustees with conditions.

RESOLUTION NO. 19-15

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO, APPROVING LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT, AGRA HOLDINGS, L.P. BUILDING EXPANSION FINAL DEVELOPMENT PLAN NO. 2

WHEREAS, there has been submitted to the Planning and Zoning Commission and Board of Trustees of the Town of Firestone a request for approval of LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT, AGRA HOLDINGS, L.P. BUILDING EXPANSION FINAL DEVELOPMENT PLAN NO. 2; and

WHEREAS, all materials related to the application have been reviewed by Town Staff and found with conditions to be in compliance with Town of Firestone subdivision and zoning ordinances, Development Regulations, and related Town ordinances, regulations, and policies; and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Planning and Zoning Commission finds the application to be in compliance with Town of Firestone subdivision and zoning ordinances, Development Regulations, and related Town ordinances, regulations, and policies and should therefore be approved, subject to those conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The Planning and Zoning Commission hereby recommends approval to the Board of Trustees for the proposed LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT, AGRA HOLDINGS, L.P. BUILDING EXPANSION FINAL DEVELOPMENT PLAN NO. 2, attached hereto as "Exhibit A" and incorporated herein by reference, and subject to the conditions set forth below:

1. Provide an updated title commitment, showing Agra Holdings LP as owner, when the mylars are provided for recording, dated no later than thirty (30) days prior to submission of mylars.

2. Technical corrections to the Lot 3, Del Camino Junction Business Park Fifth Minor Plat, Agra Holdings LP Building Expansion Final Development Plan No. 2 shall be made to the Town's satisfaction.

3. A dedication or fee in lieu for an additional 1 CBT Share (Town regulations do not allow for fractional shares) must be provided prior to the recordation of the Final Development Plan.

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PASSED AND ADOPTED this 7th day of November, 2019.

_____
Chairperson

ATTEST:

_____
Secretary/Clerk Pro-tem

EXHIBIT A
Lot 3, Del Camino Junction Business Park Fifth Minor Plat, Agra Holdings LP Building Expansion Final Development Plan No. 2

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
COVER SHEET
SHEET 1 OF 8

OWNER
AGRA HOLDINGS, L.P.
11347 BUSINESS PARK CIRCLE
FIRESTONE, CO 80504
303-378-8144
CONTACT: ADAM BENTON
ABENTON@AGRAHOLDINGS.COM

CIVIL ENGINEER
PERCEPTION DESIGN GROUP, INC.
6901 S. PIERCE STREET, SUITE 315
LITTLETON, CO 80128
303-232-8088
CONTACT: JERRY W. DAVIDSON
JDAVIDSON@PERCEPTIONDESIGNGROUP.COM

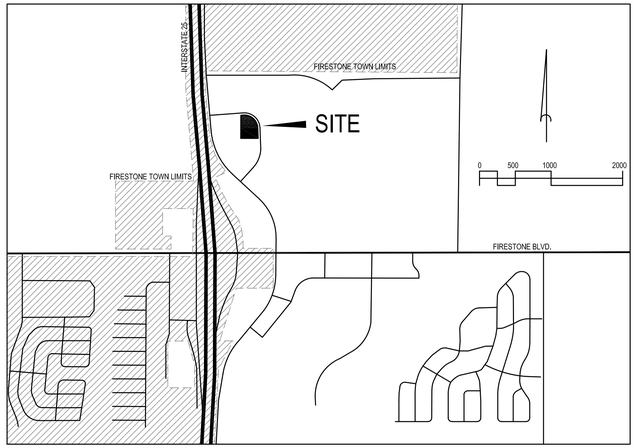
CONTRACTOR
CONSTRUCTION CONCEPTS, INC.
14125 MEAD STREET
LONGMONT, CO 80504
970-535-0600
CONTACT: JOEL HARDY

ARCHITECT
STUDIO DH ARCHITECTURE
1300 JACKSON STREET, SUITE 200
GOLDEN, CO 80401
720-457-3270
CONTACT: JACOB FIRESTIEN
Jacob@studio-dh.us

LANDSCAPE ARCHITECT
LONGS PEAK LANDSCAPE
4325 HILLTOP ROAD
LONGMONT, CO 80504
303-682-2857
CONTACT: BRAD BROWN
Brad@longspeaklandscape.com

ELECTRICAL ENGINEER
DELANEY'S ELECTRIC INC.
PO BOX 1142, AULT CO 80610
970-834-1715
CONTACT: MIKE DELANEY

BENCHMARK
FIRESTONE BENCHMARK BM 25: MARKED "X" ON NORTH END OF HEADWALL AT NORTHWEST CORNER OF INTERSECTION OF FIRESTONE BLVD. AND COLORADO BLVD. ELEVATION = 4848.265 (1929 NAVD)



VICINITY MAP
SCALE: 1" = 1,000-0'

SHEET INDEX

1	COVER SHEET
2	NARRATIVE
3	SITE PLAN
4	GRADING AND UTILITY PLAN
5	LANDSCAPE PLAN
6	EXTERIOR ELEVATIONS
7	EXTERIOR ELEVATIONS
8	PHOTOMETRIC PLAN

LEGAL DESCRIPTION
LOT 3, DEL CAMINO JUNCTION BUSINESS PARK 5TH MINOR PLAT, RECORDED ON APRIL 17, 2012 AT RECEPTION NO. 3839347 AT THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, LOCATED IN THE WEST HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWO (2), TOWNSHIP TWO NORTH (T.2N.), RANGE SIXTY-EIGHT WEST (R.68W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO.

SAID PARCEL CONTAINS 1.327 ACRES, MORE OR LESS.

APPROVAL BLOCK
APPROVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE,

COLORADO THIS _____ DAY OF _____, 20___.

BY RESOLUTION NO. _____

_____ _____
MAYOR ATTEST: TOWN CLERK

ACCEPTANCE BLOCK AND NOTARY
BY SIGNING THIS FDP, THE OWNER ACKNOWLEDGES AND ACCEPTS ALL THE REQUIREMENTS AND INTENTS SET FORTH HEREIN.

_____
OWNER

STATE OF COLORADO)
) SS
COUNTY OF WELD)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

BY _____

WITNESS MY HAND AND OFFICIAL SEAL

_____
NOTARY PUBLIC

_____
MY COMMISSION EXPIRES

LAND USE TABLE

	SQUARE FEET	ACRES
LOT SIZE	57,799	1.326±
	PROPOSED USE	ZONE DISTRICT
LAND USE	OFFICE	PUD-RC/EC
	ALLOWED	ACTUAL
BUILDING HEIGHT	35'-0"	33'-8"
	AREA	PERCENTAGE
BUILDING FOOTPRINT	13,336 SF	23%
NON-PERMEABLE COVERAGE	21,621 SF	37%
LANDSCAPE COVERAGE	22,842 SF	40%
EXISTING GROSS FLOOR AREA	10,584 SF	
PROPOSED GROSS FLOOR AREA ADDITION	5,504 SF	
TOTAL GROSS FLOOR AREA	16,088 SF	

AGRA HOLDINGS, L.P.	
COVER SHEET	
NAME OF APPLICATION:	AGRA HOLDINGS, L.P. BUILDING EXPANSION
TYPE OF SUBMITTAL:	FDP - AMMENDMENT 2
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	SEPTEMBER 03, 2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 1 OF 8	

PERCEPTION
DESIGN GROUP, INC.
6901 SOUTH PIERCE STREET, SUITE 315, LITTLETON, CO 80128 303-232-8088
WWW.PERCEPTIONDESIGNGROUP.COM

SEPTEMBER 4, 2019
COVER SHEET
SHEET 1 OF 8

AGRA HOLDINGS, LLC.

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
NARRATIVE TEXT
SHEET 2 OF 8

PROJECT CONCEPT

AGRA HOLDINGS IS AN EXISTING COMMERCIAL BUILDING AT 11347 BUSINESS PARK CIRCLE. THE PURPOSE OF THIS DEVELOPMENT PLAN AMENDMENT IS TO DEFINE IMPROVEMENTS ASSOCIATED WITH A 2,788 SF BUILDING ADDITION ON THE NORTH SIDE OF THE EXISTING BUILDING. ADDITIONALLY, A NEW TRASH ENCLOSURE, WATER SERVICE, AND ADDITIONAL PARKING SPACES ARE PROPOSED.

ENVIRONMENTAL IMPACT MITIGATION

THERE IS NO EVIDENCE OF RECOGNIZED ENVIRONMENTAL CONDITIONS IN CONNECTION WITH THIS SITE. PLEASE REFER TO "PHASE 1 ENVIRONMENTAL SITE ASSESSMENT REPORT" PREPARED FOR THE DEL CAMINO BUSINESS PARK ODP/FDP PREPARED BY ENVIRONMENTAL SCIENCE CORPORATION AND DATED 9/20/1999.

PRIVATE MAINTENANCE, CONTROLS AND ENFORCEMENT

THE LOT OWNER IS RESPONSIBLE FOR MAINTENANCE OF PRIVATE IMPROVEMENTS WITHIN THE PROPERTY.

OPEN SPACE & LANDSCAPE

AN OVERALL LANDSCAPE PLAN FOR THE DEL CAMINO JUNCTION BUSINESS PARK WAS APPROVED WITH THE OVERALL FINAL DEVELOPMENT PLAN.

ADDITIONALLY, THE AGRA HOLDINGS SITE WILL BE LANDSCAPED AS ILLUSTRATED IN THIS FINAL DEVELOPMENT PLAN. LANDSCAPE MATERIALS AND DESIGN WILL CONFORM TO THE THEME ESTABLISHED FOR THE OVERALL CENTER.

THE ON-SITE LANDSCAPING WILL BE MAINTAINED BY THE PROPERTY OWNER TO BE CONSISTENT WITH THE FDP.

A.D.A COMPLIANCE

THIS FINAL DEVELOPMENT PLAN HAS BEEN DESIGNED TO TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.

DRAINAGE

REFER TO THE DRAINAGE COMPLIANCE LETTER PREPARED BY PERCEPTION DESIGN GROUP, INC. DATED SEPTEMBER 03, 2019, WHICH IS FILED WITH THIS FINAL DEVELOPMENT PLAN AMENDMENT AND SUPPLEMENTAL DOCUMENTS FOR A DESCRIPTION OF THE STORM DRAINAGE FOR THIS DEVELOPMENT PLAN. THE SITE IS DESIGNED TO CONFORM TO THE APPROVED FINAL DRAINAGE REPORT FOR DEL CAMINO JUNCTION BUSINESS PARK PUD, FIRESTONE, COLORADO PREPARED BY TUTTLE APLLEGATE INC. DATED AUGUST 15, 1999. PROPOSED SURFACE IMPROVEMENTS WILL SURFACE DRAIN TO EXISTING FACILITIES.

PARKING

PROVIDED USE:	OFFICE
REQUIRED PARKING RATIO:	1SPACE/350 SF
A.D.A ACCESSIBLE SPACES PROVIDED	2
STANDARD PACES PROVIDED:	44
TOTAL SPACES PROVIDED:	46
PARKING SPACES REQUIRED:	46

UTILITIES

THE FOLLOWING IS A GENERAL DESCRIPTION OF THE UTILITY SYSTEMS AND PUBLIC SERVICES INTENDED TO SERVE THE PROJECT. THE FOLLOWING ENTITIES WOULD PROVIDE THE FOLLOWING SERVICES:

POLICE PROTECTION	TOWN OF FIRESTONE
POTABLE WATER	TOWN OF FIRESTONE
PUBLIC STREET MAINTENANCE	TOWN OF FIRESTONE
SANITARY SEWER	ST. VRAIN SANITATION DISTRICT
FIRE PROTECTION	FIRESTONE FREDERICK FIRE PROTECTION DISTRICT
ELECTRIC	UNITED POWER
NATURAL GAS	SOURCE GAS
TELEPHONE	CENTURYLINK

MAIN PUBLIC UTILITY LINES FOR WATER, SANITARY, STORM WATER, ELECTRIC, AND GAS SERVICES HAVE BEEN INSTALLED PURSUANT TO THE APPROVED OVERALL FINAL DEVELOPMENT PLAN.

SITE SERVICE LINES CURRENTLY EXIST TO THE EXISTING BUILDING.

ARCHITECTURE

TWO STORY (2,752 GROSS SQUARE FEET PER FLOOR) BUILDING ADDITION TO AN EXISTING COMMERCIAL OFFICE BUILDING AND RELATED SITE IMPROVEMENTS

SIGN PROGRAM

NO NEW SIGNAGE IS PROPOSED WITH THIS AMENDMENT. EXISTING SIGNAGE SHALL REMAIN.

BUILDING HEIGHT

THE BUILDING HEIGHT IS 33'-8" AS SHOWN ON THE ELEVATION SHEET.

SETBACKS

PRINCIPAL BUILDING SETBACKS ARE AS IDENTIFIED ON THIS FINAL DEVELOPMENT PLAN. SEE SITE PLAN SHEET.

DEVELOPMENT SCHEDULE

APPROXIMATE CONSTRUCTION START DATE: NOVEMBER 1, 2019.
APPROXIMATE COMPLETION DATE: APRIL 1, 2020.

CIRCULATION SYSTEMS

ACCESS TO THE SITE AS SHOWN ON THE SITE PLAN SHEET IS FROM BUSINESS PARK CIRCLE. THE ACCESSES IS EXISTING AND NO NEW ACCESSES ARE PROPOSED.

HOURS OF OPERATION

THE HOURS OF OPERATION OF THIS STORE WILL BE 8:00 A.M. TO 5:00 P.M. 5 DAYS PER WEEK.

BUILDING ADDRESS

11347 BUSINESS PARK CIRCLE, FIRESTONE, COLORADO 80504.

CBT WATER SHARE

A RAW WATER DEDICATION WAS DETERMINED BASED ON INFORMATION PROVIDE BY THE APPLICATION. THE TOTAL AMOUNT OF CBT SHARES REQUIRED BY THE DEVELOPMENT SHALL BE DETERMINED BY THE TOWN. THIS TOTAL IS DETERMINED BY THE PROJECTED DOMESTIC AND IRRIGATION USAGE.

ZONING AND ALLOWED USES

SITE IS ZONED PUD RC/EC.

OFFICE IS AN ALLOWED USE.

AGRA HOLDINGS, L.P.	
NARRATIVE TEXT	
NAME OF APPLICATION:	AGRA HOLDINGS, L.P. BUILDING EXPANSION
TYPE OF SUBMITTAL:	FDP - AMMENDMENT 2
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	SEPTEMBER 03, 2019
REVISION DATE:	
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REVISION DATE:	
SHEET 2 OF 8	

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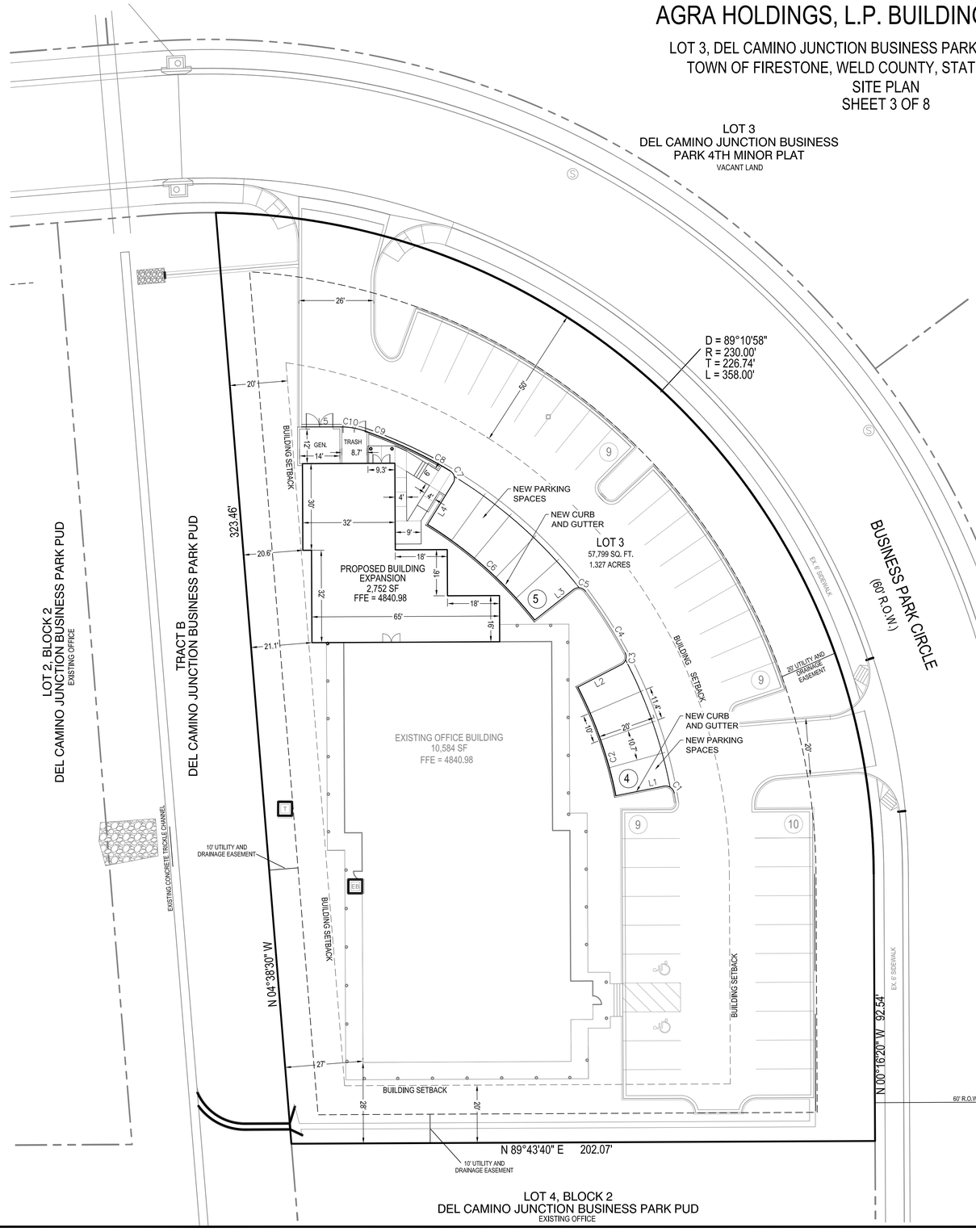
DESIGN GROUP, INC.
6901 SOUTH PIERCE STREET, SUITE 315, LITTLETON, CO 80128 303-232-8088
WWW.PERCEPTIONDESIGNGROUP.COM

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
SITE PLAN
SHEET 3 OF 8



LEGEND

- PROPERTY LINE
- HANDICAP PARKING STALL
- (10) PARKING COUNT PER ROW
- LS LANDSCAPED AREA
- SIDEWALK
- HANDICAP RAMP
- FIRE HYDRANT
- SITE SIGNAGE
- CONCRETE PAVEMENT
- EXISTING CURB AND GUTTER
- CONCRETE CURB
- EDGE OF ASPHALT
- EXISTING SITE LIGHTING
- SITE LIGHTING

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C1	4.77	91.07	3.00
C2	40.01	15.97	143.50
C3	4.77	91.07	3.00
C4	25.36	8.89	163.50
C5	4.77	91.07	3.00
C6	49.99	19.96	143.50
C7	4.74	90.53	3.00
C8	21.37	8.19	149.54
C9	11.57	4.06	163.50
C10	8.18	19.14	24.50
L1	16.97	N78° 42' 34.00"E	
L2	16.97	N62° 44' 06.81"E	
L3	16.97	N51° 42' 20.03"E	
L4	16.90	N31° 44' 42.18"E	
L5	13.64	N90° 00' 00.00"E	

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 INCH = 20 FEET

AGRA HOLDINGS, L.P.	
SITE PLAN	
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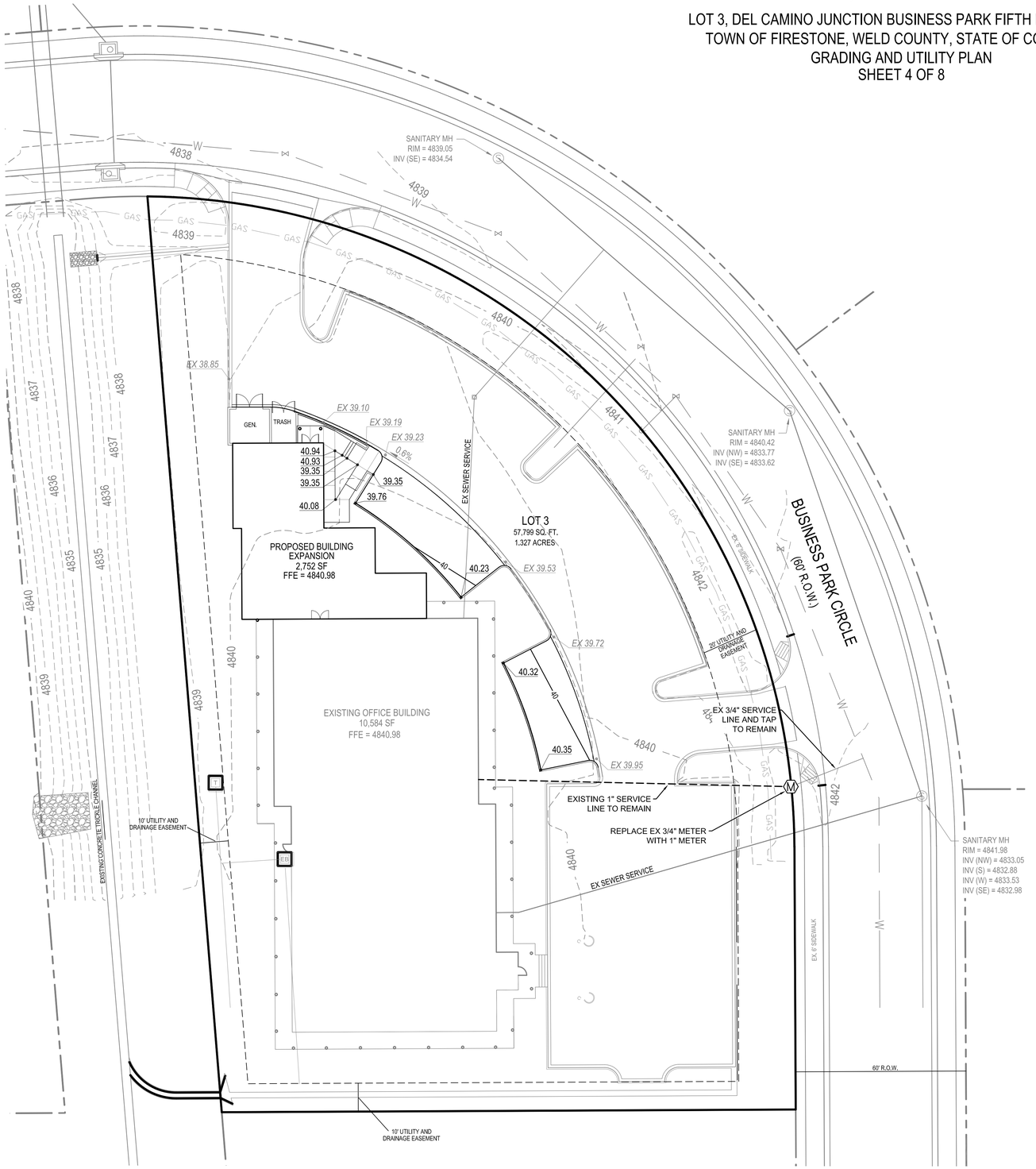
SEPTEMBER 4, 2019
SITE PLAN
SHEET 3 OF 8

AGRA HOLDINGS, LLC.

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
GRADING AND UTILITY PLAN
SHEET 4 OF 8



LEGEND

- PROPERTY LINE
- EXISTING CURB AND GUTTER
- CONCRETE CURB
- 5427 — EXISTING CONTOUR
- 28 — PROPOSED CONTOUR
- HP — PROPOSED HIGH POINT
- LP — PROPOSED LOW POINT
- 27.03 — PROPOSED SPOT ELEVATION
- 27.03 — EXISTING SPOT ELEVATION
- 18"RCP — EXISTING STORM SEWER WITH MANHOLE
- SS 8"PVC — EXISTING SANITARY SEWER WITH MANHOLE
- W 8"W — EXISTING WATERLINE W/ HYDRANT AND VALVE
- 10"STM — PROPOSED STORM SEWER W/ MANHOLE AND INLET
- 8"SAN — PROPOSED SANITARY SEWER WITH CLEANOUT
- 6"DIP WTR — PROPOSED WATERLINE W/ HYDRANT AND VALVE
- EXISTING EASEMENT
- E,G,T — E,G,T — EXISTING ELECTRIC, GAS, TELEPHONE

GENERAL METER NOTES

1. Location Of The Meter To Be Established By The Development Engineer.
2. All Settings Must Be Inspected By The Town's Representative.
3. If The Street Or Ground Is Not To Official Grade At The Time Of Installation Of The Meter, The Owner Must Raise Or Lower The Meter Vault When The Final Grade Is Established.
4. Leaded Joints And Galvanized Piping Shall Not Be Allowed Inside The Meter Vaults.
5. A Bypass Is To Be Installed On 1 1/2" And Larger Meters Unless Otherwise Specified.
6. The Service Line Through And On Both Sides Of The Meter Pit Must Be Of The Same Material.
7. No Connections Shall Be Made In The Meter Pit. Sprinkler Connections Must Be Made More Than Five (5) Feet From The Meter Pit On The Downstream Side.
8. GATE VALVES:
   A. All Gate Valves Under 3" For Use W/Copper Pipe Shall Be All Bronze, w/Non-rising Stems And Solid Wedge Disc, Manufactured In Accordance With A.S.T.M. Spec. B62 And Federal Spec. W.W.-V-54 Class A, 125psi W.S.P., 200psi W.O.G. Or Curb Stops In Accordance With AWWA C800 And MS-23 Of The Material Specifications.
   B. All Gate Valves 3" And Larger Shall Conform With GOLDEN'S Standard Specifications.
9. All Dresser (Or Approved Equal) Couplings Shall Have The Pipe Stop Removed.

TOWN OF FIRESTONE	METER NOTES	APPROVED BY: MAYOR	TST

GRAPHIC SCALE

20 0 10 20 40
(IN FEET)
1 INCH = 20 FEET

BENCHMARK

FIRESTONE BENCHMARK BM 25; MARKED "X" ON NORTH END OF HEADWALL AT NORTHWEST CORNER OF INTERSECTION OF FIRESTONE BLVD. AND COLORADO BLVD. ELEVATION = 4848.265 (1929 NAVD)

AGRA HOLDINGS, L.P.	
GRADING AND UTILITY PLAN	
NAME OF APPLICATION:	AGRA HOLDINGS, L.P. BUILDING EXPANSION
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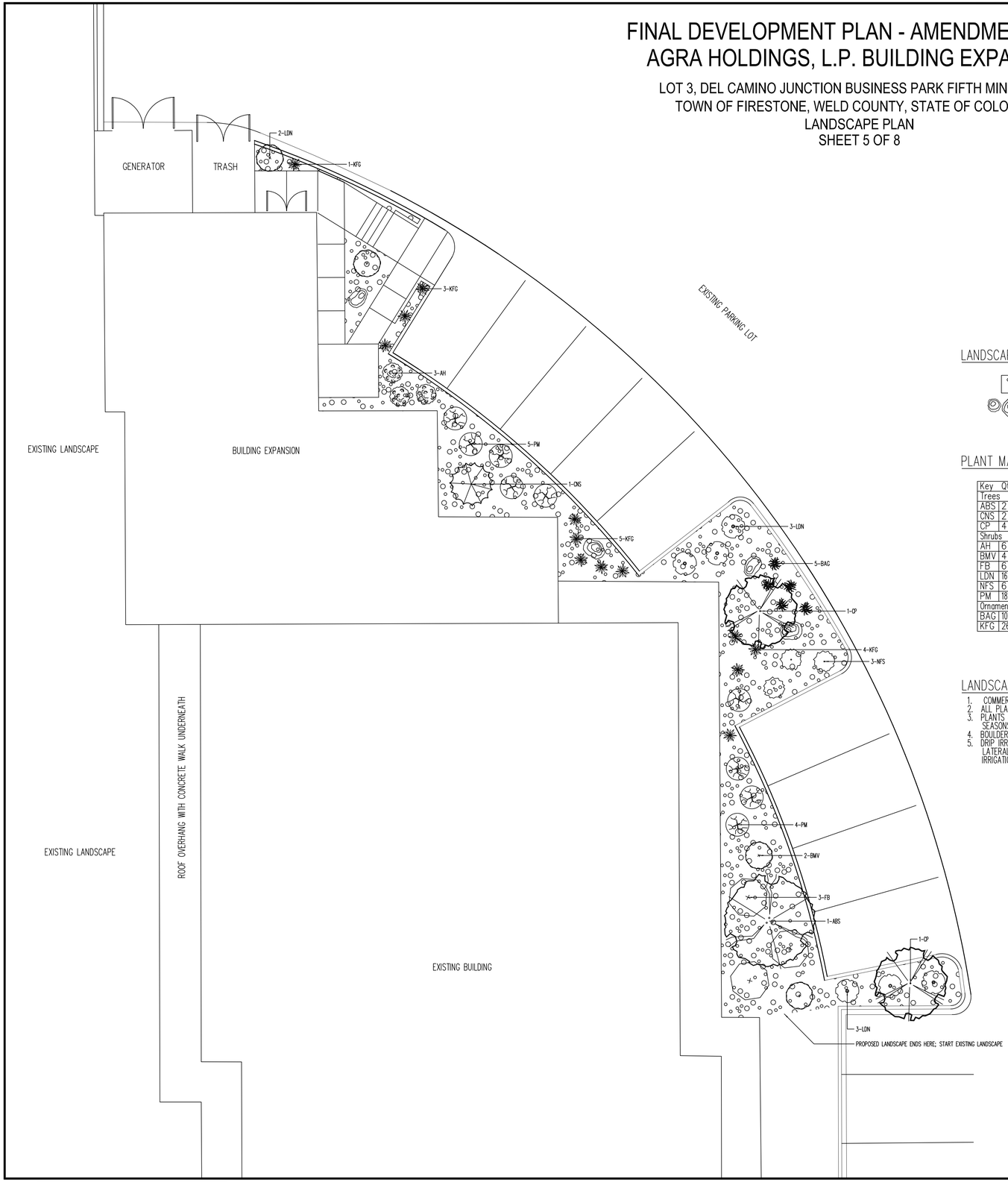
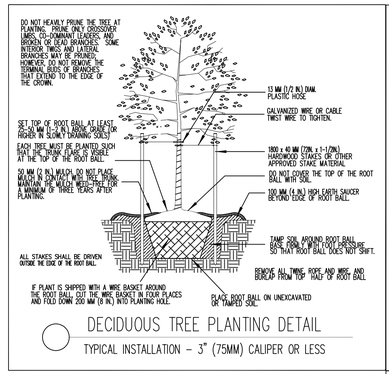
SEPTEMBER 03, 2019
GRADING AND UTILITY PLAN
SHEET 4 OF 8

AGRA HOLDINGS, LLC.

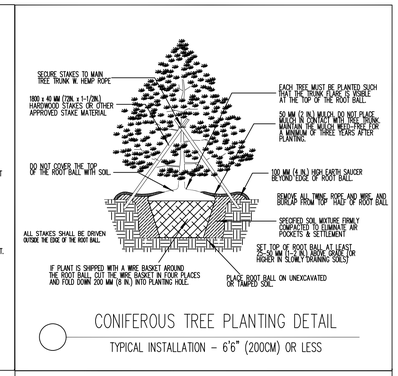
FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
LANDSCAPE PLAN
SHEET 5 OF 8

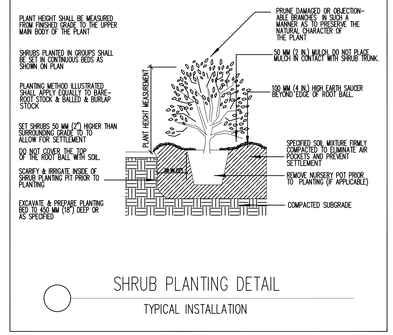




DECIDUOUS TREE PLANTING DETAIL
TYPICAL INSTALLATION – 3" (75MM) CALIPER OR LESS



CONIFEROUS TREE PLANTING DETAIL
TYPICAL INSTALLATION – 6'6" (200CM) OR LESS



SHRUB PLANTING DETAIL
TYPICAL INSTALLATION

LANDSCAPE MATERIAL LEGEND

- 2–4" COBBLESTONE
- GRAY GRANITE BOULDERS

PLANT MATERIAL LEGEND

Key	Qty	Botanical Name	Common Name	Size/Condition
Trees				
ABS	2	Amelanchier x grandiflora 'Autumn Brilliance'	'AUTUMN BRILLIANCE' SERVICEBERRY	6–8' clump B&B
CNS	2	Picea abies 'Cupressiana'	'CUPRESSIANA' NORWAY SPRUCE	6' B&B
CP	4	Pyrus calleryana 'Chanticleer'	'CHANTICLEER' FLOWERING PEAR	2" B&B
Shrubs				
AH	6	Hydrangea arborescens 'Annabelle'	'ANNABELLE' HYDRANGEA	#5
BMV	4	Viburnum dentatum 'Christom'	'BLUE MUFFIN' VIBURNUM	#5
FB	6	Chamaebatiaria millefolium	FERNBUSH	#5
LDN	16	Physocarpus opulifolius 'Donna May'	LITTLE DEVIL NINEBARK	#5
NFS	6	Spiraea japonica 'Neon Flash'	NEON FLASH JAPANESE SPIREA	#5
PM	18	Arctostaphylos x coloradoensis	'PANCHITO' MANZANITA	#2
Ornamental Grasses				
BAG	10	Bouteloua gracilis 'Blonde Ambition'	'BLONDE AMBITION' BLUE GRAMA GRASS	#1
KFG	26	Calamagrostis x acutiflora 'Karl Foerster'	'KARL FOERSTER' FEATHER REED GRASS	#1

LANDSCAPE NOTES

1. COMMERCIAL GRADE WEED BARRIER FABRIC IS TO BE USED IN BED AREAS.
2. ALL PLANTS TO BE WATERED VIA DRIP IRRIGATION.
3. PLANTS ARE SHOWN AT FULL SIZE AND MAY TAKE SEVERAL GROWING SEASONS TO ACHIEVE.
4. BOULDERS WILL BE SLIGHTLY DUG IN WITH PROMINENT VIEWS IN MIND.
5. DRIP IRRIGATION – CONNECT TO EXSTING DRIP VALVE AND EXTEND NEW LATERALS AND EMITTERS TO PROPOSED PLANTINGS. ALL EXISTING SPRAY IRRIGATION IS TO BE CAPPED AND ABANDONED.

AGRA HOLDINGS, L.P.	
LANDSCAPE PLAN	
NAME OF APPLICATION:	AGRA HOLDINGS, L.P. BUILDING EXPANSION
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PHASE NUMBER:	N/A
PREPARATION DATE:	SEPTEMBER 03, 2019
REVISION DATE:	
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REVISION DATE:	
REVISION DATE:	
SHEET 5 OF 8	

0 5 10 20
SCALE IN FEET

N

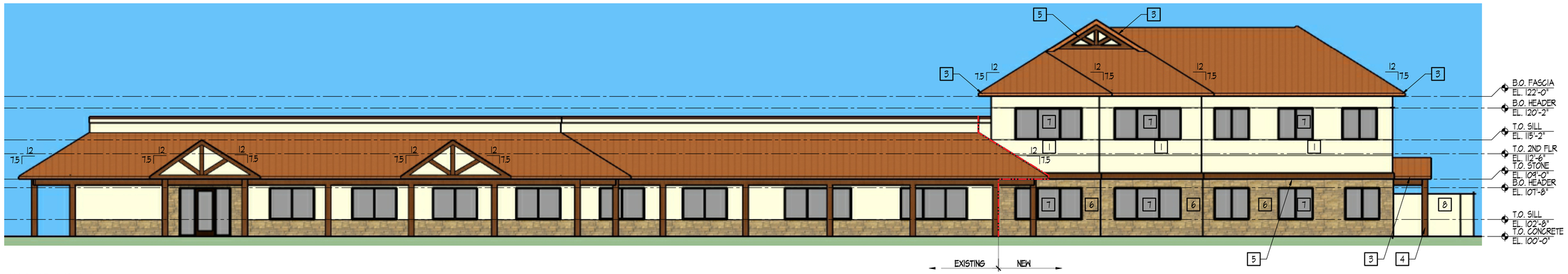
LONGS PEAK LANDSCAPE
DESIGN | BUILD | MAINTAIN

SEPTEMBER 03, 2019
LANDSCAPE PLAN
SHEET 5 OF 8

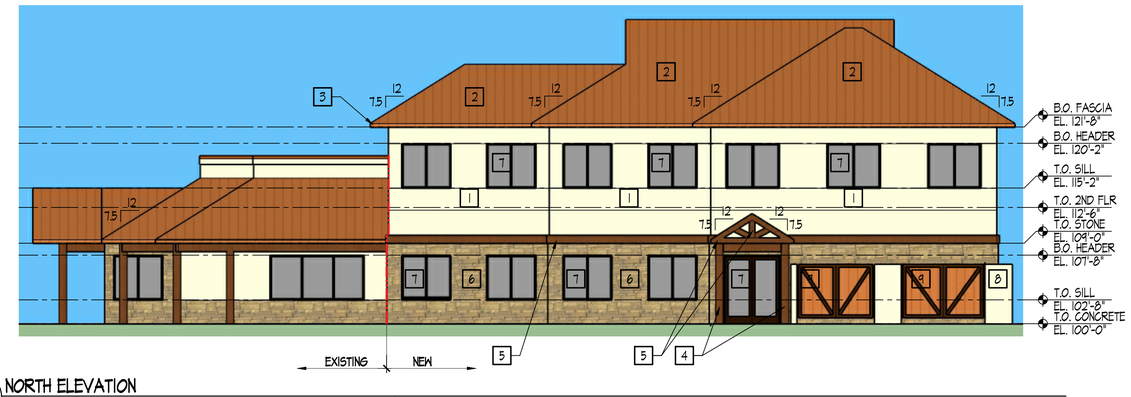
AGRA HOLDINGS, LLC.

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
EXTERIOR ELEVATIONS
SHEET 6 OF 8



11 EAST ELEVATION
SCALE: 1/8" = 1'-0"



21 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

ELEVATION MATERIAL LEGEND

1. SYNTHETIC STUCCO (BEIGE) - TO MATCH EXISTING
2. METAL ROOF (COPPERTONE) - TO MATCH EXISTING
3. METAL FASCIA (COPPERTONE) - TO MATCH EXISTING
4. 10 & WOOD TIMBER COLUMNS (DARK BROWN) - TO MATCH EXISTING
5. DECORATIVE WOOD TRIM (DARK BROWN) - TO MATCH EXISTING
6. PRECAST STONE (TAN/BUFF) - TO MATCH EXISTING
7. DOOR/WINDOW TRIM (BRONZE) - TO MATCH EXISTING
8. SYNTHETIC STUCCO ON 8" C.M.U. AT TRASH & GENERATOR ENCLOSURE(BEIGE) - TO MATCH EXISTING
9. 20 GAUGE STEEL (COPPERTONE) (RE-USE EXISTING GATES IF POSSIBLE, REPLACE AND REPAIR AS NECESSARY)

AGRA HOLDINGS, L.P.	
COVER SHEET	
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PREPARATION DATE:	SEPTEMBER 03, 2019
REVISION DATE;	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 1 OF 8	

0' 8' 16' 32'

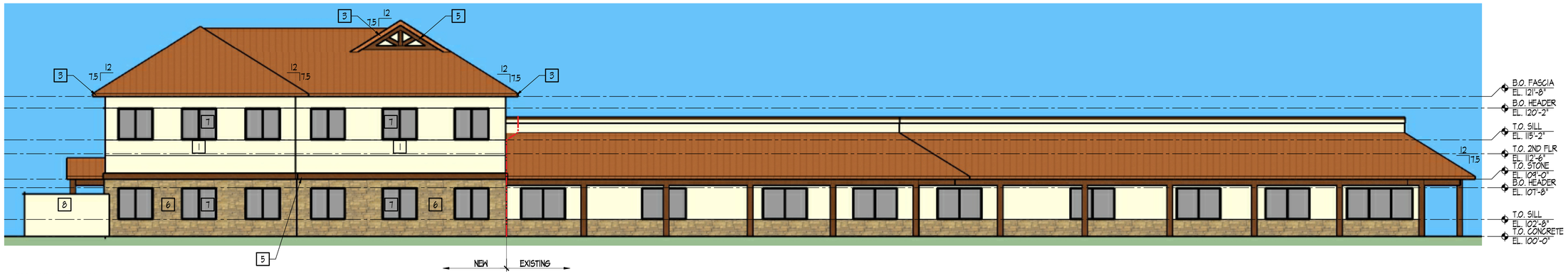
STUDIO DH architecture
1300 JACKSON STREET SUITE 200 GOLDEN, CO 80401
303.458.9600 fax: 303.458.9666

SEPTEMBER 03, 2019
EXTERIOR ELEVATIONS
SHEET 6 OF 8

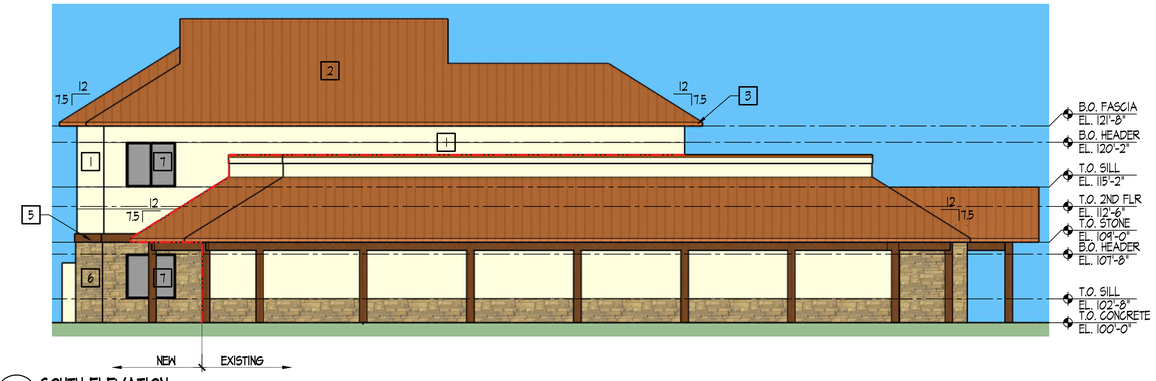
AGRA HOLDINGS, LLC.

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
EXTERIOR ELEVATIONS
SHEET 7 OF 8



11 WEST ELEVATION
SCALE: 1/8" = 1'-0"



21 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

ELEVATION MATERIAL LEGEND

1. SYNTHETIC STUCCO (BEIGE) - TO MATCH EXISTING
2. METAL ROOF (COPPERTONE) - TO MATCH EXISTING
3. METAL FASCIA (COPPERTONE) - TO MATCH EXISTING
4. 10 & WOOD TIMBER COLUMNS (DARK BROWN) - TO MATCH EXISTING
5. DECORATIVE WOOD TRIM (DARK BROWN) - TO MATCH EXISTING
6. PRECAST STONE (TAN/BUFF) - TO MATCH EXISTING
7. DOOR/WINDOW TRIM (BRONZE) - TO MATCH EXISTING
8. SYNTHETIC STUCCO ON 8" C.M.U. AT TRASH & GENERATOR ENCLOSURE(BEIGE) - TO MATCH EXISTING
9. 20 GAUGE STEEL (COPPERTONE) (RE-USE EXISTING GATES IF POSSIBLE, REPLACE AND REPAIR AS NECESSARY)

AGRA HOLDINGS, L.P.	
COVER SHEET	
NAME OF APPLICATION:	AGRA HOLDINGS, L.P. BUILDING EXPANSION
TYPE OF SUBMITTAL:	FDP - AMMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	SEPTEMBER 03, 2019
REVISION DATE;	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 1 OF 8	

0' 8' 16' 32'

STUDIO DH architecture
1300 JACKSON STREET SUITE 200 GOLDEN, CO 80401
303.458.9600 fax: 303.458.9666

SEPTEMBER 03, 2019
EXTERIOR ELEVATIONS
SHEET 7 OF 8

AGRA HOLDINGS, LLC.

FINAL DEVELOPMENT PLAN - AMENDMENT NO. 2
AGRA HOLDINGS, L.P. BUILDING EXPANTION

LOT 3, DEL CAMINO JUNCTION BUSINESS PARK FIFTH MINOR PLAT
TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO
PHOTOMETRIC SHEET
SHEET 8 OF 8

KEY NOTES (THIS SHEET ONLY)

<1> POLE LIGHTS 'PK3' ARE EXISTING FIXTURES TO REMAIN.

D-Series Size 1
LED Wall Luminaire

dlc | energy star | lighting facts

Catalog Number

Notes

Type **WW1 & WW2**

Hit the Tab key or mouse over the page to see all interactive elements.

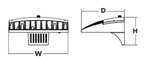
d-series

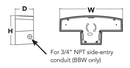
Specifications
Luminaire

Width: 13-3/4" (34.9 cm) **Weight:** 12 lbs (5.4 kg)
Depth: 10" (25.4 cm)
Height: 6-3/8" (16.2 cm)

Back Box (BBW, ELCW)

Width: 13-3/4" (34.9 cm) **BBW Weight:** 5 lbs (2.3 kg)
Depth: 4" (10.2 cm) **ELCW Weight:** 10 lbs (4.5 kg)
Height: 6-3/8" (16.2 cm)





Introduction

The D-Series Wall luminaire is a stylish, fully integrated LED solution for building-mount applications. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 74% in energy savings over comparable 250W metal halide luminaires, the D-Series Wall is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

Ordering Information

EXAMPLE: DSXW1 LED 20C 1000 40K T3M MVOLT DDBTXD

DSXW1 LED

Series	LEDs	Drive Current	Color temperature	Distribution	Voltage	Mounting	Control Options
DSXW1 LED	10C 10 LEDs (one engine) 20C 20 LEDs (two engines)	350 350 mA 530 530 mA 700 700 mA 1000 1000 mA (1 A)	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted	T2S Type II Short T2M Type II Medium T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium ASYDF Asymmetric diffuse	MVOLT [7] 120 [1] 208 [1] 240 [1] 277 [1] 347 [2] 480 [2]	**Shipped included** (blank) Surface-mounting bracket BBW Surface-mounted back box (for conduit entry) [3]	**Shipped installed** PE Photoelectric cell, button type [4] DMG 0-10V dimming driver (no controls) PIR 180° motion/ambient light sensor, <15' mntg ht [5] PIRH 180° motion/ambient light sensor, 15–30' mntg ht [5] PIR1FC3V Motion/ambient sensor, 8–15' mounting height, ambient sensor enabled at 1fc [5] PIRH1FC3V Motion/ambient sensor, 15–30' mounting height, ambient sensor enabled at 1fc [5] ELCW Emergency battery backup (includes external component enclosure) [6]

Other Options			Finish (required)					
Shipped installed		**Shipped separately** [9]	DDBXD	Dark bronze	DSSXD	Sandstone	DWHGXD	Textured white
SF	Single fuse (120, 277 or 347V) [7]	BSW Bird-deterrent spikes	DBLXD	Black	DDBTXD	Textured dark bronze	DSSTXD	Textured sandstone
DF	Double fuse (208, 240 or 480V) [7]	WG Wire guard	DNAXD	Natural aluminum	DBLBXD	Textured black		
HS	House-side shield [8]	VG Vandal guard	DWHXD	White	DNATXD	Textured natural aluminum		
SPD	Separate surge protection [9]	DDL Diffused drop lens						

Accessories

Ordered and shipped separately.

DSXWHS U House-side shield (one per light engine)
DSXWBSW U Bird-deterrent spikes
DSXWWG U Wire guard accessory
DSXWTVG U Vandal guard accessory

NOTES
1. MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options), or photocontrol (PE option).
2. Only available with 20C, 700mA or 1000mA. Not available with PIR or PIRH.
3. Back box ships installed on fixture. Cannot be field installed. Cannot be ordered as an accessory.
4. Photocontrol (PE) requires 120, 208, 240, 277 or 347 voltage option. Not available with motion/ambient light sensors (PIR or PIRH).
5. PIR and PIR1FC3V specifies the Sensor Switch SBGR-10-ODP control; PIRH specifies the Sensor Switch SBGR-6-ODP control; see Motion Sensor Guide for details. Includes ambient light sensor. Not available with "PE" option (button type photocell). Dimming driver standard. Not available with 20 LED/1000 mA configuration (DSXW1 LED 20C 1000).
6. Cold weather (-20C) rated. Not compatible with conduit entry applications. Not available with BBW mounting option. Not available with fusing. Not available with 347 or 480 voltage options. Emergency components located in back box housing. Emergency mode IES files located on product page at www.lithonia.com
7. Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option. Not available with ELCW.
8. Also available as a separate accessory; see Accessories information.
9. See the electrical section on page 3 for more details.

LITHONIA LIGHTING.

One Lithonia Way • Conyers, Georgia 30012 • Phone: 800.279.8041 • www.lithonia.com

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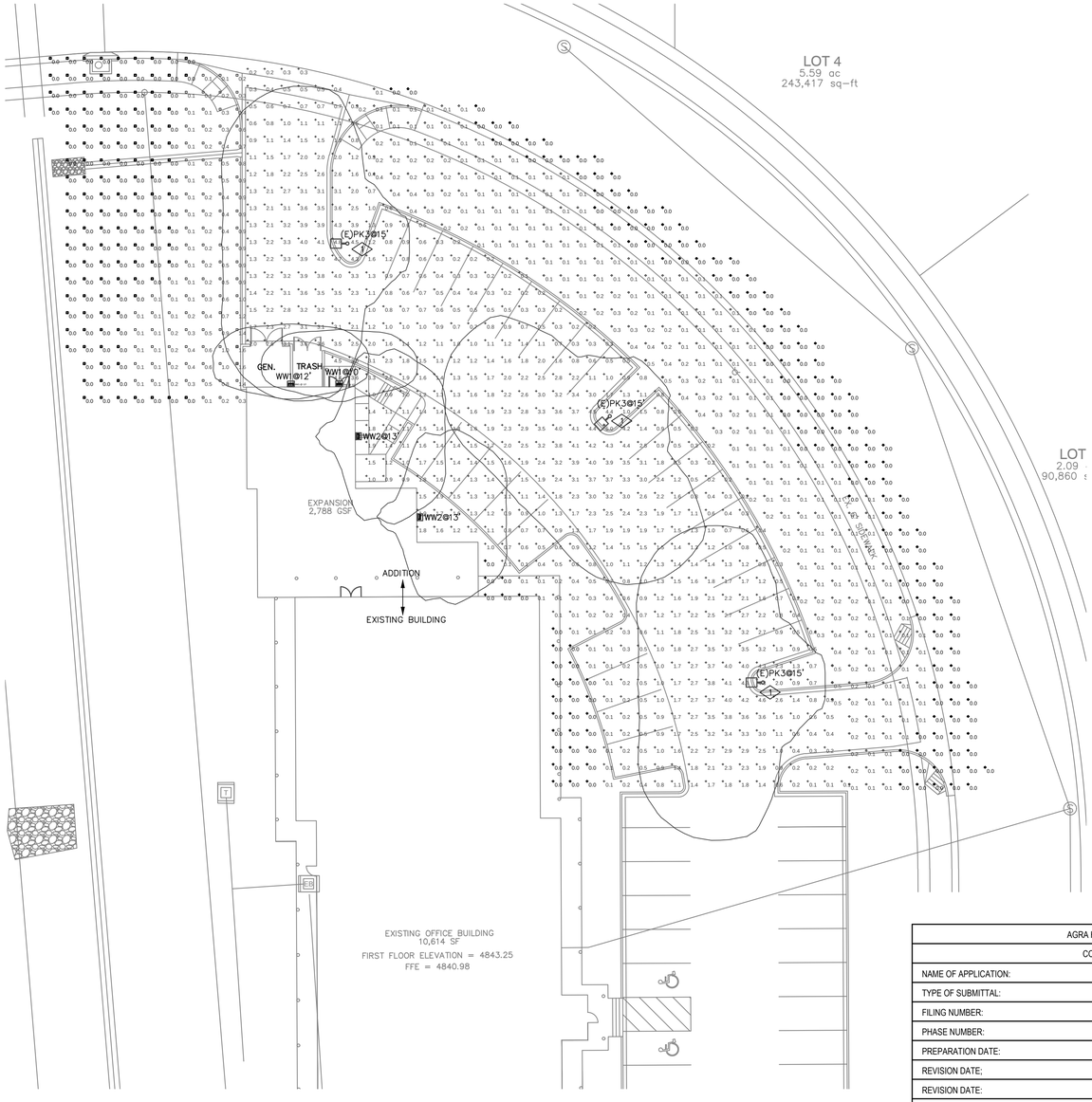

Schedule								
Symbol	Label	QTY	Catalog Number	Description	Lamp	Number Lamps	Lumens per Lamp	LLF	Wattage
	WW1	2	DSXW1 LED 10C 350 30K T2S MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T2S OPTIC, 3000K, @ 350mA.	LED	1	1415	1	13.3
	WW2	2	DSXW1 LED 10C 700 30K T4M MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T4M OPTIC, 3000K, @ 700mA.	LED	1	2515	1	26.2
<1>	(E)PK3	3	DSX1 LED P2 30K T3S MVOLT	DSX1 LED P2 30K T3S MVOLT	LED	1	8262	1	70

Luminaire Locations										
		Location						Aim		
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z
1	(E)PK3	36955.91	4461.73	15.50	15.50	270.00	0.00	36954.77	4461.73	0.00
2	(E)PK3	37033.16	4410.79	15.50	15.50	226.34	0.00	37032.33	4410.00	0.00
3	(E)PK3	37078.40	4332.38	15.50	15.50	269.35	0.00	37077.25	4332.36	0.00
1	WW1	36953.55	4419.72	10.00	10.00	0.00	0.00	36953.55	4419.72	0.00
2	WW1	36939.27	4419.81	13.00	13.00	0.00	0.00	36939.27	4419.81	0.00
1	WW2	36958.68	4404.86	13.00	13.00	90.00	0.00	36958.68	4404.86	0.00
2	WW2	36976.70	4381.24	13.00	13.00	90.00	0.00	36976.70	4381.24	0.00

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Boundary	◇	0.1 fc	0.5 fc	0.0 fc	N/A	N/A
Landscape Area	□	0.2 fc	1.6 fc	0.0 fc	N/A	N/A
Parking	+	1.5 fc	5.0 fc	0.0 fc	N/A	N/A

N

SITE PHOTOMETRIC PLAN
SCALE: 1" = 20'

AGRA HOLDINGS, L.P.	
COVER SHEET	
NAME OF APPLICATION:	AGRA HOLDINGS, L.P. BUILDING EXPANSION
TYPE OF SUBMITTAL:	FDP - AMMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	SEPTEMBER 03, 2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 8 OF 8	

Delaney's Electric, Inc.
Phone (970) 834-2725 • Fax (970) 834-2976 • www.delaney-electric.com

SEPTEMBER 05, 2019
PHOTOMETRIC SHEET
SHEET 8 OF 8

AGRA HOLDINGS, LLC.

FIRESTONE
COLORADO

Staff Report

PROPOSED AMENDMENT TO SECTION 16.12.8.C OF THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS PERTAINING TO LANDSCAPING OF SINGLE-FAMILY RESIDENTIAL LOTS

Prepared by the
Town of Firestone for the
Planning and Zoning Commission

November 7, 2019

Application
This staff report provides details in regard to an amendment to Section 16.12.8.C. of the Town of Firestone Development Regulations pertaining to landscaping of single-family residential lots. The amendment would require any person seeking to install artificial turf to obtain a permit from the Town prior to the installation of the material.

Notice
Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published.

Location and Process
The Municipal Codes does not set an exact process for amending the Development Standards. If adopted, the ordinance would be applied town-wide for single-family residential lots.

Summary
At its September 19, 2019 regular meeting, the Planning Commission reviewed proposed amendments to the Development Regulations and Municipal Code in regard to landscaping of single-family residential lots. One purpose for the amendments was to allow the limited use of artificial turf as a landscape material. During the review of the proposal, the Planning Commission discussed whether or not a license or permit system should be required. The concern was related to the number of specific requirements for the use of artificial turf, particularly the requirements for installation. The Planning Commission approved Planning Commission Resolution 19-13 that recommended that the Board of Trustees approve the proposed ordinance with the request that the Board of Trustees consider adoption of a provision requiring a license or permitting system for artificial turf installation.

At its September 25, 2019 regular meeting, the Town Board of Trustees adopted Ordinance 958 and directed staff to prepare and amendment requiring a license or permit be required prior to installation of the artificial turf material.

The subject amendment to Ordinance 958 adds the provision for a permit to Section 16.12.8.C. of the Development Regulations. No fee is required for the permit.

The proposed language is as follows:

> Section 16.12.8.C.8. Permit. Any person seeking to install artificial turf must first apply for and obtain a permit from the Town. All permit applications shall be submitted on a form supplied by the Town, and no fee shall be required to issue a permit under this section.

The proposed permit application form is included in the meeting packet. Ordinance 958 is also included in the packet materials.

Planning Commission or Board of Trustees Action
The Planning Commission Board or Board of Trustees has the following options relative to the action on applications in general. As necessary additional information relative to continuances, etc. can be provided by the Town Attorney.

A. Make a decision and vote on the application, using the draft resolution previously prepared, as may be amended during the hearing; or

B. Make a decision and vote on the application, but request the Town Attorney to prepare findings of fact and conclusions for approval and adoption at the next regular meeting; or

C. Defer a decision and direct the Town Attorney to prepare findings of fact and conclusions to be submitted to the Board of Trustees at its next regular meeting, with final deliberation, decision and adoption of the findings of fact and conclusion at that meeting; or

D. Defer a decision until a date certain by which time the record and all evidence can be reviewed. At that time the Board of Trustees can either adopt findings of fact and conclusions or direct the Town Attorney to prepare findings of fact and conclusions for adoption at the next regular meeting after the meeting to which the matter has been deferred.

_____

Recommendation
Town staff recommends that the Planning Commission approve draft Resolution PC-19-16, a resolution recommending approval of the proposed amendment to the Development Regulations, to the Board of Trustees.

Attachments
Resolution 19-16 and Exhibit
Ordinance 958
Draft permit form
Proof of publication

FIRESTONE PLANNING AND ZONING COMMISSION

RESOLUTION NO. PC-19-16

A RESOLUTION OF THE FIRESTONE PLANNING AND ZONING COMMISSION RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE AN ORDINANCE AMENDING SECTION 16.12.8 OF THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS PERTAINING TO LANDSCAPING OF SINGLE-FAMILY RESIDENTIAL LOTS.

WHEREAS, on September 25, 2019, the Town Board of Trustees, by Ordinance No. 958, enacted new standards relating to the location, materials, appearance, installation and maintenance of artificial turf areas on single-family residential lots; and

WHEREAS, amending the new standards relating to artificial turf to include a license component will provide property owners an opportunity to be aware of the artificial turf standards before installing artificial turf, and will ensure that individual use of artificial turf complies with Town of Firestone Development Regulations; and

WHEREAS, the Firestone Planning and Zoning Commission wishes to make a recommendation to the Board of Trustees regarding the ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE FIRESTONE PLANNING AND ZONING COMMISSION:

1. That the Firestone Planning and Zoning Commission recommends approval of the ordinance amending Section 16.12.8 of the Town of Firestone Development Regulations attached hereto as Exhibit A, to the Town of Firestone Board of Trustees.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE FIRESTONE PLANNING AND ZONING COMMISSION THE _____DAY OF _____, 2019.

_____
Chairperson

ATTEST:

_____
Secretary/Clerk Pro-Tem

EXHIBIT A

ORDINANCE NO. 961

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING SECTION 16.12.8.C OF THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS PERTAINING TO ARTIFICIAL TURF LANDSCAPING OF SINGLE-FAMILY RESIDENTIAL LOTS

WHEREAS, on September 25, 2019, the Town Board of Trustees, by Ordinance No. 958, enacted new standards relating to the location, materials, appearance, installation and maintenance of artificial turf areas on single-family residential lots; and

WHEREAS, the Town Board of Trustees finds and determines that amending the new standards relating to artificial turf to include a permit component is necessary for property owners to be aware of the artificial turf standards before installing artificial turf, and to ensure that individual use of artificial turf complies with Town of Firestone Development Regulations; and

WHEREAS, the Town Board of Trustees finds that the proposed amendment is necessary to promote the public health, safety, and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AS FOLLOWS:

Section 1. Section 16.12.8.C, Single Family Residential Landscape Standards, of the Firestone Development Regulations is hereby amended by the addition of a new subsection (8), to read as follows:

8. Permit. Any person seeking to install artificial turf must first apply for and obtain a permit from the Town. All permit applications shall be submitted on a form supplied by the Town, and no fee shall be required to issue a permit under this section.

Section 2. 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 Board of Trustees hereby declare it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this __th day of _____, 2019

TOWN OF FIRESTONE, COLORADO

_____

Bobbi Sindelar, Mayor

ATTEST:

_____

Leah Vanarsdall, Town Clerk

APPROVED AS TO FORM:

_____

William P. Hayashi, Town Attorney

ORDINANCE 958

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING SECTION 16.12.8 AND EXHIBIT C OF THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS AND SECTION 17.16.070 OF THE FIRESTONE MUNICIPAL CODE PERTAINING TO LANDSCAPING OF SINGLE-FAMILY RESIDENTIAL LOTS

WHEREAS, water is increasingly becoming a rare commodity in the region; and

WHEREAS, the Town of Firestone periodically experiences episodes of drought; and

WHEREAS, the proposed amendment to the Town's landscaping requirements will allow residents to conserve water; and

WHEREAS, the Town Board of Trustees has determined that the appearance and maintenance of front yard landscaping remains a matter of public interest and concern; and

WHEREAS, the Town acknowledges that private restrictions and covenants may apply in addition to Town standards in regard to the individual use of artificial turf; and

WHEREAS, the Town finds that these proposed Code amendments are necessary to promote the public health, safety, and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AS FOLLOWS:[1]

Section 1. Section 16.12.8, Single Family Residential Landscape Standards, of the Firestone Development Regulations is hereby amended, to read as follows:

16.12.8 Single Family Residential Landscape Standards

The following are specific landscaping standards for single-family residential development.

A. ~~Shrubs and ground cover plantings shall comprise no less than ten percent of the landscaped area of the front yard. This requirement may be waived or reduced by the Town Board if it determines that such a requirement would be inappropriate because of the size of the lots, for potable water conservation reasons, or as shown on an approved FDP~~. For any new subdivision filing, as developed, seventy-five (75) percent of the front yard, excluding driveways, walkways, porches and patios, shall consist of living plant material such as trees, shrubs, vines, ground cover, flowers or grass. Such landscaping materials must be installed prior to the Town issuing a certificate of occupancy. If seed is used, then the seed must be significantly established prior to the Town issuing a certificate of occupancy. However, a certificate of occupancy may be issued by the Town prior to the seed being significantly established if an automatic sprinkler system has been installed with an electronic timer. Further, if weather conditions do not allow for installation of landscaping at the time a certificate of occupancy could otherwise be issued, then the Town Planner or the building official may grant an extension, not to exceed one hundred eighty days, for

[1] Additions to the current text of the Firestone Development Regulations and Code are indicated by double-underlining, and deletions are indicated by ~~strikethrough.~~

the landscaping to be installed or seed to be significantly established. These requirements may be waived or reduced by the Town Board if it determines that such a requirement would be inappropriate based on relevant considerations including, but not limited to, the size of the lots or potable water conservation reasons or as specified in an approved FDP.

B. For any new subdivision filing, there shall be a minimum of one tree of 2-inch caliper for each dwelling planted within the front yard of the dwelling. This requirement may be waived or reduced by the Town Board if it determines that such a requirement would be inappropriate based on the submitted landscape theme, for potable water conservation reasons, or as specified in an approved FDP

C. ~~For any new subdivision filing, as developed, the front lawn areas shall be installed as seed or sod in the front yard Sod must be installed prior to the Town issuing a certificate of occupancy, and if seed is used rather than sod, then the seed must be significantly established prior to the Town issuing a certificate of occupancy. However, a certificate of occupancy may be issued by the Town prior to the seed being significantly established if an automatic sprinkler system has been installed with an electronic timer. Further, if weather conditions do not allow for installation of sod or the significant establishment of seed at the time a certificate of occupancy could otherwise be issued, then the Town Planner or the building official may grant an extension, not to exceed one hundred eighty days, for the sod to be installed or seed to be significantly established. These requirements may be waived or reduced by the Town Board if it determines that such a requirement would be inappropriate based on relevant considerations including, but not limited to, the size of the lots or potable water conservation reasons~~. Artificial Turf Standards.

1. Permitted location – Artificial turf shall be permitted in the rear yard and side yards of single-family dwellings per meeting the requirements of these regulations.

2. General Standards

   a. Location, materials, appearance, installation, and maintenance of artificial turf areas shall comply with all requirements of these development regulations.

   b. Artificial turf shall be natural in appearance and integrated into the overall landscape design.

   c. Turf material and aggregate or infill materials shall not be toxic to humans or pets or be harmful to the environment.

3. Locations

   a. Artificial turf shall be limited to a maximum of seventy-five (75) percent of the rear or side yard area. A minimum of twenty (25) percent of the rear and side yard landscape area shall be permeable surfaces with living and organic landscape material. The maximum area of artificial turf shall consider other impervious surfaces such as patios and walkways to ensure a minimum of twenty-five (25) percent of the yard area remains a permeable surface with living and organic landscape material.

b. A minimum of three (3) foot buffer comprised of permeable surfaces with living and organic landscape material shall be required between the edge of the artificial turf and any property line.

c. Artificial turf shall not be installed on slopes greater than a five to one (5:1) slope.

d. Artificial turf placement, particularly under the dripline of trees, shall avoid negative impacts to trees at the time of placement and during the lifespan of the tree.

4. Materials

a. The blade material shall be made of either lead-free polyethylene, polypropylene, vegetable based product or a blend of the three. Nylon or other plastic shall be prohibited.

b. Backing

i. The backing shall be of a lead-free polyethylene, polypropylene, vegetable based product or a blend of the three. Felt backing is not permitted.

ii. The backing shall be permeable with holes spaced in a uniform grid pattern not to exceed four (4) inches by six (6) inches on center.

c. Materials shall be protected with a minimum of an eight (8) year warranty.

d. All materials shall be non-flammable.

5. Appearance

a. Blade yarn colors shall mimic natural turf including green blade color(s) and include a tan thatch layer.

b. Blade pile height shall be between one and three-quarters (1.75) inches and three (3) inches.

c. Pile face weight shall be at least seventy (70) ounces.

6. Installation

a. Artificial turf shall be installed in accordance with manufacturer specifications.

b. The drainage pattern of the lot shall not be impeded or altered by the installation of artificial turf.

c. Artificial turf shall be installed over a compacted and porous aggregate base material that is a minimum of three (3) inches deep to allow for adequate drainage both horizontally and vertically and to prevent excessive runoff or pooling. Artificial turf shall not be installed over existing grass or compacted dirt.

d. Artificial turf shall be anchored at all edges and seams.

e. Artificial turf seams shall be taped or glued and not sewn.

f. Artificial turf shall be separated from other landscape areas by a bender board, concrete curbing or similar material to conceal edges of the turf.

7. Maintenance

a. Artificial turf shall be maintained in a manner to mimic healthy living turf.

b. Artificial turf shall be cleaned as necessary and groomed to maintain its appearance.

c. Artificial turf areas shall not contain weeds, holes, tears, stains, discolorations, seam separations, uplifted surfaces, heat degradation, depressions, odors, excessive wear, or similar deformities and measures of deterioration. Damaged or worn areas shall be repaired or removed and replaced in manner that results in consistent appearance with the existing artificial turf.

d. Artificial turf shall be replaced after the life expectancy has been reached.

e. Infill material shall be a non-toxic anti-microbial material such as silica sand or acrylic coated sand to prevent odors and bacteria formation. Crumb rubber filler shall be prohibited.

~~D. All front and rear yards of single-family residential developments shall be irrigated and seeded with bluegrass turf seed.~~

~~E~~ D. Landscape improvements shall not commence on any lot prior to actual construction of the residential unit unless approved, in writing, by the Town Planner.

Section 2. Exhibit C, "Definitions," of the Firestone Development Regulations is hereby amended by the addition of the following new term, to be inserted alphabetically, and by the addition to current term, "Landscaping," to read as follows:

Artificial Turf – a manufactured substitute for organic turf, lawn, or sod which effectively simulates the appearance of a well-maintained lawn and meets all the quality, materials and installation standards outlined in the Development Regulations.

Landscaping – Any combination of living plants, such as trees, shrubs, vines, ground cover, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to fountains, reflecting pools, screening walls, fences and benches. In certain cases, as identified by the Development Regulations, artificial turf may be considered an allowable landscape material.

Section 3. Sub-section 17.16.070(K), Additional standards for R-1, R-2 and R-3 districts and residential land use categories within PUD districts, of the Firestone Municipal Code is hereby amended to read follows:

K. For any new subdivision filing, there shall be a minimum of one tree of ~~one-and-one-half-inch~~ two- (2) inch caliper for each dwelling planted within the front yard of the dwelling. This requirement may be waived or reduced by the board if it determines that such a requirement would be inappropriate based on the submitted landscape theme, water conservations reasons, or as specified in an approved FDP.

Section 4. Sub-section 17.16.070(L), Additional standards for R-1, R-2 and R-3 districts and residential land use categories within PUD districts, of the Firestone Municipal Code is hereby amended to read follows:

L. For any new subdivision filing, as developed, seventy-five (75) percent of the front yard ~~lawn areas~~, excluding driveways, walkways, porches and patios, shall ~~be installed as seed or sod in the front yard~~ consist of living plant material such as trees, shrubs, vines, ground cover, flowers or grass. ~~Sod~~ Such ~~L~~landscaping materials must be installed prior to the Town issuing a certificate of occupancy.~~:~~ ~~and I~~If seed is used ~~rather than sod~~ as part of such landscaping, then the seed must be significantly established prior to the Town issuing a certificate of occupancy. However, a certificate of occupancy may be issued by the Town prior to the seed being significantly established if an automatic sprinkler system has been installed with an electronic timer. Further, if weather conditions do not allow for installation of ~~sod or the significant establishment of seed~~ landscaping at the time a certificate of occupancy could otherwise be issued, then the Town Planner or the building official may grant an extension, not to exceed one hundred eighty days, for the ~~sod~~ landscaping to be installed or seed to be significantly established. These requirements may be waived or reduced by the Town Board if it determines that such a requirement would be inappropriate based on relevant considerations including, but not limited to, the size of the lots or potable water conservation reasons or as specified in an approved FDP.

Section 5. Sub-section 17.16.070(M), Additional standards for R-1, R-2 and R-3 districts and residential land use categories within PUD districts, of the Firestone Municipal Code is hereby repealed in its entirely, and the remaining sub-sections of Section 17.16.070 shall be renumbered accordingly.

Section 6. 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 Board of Trustees hereby declare it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 7. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 25th day of September, 2019

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar

Bobbi Sindelar, Mayor

FIRESTONE TOWN SEAL WELD COUNTY, COLORADO

ATTEST:

Leah Vanarsdall

Leah Vanarsdall, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

ARTIFICIAL TURF PERMIT APPLICATION

Pursuant to Section 6.12.8 of the Firestone Development Regulations, artificial turf is an allowed landscaping material in side and rear yards of single family residential lots per meeting the requirements of the Firestone Development Regulations. Section 16.12.8 of the Firestone Development Regulations requires property owners of single-family residential lots to obtain a permit from the Town of Firestone prior to installing artificial turf.

Artificial turf is defined as a manufactured substitute for organic turf, lawn, or sod which effectively simulates the appearance of a well-maintained lawn and meets all the quality, materials and installation standards outlined in the Development Regulations.

16.12.8.C Regulations for Artificial Turf

1. Permitted location
   Artificial turf shall be permitted in the rear yard and side yards of single-family dwellings per meeting the requirements of these regulations.

2. General Standards
   a. Location, materials, appearance, installation, and maintenance of artificial turf areas shall comply with all requirements of these development regulations.
   b. Artificial turf shall be natural in appearance and integrated into the overall landscape design.
   c. Turf material and aggregate or infill materials shall not be toxic to humans or pets or be harmful to the environment.

3. Locations
   a. Artificial turf shall be limited to a maximum of seventy-five (75) percent of the rear or side yard area. A minimum of twenty (25) percent of the rear and side yard landscape area shall be permeable surfaces with living and organic landscape material. The maximum area of artificial turf shall consider other impervious surfaces such as patios and walkways to ensure a minimum of twenty-five (25) percent of the yard area remains a permeable surface with living and organic landscape material.
   b. A minimum of three (3) foot buffer comprised of permeable surfaces with living and organic landscape material shall be required between the edge of the artificial turf and any property line.
   c. Artificial turf shall not be installed on slopes greater than a five to one (5:1) slope.
   d. Artificial turf placement, particularly under the dripline of trees, shall avoid negative impacts to trees at the time of placement and during the lifespan of the tree.

4. Materials
   a. The blade material shall be made of either lead-free polyethylene, polypropylene, vegetable based product or a blend of the three. Nylon or other plastic shall be prohibited.
   b. Backing

i. The backing shall be of a lead-free polyethylene, polypropylene, vegetable based product or a blend of the three. Felt backing is not permitted.
ii. The backing shall be permeable with holes spaced in a uniform grid pattern not to exceed four (4) inches by six (6) inches on center.

c. Materials shall be protected with a minimum of an eight (8) year warranty.
d. All materials shall be non-flammable.

5. Appearance
   a. Blade yarn colors shall mimic natural turf including green blade color(s) and include a tan thatch layer.
   b. Blade pile height shall be between one and three-quarters (1.75) inches and three (3) inches.
   c. Pile face weight shall be at least seventy (70) ounces.

6. Installation
   a. Artificial turf shall be installed in accordance with manufacturer specifications.
   b. The drainage pattern of the lot shall not be impeded or altered by the installation of artificial turf.
   c. Artificial turf shall be installed over a compacted and porous aggregate base material that is a minimum of three (3) inches deep to allow for adequate drainage both horizontally and vertically and to prevent excessive runoff or pooling. Artificial turf shall not be installed over existing grass or compacted dirt.
   d. Artificial turf shall be anchored at all edges and seams.
   e. Artificial turf seams shall be taped or glued and not sewn.
   f. Artificial turf shall be separated from other landscape areas by a bender board, concrete curbing or similar material to conceal edges of the turf.

7. Maintenance
   a. Artificial turf shall be maintained in a manner to mimic healthy living turf.
   b. Artificial turf shall be cleaned as necessary and groomed to maintain its appearance.
   c. Artificial turf areas shall not contain weeds, holes, tears, stains, discolorations, seam separations, uplifted surfaces, heat degradation, depressions, odors, excessive wear, or similar deformities and measures of deterioration. Damaged or worn areas shall be repaired or removed and replaced in manner that results in consistent appearance with the existing artificial turf.
   d. Artificial turf shall be replaced after the life expectancy has been reached.
   e. Infill material shall be a non-toxic anti-microbial material such as silica sand or acrylic coated sand to prevent odors and bacteria formation. Crumb rubber filler shall be prohibited.

8. Permit
   Any person seeking to install artificial turf must first apply for and obtain a permit from the Town. All permit applications shall be submitted on a form supplied by the Town, and no fee shall be required to issue a permit under this section.

Many homeowners association bylaws do not allow artificial turf. Applicants should check their homeowners association (HOA) bylaws to confirm that the use of artificial turf is permitted prior to filling out a Town permit application. It is the applicant's responsibility to obtain permissions from an HOA.

Applicant Information

Name:_____

Subdivision:_____Lot:_____Block:_____

Address:_____

Mailing address: _____

Phone:_____

Email:_____

Applicant Certification

I hereby certify that I am the property owner of the single-family residential lot on which I plan to install artificial turf. In signing this permit application, I acknowledge and agree that the application is subject to all the terms and conditions for the use and installation of artificial turf found in Chapter 6.12.8 of the Town of Firestone Development Regulations. I understand that any false statements may result in denial or revocation of this permit. I further acknowledge that I have read the applicable regulations included in this permit application and those set forth in Chapter 6.12.8 of the Firestone Development Regulations and agree to fully comply with such regulations and any terms and conditions imposed by the decision making body as they relate to the use and installation of artificial turf. I understand that the Town has the right to inspections during and after installation of artificial turf.

Applicant Signature:_____Date:_____

TOWN OF FIRESTONE USE ONLY

Permit Number: _____

Approval Signature:_____ Date: _____

TOWN OF FIRESTONE, COLORADO
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town of Firestone Planning and Zoning Commission will hold a Public Hearing commencing at 7:00 p.m., Thursday, November 7, 2019 at the Firestone Town Hall, 151 Grant Avenue, Firestone, Colorado 80520. The purpose of the Public Hearing is to consider amendments to the Town of Firestone Development Regulations.

Further Notice is hereby given that the Board of Trustees of the Town of Firestone will hold a Public Hearing commencing at 7:00 p.m., Wednesday, November 13, 2019 at the Firestone Town Hall, 151 Grant Avenue, Firestone, Colorado 80520. The purpose of the Public Hearing is to consider amendments to the Town of Firestone Development Regulations.

Any person may appear at the Public Hearings and be heard regarding the matters under consideration.

The application is on file with the Town of Firestone. For questions or comments contact:

Town of Firestone
Planning & Development Department
8308 Colorado Blvd., Suite 200
Firestone, CO 80504
Phone: (303) 833-3291
Fax: (720) 476-4232

TOWN OF FIRESTONE, COLORADO
Leah Vanarsdall
Town Clerk

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Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

The undersigned, JD Geddes, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Oct 22, 2019

Signature

Subscribed and sworn to me before me this 22nd day of October, 2019.

Shayla Najera

Notary Public

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES JULY 31, 2021

(SEAL)

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