



## BOARD OF TRUSTEES

### REGULAR MEETING AGENDA

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March 23, 2022  
7:00 PM  
9900 Park Avenue  
Firestone, CO 80504

PRE-MEETING WORK SESSION 6:30 PM IN THE TRAINING ROOM

AGENDA FOR THE WORK SESSION IS A DISCUSSION OF THE REGULAR MEETING AGENDA BELOW

REGULAR MEETING 7:00 PM IN THE BOARD ROOM

1. **Call to Order & Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Public Comment** \*(maximum time permitted for all Public Comment is 30 minutes)
5. **Consent Agenda**
  - a. Approval of March 9, 2022 Meeting Minutes
  - b. **Resolution 22-42**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, PRESCRIBING THE RATE FOR PAYMENT OF CASH-IN-LIEU OF WATER RIGHT DEDICATIONS TO THE TOWN OF FIRESTONE, COLORADO
  - c. **Resolution 22-40**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN STEVE BALCEROVICH AND KATHY OATIS FOR GENERAL COLORADO GOVERNMENTAL AFFAIRS SERVICES
  - d. Cancellation of the April 13, 2022 Regular Board of Trustees Meeting
  - e. Cancellation of April 20, 2022 Board of Trustees Work Session
  - f. 2022 Water Leasing Recommendation Memo
6. **Presentation**

\* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Individuals are allotted 3 minutes of Public Comment during the entirety of the meeting. Maximum time permitted for all Public Comment during a meeting 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 303-531-6264 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

- a. Mayor's Award
- b. Carbon Valley Recreation District Presentation
- c. Police Department Strategic Plan Update

## 7. Land Development

- a. **PUBLIC HEARING: Ordinance 1007:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN, FROM REGIONAL COMMERCIAL(RC) AND RESIDENTIAL-C (R-C) ZONING DISTRICTS TO REGIONAL COMMERCIAL (RC) AND RESIDENTIAL-B (R-B) ZONING DISTRICTS
- b. **PUBLIC HEARING: Resolution 22-43:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, RATIFYING AND APPROVING THE PLANNING AND ZONING COMMISSION'S ADOPTION OF THE TOWN OF FIRESTONE HISTORIC FIRESTONE NEIGHBORHOOD PLAN

## 8. Discussion/Action

- a. **Resolution 22-44:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CONSTRUCTION CONTRACT BETWEEN THE TOWN OF FIRESTONE AND BRANNAN SAND AND GRAVEL COMPANY FOR THE MILL AND OVERLAY PAVING PROJECT FOR PORTIONS OF FIRESTONE AND COLORADO BOULEVARDS
- b. **Resolution 22-45:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE FOURTH AMENDMENT TO THE WATER CREDIT PURCHASE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC

## 9. Public Comment \*(maximum time permitted for all Public Comment is 30 minutes)

## 10. Reports

- a. Staff
  - 10.a.i. February Monthly Financial Report
  - ii Public Works Equipment Update

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**b.** Mayor

**c.** Trustees

## **11. Meeting Handouts**

**a.** Documents

## **12. Adjournment**

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If you need special assistance in order to participate in a Board of Trustees meeting, please contact the Town Clerk's Office at 303-531-6264 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 5.a

**Consent Agenda**

**Meeting Date:** March 23, 2022

**Initiated By:** Jessica Koenig

**Dept:** Town Clerk

**AGENDA TITLE**

Approval of March 9, 2022 Meeting Minutes

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

Approval of March 9, 2022 Draft Meeting Minutes

**ALTERNATIVES**

**ATTACHMENTS**

1. March 9, 2022 Draft Meeting Minutes

**FINANCIAL CONSIDERATIONS**

TOWN OF FIRESTONE, COLORADO  
Board of Trustees Regular Meeting  
MINUTES  
March 9, 2022

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

The Board of Trustees of the Town of Firestone met for a Regular Meeting on March 9, 2022, at the Police Department & Municipal Court building, 9900 Park Avenue, Firestone, Colorado. Mayor Sindelar called the meeting to order at 7:01 PM.

The following were present upon the call of the roll:

**Mayor:** Bobbi Sindelar

**Mayor Pro-tem:** Frank A. Jimenez

**Trustees:** Don Conyac  
David Whelan  
Samantha Meiring  
Sean Doherty  
Doug Sharp

**Staff:** **Present:** Jan Sloat, Director of Human Resources; Dave Lindsay, Engineer; Paula Mehle, Director of FURA & Economic Development; Raelynn Ferrera, Assistant to the Town Manager; Katie Hansen, Director of Communications; Jessica Clanton, Director of Finance; Julie Pasillas, Director of Public Works; Todd Bjerkaas, Director of Planning; Marty Ostholhoff, Planning Manager; David Angelo, Chief of Police; Jessica Koenig, Town Clerk; AJ Krieger, Town Manager; & William Hayashi, Town Attorney

**2. Pledge of Allegiance**

Mayor Sindelar led the pledge of allegiance.

**3. Approval of Agenda**

**Motion** by Trustee Meiring, **second** by Mayor Pro Tem Jimenez, to Amend the Agenda to remove Agenda Item 5b from the agenda and continue it to the March 23, 2022 Regular Meeting.

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

**Motion** by Trustee Meiring, **second** by Trustee Whelan, to Approve the Agenda as amended.

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

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

Trent John, Firestone resident, gave public comment in opposition to Resolution 22-39.

Amy Schrader, Firestone resident, gave public comment in opposition to Resolution 22-39.

Betty Heath, Firestone resident, gave public comment in regards to and in favor of Resolution 22-39 and had questions regarding the settlement agreement.

Pat Conner, Firestone resident, gave public comment regarding the recall effort and expectations. -

John Damsma, Firestone resident, gave public comment in opposition to Resolution 22-39.

**5. Consent Agenda**

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Doherty, to Approve the Consent Agenda

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

a. Approval of February 23, 2022 Meeting Minutes

b. **Resolution 22-40:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN STEVE BALCEROVICH AND KATHY OATIS FOR GENERAL COLORADO GOVERNMENTAL AFFAIRS SERVICES

Agenda Item 5b was continued to March 23, 2022.

c. **Resolution 22-41:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN

OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN  
OF FIRESTONE AND STEPHEN A. JONES FOR LOCAL LIQUOR LICENSE  
AUTHORITY HEARING OFFICER SERVICES

**6. Proclamation**

- a. A proclamation recognizing the month of March 2022 as Developmental Disabilities Awareness Month

**7. Land Development**

- a. **PUBLIC HEARING: Resolution 22-33:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A PRELIMINARY SUBDIVISION PLAT FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE BAREFOOT LAKES SUBDIVISION

Mayor Sindelar recused herself as the applicant is her employer

Mayor Pro Tem Jimenez opened the public hearing at 7:24 PM

Marty Ostholthoff, Planning Manager, presented to the Board of Trustees.

Jake Sippy, Design Workshop, presented to the Board of Trustees.

There was no one present that wished to give public comment.

Mr. Sippy responded to Board questions regarding the line of trees, intent for the trail to continue, the potential damage to wetlands, and the anticipated timeline for plugging and abandoning oil and gas sites.

Mr. Ostholthoff responded to the Board's question regarding the protection of wetland areas and setbacks to oil and gas sites.

Chris Brenner, Brookfield, responded to Board questions regarding the Ronald Reagan Blvd construction timeline.

Mayor Pro Tem Jimenez closed the public comment portion of the public hearing at 7:47 PM.

**Motion** by Trustee Doherty, **second** by Trustee Conyac, to Approve **Resolution 22-33**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A PRELIMINARY SUBDIVISION PLAT FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE BAREFOOT LAKES SUBDIVISION

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

**8. Discussion/Action**

- a. **Resolution 22-34**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND BOHANNAN HUSTON INC FOR THE COLORADO BLVD & OAK MEADOWS BLVD HAWK TRAFFIC SIGNAL DESIGN AND CONSTRUCTION MANAGEMENT SERVICES

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Conyac, to Approve **Resolution 22-34**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND BOHANNAN HUSTON INC FOR THE COLORADO BLVD & OAK MEADOWS BLVD HAWK TRAFFIC SIGNAL DESIGN AND CONSTRUCTION MANAGEMENT SERVICES

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

- b. **Resolution 22-36**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING CHANGE ORDER NO. 6 FOR THE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HUDICK EXCAVATING INC REGARDING THE FIRESTONE RESERVOIR NO. 1 SUPPLY AND DELIVERY INFRASTRUCTURE PROJECT

**Motion** by Trustee Sharp, **second** by Trustee Conyac, to Approve **Resolution 22-36**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING CHANGE ORDER NO. 6 FOR THE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HUDICK EXCAVATING INC REGARDING THE FIRESTONE RESERVOIR NO. 1 SUPPLY AND DELIVERY INFRASTRUCTURE PROJECT

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

- c. **Resolution 22-37:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING CHANGE ORDER NO. 3 TO THE TOWN OF FIRESTONE AND E-Z EXCAVATING INC.'S AGREEMENT FOR THE INSTALLATION OF A POTABLE WATERLINE AND APPURTENANCES FOR THE ST. VRAIN WATER TREATMENT PLANT TRANSMISSION PIPELINE PROJECT

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Whelan, to Approve **Resolution 22-37:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING CHANGE ORDER NO. 3 TO THE TOWN OF FIRESTONE AND E-Z EXCAVATING INC.'S AGREEMENT FOR THE INSTALLATION OF A POTABLE WATERLINE AND APPURTENANCES FOR THE ST. VRAIN WATER TREATMENT PLANT TRANSMISSION PIPELINE PROJECT

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

- d. **Resolution 22-38:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A PROCUREMENT AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND WATER TECHNOLOGY GROUP FOR THE PURCHASE OF PUMPS AND ASSOCIATED CONTROLS FOR THE FIRESTONE ALLUVIAL SUPPLY TREATMENT HORIZONTAL WELL PUMP STATION

**Motion** by Trustee Sharp, **second** by Trustee Whelan, to Approve **Resolution 22-38:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A PROCUREMENT AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND WATER TECHNOLOGY GROUP FOR THE PURCHASE OF PUMPS AND ASSOCIATED CONTROLS FOR THE FIRESTONE ALLUVIAL SUPPLY TREATMENT HORIZONTAL WELL PUMP STATION

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

- e. **Resolution 22-35:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, PRESCRIBING THE TOWN OF FIRESTONE'S WATER



RATES, FEES, TOLLS AND CHARGES AND STORAGE AND INFRASTRUCTURE  
INVESTMENT FEES

**Motion** by Trustee Conyac, **second** by Trustee Sharp, to Approve **Resolution 22-35**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, PRESCRIBING THE TOWN OF FIRESTONE'S WATER RATES, FEES, TOLLS AND CHARGES AND STORAGE AND INFRASTRUCTURE INVESTMENT FEES

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

- f. **Resolution 22-39**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FULL AND FINAL RELEASE AND SETTLEMENT AGREEMENT BY AND BETWEEN THE COMMITTEE SEEKING THE RECALL OF FIRESTONE TRUSTEES AND JESSICA KOENIG IN HER OFFICIAL CAPACITY AS THE TOWN CLERK OF THE TOWN OF FIRESTONE COLORADO

**Motion** by Trustee Conyac to Continue **Resolution 22-39**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FULL AND FINAL RELEASE AND SETTLEMENT AGREEMENT BY AND BETWEEN THE COMMITTEE SEEKING THE RECALL OF FIRESTONE TRUSTEES AND JESSICA KOENIG IN HER OFFICIAL CAPACITY AS THE TOWN CLERK OF THE TOWN OF FIRESTONE COLORADO, to 3/23 until the agreement has been signed, **Trustee Conyac rescinded his motion.**

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Doherty, to Approve **Resolution 22-39**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FULL AND FINAL RELEASE AND SETTLEMENT AGREEMENT BY AND BETWEEN THE COMMITTEE SEEKING THE RECALL OF FIRESTONE TRUSTEES AND JESSICA KOENIG IN HER OFFICIAL CAPACITY AS THE TOWN CLERK OF THE TOWN OF FIRESTONE COLORADO

**Roll Call Vote:**

**Yes:** Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** Trustee Conyac

**Abstain:** None

**Motion carried.**

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

Trent John, Firestone resident, gave public comment regarding possible Fair Campaign Finance violation concerns.

Amy Shrader, Firestone resident, thanked the Board of Trustees for the service and thanked

the Town Clerk. Ms. Schrader also expressed concerns about possible Fair Campaign Finance violations.

John Damsma, Firestone resident, thanked the Board of Trustees and inquired about who would receive the payment from the settlement agreement.

Lou Matthews, Firestone resident, gave public comment that she is on the recall committee since another member wanted off the recall committee. Ms. Matthews also stated she knew nothing of the emails being sent to the Board or the Mayor.

## 10. Reports

a. Staff

b. Mayor

c. Trustees

Trustee Conyac reported on his disappointment in the division in the Town and expressed hope that the Town can come together and move forward.

Trustee Meiring reported on the most recent meeting with the lobbyist team.

## 11. Adjournment

**Motion** by Trustee Conyac, **second** by Trustee Whelan, to Adjourn at 8:27 PM, All in Favor, **Motion carried.**

a. Meeting Handouts

Introduced and Approved the 23rd of March, 2022.

TOWN OF FIRESTONE, COLORADO

ATTEST

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Bobbi Sindelar, Mayor

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Jessica Koenig, Town Clerk

DRAFT

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 5.b

**Consent Agenda**

**Meeting Date:** March 23, 2022

**Initiated By:** Julie Pasillas

**Dept:** Public Works

**AGENDA TITLE**

**Resolution 22-42:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, PRESCRIBING THE RATE FOR PAYMENT OF CASH-IN-LIEU OF WATER RIGHT DEDICATIONS TO THE TOWN OF FIRESTONE, COLORADO

**SUMMARY**

The Town of Firestone accepts cash-in-lieu of the actual dedication of water for projects that require less than 1.8 acre-feet or 3 C-BT to satisfy dedication requirements. The cash-in-lieu amount is a function of the current market value of C-BT water and administrative costs of the Town to purchase water. Currently, staff has seen C-BT shares being sold on the market at \$65,000.00 per share. Attached is a resolution for consideration by the Board of Trustees to adjust the cash-in-lieu of dedication amount reflective of the market value of C-BT plus the administrative costs.

**HISTORY AND PREVIOUS BOARD ACTION**

The current cash-in-lieu amount was set at \$68,200.00 per C-BT share with Resolution No. 20-36.

**RECOMMENDATION**

Staff recommends the Board of Trustees approve the resolution setting the new cash-in-lieu amount of dedication of Water Shares at \$71,500.00.

**ALTERNATIVES**

The Board may choose not to approve Resolution 22-42 and provide staff with additional direction.

**ATTACHMENTS**

1. Res No. 22-42 Cash in Lieu Rate
2. Buy Water – Buy & Sell Water Shares 3-16-2022
3. Buy & Sell Water – Selling Colorado Water 3-16-2022

**FINANCIAL CONSIDERATIONS**

None at this time.

**RESOLUTION NO. 22-42**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE,  
COLORADO, PRESCRIBING THE RATE FOR PAYMENT OF CASH-IN-LIEU OF  
WATER RIGHT DEDICATIONS TO THE TOWN OF FIRESTONE, COLORADO**

WHEREAS, the Town of Firestone ("Town") operates a municipal water system and requires the dedication of water rights in conjunction with the annexation, subdivision and development of, and water service to, properties within the Town; and

WHEREAS, pursuant to Sections 1.08.050 and 13.08.010 of the Firestone Municipal Code, ("Code"), the Town allows, under prescribed circumstances, and in its sole and absolute discretion for the water rights dedication requirement to be met by payment of cash in lieu the dedication; and

WHEREAS, Sections 1.08.050 and 13.08.010 of the Code provide that the rate for payments of cash-in-lieu of water right dedications shall be as determined by the Board of Trustees by resolution and such rate shall be not less than one hundred and ten percent (110%) of the then current price of a Colorado Big Thompson ("CBT") unit, with an assumed annual yield of 0.6 acre-feet per CBT unit; and

WHEREAS, the Board of Trustees last established the cash-in-lieu of water rights dedication rate by Resolution 20-36 at \$68,200.00 per unit of CBT water with an assumed yield of 0.6 acre-feet per CBT unit; and

WHEREAS, the Board of Trustees in consideration of the increase in cost of a CBT unit since adoption of Resolution 20-36 desires to repeal Resolution 20-36 and establish a new cash-in-lieu of water rights dedication rate in accordance with the requirements of Sections 1.08.050 and 13.08.010 of the Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. Effective upon the adoption of this Resolution, the payment rate for cash-in-lieu of water rights dedications shall be \$71,500.00 per unit of Colorado Big Thompson ("CBT") water, with an assumed yield of 0.6 acre-feet per CBT unit.

Section 2. Upon adoption of this Resolution, Resolution 20-36 setting forth the payment rate for cash-in-lieu water rights dedications of CBT water shall be repealed in its entirety.

**INTRODUCED, READ AND ADOPTED** this 23<sup>rd</sup> day of March, 2022.

TOWN OF FIRESTONE, COLORADO

\_\_\_\_\_  
Bobbi Sindelar, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

\_\_\_\_\_  
William P. Hayashi, Town Attorney

## Buy & Sell Water Shares

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### Buy Water



DevelopmentWater.com

B U Y   A N D   S E L L   W A T E R   S H A R E S

Below is the list of available water rights for purchase. To make an offer or get more information please [contact](#) us.

| <b>Description:</b>         | <b>Price Per Share:</b> | <b>Quantity:</b> | <b>Availability:</b>  |
|-----------------------------|-------------------------|------------------|-----------------------|
| Boxelder                    | \$400,000               |                  | Call for Availability |
| Colorado Big Thompson (CBT) | \$65,000                | 4 Units          | Available             |
| Colorado Big Thompson (CBT) | \$65,000                | 13 Units         | Available             |
| ELCO Water District         |                         | 60 Acre/Feet     | Under Contract        |
| Greeley/Loveland            | \$225,000               |                  | Call for Availability |
| Handy Ditch                 | \$260,000               |                  | Call for Availability |
| Highland Ditch              | \$275,000-\$300,000     |                  | Call for Availability |
| Home Supply (Court)         | \$400,000               |                  | Call for Availability |
| Home Supply (Non-Court)     | \$325,000               |                  | Call for Availability |
| Ish                         | \$15,000                |                  | Call for Availability |
| Jackson Ditch               | \$5,000,000             |                  | Sold January 2020     |
| Jackson Ditch               | \$6,500,000             |                  | Call for Availability |
| Lake Loveland               | \$400,000               |                  | Call for Availability |

| <b>Description:</b>     | <b>Price Per Share:</b> | <b>Quantity:</b> | <b>Availability:</b>  |
|-------------------------|-------------------------|------------------|-----------------------|
| Larimer Canal #2        | \$1,200,000             |                  | Call for Availability |
| Larimer/Weld Irrigation | \$50,000                |                  | Call for Availability |
| Larimer/Weld Reservoir  | \$180,000               |                  | Call for Availability |
| Louden Ditch            | \$80,000                |                  | Coming Soon           |
| Lower Boulder Reservoir | \$1,000,000             |                  | Coming Soon           |
| New Cache               | \$50,000                |                  | Call for Availability |
| New Mercer              | \$900,000               | 1 Unit           | Under Contract        |
| North Poudre            | \$250,000               | 1 Unit           | Available             |
| Water Supply & Storage  | \$3,200,000             | 0.5 Unit         | Under Contract        |
| Windsor Reservoir       | \$380,000               |                  | Call for Availability |

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## Development Water

375 E HORSETOOTH RD. BLDG 4 #103  
FORT COLLINS, CO 80525  
PHONE: (970) 305-5130  
[MHASKELL@UREALTYINC.COM](mailto:MHASKELL@UREALTYINC.COM)

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[Buy & Sell Water Shares, Blog at WordPress.com.](#)

# *Selling Colorado Water* *(<https://www.sellingcoloradowater.com/>)*

Buy and Sell Water Rights

MENU

## BUY & SELL WATER

### WATER RIGHTS FOR SALE:

These are the water rights available for sale. For more information, or to make an offer, contact (<http://www.sellingcoloradowater.dreamhosters.com/contact-us>) us.

Show  entries Search:

| Water Basin: ◆     | Description: ◆ | Quantity: ◆ | Price per share: ◆ | Availability ◆ |
|--------------------|----------------|-------------|--------------------|----------------|
| Big Thompson Basin | CBT            | 20          | \$65,000.00        | Sold           |
| Big Thompson Basin | CBT            | 4           | \$65,000.00        | Available      |
| Big Thompson Basin | Home Supply    | 1           | \$250,000.00       | Sold           |

| Water Basin:             | Description:                               | Quantity: | Price per share:        | Availability |
|--------------------------|--------------------------------------------|-----------|-------------------------|--------------|
| Big Thompson Basin       | Loveland Waterbank                         | 20        | Negotiable              | Available    |
| Cache la Poudre          | <del>Cache la Poudre River</del><br>Direct | 8         | <del>\$43,000.00</del>  | Sold         |
| Cache la Poudre          | Larimer & Weld Irrigation System           | 4         | \$75,000.00             | Available    |
| Cache la Poudre          | <del>Whitney Ditch</del>                   | 1         | <del>\$165,000.00</del> | Sold         |
| South Platte River Basin | Fort Morgan Ditch                          | 20        | Negotiable              | Available    |
| South Platte River Basin | Fulton; with 70 acres                      | 30        | \$2,500,000 total       | Available    |
| South Platte River Basin | Fulton                                     | 1         | \$20,000                | Available    |
| South Platte River Basin | <del>Highland Ditch</del>                  | 5         | <del>\$275,000</del>    | Sold         |
| South Platte River Basin | Lake McIntosh                              | 2         | \$9,500                 | Available    |
| South Platte River Basin | <del>Lower Latham</del>                    | 1         | <del>\$700,000.00</del> | Sold         |
| South Platte River Basin | Mountain Mutual Reservoir Company          | 12        | \$50,000.00             | Available    |
| South Platte River Basin | <del>Slate Ditch</del>                     | 4         | <del>\$25,000.00</del>  | Sold         |

Showing 1 to 15 of 15 entries

◀ Previous Next ▶

## WATER RIGHTS NEEDED:

We have clients interested in purchasing these water rights. For more information, or to post shares for sale, contact (<http://www.sellingcoloradowater.dreamhosters.com/contact-us>) us.

Show  entries

Search: 

| Water Basin:  | Description:  | Quantity:  | Price Per Share:  |
|------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Big Thompson Basin                                                                             | CBT                                                                                            | 1-100                                                                                         | Negotiable                                                                                           |
| Big Thompson Basin                                                                             | Handy Ditch                                                                                    | 2                                                                                             | Negotiable                                                                                           |
| Big Thompson Basin                                                                             | Home Supply                                                                                    | Any                                                                                           | Negotiable                                                                                           |
| Big Thompson Basin                                                                             | South Side Ditch                                                                               | Any                                                                                           | Negotiable                                                                                           |
| Cache La Poudre                                                                                | Water Supply and Storage                                                                       | 1                                                                                             | Negotiable                                                                                           |
| Cache La Poudre                                                                                | Windsor Reservoir                                                                              | Any                                                                                           | Negotiable                                                                                           |
| Saint Vrain River                                                                              | Highland Ditch                                                                                 | 2                                                                                             | \$225,000.00                                                                                         |
| South Platte River Basin                                                                       | Burlington-Barr<br>Burlington-Wellington                                                       | Any                                                                                           | Negotiable                                                                                           |
| South Platte River Basin                                                                       | Church Ditch                                                                                   | Any                                                                                           | \$40,000.00                                                                                          |
| South Platte River Basin                                                                       | Davidson Ditch                                                                                 | 2                                                                                             | Negotiable                                                                                           |
| South Platte River Basin                                                                       | FRICO-Barr                                                                                     | Any                                                                                           | Negotiable                                                                                           |
| South Platte River Basin                                                                       | Fulton Ditch                                                                                   | Any                                                                                           | \$40,000.00                                                                                          |
| South Platte River Basin                                                                       | Jackson Reservoir                                                                              | Any                                                                                           | Negotiable                                                                                           |
| South Platte River Basin                                                                       | Lower Latham Reservoir (direct and stored)                                                     | Any                                                                                           | Negotiable                                                                                           |
| South Platte River Basin                                                                       | Weldon Valley Ditch (direct flow)                                                              | Any                                                                                           | Negotiable                                                                                           |

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**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 5.c

**Consent Agenda**

**Meeting Date:** March 23, 2022

**Initiated By:** Jessica Koenig

**Dept:** Town Clerk

**AGENDA TITLE**

**Resolution 22-40:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN STEVE BALCEROVICH AND KATHY OATIS FOR GENERAL COLORADO GOVERNMENTAL AFFAIRS SERVICES

**SUMMARY**

Resolution 22-40 is for an agreement with Steve Balcerovich and Kathy Oatis for general Colorado governmental affairs service before the Legislative and Executive branches of the Colorado government.

Services proposed include, but are not limited, to the following:

General Services

- Review all introduced bills in the regular General Sessions and any special sessions to identify legislation potentially impacting the Town of Firestone;
- Develop and maintain a written electronic summary of legislation of interest, including bill status, amendments, fiscal notes, and formal positions;
- As determined by the Firestone Town Manager provide periodic board reports and produce an end of session report, board presentation, and any other summary reports as requested;
- Participate in bi-weekly meetings during the session with the Town Manager and Trustees to report on legislative activities, discuss policy considerations, and determine formal policy positions to recommend to Board of Trustees;
- Ensure that all legislators representing the Town of Firestone are familiar with the organization and support our policy positions;
- Lobby legislators on legislation impacting the Town of Firestone as directed by the Board of Trustees;
- Attend CML's biweekly legislative briefings during the session;
- From May to November, monitor and report on relevant interim committees and activities, including all interim legislation drafted and introduced; and
- Consult with the Town Manager and Board Trustees to review annual legislative priorities and public policy positions on anticipated legislative issues impacting the Town of Firestone.

**HISTORY AND PREVIOUS BOARD ACTION**

The Town entered into a contract with Steve Balcerovich and Kathy Oatis in 2017.

**RECOMMENDATION**

Approval of Resolution 22-40.

**ALTERNATIVES**

Provide staff with further direction.

**ATTACHMENTS**

1. 22-40 Firestone Lobbyist Agreement Resolution
2. Lobbyist Agreement

**FINANCIAL CONSIDERATIONS**

Not to exceed \$2,500 total monthly.

\$1,200 to Kathy Oatis

\$1,200 to Steve Balcerovich

**RESOLUTION NO. 22-40**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN STEVE  
BALCEROVICH AND KATHY OATIS FOR GENERAL COLORADO  
GOVERNMENTAL AFFAIRS SERVICES**

WHEREAS, since 2017 Steve Balcerovich and Kathy Oatis have provided general governmental affairs services to the Town of Firestone ("Town"), which includes general and specified legislative advocacy during the Colorado General Assembly's legislative sessions and regular reporting to the Board of Trustees; and

WHEREAS, the Board of Trustees finds such services valuable in the performance of its representative duties and desires to continue its relationship with Steve Balcerovich and Kathy Oatis.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

The Agreement between the Town of Firestone and Steve Balcerovich and Katy Oatis for general governmental affairs services is approved in substantially the same form as the copy attached hereto and made a part of this resolution, and the Mayor is authorized to execute the Agreement on behalf of the Town.

**INTRODUCED, READ AND ADOPTED** this \_\_ day of \_\_\_\_\_, 2022.

TOWN OF FIRESTONE, COLORADO

\_\_\_\_\_  
Bobbi Sindelar, Mayor

ATTEST:

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William P. Hayashi, Town Attorney



## **AGREEMENT FOR SERVICES**

THIS AGREEMENT FOR SERVICES (the "Agreement") is made and entered into this 1 day of March 2022 (the "Effective Date"), by and between the **TOWN OF FIRESTONE**, a Colorado municipal corporation with an address of 151 Grant Avenue, P.O. Box 100, Firestone, Colorado 80520 (the "Town"), and **Steve Balcerovich** and **Kathy Oatis** as independent contractors who are jointly and severally liable for all obligations and duties imposed upon them as set forth in the Agreement with a principal place of business at 1370 Grant St., Denver CO 80203 ("Contractor") and provides services as follows:

### **I. SCOPE OF SERVICES**

Contractor shall provide to the Town certain services described in Scope of Services set forth in Exhibit A, attached hereto and incorporated herein by this reference and known as:

A. General Colorado Governmental Affairs Services. Furthermore, Contractor shall furnish all labor, equipment, supplies and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If Contractor proceeds without such written authorization, Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action.

### **II. TERM AND TERMINATION**

A. This Agreement shall commence on the Effective Date, and shall continue until Contractor completes the Scope of Services to the satisfaction of the Town, or until terminated as provided herein.

B. Either Party may terminate this Agreement upon 30 days advance written notice. The Town shall pay Contractor for all work previously authorized and completed prior to the date of termination. If, however, Contractor has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

### **III. COMPENSATION**

A. In consideration for the performance of the Scope of Services by Contractor, the Town shall pay the Contractor a monthly amount of \$2,500.00 which amount shall be paid by a check to Steve Balcerovich in the amount of \$1,250.00 and a check to Kathy Oatis in the amount of \$1,250.00. This amount shall include all fees, costs and expenses incurred by Contractor, and no additional amounts shall be paid by the Town for such fees, costs and expenses. Contractor may submit periodic invoices, which shall be paid by the Town within 30 days of receipt.

B. The Town will make payment due to Contractor for compensation for completed services within thirty (30) days after invoices submitted by Contractor, which invoice(s) may not be submitted more frequently than monthly. Invoices shall include the basis upon which payment is requested, such as

percentage of the Project completed, or actual time, materials and expenses. The Town shall submit invoice disputes, if any, to Contractor within thirty (30) days for resolution by mutual consent.

C. Set-Off: In addition to any other rights the Town has under this Agreement to indemnification or recoupment, Contractor agrees that the Town is entitled to set off any amounts it may owe Contractor under this Agreement against such claims for indemnity or recoupment.

#### **IV. PROFESSIONAL RESPONSIBILITY**

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and licenses in good standing, required by law. The work performed by Contractor shall be timely and in accordance with generally accepted practices and the level of competency presently maintained by other practicing contractors providing the same or similar type of services in the applicable community.

B. The Town's review, approval or acceptance of, or payment for any services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

#### **V. OWNERSHIP**

Any materials, items, and work specified in the Scope of Services, and any and all related documentation and materials provided or developed by Contractor shall be exclusively owned by the Town. Contractor expressly acknowledges and agrees that all work performed under the Scope of Services constitutes a "work made for hire." To the extent, if at all, that it does not constitute a "work made for hire," Contractor hereby transfers, sells, and assigns to the Town all of its right, title, and interest in such work. The Town may, with respect to all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change such work without providing notice to or receiving consent from Contractor.

#### **VI. INDEPENDENT CONTRACTOR**

Contractor is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Contractor to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Contractor for all purposes. Contractor shall make no representation that it is a Town employee for any purposes. Contractor understands that Contractor is not entitled to unemployment insurance benefits from the Town. Contractor shall be responsible for payment of all taxes, including federal, state and local taxes arising out of Contractor's activities under this Agreement, including, by way of illustration but not limitation, federal and state income tax, social security tax, unemployment insurance taxes, and any other taxes or business license fees as required.

#### **VII. INSURANCE**

A. Contractor shall procure and maintain, and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Worker's Compensation insurance as required by law.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be canceled, terminated or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees, or its contractors shall be excess and not contributory insurance to that provided by Contractor. Contractor shall be solely responsible for any deductible losses under any policy.

## **VIII. INDEMNIFICATION**

Contractor agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of a worker's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor.

## **IX. WORKERS WITHOUT AUTHORIZATION**

A. Certification. By entering into this Agreement, Contractor hereby certifies that, at the time of this certification, it does not knowingly employ or contract with a worker without authorization who will perform work under this Agreement and that Contractor will participate in either the E-Verify Program administered by the U.S. Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment to confirm the employment eligibility of all employees who are newly hired to perform work under this Agreement.

B. Prohibited Acts. Contractor shall not knowingly employ or contract with a worker without authorization to perform work under this Agreement, or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with a worker without authorization to perform work under this Agreement.

C. Verification.

1. If Contractor has employees, Contractor has confirmed the employment eligibility of all employees who are newly hired to perform work under this Agreement through participation in either the E-Verify Program or the Department Program.
2. Contractor shall not use the E-Verify Program or Department Program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.
3. If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with a worker without authorization who is performing work under this Agreement, Contractor shall: notify the subcontractor and the Town within 3 days that Contractor has actual knowledge that the subcontractor is employing or contracting with a worker without authorization who is performing work under this

Agreement; and terminate the subcontract with the subcontractor if within 3 days of receiving the notice required pursuant to subsection 1 hereof, the subcontractor does not stop employing or contracting with the worker without authorization who is performing work under this Agreement; except that Contractor shall not terminate the subcontract if during such 3 days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with a worker without authorization who is performing work under this Agreement.

D. Duty to Comply with Investigations. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment made during an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Contractor is complying with the terms of this Agreement.

E. Affidavits. If Contractor does not have employees, Contractor shall sign the "No Employee Affidavit" attached hereto. If Contractor wishes to verify the lawful presence of newly hired employees who perform work under the Agreement via the Department Program, Contractor shall sign the "Department Program Affidavit" attached hereto.

## **X. MISCELLANEOUS**

- A. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Weld County, Colorado.
- B. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.
- C. Integration. This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.
- D. Third Parties. There are no intended third-party beneficiaries to this Agreement.
- E. Notice. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.
- F. Severability. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.
- G. Modification. This Agreement may only be modified upon written agreement of the Parties.
- H. Assignment. Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.
- I. Governmental Immunity. The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq., as amended, or otherwise available to the Town and its officers, attorneys or employees.
- J. Rights and Remedies. The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

- K. Subject to Annual Appropriation. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.
- L. Force Majeure. No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this Agreement due to acts of God, floods, storms, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government, epidemics or pandemics.
- M. Representative Authority. Each person signing this Agreement represents and warrants that he or she is duly authorized and has the legal capacity to execute the Agreement.

In Witness Whereof, the Parties have executed this Agreement as of the Effective Date.

**TOWN OF FIRESTONE, COLORADO**

\_\_\_\_\_

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

\_\_\_\_\_  
William P. Hayashi, Town Attorney

**CONTRACTOR**

By:

\_\_\_\_\_  
Lobbyist

\_\_\_\_\_  
Lobbyist

## NO EMPLOYEE AFFIDAVIT

To be completed only if Contractor has **no** employees

### 1. Check and complete one:

X Steve Balcerovich and Kathy Oatis are both sole proprietors doing business as Colorado Lobbyists. We do not currently employ any individuals. Should we employ any employees during the term of our Agreement with the Town of Firestone (the "Town"), We certify that we will comply with the lawful presence verification requirements outlined in that Agreement.

### 2. Check one.

X We are United States citizen or legal permanent resident.

*The Town must verify this statement by reviewing one of the following items:*

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card; or*
- *Any other documents or combination of documents listed in the Town's "Acceptable Documents for Lawful Presence Verification" chart that prove both Contractor's citizenship/lawful presence and identity.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*To be completed only if Contractor participates in the Department of Labor Lawful Presence Verification Program*

1. We have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services ("Agreement") with the Town within 20 days after such hiring date;

3. We have not and will not alter or falsify the identification documents for my newly hired employees who perform work under this Agreement.

Date

The foregoing instrument was subscribed, sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

Notary Public

## EXHIBIT A

### SCOPE OF WORK

#### Contractor's Duties

During the term of this Contract, Contractor shall perform the following duties, as directed by the Town:

### General Governmental Affairs Services

#### Scope of Work

We will provide the Town of Firestone full service governmental affairs representation before the Legislative and Executive branches of Colorado government. These services include legislative advocacy during sessions of the Colorado General Assembly and during any special sessions of relevance. Also, all interim committees of interest will be monitored and reported back to the town.

Services proposed include, but are not limited, to the following:

#### **General Services**

- Review all introduced bills in the regular General Sessions and any special sessions to identify legislation potentially impacting the Town of Firestone;
- Develop and maintain a written electronic summary of legislation of interest, including bill status, amendments, fiscal notes, and formal positions;
- As determined by the Firestone Town Manager provide periodic board reports and produce an end of session report, board presentation, and any other summary reports as requested;
- Participate in bi-weekly meeting during the session with the Town Manager and Trustees to report on legislative activities, discuss policy considerations, and determine formal policy positions to recommend to Board of Trustees;
- Ensure that all legislators representing the Town of Firestone are familiar with the organization and support our policy positions;
- Lobby legislators on legislation impacting the Town of Firestone as directed by the Board of Trustees;
- Attend CML's biweekly legislative briefings during session;
- From May to November, monitor and report on relevant interim committees and activities, including all interim legislation drafted and introduced; and
- Consult with the Town Manager and Board Trustees to review annual legislative priorities and public policy positions on anticipated legislative issues impacting the Town of Firestone.



**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 5.d

**Consent Agenda**

**Meeting Date:** March 23, 2022

**Initiated By:**

**Dept:** Town Clerk

**AGENDA TITLE**

Cancellation of the April 13, 2022 Regular Board of Trustees Meeting

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**

None

**FINANCIAL CONSIDERATIONS**

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 5.e

**Consent Agenda**

**Meeting Date:** March 23, 2022

**Initiated By:**

**Dept:** Town Clerk

**AGENDA TITLE**

Cancellation of April 20, 2022 Board of Trustees Work Session

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**

None

**FINANCIAL CONSIDERATIONS**

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 5.f

**Consent Agenda**

**Meeting Date:** March 23, 2022

**Initiated By:** Julie Pasillas

**Dept:** Public Works

**AGENDA TITLE**

2022 Water Leasing Recommendation Memo

**SUMMARY**

The annual leasing memo recommends the leasing of available water after the quote is set by Northern Water Colorado Water Conservancy District on April 14, 2022.

**HISTORY AND PREVIOUS BOARD ACTION**

Each year when the final allocation or quota is declared in the spring by the Northern Colorado Water Conservancy District, the Town staff and consulting engineer evaluate the annual demand for any remaining available water that can be leased for beneficial use.

**RECOMMENDATION**

Staff recommends approval of the recommendation from the leasing memo to lease the remaining available water for 2022.

**ALTERNATIVES**

The Board may choose not to approve the leasing recommendation memo and provide staff with additional direction.

**ATTACHMENTS**

1. 2022 Leasing Memorandum March 18 2022

**FINANCIAL CONSIDERATIONS**

Lease revenues could range between \$25,000.00 to \$37,000.00 for the Water Fund, depending on the number of shares leased.



## Memorandum

**To:** Julie Pasillas, Town of Firestone Director of Public Works  
**From:** Brett W. Gracely, P.E., D.WRE  
**Reviewed by:** Gregg S. Ten Eyck, P.E.  
**Date:** March 18, 2022  
**Project:** 1527TWF02-22  
**Subject:** C - BT Water Leasing in 2022

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Each year the Town of Firestone transfers raw water—in the form of C-BT unit contracts or Windy Gap allocations—to the Central Weld County Water District (CWCWD) for treatment at the Carter Lake Filter Plant for subsequent delivery of finished water to Firestone. When the C-BT and Windy Gap water supplies available for transfer exceed projected demand, the Town has the option of leasing water to other C-BT allottees or Windy Gap users.

This memorandum provides a recommendation on the amount of water that can be made available for lease in 2022. Note that this memorandum is based on supplies available to the Carter Lake Filter Plant only, and the assumption that all treated water demand in Firestone in 2022 is met by the Carter Lake Filter Plant.

### RECOMMENDATION

We estimate that Firestone will not have more C-BT and Windy Gap water supplies in water year 2022 than the sum of the projected demand and the 2022 target carryover storage unless the final quota is declared to be at least 0.6 acre-feet per unit. At this time only the initial quota of 0.5 acre-feet per C-BT unit contract is available. The Northern Colorado Water Conservancy District Board (Northern) may issue an additional allocation during their April 2022 meeting—this memorandum considers a final quota of 0.5, 0.6 and 0.7 acre-feet. In most years, the Northern Board has issued a final quota of at least 0.6 acre-feet.

At this time, we estimate that the amount of water that can be made available for lease for use in water year 2022 will be between zero acre-feet and 724.4 acre-feet. See Table 2 below.

Considering some of the uncertainties described below, we recommend that staff be authorized to lease up to 500 acre-feet in water year 2022, as long as projections made after the final quota is declared in April show that the 2022 C-BT carryover storage target can be met.

### 2021 SUPPLIES

**C-BT 2022 Quota:** This memorandum is based on a final allocation of 0.5, 0.6, or 0.7 acre-feet per acre-foot unit contract. For the 5,429 C-BT units owned by Firestone as of November 1, 2021, this

equates to 2,714.5 acre-feet, 3,257.4 acre-feet, or 3,800.3 acre-feet respectively.

In November 2021, 500 acre-feet of C-BT water was transferred to the Town's "Windy Gap C-BT Collateral" account, creating a credit of 500 acre-feet in Firestone's Windy Gap account. This leaves 2,214.5 acre-feet of C-BT supply at a 0.5 acre-foot final quota, 2,757.4 acre-feet at a 0.6 acre-foot final quota, or 3,300.3 acre-feet at a 0.7 final quota.

**C-BT 2020 Carryover Account:** At the end of the 2021 water year, the Town had 1,085.8 acre-feet of C-BT water in the Town's carryover account from unused 2021 C-BT quota water.

**Windy Gap:** After the transfer to the Windy Gap C-BT Collateral account on November 30, 2021 the Town had 500 acre-feet of Windy Gap water available for transfer to Central Weld County Water District.

Table 1 shows how the range in C-BT quota affects projected supply for water year 2022. Note that the total supply available at the initial quota is 3,800.3 acre-feet. This is equivalent to 0.5 acre-feet per C-BT acre-foot contract unit owned by Firestone while a total available supply may be as high as 4,886.1 acre-feet if a final allocation ratio of 0.7 is reached.

**Table 1 – Supply Summary**

| Supply                                   | Acre-Feet          | Acre-Feet          | Acre-Feet          |
|------------------------------------------|--------------------|--------------------|--------------------|
| <i>C-BT Allocation Ratio</i>             | <i>0.5</i>         | <i>0.6</i>         | <i>0.7</i>         |
| <i>Firestone C-BT Units</i>              | <i>x 5,429</i>     | <i>x 5,429</i>     | <i>x 5,429</i>     |
| <i>C-BT 2022 Quota</i>                   | <i>2,714.5</i>     | <i>3,257.4</i>     | <i>3,800.3</i>     |
| <i>C-BT - Windy Gap Account Transfer</i> | <i>-500.0</i>      | <i>-500.0</i>      | <i>-500.0</i>      |
| <b>C-BT Net Available</b>                | <b>2,214.5</b>     | <b>2,757.4</b>     | <b>3,300.3</b>     |
| <br><i>C-BT 2022 Quota</i>               | <br><i>2,714.5</i> | <br><i>3,257.4</i> | <br><i>3,800.3</i> |
| <i>2021 Carryover Available</i>          | <i>+ 1,085.8</i>   | <i>+ 1,085.8</i>   | <i>+ 1,085.8</i>   |
| <b>Total</b>                             | <b>3,800.3</b>     | <b>4,343.2</b>     | <b>4,886.1</b>     |

## 2022 PROJECTED DEMAND

**2022 Treated Water Demand:** Taking the actual delivery of 2,697.7 acre-feet to CWCWD from Carter Lake in 2021 and adding 10 percent to account for growth results in a projected demand of 2,967.5 acre-feet at the Carter Lake Filter Plant in water year 2022. This is the amount of C-BT or Windy Gap water that will need to be transferred to CWCWD for treatment in water year 2022. Based on review of actual November 2019-October 2020, November 2020-October 2021, and November 2021-February 2022 metered water use in Firestone, we confirm that the projection of 2022 water demand based on a 10 percent increase is reasonable.

**Carryover Storage:** The target C-BT carryover storage available in November 2022 is based on 0.22 acre-feet per unit, or 1,194.4 acre-feet. After the 10% loss charged by Northern, this amount of carryover would allow Firestone to have a nominal supply of 0.7 acre-feet per unit in 2023 if the final quota in 2023 is set at 0.5 acre-feet per unit. The sum of the projected 2022 treated water demand and the target 2021 C-BT carryover storage is 4,344 acre-feet.

Table 2 shows how the range of available supply can be allocated to meet the estimated 2022 demand and the range of the net supply available for lease.

**Table 2 – Allocation of Supplies to Demand indicating Lease Opportunity**

| <b>Demand</b>                                  | <b>Acre-Feet</b> | <b>Acre-Feet</b>    | <b>Acre-Feet</b>    |
|------------------------------------------------|------------------|---------------------|---------------------|
| <i>To be transferred to CWCWD</i>              | <i>2,967.5</i>   | <i>2,967.5</i>      | <i>2,967.5</i>      |
| <i>Target Carryover <sup>1</sup></i>           | <i>+ 1,194.4</i> | <i>+ 1,194.4</i>    | <i>+ 1,194.4</i>    |
| <i>Total Demand</i>                            | <i>4,161.9</i>   | <i>4,161.9</i>      | <i>4,161.9</i>      |
| <i>C-BT Final Quota</i>                        | <i>0.5</i>       | <i>0.6</i>          | <i>0.7</i>          |
| <i>Total Supply <sup>2</sup></i>               | <i>3,800.3</i>   | <i>4,343.2</i>      | <i>4,886.1</i>      |
| <b><i>Available for Lease <sup>3</sup></i></b> | <b><i>0</i></b>  | <b><i>181.3</i></b> | <b><i>724.2</i></b> |

<sup>1</sup> Based on 0.22 acre-feet per C-BT Unit.

<sup>2</sup> From Table 1 – Supply Summary above.

<sup>3</sup> Available for Lease = Supply – Demand when Supply is greater than Demand.

## CONCLUSION

Considering the uncertainty in the range of the final 2022 C-BT unit, the projected 2022 demand, and the 2022 carryover storage target, we estimate that between zero and about 500 acre-feet of C-BT water is available for lease to eligible, interested parties in water year 2022.

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 6.a

**Presentation**

**Meeting Date:** March 23, 2022

**Initiated By:**

**Dept:** Town Clerk

**AGENDA TITLE**

Mayor's Award

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**

None

**FINANCIAL CONSIDERATIONS**

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 6.b

**Presentation**

**Meeting Date:** March 23, 2022

**Initiated By:**

**Dept:** Town Clerk

**AGENDA TITLE**

Carbon Valley Recreation District Presentation

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**

None

**FINANCIAL CONSIDERATIONS**



**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 6.c

**Presentation**

**Meeting Date:** March 23, 2022

**Initiated By:**

**Dept:** Town Clerk

**AGENDA TITLE**

Police Department Strategic Plan Update

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**

None

**FINANCIAL CONSIDERATIONS**

## AGENDA INFORMATION MEMORANDUM

### FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 7.a

Land Development

Meeting Date: March 23, 2022

Initiated By: Marty Ostholt

Dept: Planning & Development

#### **AGENDA TITLE**

**PUBLIC HEARING: Ordinance 1007:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN, FROM REGIONAL COMMERCIAL(RC) AND RESIDENTIAL-C (R-C) ZONING DISTRICTS TO REGIONAL COMMERCIAL (RC) AND RESIDENTIAL-B (R-B) ZONING DISTRICTS

#### **SUMMARY**

The property owner is proposing to rezone from Regional Commercial (RC) and Residential C (R-C) zone districts to Regional Commercial (RC) and Residential B (R-B) zone districts.

#### **HISTORY AND PREVIOUS BOARD ACTION**

The Water's Edge property (formerly The Shores) was annexed and zoned into the Town of Firestone in 1998. A portion of the Shores, platted as the Shores Filing No. 1 in July 2008, consists of 97 single-family residential lots.

#### **RECOMMENDATION**

Town staff recommends the Board of Trustees approve draft Ordinance 1007, an ordinance approving the Water's Edge Rezoning.

#### **ALTERNATIVES**

n/a

#### **ATTACHMENTS**

1. Staff Report
2. Ordinance 1007
3. Project Narrative
4. Zoning Map
5. Neighborhood Meeting Invite/Summary
6. Planning & Zoning Commission Resolution PC-22-06

#### **FINANCIAL CONSIDERATIONS**

n/a



## **Staff Report**

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**Water's Edge**

**Rezoning**

**Prepared by the  
Town of Firestone for the  
Board of Trustees**

**March 23, 2022**

## **GENERAL INFORMATION**

**Purpose:** This staff report is for the rezoning of the Water's Edge (formerly The Shores) development from Regional Commercial (RC) and Residential C (R-C) zone districts to Regional Commercial (RC) and Residential B (R-B) zone districts.

**Applicant:** Lot Holding Investments, LLC  
1613 Pelican Lakes Point, Suite 201  
Windsor, CO 80550

**Location:** The Water's Edge development is located at the northeast corner of Firestone Boulevard (CR 24) and Birch Street (CR 11).



### **Existing Conditions:**

Existing Zoning: Regional Commercial (RC) and Residential C (R-C)  
Existing Use: Vacant land and oil/gas operations

### **Adjacent Land Use/Zoning:**

|              | <b>ZONING</b>                                            | <b>LAND USE</b>                                                   |
|--------------|----------------------------------------------------------|-------------------------------------------------------------------|
| <b>NORTH</b> | OS-Open Space (Shores ODP)                               | Vacant land, aggregate mining + oil/gas operations                |
| <b>SOUTH</b> | RC-Regional Commercial and R-C Residential C (Cambria)   | Vacant land + oil/gas operations                                  |
| <b>EAST</b>  | R-B Residential B (Shores ODP)<br>RC-Regional Commercial | Single-family residential<br>Oil/gas operations                   |
| <b>WEST</b>  | RC-Regional Commercial<br>OS-Open Space (Shores ODP)     | Vacant land<br>Vacant land, aggregate mining + oil/gas operations |

### Water's Edge Rezoning – Summary

The proposed rezoning of the Water's Edge property is from:

- 1) Residential C (high density residential) to Residential B (medium density residential); and
- 2) And a portion of the Regional Commercial to Residential B (medium density residential)

In general, the site is developable and can be characterized as flat terrain, sloping gently from south to north. Public infrastructure and readily available utilities will be extended into the property by a developer at the time of the development.

The following Table summarizes the existing zoning versus the proposed rezoning from an acreage standpoint:

|                      | The Shores ODP (Existing) | Water's Edge (Proposed) |
|----------------------|---------------------------|-------------------------|
| RC (Commercial)      | 52.6                      | 29.7                    |
| R-C (High Density)   | 37.3                      | 0                       |
| R-B (Medium Density) | 0                         | 60.2                    |
| TOTAL                | 89.9                      | 89.9                    |

The proposed rezoning removes Residential C (high density/10-20 DU's per acre) zoning from the property; the Residential C area being rezoned to Residential B (medium density/5-10 DU's per acre) zoning. In addition, the Regional Commercial zoning adjacent to the existing Shores residential developments to the east is being rezoned to Residential B zoning.

From a land use standpoint, this rezoning removes the ability to construct multi-family dwellings or apartments from the property as Residential B zoning only allows single-family, paired homes, and townhomes at a maximum density of 10 DU's per acre.

This is shown graphically on the following maps:

- RC (Regional Commercial) shown in red.
- R-C (Residential C) shown in orange.
- R-B (Residential B) shown in yellow.

Note: a portion of the RC (Regional Commercial) zone, approximately 5.6 acres, that was part of The Shores ODP is not part of this proposed rezoning as it is owned by a separate entity.

**POND A**  
100 YR FLOOD LIMITS

**EXIST. SED POND**

**PA-2**  
ARK / OS  
ETENTION  
5.017 AC

**PA-4**  
R-C  
SINGLE FAMILY ATTACHED  
/ MULTIFAMILY  
37.294 AC  
12 DU/AC  
447 DU'S

**PA-5**  
RC  
REGIONAL COMMERCIAL  
58.209 AC

**100-YEAR FLOOD PLAIN**

**SIGNALLED FULL MOVEMENT TURN**

**EXISTING ROW**

**3/4 MOVEMENT TURN**

**CENTER AVENUE**

**ACCESS**

**THE ROAD INTERSECTION IS 95' FROM THE SECTION LINE**

**SIGNALLED FULL MOVEMENT TURN**

**FIRESTONE BLVD**

[illegible]

## **APPROVAL CRITERIA AND STAFF ANALYSIS**

### **Rezoning Approval Criteria and Staff Analysis:**

The Rezoning application for the Water's Edge was reviewed for compliance with the Approval Criteria from Section 16.7.4 of the FDC. Staff makes the following findings.

- A. That the proposed zoning promotes the health, safety or welfare of the inhabitants of the Town and the purposes of this FDC;

**Staff:** *The proposed rezoning promotes the health, safety and welfare of Town residents in that additional living and commercial opportunities are being provided that are consistent with the Towns' Master Plan and the purposes of the FDC.*

- B. The proposed zoning is generally consistent with the Town's Comprehensive Master Plan, or the proposed zoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the Town's plan;

**Staff:** *The proposed rezoning is consistent with the Town's Master Plan, which shows the property being used for Commercial and Mixed-Use purposes, including the proposed residential uses.*

- C. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

**Staff:** *Adequate facilities and services are available and immediately adjacent to the property. The current level of service will be maintained for the existing development in the area.*

- D. The proposed zoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

**Staff:** *The current zoning on the property allows development to occur in a similar manner, albeit at lower residential densities to the proposed rezoning; thus, not likely resulting in significant impacts to the identified environmental conditions that cannot be substantially mitigated. Additionally, future development of the property will be required to comply with the FDC and the Towns' Engineering standards and specifications.*

- E. The proposed zoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

**Staff:** *The proposed rezoning is in scale with adjacent properties and not likely to have an adverse impact to said properties.*

- F. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and

**Staff:** *The uses proposed through the rezoning will be compatible to existing uses on adjacent properties. Commercial development along Firestone Boulevard and reduced density residential development proposed next to existing residential development.*

- G. The proposed zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

**Staff:** *The proposed rezoning and associated uses meets the Towns' economic development objectives as it will bring additional living opportunities and sustainable revenues through commercial development to the Town.*

### **NEIGHBORHOOD MEETING**

As required by the Firestone Development Code, a Neighborhood Meeting was held on January 3, 2022 at 5:30 pm as a virtual meeting. The required notice for the Neighborhood Meeting was provided.

### **PUBLIC NOTICE**

Notice of the Public Hearings has been provided as follows:

|                                       |                   |
|---------------------------------------|-------------------|
| Published in the Longmont Times Call: | February 16, 2022 |
| Property Posted:                      | February 14, 2022 |
| Letters to Adjacent Property Owners:  | February 10, 2022 |

### **RECOMMENDATIONS**

**Staff:**

Town staff recommends the Board of Trustees approve draft Ordinance 1007, an ordinance approving the Water's Edge Rezoning application.

**Planning and Zoning Commission:**

After conducting a Public Hearing on the proposed rezoning on March 3, 2022, the Planning and Zoning Commission rendered a decision recommending approval of the Rezoning as more fully set forth in PC-22-05.



## **ORDINANCE NO. 1007**

### **AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN, FROM REGIONAL COMMERCIAL(RC) AND RESIDENTIAL-C (R-C) ZONING DISTRICTS TO REGIONAL COMMERCIAL (RC) AND RESIDENTIAL-B (R-B) ZONING DISTRICTS**

**WHEREAS**, Lot Holding Investments, LLC (the “Applicant”), who is the fee owners of certain real property described in **Exhibit A** (the “Property”), which is approximately 90 acres more or less in size, has submitted an application for the rezoning of the Property from RC/R-C (Regional Commercial/Residential-C) zoning districts to RC/R-B (Regional Commercial/Residential-B) zoning districts, to accommodate the residential and commercial development on the Property (the “Application”); and

**WHEREAS**, on March 3, 2022, the Planning and Zoning Commission, after conducting a public hearing on the Application, rendered a decision recommending approval of the Application; and

**WHEREAS**, on March 23, 2022, the Board of Trustees conducted a public hearing on the Application; and

**WHEREAS**, after reviewing the record of the Firestone Planning and Zoning Commission public hearing and the recommendation of the Firestone Planning and Zoning Commission following such hearing, and after considering the testimony, evidence and argument presented at the Board of Trustees public hearing, the Board of Trustees finds and determines that the Application is complete, and that the Applicant has met the applicable requirements and standards set forth in Section 16.7.4 of the Firestone Development Code, including Step 9 of Section 16.7.4.

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

Section 1. The land legally described in **Exhibit A**, which is attached hereto and incorporated herein by this reference, and which consists of approximately 89.91 acres, more or less, shall be zoned Town of Firestone RC (Regional Commercial) and R-B (Residential-B) Zoning Districts.

Section 2. The Board of Trustees certifies a change in the Zoning Map zoning the property described herein to Town of Firestone RC (Regional Commercial) and R-B (Residential-B) Zoning Districts.

Section 3. The Board of Trustees directs that a certified copy of this Ordinance be filed with the Town Clerk and further, that the Town Clerk index, file and make the Ordinance available to the public.

Section 4. 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 5. 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 \_\_<sup>th</sup> day of \_\_\_\_\_, 2022.

TOWN OF FIRESTONE, COLORADO

\_\_\_\_\_  
Bobbi Sindelar, Mayor

ATTEST:

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William P. Hayashi, Town Attorney

**EXHIBIT A**  
**Zoning Map**



1613 Pelican Lakes Point, Suite 201  
Windsor, Colorado 80550  
[www.lotholding.com](http://www.lotholding.com)  
(970) 460-9100

October 7, 2021

**Project Narrative**

**Water's Edge**

**Application for Rezoning**

Town of Firestone  
Planning & Development  
9950 Park Avenue  
Firestone, CO 80504

Applicant and Land Owner: Lot Holding Investments, LLC

Weld County Parcel Nos.: [131301323002](#) and [131301300068](#)

Legal: B8, L2, the Shores FG #1 and PT SW4 1-2-68 (PT Shores Annex)

Location: NW Corner of Firestone Blvd and Center St.

By:

Tyler Smith, Planner  
1613 Pelican Lakes Point, Suite 201  
Windsor, CO 80550  
(970) 200-8999  
[tsmith@lotholding.com](mailto:tsmith@lotholding.com)

and

Erik Snyder, PLS  
Snyder Land Surveying, Inc.  
2061 Sandwater Ct.  
Windsor, CO 80550  
(970) 686-5157  
[SnyderLandSurveying@outlook.com](mailto:SnyderLandSurveying@outlook.com)

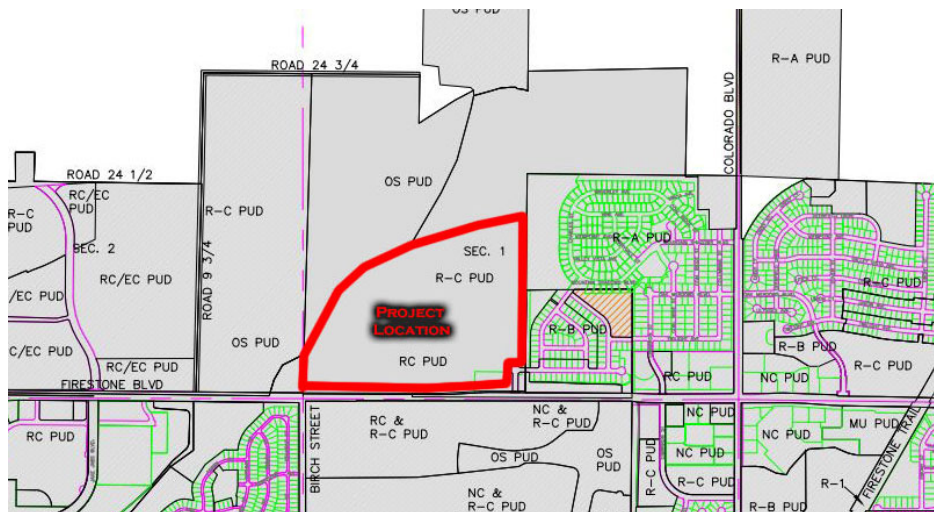
## I. Introduction

The proposed project consists of two parcels totaling  $\pm 89.91$  acres in size and is located north-west of the intersection of Firestone Blvd. and Center Street in Firestone, Colorado. The subject parcels are currently zoned R-C PUD and RC PUD.

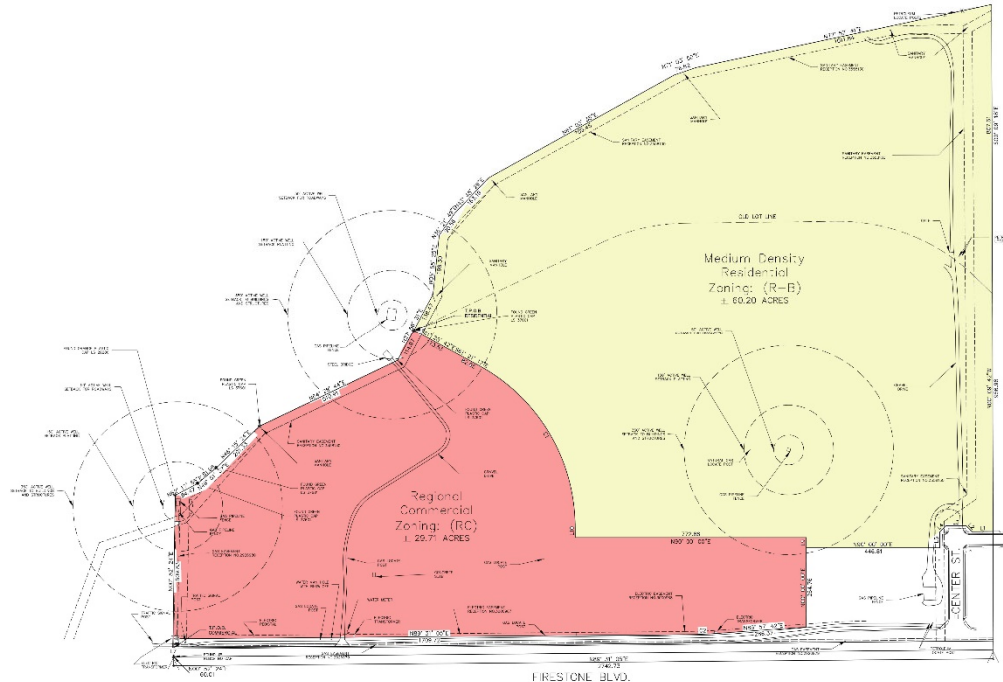


## II. Rezoning Request

The application seeks to rezone 60.2 acres of the property to Medium-Density Residential (R-B) and to rezone 29.71 acres to Regional Commercial (RC).



## Proposed - Town of Firestone Zoning districts:



### **Medium-Density Residential (R-B)**

*Purpose To provide areas for residential uses of an urban character, at a gross density not to exceed ten (10) dwelling units per acre. A minimum gross density of five (5) dwelling units per acre is required. The zone district classification of R-2 from former Town zoning code and development regulations is intended to be included in the R-B district.*

### **Regional Commercial (RC)**

*Purpose To provide areas for a variety of regionally oriented large retail and service commercial uses, and highway-oriented commercial uses such as shopping centers, big-box retail, gas stations, restaurants, hotels, and similar and associated land uses. The zone district classifications of C-2 and M-2 from former Town zoning code and development regulations are intended to be included in the RC district.*

### III. General Review Criteria

#### **16.7.4-E3, Rezoning/Zoning Map Amendment General Review Criteria**

*(General Review Criteria Applicable to all Official Map Amendments) The Board of Trustees may approve an official map amendment if the proposed rezoning meets all the following criteria.*

- A. That the proposed zoning promotes the health, safety, and welfare of the inhabitants of the Town and the purposes of this FDC.

**Response: The proposed zoning will comply with all applicable state and local health, safety and welfare standards set forth by the Town of Firestone and the State of Colorado.**

- B. The proposed zoning is generally consistent with the Town's Comprehensive Master Plan, or the proposed zoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the Town's plan.

**Response: The proposed zoning is consistent with the Comprehensive Master Plan. Part of the property is shown as Commercial/Office in the 2013 Master Plan, and the remaining part is shown as Mixed Use. Commercial/Office provides land use areas for retail commercial and office uses, located along key arterial streets. Master Plan, §12.3. Mixed Use areas allow all land uses except very low-density residential. Master Plan, §12.6.**

**Consistent with the Master Plan, the applicant proposes Regional Commercial zoning for the portion of the property closest to Firestone Blvd. and Interstate 25 and Medium-Density Residential zoning for the portions of the property set back from Firestone Blvd and adjacent to the low- and medium-density residential neighborhoods to the east. The Regional Commercial zone category provides for the highway-oriented commercial uses specified by the Commercial/Office Master Plan designation. The Medium-Density Residential zone is an allowed zoning for properties within the Mixed Use Master Plan designation, and requires a minimum density of 5 dwelling units per acre.**

- C. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

**Response: The facilities and services required to serve the subject property are available, as follows:**

- **Water** - *Town of Firestone/ Central Weld County Water District*
- **Sewer** – *St. Vrain Sanitation District*
- **Gas** – *Xcel Energy*
- **Electric** – *United Power*
- **Emergency Services** – *Fredrick-Firestone Fire Protection Dist./Firestone Police Dept.*

- D. The proposed zoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.

**Response: The proposed zoning will not cause significant adverse impacts to the environment or adjacent properties. The project will enhance open spaces and create more connectivity to surrounding creeks and waterways. These open space corridors will create a community centered around connectivity to nature and surrounding open spaces that will benefit wildlife and residents of the community.**

- E. The proposed zoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property.

**Response: The zoning request will not create significant adverse impacts on surrounding properties. The proposed zoning request will create connectivity through open space/trail corridors that will benefit residents by connecting surrounding communities through regional trails and greenspace corridors.**



- F. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property.

**Response: The land uses proposed in the zoning request are compatible with surrounding uses and communities by providing commercial to the West which transitions from higher density to lower density to match the existing land use East. The proposed rezoning provides a balanced approach to housing and commercial opportunities.**

- G. The proposed zoning is generally consistent with the Towns' economic development goals and objectives to promote growth and sustainable revenues to the Town.

**Response: The diversity of land uses proposed in the rezoning request provides manageable growth that will benefit the Town of Firestone and the economic development of the overall region. The convenient location will attract additional businesses to the area thereby increasing essential services and employment opportunities which also makes it favorable to residents.**

**IV. The proposed zoning request will include the Firestone Community Character elements stated below:**

- 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
- Effective and efficient public safety and security.
- "Four-sided" architecture is required along major streets and visual corridors.
- Superior recreational facilities
- A balanced approach to a blend of housing and commercial opportunities.
- Proper transition and integration between different types of land uses
- Convenient access to a wide variety of retail goods and services.
- A tangible and inspired sense of community.

## **V. Utilities and Services**

The parcels will be serviced by the following utilities services:

- Telephone – Century Link
- Water – Town of Firestone/ central Weld County Water District
- Electricity – United Power
- Gas – Xcel Energy

## **VI. Conclusion**

Applicant believes it has demonstrated how the rezone request is consistent with the goals and policies of the Town of Firestone and Future Land Use Map, as well as following the applicable provisions of the Town of Firestone Land Use Code.

Therefore, we respectfully request approval of the request to rezone from the current zoning of R-C PUD and RC PUD to R-B and RC zoning districts: Medium-Density Residential (R-B) and Regional Commercial (RC).



# WATER'S EDGE ZONING MAP

LOT 2, BLOCK 10, THE SHORES FILING NO. 1, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 1, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPLE MERIDIAN, TOWN OF FIRESTONE, COUNTY OF WELD, COLORADO.

89.91 ACRES

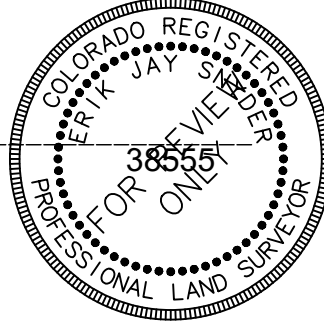
RZ-21-019

## SURVEYOR'S CERTIFICATE

I, ERIK JAY SNYDER, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTION.

I ATTEST THE ABOVE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ERIK JAY SNYDER PLS 38555  
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR



## PLANNING & ZONING COMMISSION CERTIFICATE

THIS ZONING MAP WAS REVIEWED BY THE TOWN OF FIRESTONE PLANNING & ZONING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRPERSON

## BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS ZONING MAP TO BE KNOWN AS THE WATER'S EDGE ZONING MAP, IS APPROVED AND ACCEPTED BY ORDINANCE \_\_\_\_\_, PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR

ATTEST: \_\_\_\_\_  
TOWN CLERK

Legal Description  
Overall

Beginning at the Southwest corner of said Section 1; thence along the West Section line of said Section 1 North 00°52'24" East 60.01 feet to the TRUE POINT OF BEGINNING; thence departing said Section line South 89°56'23" West 3.00 feet; thence North 00°52'24" East 509.83 feet; thence North 62°17'55" East 84.47 feet; thence North 49°51'37" East 61.96 feet; thence North 46°15'24" East 201.33 feet; thence North 64°28'44" East 510.91 feet; thence North 27°56'31" East 253.14 feet; thence North 00°55'25" East 198.30 feet; thence North 35°21'49" East 90.56 feet; thence North 43°45'29" East 163.19 feet; thence North 61°02'35" East 709.45 feet; thence North 71°03'50" East 76.62 feet; thence North 77°57'41" East 1011.84 feet to a point on the East line of the Southeast Quarter of the Southwest Quarter of Said Section 1; thence along said East line South 00°09'18" East 807.61 feet; thence South 00°09'42" East 956.98 feet; thence South 89°45'43" West 70.00 feet; thence North 45°11'59" West 28.27 feet; thence South 89°50'18" West 68.00 feet; thence South 44°52'35" West 28.27 feet; thence South 00°05'07" East 54.00 feet; South 90°00'00" West 446.81 feet; thence South 00°00'00" West 264.76 feet; thence South 85°57'42" West 286.37 feet to a point on a tangent curve concave to the Northwest having a central angle of 59°54'38", a radius of 614.67 feet, a chord that bears South 30°53'16" East 613.84 feet; thence along the arc of said curve a distance of 642.72 feet to a point of a tangent line; thence South 89°31'05" West 1709.72 feet to the TRUE POINT OF BEGINNING.

The above-described parcel contains 89.91 acres more or less.

Legal Description  
Residential Tract

Being a parcel of land located in the South half of Section 1, and the Southeast Quarter of Section 2, Township 2 North, Range 68 West of the Sixth Principal Meridian, Town of Firestone, County of Weld, State of Colorado being more particularly described as follows:

Beginning at the Southwest corner of said Section 1; thence along the West Section line of said Section 1 North 00°52'24" East 60.01 feet; thence departing said Section line South 89°56'23" West 3.00 feet; thence North 00°52'24" East 509.83 feet; thence North 62°17'55" East 84.47 feet; thence North 49°51'37" East 61.96 feet; thence North 46°15'24" East 201.33 feet; thence North 64°28'44" East 510.91 feet; thence North 27°56'31" East 253.14 feet to the TRUE POINT OF BEGINNING; thence South 61°28'42" East 173.53 feet; thence South 61°21'17" East 82.65 feet to a point on a tangent curve concave to the Northwest having a central angle of 59°54'38", a radius of 614.67 feet, a chord that bears South 30°53'16" East 613.84 feet; thence along the arc of said curve a distance of 642.72 feet to a point of a tangent line; thence South 00°29'45" East 44.21; thence North 90°00'00" East 772.86 feet; thence South 00°00'00" East 34.84; thence North 90°00'00" East 446.81 feet; thence North 00°05'07" West 54.00 feet; thence North 44°52'35" East 28.27 feet; thence North 89°50'18" East 68.00 feet; thence South 45°11'59" East 28.27 feet; thence North 89°45'43" East 70.00 feet to a point on the East line of the Southeast Quarter of the Southwest Quarter of Said Section 1; thence along said East line North 00°09'42" West 956.98 feet to the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 1; thence along the East line of the Northeast Quarter of said Section 1 North 00°09'18" West 807.61 feet; thence departing said East line South 77°57'41" West 1011.84 feet; thence South 71°03'50" West 76.62 feet; thence South 61°02'35" West 709.45 feet; thence South 43°45'29" West 163.19 feet; thence South 35°21'49" West 90.56 feet; thence South 00°55'25" West 198.30 feet; thence South 27°56'31" West 138.47 feet to the TRUE POINT OF BEGINNING.

The above-described parcel contains 60.20 acres more or less.

Legal Description  
Commercial Tract

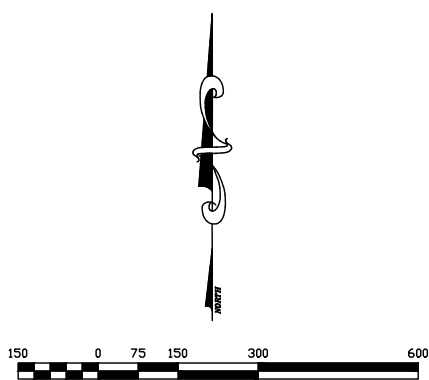
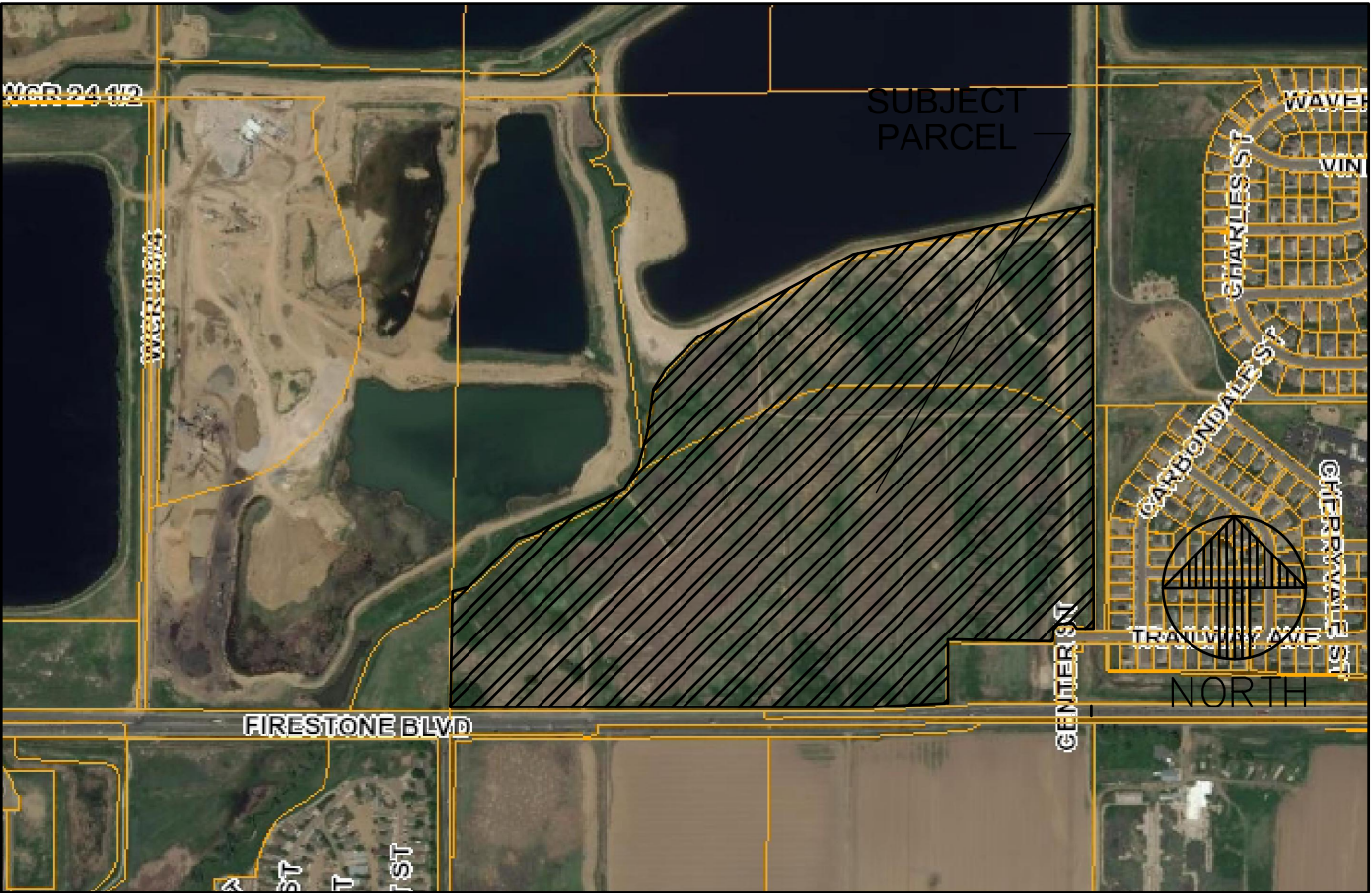
Being a parcel of land located in the South half of Section 1, and the Southeast Quarter of Section 2, Township 2 North, Range 68 West of the Sixth Principal Meridian, Town of Firestone, County of Weld, State of Colorado being more particularly described as follows:

Beginning at the Southwest corner of said Section 1; thence along the West Section line of said Section 1 North 00°52'24" East 60.01 feet to the TRUE POINT OF BEGINNING; thence departing said Section line South 89°56'23" West 3.00 feet; thence North 00°52'24" East 509.83 feet; thence North 62°17'55" East 84.47 feet; thence North 49°51'37" East 61.96 feet; thence North 46°15'24" East 201.33 feet; thence North 64°28'44" East 510.91 feet; thence North 27°56'31" East 114.67 feet; thence South 61°28'42" East 173.53 feet; thence South 61°21'17" East 82.65 feet to a point on a tangent curve concave to the Southwest having a central angle of 59°54'38", a radius of 614.67 feet, a chord that bears South 30°53'16" East 613.84 feet; thence along the arc of said curve a distance of 642.72 feet to a point of a tangent line; thence South 00°29'45" East 44.21; thence North 90°00'00" East 772.86 feet; thence South 00°00'00" East 299.60 feet to a point on the North Right-of-Way line of Firestone Blvd.; thence along said North Right-of-Way line South 85°57'42" West 286.37 feet to a point of a tangent curve concave to the Northwest having a central angle of 03°33'23", a radius of 1940.00 feet, a chord that bears South 87°44'23" West 120.40 feet; thence along the arc of said curve a distance of 120.42 feet to a point on a tangent line South 89°31'05" West 1709.72 feet to a point on said West line of section 1; thence South 00°52'24" West 30.01 feet to the TRUE POINT OF BEGINNING.

The above-described parcel contains 29.71 acres more or less.

Mountain Shadows ODP  
Zoning: (OS) Open Space

VICINTY MAP  
1"=800'



| Curve Table |         |        |            |               |
|-------------|---------|--------|------------|---------------|
| Curve #     | Radius  | Length | Delta      | Chord Bearing |
| C2          | 1940.00 | 120.42 | 003°33'23" | N87° 44' 23"E |
| C1          | 614.67  | 642.72 | 059°54'38" | N30° 53' 16"W |

| Line Table |        |               |
|------------|--------|---------------|
| Line #     | Length | Direction     |
| L1         | 70.00  | N89° 45' 43"E |
| L2         | 28.27  | S45° 11' 59"E |
| L3         | 68.00  | N89° 50' 18"E |
| L4         | 28.27  | N44° 52' 35"E |
| L5         | 54.00  | N00° 05' 07"W |
| L7         | 3.00   | S89° 56' 23"W |
| L8         | 30.01  | N00° 52' 24"E |
| L9         | 34.84  | N00° 00' 00"E |
| L10        | 44.21  | N00° 29' 45"W |

Almo ODP  
Zoning: (RC)  
Regional Commercial

The Shores ODP  
Zoning: (OS) Open Space

Medium Density  
Residential  
Zoning: (R-B)  
± 60.20 ACRES

Regional  
Commercial  
Zoning: (RC)  
± 29.71 ACRES

The Shores ODP  
Zoning: (R-B) Residential B

500' 09' 18"E  
BASIS OF BEARING



DRAWN BY:  
EJS

CHECKED BY:  
TTS

APPROVED BY:  
EJS

REVISIONS:

PAGE(S): 1 OF 1

CLIENT: LOT HOLDING INVESTMENTS, LLC

TITLE: THE SHORES REZONING EXHIBIT

DATE: 22 DEC. 2021  
SCALE: 1"=150'

JOB NO: LOTH-21-08-012





1613 Pelican Lakes Point, Suite 201  
Windsor Co, 80550  
[www.lotholdinginvestments.com](http://www.lotholdinginvestments.com)

December 10, 2021

**Notice of Neighborhood Meeting\***

You are invited to attend a neighborhood meeting and make comments on a presentation for a Rezoning proposal which has been filed with the Town of Firestone. This property is located at the intersection of Firestone Boulevard and Center Street.

To prevent the spread of covid-19 and allow for social distancing, the neighborhood meeting for this project will be conducted remotely via Zoom.

**The meeting will be held on:  
Monday, January 3, 2022 At 5:30 PM**

For information or to register for the Zoom webinar meeting, contact Tyler Smith, Lot Holding Investments, LLC at (970) 397-4978 or [tsmith@lotholding.com](mailto:tsmith@lotholding.com)

**\*Please be advised that in addition to this neighborhood meeting which is being conducted by the developer of this specific land use proposal, the Town of Firestone will also hold at least one public hearing on this land use Proposal.**

The affected property owners list for this neighborhood meeting is derived from official records of the Assessor's Office of Weld County, Colorado. Because of the lag time between home occupancy and record keeping or because of rental situations, a few affected property owners or residents may have been missed. Please feel free to notify your neighbors of this pending meeting so all neighbors may have the opportunity to attend.

Sincerely,

**LOT HOLDING INVESTMENTS, LLC**

Tyler Smith  
(970) 397-4978  
[tsmith@lotholding.com](mailto:tsmith@lotholding.com)

# Neighborhood Meeting Notes

*Presentation of:*

## **Water's Edge (Rezoning)**

**Monday, January 3rd, 2022**

**At 5:30 PM**

### **Resident's Comments:**

- Question/Comment:  
Jaimie Addy-(Burnco)  
Wanted to know what our plans were for the open spaces around the lakes on properties to the north?
- Question/Comment:  
Jaimie Addy-(Burnco)  
Wanted to see if Burnco could do anything to help during the mining reclamation work that could help us?

### **Meeting Attendees: 3 Total**

Tyler Smith      Lot holding Investments  
John Hall        Lot holding Investments  
Jaimie Addy    (Burnco)

### **Requested Meeting info but didn't show up for meeting: 2 Total**

Jose Valdez  
Stephanie Guzman

**FIRESTONE PLANNING AND ZONING COMMISSION**

**RESOLUTION NO. PC-22-06**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO, RECOMMENDING APPROVAL OF AN APPLICATION TO ZONE CERTAIN LAND, FULLY DESCRIBED HEREIN, FROM REGIONAL COMMERCIAL (RC) TO RESIDENTIAL B (R-B) AND FROM RESIDENTIAL C (R-C) TO RESIDENTIAL B (R-B) ZONE DISTRICT**

WHEREAS, Lot Holding Investments, LLC (“Owner”) owns property more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (“Property”); and

WHEREAS, the Property is located in the Regional Commercial (RC) and Residential C (R-C) zone districts; and

WHEREAS, Owner has applied for the rezoning of the Property from Regional Commercial (RC) and Residential C (R-C) zone districts to Regional Commercial (RC) and Residential B (R-B) zone districts (“Application”); and

WHEREAS, the Firestone Planning and Zoning Commission, at its meeting on March 3, 2022, reviewed the Application and considered the approval criteria set out in Section 16.7.4 of the Firestone Development Code; and

WHEREAS, the Firestone Planning and Zoning Commission wishes to make a recommendation to the Town of Firestone Board of Trustees pertaining to the Application.

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 to the Board of Trustees approve the Application for the rezoning of the Property from Regional Commercial (RC) and Residential C (R-C) zone districts to Regional Commercial (RC) and Residential B (R-B) zone districts, subject to the conditions set forth on Exhibit B attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 3rd day of March, 2022.

ATTEST:

Lisa Carthy  
Secretary



[Signature]  
Chairperson

**EXHIBIT A**  
**Legal Description**

Beginning at the Southwest corner of said Section 1; thence along the West Section line of said Section 1 North 00°52'24" East 60.01 feet to the TRUE East 60.01 feet to the TRUE POINT OF BEGINNING; thence departing said Section line South 89°56'23" West 3.00 feet; thence West 3.00 feet; thence North 00°52'24" East 509.83 feet; thence East 509.83 feet; thence North 62°17'55" East 84.47 feet; thence East 84.47 feet; thence North 49°51'37" East 81.96 feet; thence East 81.96 feet; thence North 46°15'24" East 201.33 feet; thence East 201.33 feet; thence North 64°28'44" East 510.91 feet; thence East 510.91 feet; thence North 27°56'31" East 253.14 feet; thence East 253.14 feet; thence North 05°55'25" East 198.30 feet; thence East 198.30 feet; thence North 35°21'49" East 90.56 feet; thence East 90.56 feet; thence North 43°45'29" East 163.19 feet; thence East 163.19 feet; thence North 61°02'35" East 709.45 feet; thence East 709.45 feet; thence North 71°03'50" East 76.62 feet; thence North 77°57'41" East 1011.84 feet to East 76.62 feet; thence North 77°57'41" East 1011.84 feet to East 1011.84 feet to a point on the East line of the Southeast Quarter of the Southwest Quarter of Said Section 1; thence along said East line South 00°09'18" East 807.61 feet; thence East 807.61 feet; thence South 00°09'42" East 956.98 feet; thence East 956.98 feet; thence South 89°45'43" West 70.00 feet; thence West 70.00 feet; thence North 45°11'59" West 28.27 feet; thence West 28.27 feet; thence South 89°50'18" West 68.00 feet; thence West 68.00 feet; thence South 44°52'35" West 28.27 feet; thence West 28.27 feet; thence South 00°05'07" East 54.00 feet; South 90°00'00" West 446.81 feet; thence East 54.00 feet; South 90°00'00" West 446.81 feet; thence West 446.81 feet; thence South 00°00'00" West 264.76 feet; thence West 264.76 feet; thence South 85°57'42" West 286.37 feet; feet to a point on a tangent curve West 286.37 feet; feet to a point on a tangent curve concave to the Northwest having a central angle of 59°54'38", a radius , a radius of 614.67 feet, a chord that bears South 30°53'16" East 613.84 feet; thence East 613.84 feet; thence along the arc of said curve a distance of 642.72 feet to a point of a tangent line; thence South 89°31'05" West 1709.72 feet to the TRUE POINT OF West 1709.72 feet to the TRUE POINT OF BEGINNING. The above-described parcel contains 89.91 acres more or less.

**EXHIBIT B**  
**Conditions of Approval**

**General**

1. Technical corrections to the Water's Edge Zoning Map shall be made to the Town's satisfaction.



## AGENDA INFORMATION MEMORANDUM

### FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 7.b

Land Development

Meeting Date: March 23, 2022

Initiated By: Marty Ostholtzoff

Dept: Planning & Development

#### **AGENDA TITLE**

**PUBLIC HEARING: Resolution 22-43:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, RATIFYING AND APPROVING THE PLANNING AND ZONING COMMISSION'S ADOPTION OF THE TOWN OF FIRESTONE HISTORIC FIRESTONE NEIGHBORHOOD PLAN

#### **SUMMARY**

The Historic Firestone Neighborhood Plan provides an evaluation of the conditions and unique aspects of the original Firestone Town site and presents goals and policies to guide investment and program development decisions. It is intended to assist in the creation of appropriate commercial uses, provision of housing diversity, and reduction of vacancy by capitalizing on the strengths and understanding the challenges of the area. Equally important is the intention to enhance the residential area and ensure future development is compatible with the existing neighborhood.

The ultimate goal is to ensure a vibrant, lively, safe, well-kept, clean and inclusive environment for commercial property owners and existing and new residents.

#### **HISTORY AND PREVIOUS BOARD ACTION**

On May 26, 2021, the Board of Trustees approved a professional services contract with consulting firm MIG, for the purpose of developing a neighborhood plan for Historic Firestone.

#### **RECOMMENDATION**

Staff recommends that the Board of Trustees approve draft Resolution 22-43, a resolution ratifying and approving the Planning and Zoning Commissions adoption of the Town of Firestone Historic Firestone Neighborhood Plan.

#### **ALTERNATIVES**

n/a

#### **ATTACHMENTS**

1. Resolution 22-43
2. Historic Firestone Neighborhood Plan
3. Planning & Zoning Commission Resolution PC-22-07

#### **FINANCIAL CONSIDERATIONS**

n/a

## RESOLUTION NO. 22-43

### **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, RATIFYING AND APPROVING THE PLANNING AND ZONING COMMISSION'S ADOPTION OF THE TOWN OF FIRESTONE HISTORIC FIRESTONE NEIGHBORHOOD PLAN**

WHEREAS, the Town, acting through its Planning and Zoning Commission, is empowered pursuant to C.R.S. §§ 31-23-201, *et seq.*, to make, adopt, amend or supplement a master or comprehensive plan and one or more community plans to guide current and future growth and development of the municipality; and

WHEREAS, community stakeholders, citizens, property owners, staff from the Town of Firestone ("Town"), and the Town's consultants have engaged in a rigorous, comprehensive, inclusive, transparent and collaborative planning process which has resulted in the Historic Firestone Neighborhood Plan (the "Plan"), attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS, a draft of the Plan has been made available on the Town's website and the public has been given the opportunity for review and comment; and

WHEREAS, in accordance with C.R.S. § 31-23-208, the Firestone Planning and Zoning Commission, at its meeting held on March 17, 2022, conducted a public hearing on the Plan, following the publication of notice as required by law; and

WHEREAS, following the conclusion of the duly noticed public hearing conducted on March 17, 2022, the Planning and Zoning Commission adopted the Plan; and

WHEREAS, pursuant to and in accordance with the authority set forth in C.R.S. § 31-23-206(1), the Board of Trustees desires to ratify and approve the Planning and Zoning Commission's adoption of the Plan.

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

The Board of Trustees hereby ratifies and approves the decision of the Planning and Zoning Commission adopting the Historic Firestone Neighborhood Plan, attached hereto as **Exhibit A**, as more particularly set forth in Resolution No. PC-22-07.

PASSED AND ADOPTED this 23rd day of March, 2022.

TOWN OF FIRESTONE, COLORADO

---

Bobbi Sindelar, Mayor

ATTEST:

---

Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

---

William P. Hayashi, Town Attorney

**EXHIBIT A**  
**Historic Firestone Neighborhood Plan**



# HISTORIC FIRESTONE NEIGHBORHOOD PLAN

Final Plan  
March 2022



**FIRESTONE**  
COLORADO





# **HISTORIC FIRESTONE NEIGHBORHOOD PLAN**

***FINAL PLAN / MARCH 2022***



Prepared by:

**MIG, Inc.**

[www.migcom.com](http://www.migcom.com)







# GEORGE HEATH

## HISTORIC FIRESTONE NEIGHBORHOOD PLAN MEMORIAL



### GEORGE HEATH

This plan is dedicated to the memory of George E. Heath. George served two full terms on the Firestone Board of Trustees. In addition to serving as a Trustee, George served on several boards, commissions, and committees. George and Betty Heath moved to the Historic Firestone neighborhood in 1998, and immediately, George Heath had a vision and became an advocate for the neighborhood. His passion for Historic Firestone was exceeded only by his sincerity and kindness towards the entire community and the people he served. After reviewing this plan, Betty, George's wife, shared that as she read through it, "my heart wished George could see it. This is exactly what he dreamed of the last few years of his life."



# ACKNOWLEDGMENTS

## BOARD OF TRUSTEES

- Bobbi Sindelar, Mayor
- Frank Jimenez, Mayor Pro Tem
- Don Conyac, Trustee
- Sean Doherty, Trustee
- Samantha Meiring, Trustee
- Douglas Sharp, Trustee
- David Whelan, Trustee

## PLANNING AND ZONING COMMISSION

- Dennis Haney, Chairperson
- Timothy Spiegelberg, Vice-Chairperson
- Jaci Dagget, Commissioner
- Amber Harper, Commissioner
- John Damsma, Commissioner
- Casey O'Donnell, Commissioner
- James Sutton, Commissioner

## TOWN STAFF

- AJ Krieger, Town Manager
- Todd Bjerkaas, Director of Planning and Development
- Marty Ostholthoff, Planning Manager
- Millissa Berry, Senior Planner
- Matt Thompson, Senior Planner
- Michelle Dollmaier, Senior Planner
- Julie Pasillas, Director of Public Works
- Tracy Case, Building Division Manager
- Matt Wiederspahn, Town Engineer
- Peter Bornhoff, Civil Engineer
- Paula Mehle, Director of Economic Development
- Michelle Magelssen, Economic Development Specialist

## STAKEHOLDERS/COMMUNITY MEMBERS

**A huge thank you to all community members who contributed to the Historic Firestone Neighborhood Plan, without whom this Plan would not be possible. Key participants include, but are not limited to:**

- Geradette Borrego
- Ken Meaney
- Robin Monthei
- Greg Zadel
- Ginger Guderjahn
- Betty Heath



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# 1

## INTRODUCTION

**Historic Firestone is a unique neighborhood in a rapidly growing suburban setting. It benefits from rich history, a strong community, and a small-town feel. This Plan aims to preserve and leverage the strengths of the area as Firestone revitalizes the neighborhood with new investment and amenities. This Chapter introduces the Plan, the robust engagement process, and the existing conditions.**

### IN THIS CHAPTER:

#### 1.0 Plan Purpose

#### 1.1 Planning Process and Engagement

#### 1.2 Plan Area Overview

#### 1.3 Neighborhood Opportunities and Constraints

## 1.0 PLAN PURPOSE

**The Historic Firestone Neighborhood Plan will be the guiding document for the community and elected officials when making decisions related to policies, projects, and programs for the original Town plat and the surrounding area.**

### *Introduction*

This Neighborhood Plan provides an evaluation of the conditions and unique aspects of the original Firestone Town site and present goals and policies to guide investment and program development decisions. It is intended to assist in the creation of appropriate commercial uses, provision of housing diversity, and reduction of vacancy by capitalizing on the strengths and understanding the challenges of the area. Equally important is the intention to enhance the residential area and ensure future development is compatible with the existing neighborhood.

The ultimate goal is to ensure a vibrant, lively, safe, well-kept, clean and inclusive environment for commercial property owners and existing and new residents.

### BACKGROUND

The Neighborhood Plan kicked off a community-led process in June of 2021. This Plan is envisioned as part of the Town of Firestone's larger, upcoming Comprehensive Master Plan process. The intention is to ensure that Firestone's original neighborhood is not overlooked or underserved as the community grows.

### APPROACH

In order to ensure a timely but thorough process, the Plan was broken into four phases with community engagement occurring throughout the year. The focus and intent of the phases was:

- **Phase 1: Organize** – Established a strong baseline for the planning process including an analysis of existing conditions, creating a robust public engagement plan, and resident and business stakeholder interviews.
- **Phase 2: Visualize** – Established a community vision and set measurable goals, as well as key focus areas for the Plan development.
- **Phase 3: Strategize** – Developed a preliminary set of recommendations, guidelines, and visual concepts, to be prioritized and revised based upon stakeholder inputs.
- **Phase 4: Realize** – Created an implementation strategy and developed the Draft and Final Historic Firestone Neighborhood Plan.





# Plan Organization

The Plan is organized in five major chapters to clearly present the necessary background information and organize the various types of recommendations. It includes the following chapters and subsections:

- 1. Introduction** - Provides necessary background information and neighborhood analysis.
  - 1.0 Plan Purpose
  - 1.1 Planning Process and Engagement
  - 1.2 Plan Area Overview
  - 1.3 Neighborhood Opportunities and Constraints
- 2. Plan Framework Recommendations** - Outlines the established vision and major Plan recommendations.
  - 2.0 Community Vision
  - 2.1 Land Use and Built Form
  - 2.2 Mobility and Streetscapes
  - 2.3 Infrastructure and Utilities
  - 2.4 Character and Charm
- 3. Catalytic Projects** - Presents recommendations and graphics for suggested improvement projects and development in the neighborhood.
  - 3.0 Gateways
  - 3.1 Plaza Concept
  - 3.2 Saddleback Estates
  - 3.3 Overlook Property
- 4. Design Guidelines** - Provides design and maintenance best practices for improvements.
  - 4.0 Private Realm - Existing Neighborhoods
  - 4.1 Private Realm - New Development
  - 4.2 Public Realm - Streetscapes
  - 4.3 Public Realm - Plaza and Public Spaces
- 5. Implementation** - Outlines next steps and action items for bringing recommendations to fruition.
  - 5.0 Project and Program Prioritization Matrix
  - 5.1 Funding Mechanisms



*Parks and Open Space, Hart Park*



*Historic Buildings, Former Screwball Inn*



*First Street Businesses and Post Office*

## 1.1 PLANNING PROCESS AND ENGAGEMENT

**Throughout the Historic Firestone planning process the local community was frequently and meaningfully engaged in visioning, strategizing, development, and review. This Plan would not exist without their input.**

## Engagement Methods

Community engagement was integrated into all the phases of the Plan process to ensure the outcomes continued to align with the desires of the community. A variety of engagement methods were used to allow people to engage in different ways based on their availability and interest. The diverse and ongoing engagement also helped the Project Team reach as many voices and perspectives as possible within the Historic Firestone Neighborhood.

## STAKEHOLDER INTERVIEWS

At the outset of the process, the Plan Team met with selected members of the community in an informal stakeholder group discussion to gain their unique insights about the needs of the neighborhood. Participants included residents, business owners, and property owners. Questions asked about existing hurdles, redevelopment potential, and possible interventions.

## COMMUNITY MEETINGS

Two community meetings were held at the former Town Hall to facilitate conversation and feedback with the community at key intervals. Community members were also given the opportunity to comment on the Draft Plan, posted digitally online.

The first community meeting focused on understanding the assets, issues, and opportunities through the lens of local residents and business owners. Participants also reviewed the existing conditions findings, provided their preferences for public spaces, streetscape elements, land uses, and building types and shared their vision and favorite things about the community.

The second community meeting presented concepts and recommendations coming out of the first meeting and the catalytic sites charrette. Residents provided feedback on design ideas for gateways, streetscapes, and a potential new plaza.



### Community Meeting #1 Wall Graphic





## INTERCEPT EVENTS

Multiple intercept events were held throughout the summer to “meet people where they are” and to capture more involvement in the project. Feedback boards and fun activities, including sticker exercises, “I love Firestone” write-in sheets, and cornhole were brought to the community Food and Flick Fridays twice during the month of July. At these events, which include food trucks and a movie in the park, community members were able to learn about the project and process, sign up for regular updates, tell the Team what they love most about Historic Firestone, and answer questions about the types of public spaces, streetscape elements, new land uses, and building types and styles they want to see in Historic Firestone.



*July Food and Flick Intercept Event*

## CATALYTIC SITES CHARRETTE/OPEN HOUSE

In mid-August the Plan Team hosted a design charrette with a variety of selected community members to brainstorm design concepts for potential Historic Firestone projects. Using digital and physical tools such as Sketchup, Streetmix, and printed maps and markers, participants gave real time suggestions and shaped design ideas for a plaza on the Town Hall site, the proposed land use concept, and the major streetscapes. This input was taken into account and the proposed concepts were revised and presented at a community open house, following the charrette. Additional feedback and/or confirmation of the plan concepts were achieved during the community open house.



*Community Meeting #1*

## BOARD OF TRUSTEES MEETINGS AND WORKSESSIONS

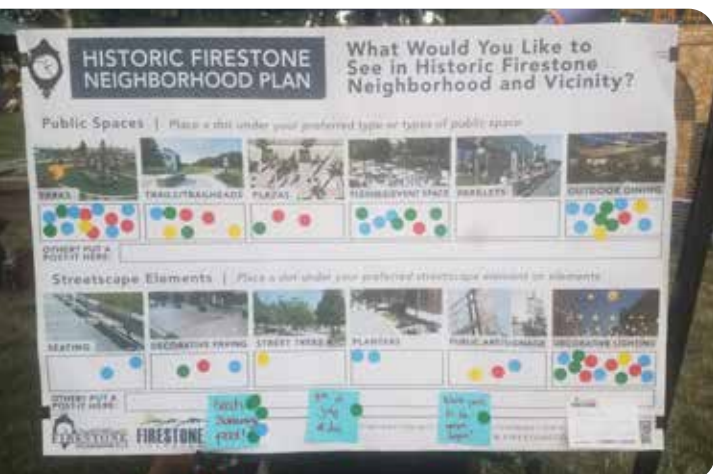
At several points during the year, the Plan process to-date was presented to the Firestone Town Board of Trustees. These meetings provided a detailed update on the engagement, concepts, and recommendations of the project and gave the Board members the opportunity to provide their unique insight and feedback to the process. The Town Planning and Zoning Commission was also updated on the project in tandem with the Board. Engaging Board members throughout the Plan’s development allows a smoother adoption and implementation process at the Plan’s completion.



*Community Meeting #2*



*Stakeholder Interviews*



*Food and Flicks Intercept Event*



*Public Meeting #2*

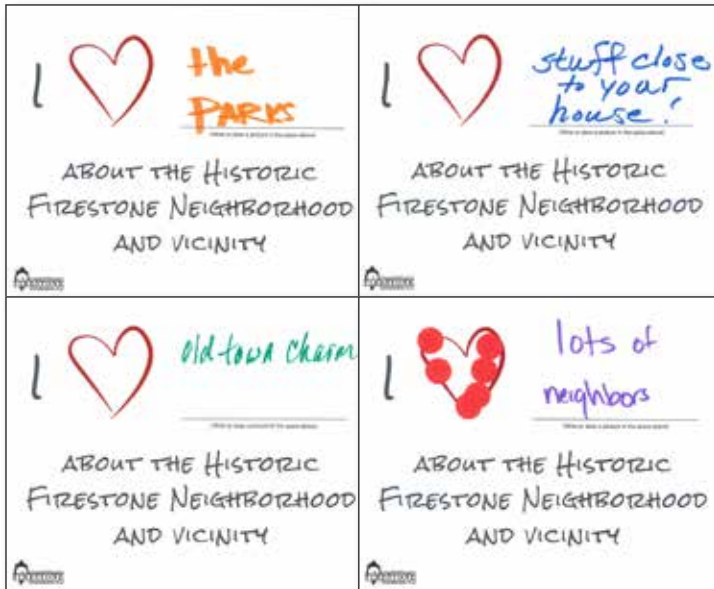
## Key Takeaways

Several ideas, questions, and concerns were consistently heard from community members throughout the process. These recurring themes were essential to shaping the Historic Firestone Neighborhood Plan goals, strategies, and recommendations. These key takeaways from the public, listed below, formed the foundation of the Plan.

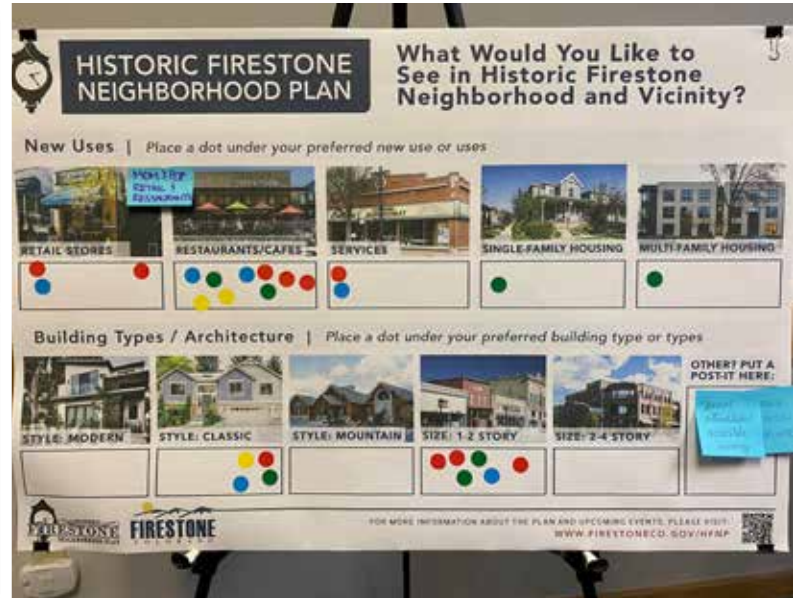
- Establish a neighborhood Main Street with historic character.
- Create better places for community gathering.
- Improve roadways, alleyways, utilities and landscaping - "put a roof on it first."
- Retain the eclectic character of the neighborhood, and tell the story of the neighborhood.
- Develop the large vacant areas including the annexed land and the Town Hall site.
- Provide more restaurants, cafes, and retail stores for the neighborhood to enjoy.
- Create more outdoor public spaces.
- Improve the streetscapes with better and more lighting, planters, trees, decorative paving, and other pedestrian amenities.
- Catalyze reinvestment and redevelopment along First Street.
- Develop the Town Hall area as an attraction and a place to do things.
- Provide community-oriented building uses as part of new development.
- Incorporate historic features in public spaces and gateways.







Summer Intercept Event Activity Sheets



Community Meeting #1



Catalytic Projects Charrette



Community Meeting #2



Community Meeting #1



Community Meeting #1



Community Meeting #2

## 1.2 PLAN AREA OVERVIEW

**Historic Firestone is a charming, active neighborhood that is considered the heart of the community. This section describes the existing conditions of the neighborhood, which includes the original Town plat and surrounding areas, and what makes Historic Firestone unique.**

### *Background*

Historic Firestone is where the original Firestone settlement was located. The settlement was established to provide support to the local coal miners and their families. The original plat encompassing Historic Firestone ran north to Grant Avenue, east to Fourth Street, south to McClure Avenue and west to First Street. The area is set on a traditional street grid with the intersection of Colorado Boulevard and Grant Avenue being a gateway into Historic Firestone. Since platting, the neighborhood has grown to encompass areas between Colorado Boulevard and Frontier Street and from McClure Avenue to properties north of Grant Avenue. Although the plan is called the Historic Firestone Neighborhood Plan, the Plan Area is the larger neighborhood beyond the original plat area.

The majority of the land uses in the subarea are single-family detached residential. Houses in the neighborhood range from nearly 100 years old to those built within the last couple of decades. A few multi-family developments and undeveloped lots are sprinkled throughout the area. Several commercial businesses exist along First Street, Grant Avenue, and Colorado Boulevard. A number of parks and recreation facilities are also located in the area. The Town's Fourth of July parade and the firework display have traditionally taken place here and continue today.

Historic Firestone is within an urban renewal area, which aims to address blight and renew and revitalize portions of Firestone. The urban renewal area primarily includes the neighborhood's streets and not the parcels. This Plan aims to complement the urban renewal plan by guiding investment and development. It is anticipated that the Town, the Firestone Urban Renewal Authority, and the private sector will work together to invest in the neighborhood over time.

Firestone is growing rapidly (its population has soared from 1,908 in 2000 to nearly 17,730 in 2022) and many new homes and businesses have been built in the northern portion of the Town. The Town Hall, previously located in the Plan Area, was recently relocated to Central Park where a new police station and court facility was built in 2019. As new amenities, services, and investments occur outside of the area, the Town wants to ensure that equal care and appropriate investment occurs in Historic Firestone and that the quality of life is sustained if not enhanced. To do this, a neighborhood plan is needed for the area to provide the framework from which the Town can guide and prioritize improvements and investments.

### **EXISTING CONDITIONS SUMMARY**

This section of the Plan provides an important understanding of the conditions within the Historic Firestone planning area. It provides a snapshot of the neighborhood's current characteristics by summarizing technical information related to land use, development, demographics, and market potential, with qualitative input received from outreach efforts. The analysis of current conditions within the neighborhood catalogues unique factors and benefits. This analysis informed decision-making by allowing all community members to start with the same background and baseline of information. This section lays the foundation for recommendations by identifying issues that need to be addressed or assets that need to be protected and enhanced.





*Aerial of Historic Firestone Area*

## Location

The planning area for the Historic Firestone Neighborhood Plan is an area of approximately 0.66 square miles (425 acres) that is located in the southern portion of the Town of Firestone. The Historic Firestone area includes the original Town plat along with residential subdivisions immediately adjacent to the original Town. In addition, certain commercial, residential and undeveloped properties along the periphery are included in the plan area to ensure that future development in these areas complement the Historic Firestone Neighborhood.



## Demographics

For the purposes of this brief, the 2019 American Community Survey 5-Year Census data was used for the 80520 zip code, which has slightly smaller extents than that of the neighborhood plan area.

- Total population: 1,636
- Housing units: 541
- Average household size: 3.17 (compared to overall Firestone: 3.09)
- Median age: 40.2 (compared to overall Firestone: 35.3)
- Median household income: \$70,726 (compared to overall Firestone: \$100,288)
- Homeownership, of the 541 housing units:
  - » 429 were owner occupied
  - » 87 units were renter occupied
- Vacancy: 516 dwelling units were occupied and 25 were vacant

**1,636**  
**RESIDENTS**

**AVERAGE**  
**HOUSEHOLD**  
**SIZE: 3.17**

**541**  
**HOUSING UNITS**

**429**  
**OWNER**  
**OCCUPIED**

**87**  
**RENTER**  
**OCCUPIED**

**\$70K**  
**MEDIAN**  
**HOUSEHOLD**  
**INCOME**

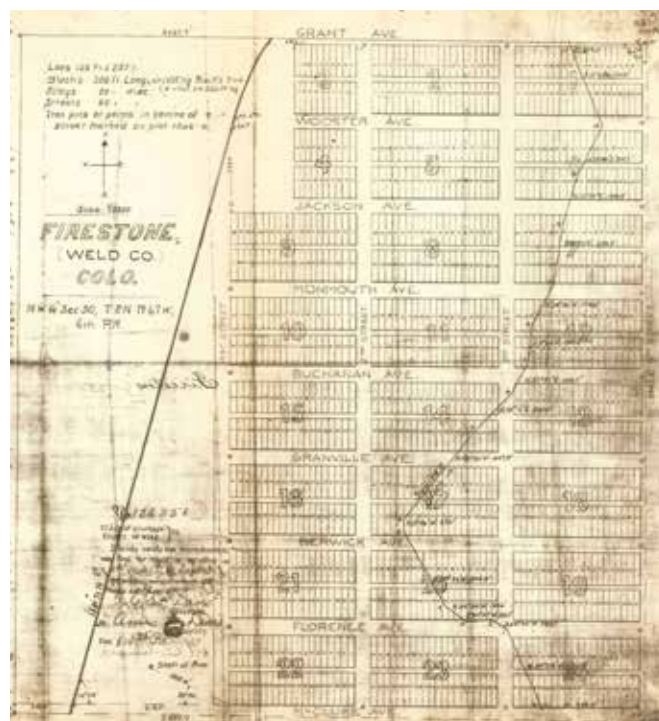
**25**  
**VACANT**  
**UNITS**

## Historic Resources

Although there are a number of residential and commercial structures in excess of 50 years old, there are no structures within the planning area that are officially on a historic register. One structure, known as the Screwball Inn, was built in 1908 and has some historic details that may be worth preserving. Other structures built in the early 1900s are not as significant in architecture, have been modified over the decades and/or are not in a condition to retain.

## Points of Interest

A variety of landmarks and amenities can be found in the Historic Firestone Plan Area. Historic and civic landmarks include the former Screwball Inn, the Post Office, Safeway, former Town Hall on Grant Avenue, and the original Town Hall on Buchanan Avenue. Additionally, the area includes many amenities such as Miners Park, Hart Park, Onorato Park, Gateway Park, and the nearby Saddleback Golf Course.



Original Town Plat





# Existing Plans Review

## FIRESTONE MASTER PLAN

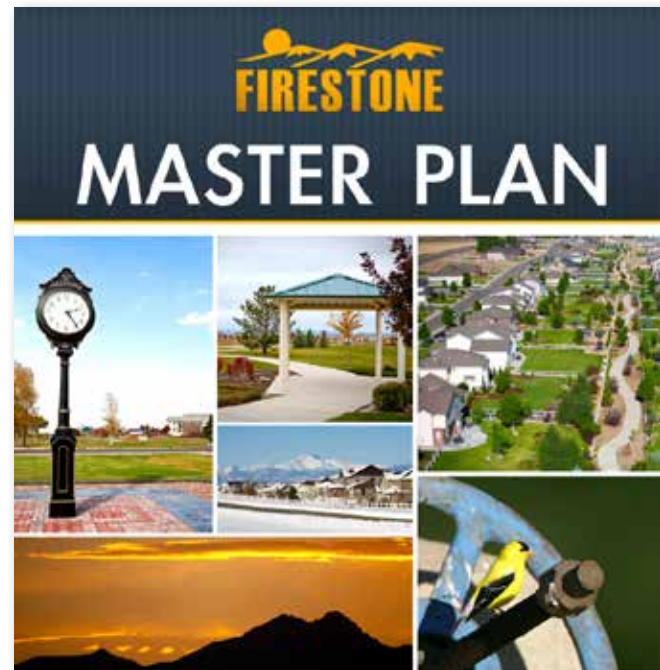
The Firestone Master Plan sets the vision of the community and designates intended future land uses and development. In the Firestone Master Plan, the Historic Firestone Neighborhood is acknowledged as the original Town location. The existing land uses in the Plan Area are generally expected to remain as they are. Development is expected in the areas nearby though the majority is planned as low and medium density residential.

## PARKS, OPEN SPACE, AND TRAILS MASTER PLAN

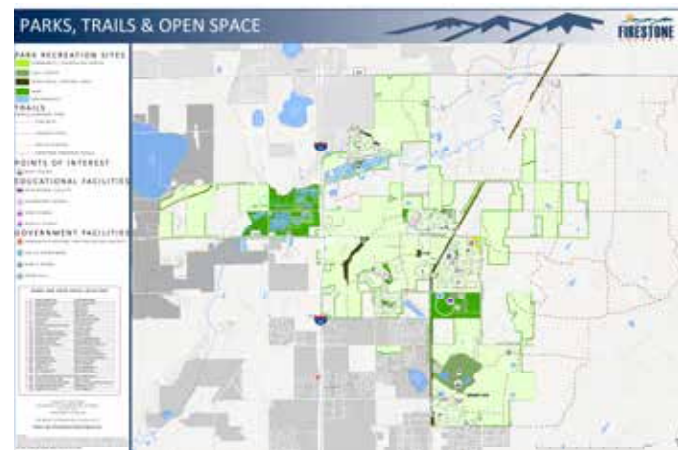
The Parks, Open Space, and Trails Master Plan provides guidance on acquisition, operations and maintenance of the Town's parks, open space and trail system. The Parks, Open Space, and Trails Master Plan indicates that the neighborhood has adequate parks and access to trails. Additional trail links are planned to provide connectivity between developed and undeveloped lands. Additional pocket parks are expected with development of adjacent undeveloped land. Specific recommendations include adding wayfinding to the Firestone Trail and adding a loop walk to the Firestone Villas open space.

## TRANSPORTATION MASTER PLAN

The Transportation Master Plan is being prepared through a separate but concurrent planning process. It is expected that the Transportation Master Plan will consider the outcome of the Neighborhood Plan when defining specific direction for streets in the planning area. One area of discussion will be the street cross section for Grant Avenue. Grant Avenue is considered a collector and is shown in this Plan as a "collector without median" from the Town's standard cross sections. The street also will eventually be paved east of Frontier Street. Whether or not the four lane street section runs between Colorado Boulevard and Frontier Street will be examined through the planning process. In addition parking management and bicycle facilities will also be studied as well as the potential development of specific street sections for certain local streets such as First Street.



Master Plan Document



Parks, Trails, and Open Space System Map



Transportation Master Plan Logo

## 1.3 NEIGHBORHOOD OPPORTUNITIES AND CONSTRAINTS

### Future improvements and development within the Historic Firestone Neighborhood will be shaped by a number of potential challenges and key opportunities.

#### KEY TAKEAWAYS

The following key takeaways were compiled from the major sections of the existing conditions document.

##### Land Use and Development

- Existing land use and zoning designations are mostly in agreement within the Plan Area except for the use (commercial) and zoning (industrial) at the Safeway shopping center.
- The majority of the area is residential with a few nodes of existing commercial, although there is are fewer commercial uses than is allowed in the zoning.
- Major development opportunities exist among undeveloped and underutilized properties.
- A variety of landmarks and amenities exist in the neighborhood, although none are officially considered historic.

##### Environment and Recreation

- The Plan Area is well-served with a variety of parks, trails, and open spaces.
- Parks, trails, and open spaces are important amenities to the Historic Neighborhood as well as major contributors to the area's character.
- The Plan Area's potential environmental challenges need to be considered when assessing community needs and navigating future development.

##### Infrastructure and Connectivity

- The Historic Neighborhood Plan Area has a gridded and relatively complete street network, most with attached sidewalks.
- The Plan Area lacks bicycle and transit facilities, which may become increasingly important modes of travel as the area develops.
- Infrastructure, utilities, and services are well-provided for in this area, although upgrades will be necessary and accommodations needed for future development.

#### OPPORTUNITIES AND FOCUS AREAS

The following is a list of initial needs, opportunities, and topics of focus identified by the Town and the community in the initial phases of the Neighborhood Plan process. It is not an all-inclusive list but a starting point for discussion with the community.

- Provide guidelines that will ensure commercial properties are compatible with residential uses.
- Support reinvestment in residential properties and improved living conditions while maintaining neighborhood character.
- Reduce commercial vacancy; improve and provide local shopping and services.
- Address parking for commercial properties.
- Invest in First Street to create a signature Historic Firestone main street experience.
- Address utility capacity and needed infrastructure improvements.
- Retain and expand the post office.
- Provide additional civic spaces, amenities, services and activities including those for seniors.
- Guide development on vacant land in Historic Firestone and the immediate vicinity, including the former Town Hall property on Grant Avenue the Overlook Property, and Saddleback Estates, including guidance on land use and mobility.
- Create a distinct, attractive, safe streetscape.
- Exhibit neighborhood pride through a more defined entry gateway.
- Improve connections between the residential areas and commercial properties.
- Address the growing traffic along Grant Avenue and Colorado Boulevard.







Miners Park



Historic Firestone Neighborhood Plan Engagement



Firestone Trail



Onorato Park Play Area



The Fourth at Firestone



Local Homes







# 2

## PLAN FRAMEWORK RECOMMENDATIONS

**The Plan Framework sets up the community-driven vision for the Historic Firestone Neighborhood, which in turn informs the major Plan recommendations within the categories of land use, mobility, environment and recreation, infrastructure, and character and charm. The Vision Framework creates the scaffolding that supports the rest of the Plan so that every recommendation is embedded in the community's needs and desires.**

### SUBSECTIONS

#### **2.0 Community Vision**

#### **2.1 Land Use and Built Form**

#### **2.2 Mobility and Streetscapes**

#### **2.3 Infrastructure and Utilities**

#### **2.4 Character and Charm**

## 2.0 COMMUNITY VISION

The Firestone community defined the values, goals, and strategies for the Historic Firestone Neighborhood through the community outreach process. These elements comprise the “vision framework” which provides a foundation for the recommendations found in this Chapter.

### Values

**WELCOMING | HISTORIC | UNIQUE | SAFE | VITAL | LOCAL**

### Goals

**Revitalize and Reinvest.**  
Revitalize and re-energize the Historic Firestone area to promote reinvestment.



**Clean, Safe and Well-Maintained.**  
Ensure a safe, well-kept, and accessible environment for residents and property owners.



**Preserved Character.**  
Celebrate the neighborhood's history and community life while increasing vibrancy with new amenities and destinations.



**Local and Regional Draw.**  
Attract new investment to the area that contributes to a well-connected and desirable place for locals and visitors.

### Strategies

- DEVELOPMENT OPPORTUNITIES
- NEIGHBORHOOD STREET ENHANCEMENTS AND TRAIL CONNECTIVITY
- GATEWAYS AND PUBLIC SPACES
- ACTIVITY / CONNECTIVITY FOCUS AREA
- INFRASTRUCTURE AND UTILITY REPAIRS AND IMPROVEMENTS





Historic Firestone Neighborhood



Fourth at Firestone Event



Hart Park



Historic Firestone Sign



Post Office of First Street



First Street Businesses



# Strategy Diagram

The following maps show the primary strategies recommended to help the neighborhood meet the community's vision and goals. These strategies encompass the major moves of the Plan, described in more detail in the following Chapters.



## Development Opportunities.

Vacant or underutilized properties within the Plan area should be developed or redeveloped to provide new housing, commercial, or other neighborhood services. The properties highlighted on the map represent those with the most potential for future growth.



## Neighborhood Street Enhancements and Trail Connectivity.

Streets, pedestrian routes, and utilities improved, including safety enhancements, traffic calming, and new amenities. The green lines on the map represent trail connectivity, the magenta lines are enhanced neighborhood streets, and light purple lines are utility repairs, which apply to the whole neighborhood.



## Gateways and Public Spaces.

Key vehicular and pedestrian entries into the Plan area should be marked with unique gateway elements that match the historic neighborhood character. The blue lines and circles represent appropriate locations. A new public space should be considered for the corner of Grant Ave and First St.



## Activity/Connectivity Focus Area.

The core area of the neighborhood should have the most concentrated improvements. Redevelopment efforts, new public spaces, and amenities should focus around the intersection of Grant Ave and First St, shown in orange on the map. The thick orange line indicates First St is a signature street and travel along it should be safe and comfortable.





### STRATEGIC FRAMEWORK

0 250 500 1000 Feet



### Legend

- Subarea Boundary
- City Limits
- Roads
- Buildings
- Parcels
- Trails
- Gateway Opportunity
- Gateway Streetscape
- Signature Streetscape
- Enhanced Neighborhood Street
- Trail Connectivity
- Alleyway Repairs
- Roadway, Utility and Landscaping Improvements
- Development Opportunity
- Public Space Node
- Activity/Connectivity Focus Area

## 2.1 LAND USE AND BUILT FORM

These land use recommendations aim to maintain the unique, small-town residential character of Historic Firestone while creating or revitalizing activity in strategic locations that will provide a vibrant environment and additional amenities for both residents and visitors.

### *Land Use Diagram*

The Land Use Diagram below creates a flexible framework for land use shifts as the Historic Neighborhood grows and changes. The Diagram does not represent a change in entitlements or zoning but rather a goal to move towards as development and redevelopment occurs. The majority of the uses on the Diagram match the current residential, retail, and park/open space designations in the neighborhood. New uses are proposed for the large vacant areas, specifically the Saddleback Estates and Overlook properties (see page 52-55 for more detail) and an increase in vibrancy and density is proposed for the uses and properties along First Street, particularly north of Granville Avenue. More detail about the specific land uses can be found on the following pages.







## New Residential

The primary intent for the residential areas is to maintain the existing character while still providing new and more diverse housing options to better accommodate all residents.

### RECOMMENDATIONS

1. Ensure new residential development respects existing residential form and scale, eclectic character, and size.
2. Use regulatory bonuses/tools or agreements with new residential development to provide a mix of housing types at multiple price points in order to accommodate the needs of all Firestone residents:
  - » **Single Family Residential** should be alley loaded with the same lot sizes as current dwellings in Historic Firestone
  - » **Townhomes** should be alley loaded, connected units, with individual outdoor space and off-street parking.
  - » **Cottage Homes** should be smaller single family homes clustered around shared common/green space with other shared community amenities and parking.
  - » **Multi-Family Dwellings** should be apartments, condominiums, or manor homes buffered from new and existing single-family homes by medium-density townhomes or cottage homes.



*Single Family Residential*



*Townhomes*



*Cottage Homes*



*Multi-family*





*Existing residential neighborhood*



*Existing residential neighborhood*



*Existing residential neighborhood*



*Existing residential neighborhood*



## *Existing Residential Support*

The existing residential neighborhood is the heart of the Historic Firestone Plan Area. The preservation and support of the many, varied homes in this core and the residents who live there, is one of the central goals of the Plan. A variety of projects and programs can help facilitate this goal and create a more vibrant and well-maintained neighborhood.

### **RECOMMENDATIONS**

1. Ensure the existing residential character is preserved. This character has been memorialized in the Design Guidelines, see page 60 for more detail.
  - » If redevelopment occurs within the existing neighborhood, it should match the scale and character of the existing homes.
2. Offer an Improvement Location Certificate (ILC) assistance program to residents interested in confirming their property lines for improvements.
3. Work with local partners to establish a program that helps to fund residential facade improvements, curb appeal improvements, and home upkeep for seniors.
4. Reestablish the Historic Firestone Coalition awards program to promote neighborhood pride. Consider awards such as best lawn, best improvement, and most festive holiday decorations.
5. Create a program to provide education and resources for ADU creation and streamline Town approval process.
6. Create a volunteer program to assist in revitalization efforts.





## Commercial

A major goal of the Plan is to reinvest and revitalize in Historic Firestone, and particularly in the commercial uses. There is high vacancy and several unmaintained buildings along First Street that can develop or redevelop into a more vibrant small-town main street experience. New retail at Grant and First Street will also help enhance the neighborhood and create a local destination.

### RECOMMENDATIONS

1. Encourage restaurants with outdoor seating opportunities to activate the ground floor of streets and public spaces.
2. Consider regulatory tools such as fee reduction or expedited permitting to prioritize local stores and mom and pop shops to occupy designated retail spaces.
3. Provide additional retail uses for a growing community.
  - » Consider a small corner of retail adjacent to new residential development at the Gillespie/Overlook site. Appropriate uses include dining, coffee shops, and “mom and pop” or general stores.
  - » Incorporate commercial uses around the proposed public plaza with spaces for dining and community services.
4. Strengthen connections between existing commercial spaces on First Street and the Safeway Shopping Area.
5. Retain a post office location within Historic Firestone. Capacity issues should be addressed by expanding the current location or relocating to a location with additional space.



*Restaurants and Outdoor Seating*



*Local Retail Stores*



*Existing Live/Work*



*Active Plaza Spaces*





Existing Firestone Park



More Facilities (Hart Park Extension)



Trails and Wayfinding



Plaza Play and Lounge Spaces



## Parks / Open Space and Trails

Parks, open spaces, and trails are key community amenities and part of what makes Firestone unique and desirable. These public green spaces should be improved, expanded, and additional spaces should be created as the neighborhood grows.

### RECOMMENDATIONS

1. Provide more parks facilities, open space, and amenities as the neighborhood grows.
  - » Create several new green spaces as part of new development on the Saddleback Estates and Overlook sites.
  - » Create buffer green spaces along Grant Avenue and First Street adjacent to new areas of development, particularly if it is higher density than single family residential.
  - » Ensure new shared green spaces have high quality amenities to serve nearby residents, including seating areas, trash and recycling receptacles, dog waste stations, and shade trees or structures.
2. Extend Hart Park eastward into the vacant land to establish more park space with additional community amenities.
3. Provide trail connections to local destinations by establishing on and off-street facilities that are wide enough to accommodate pedestrian and bicycle traffic and incorporating wayfinding signage.
4. Provide a public plaza on the former Town Hall site that incorporates play and passive recreation space.





*Existing First Street Vacancy*



*Proposed First Street Commercial*

## First Street

First Street, which suffers from a high vacancy rate and many deteriorating structures, has the potential to be a unique and attractive neighborhood main street with activity and services to residents and attracts new visitors to invest in Historic Firestone.

### RECOMMENDATIONS

1. Allow for residential parcels on First Street and Grant Avenue to include live/work uses. Particularly incentivize these uses on First Street between Buchanan and Grant Avenue to mirror the uses on the east side of the street, create a more active street, and establish a greater capacity for commercial uses.
  - » Use regulatory tools such as zoning, overlays, and fee reduction to help the transition to live/work parcels.
2. Encourage economic development along First Street public realm improvements, facade improvements, redevelopment assistance, small business strategies, and programming.
3. Work with local partners to initiate a program that helps to fund facade improvements, asbestos abatement, and roof and structural assistance for the buildings along First Street.
4. For those buildings that are derelict or prohibitively expensive to restore, initiate a program to help mitigate the cost of demolition for buildings along First Street. Those buildings that require demolition but have character-defining features should take steps to preserve some of their character (see page 60 of the Design Guidelines for more detail).
5. Provide rental assistance or low interest loan programs for small, local businesses.



*New Live/Work*



*Neighborhood Main Street*

## 2.2 MOBILITY AND STREETSCAPES

**The streets of Historic Firestone are an essential part of the neighborhood fabric; they should meet a high standard of safety, accessibility, and connectivity. These recommendations aim to improve the streetscapes for residents and visitors and create a comfortable experience for pedestrians, cyclists, and vehicles.**

### *Multi-modal Recommendations*

There are several different types of streets within the Historic Firestone Neighborhood that have a variety of needs and users to accommodate, however all the streets should provide multi-modal access. Safe and accessible pedestrian facilities are the highest priority throughout the neighborhood, which already adequately serves cars. Sidewalks should be properly sized and well-maintained along every street so that residents can comfortably get from place to place or go for a walk or a run in the neighborhood. Wider sidewalks along First Street and Grant will also accommodate visitors enjoying Historic Firestone's commercial areas. A few key connector streets should deliver the majority of the cyclist and vehicle traffic to and through the neighborhood, while ensuring safety for both modes.

### RECOMMENDATIONS

1. Establish wide sidewalks of at least five feet in areas of higher pedestrian activity.
2. Continue to evaluate sidewalk needs in the neighborhood, prioritizing updates for areas with missing or narrow sidewalks as funds become available.
3. Continue to evaluate the need for bike facilities and provide sharrows on neighborhood roads that connect across the neighborhood and to destinations like Hart Park and the Firestone Trail.
4. Provide enhanced trail access points throughout the neighborhood that connect residents to existing trails, like the Firestone Trails. Enhancements should include:
  - » Informational and wayfinding signage;
  - » Entry/gateway signage or art;
  - » Trash and recycling receptacles; and
  - » Seating areas.
5. Look for opportunities to develop new trails in utility corridors and along drainage ways.
6. Improve major street crossings with signage, crosswalks, pavement material or painting, and curb extensions/bulbouts with accessible ramps.



*Neighborhood street sharrow.*



*Off-street pedestrian trail.*



# General Streetscape Recommendations

In addition to ensuring streets provide safe and comfortable mobility options for all users, enhancing streets through placemaking, pedestrian amenities, and environmental features will also provide major benefits to the Historic Firestone neighborhood. Neighborhood streets, particularly First Street and Grant Avenue should be considered a continuation of the public realm and an opportunity to enhance the neighborhood's character.

## RECOMMENDATIONS

1. Consider lane width reductions for oversized residential streets to slow traffic and improve pedestrian safety, while still ensuring adequate space for vehicle movement and residential parking needs.
2. Incorporate a variety of character elements into the streetscape, prioritizing the streets with the most vehicular and pedestrian traffic first. Appropriate character elements to consider include:
  - » Decorative street lighting;
  - » Street light banners;
  - » Landscaping;
  - » Public art; and
  - » Decorative paving or painting.
3. Ensure streetscape character elements align with established branding, see page 40 for more detail.
4. Incorporate shade trees into the streetscape to provide pedestrian comfort and beautification. Prioritize the streets with the most vehicular and pedestrian traffic first. See page 71 in the Design Guidelines for discouraged street tree species.
5. Incorporate a variety of pedestrian amenities along the street including benches, trash receptacles, seating areas, and lighting. Prioritize the streets with the most vehicular and pedestrian traffic first.
6. As sidewalk and street improvements are made, consider incorporating elements of green infrastructure into the streetscape to benefit both the environment and the look and feel of the street.
7. As sidewalk and street improvements are made, consider incorporating curb extensions/bulbouts to create safer pedestrian crossings and provide more space for pedestrian amenities and landscaping.



*Incorporate a variety of character elements into the streetscape.*



*Street trees and green infrastructure elements.*



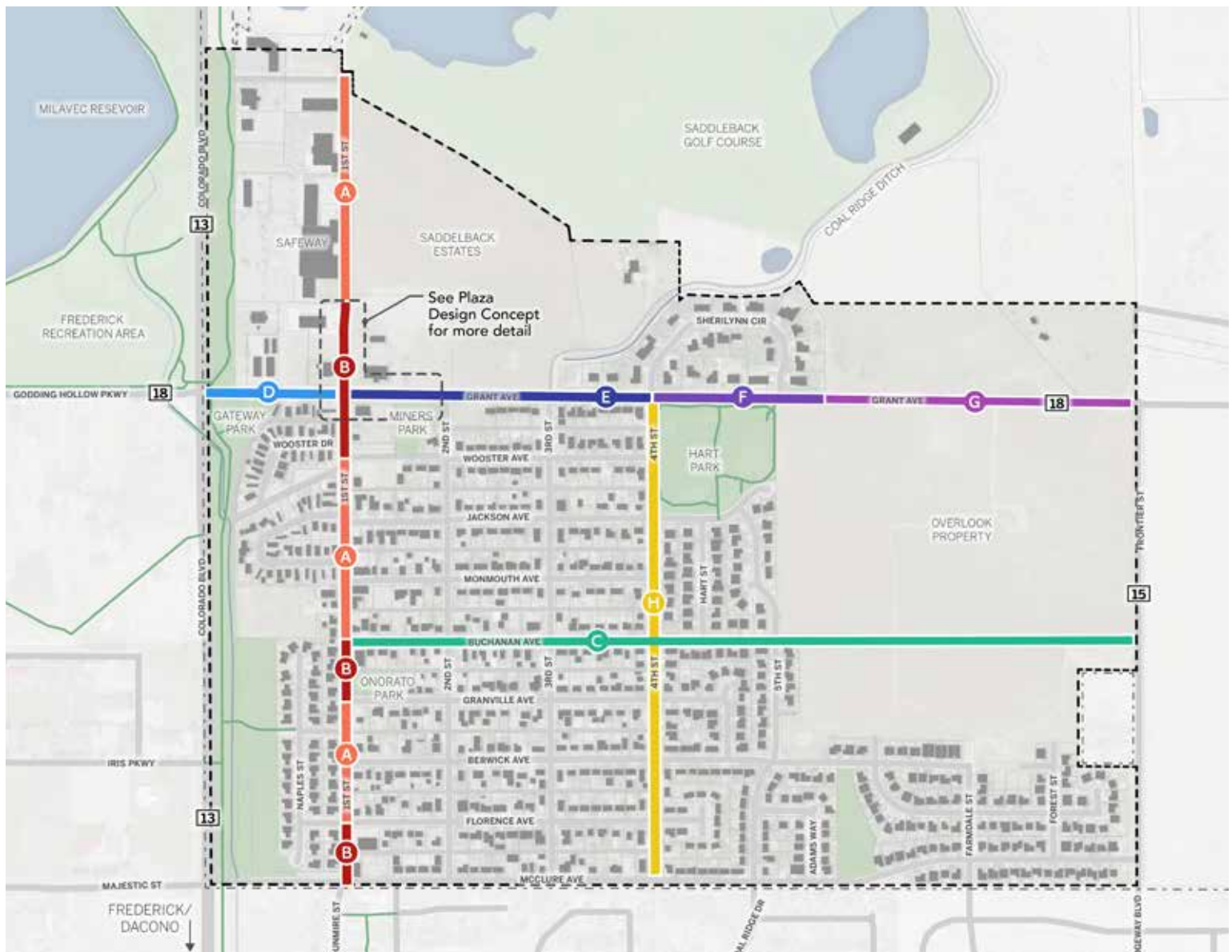
*Seating areas along the street.*



Well-amenitized pedestrian area.

## Streetscape Concepts

The following streetscape concepts show proposed improvements for the major pedestrian and vehicular corridors in Historic Firestone. The map below serves as a key to which streets are targeted for improvements and have lettered segments that correspond to recommendations and street sections on the following pages. These sections represent the existing and proposed final condition for these major streets, although most improvements will likely need to be phased over time as need grows and funding becomes available.



Streetscape segments with proposed improvements

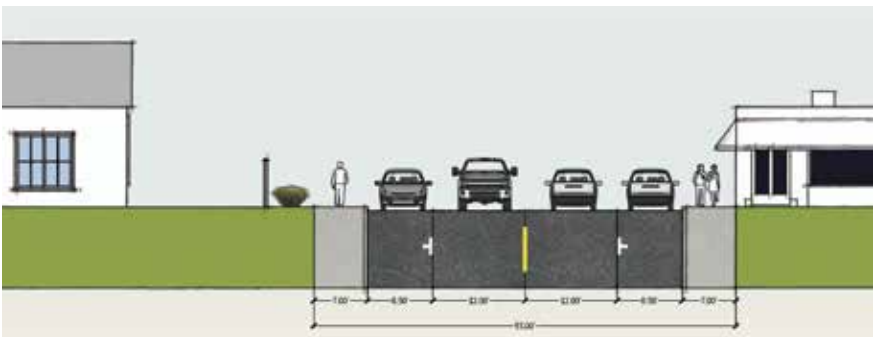
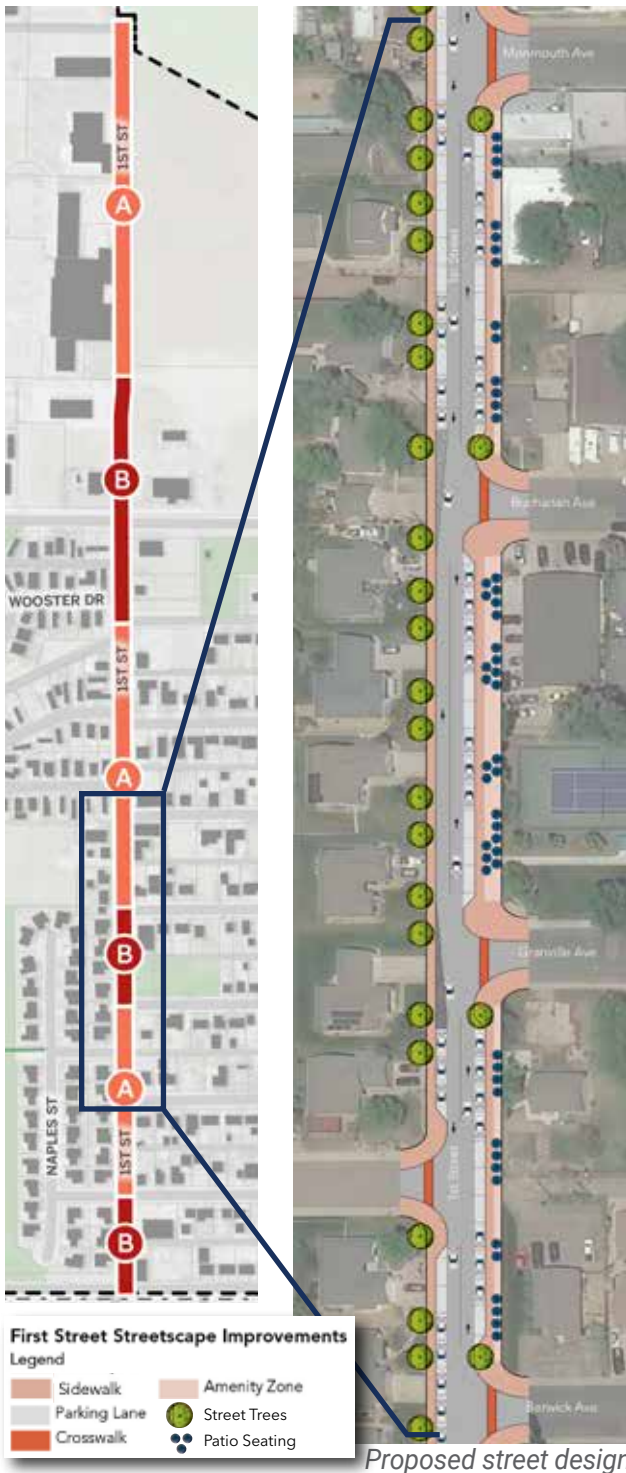


# FIRST STREET

The primary objective of the First Street updates is to create a main street with ample pedestrian space adjacent to the businesses and increased character and amenities.

## RECOMMENDATIONS

- 1. Provide wider sidewalks and dedicated space on the east side of the street for additional amenity space near commercial properties. Encourage this space to be used for outdoor seating, retail displays, and signage.
- 2. Slow vehicles along the street by reducing lane widths and creating subtle direction changes at key locations.
- 3. Consider removing parking spaces on the west side of the street at areas of emphasis to create additional amenity space and facilitate the chicane of the roadway (see diagram below for more detail).



Existing Street Section (looking north)



**Preferred Concept A** - Reduced lane and parking widths, extra space (5') allocated to pedestrian amenity zone on the east side of the street adjacent to businesses, increased beautification with street trees, light poles, and banners.



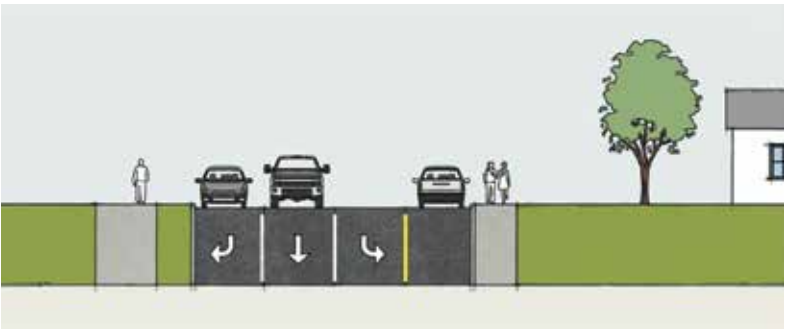
**Preferred Concept B** - Reduced lane widths, removed parking lane on west side, extra space (12.5') allocated to pedestrian amenity zone on the east side of the street adjacent to businesses, increased beautification with street trees, light poles, and banners.

GRANT AVENUE - SEGMENT D

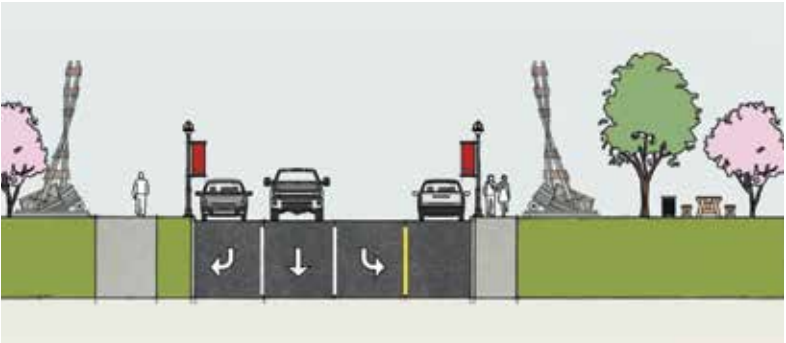
Updates to this section of Grant Avenue should not impact the existing roadway and traffic flow but focus on creating an attractive and recognizable entry to the neighborhood.

RECOMMENDATIONS

- 1. Establish a gateway feature with historic elements at the intersection with Colorado Boulevard, around the Gateway Park area. See pages 44-47 of the Catalytic Projects for more detail on proposed gateway design.
- 2. Add beautification, character elements, and pedestrian amenities as part of the gateway improvements.
- 3. Ensure safe and comfortable pedestrian travel from Colorado Boulevard to Grant Avenue.



Grant Avenue Segment D, Existing Section



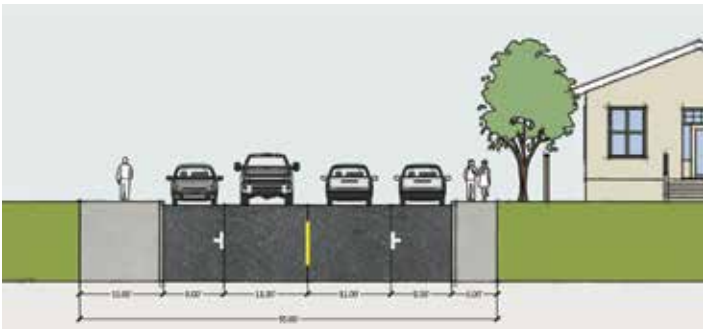
**D Preferred** - Added gateway and character elements, street trees, and pedestrian amenities. South side property should be considered for additional park space if it becomes vacant in the future.

GRANT AVENUE - SEGMENT E

Minimal changes are suggested for this portion of Grant Avenue, which already accommodates the flow of pedestrians and vehicles as needed.

RECOMMENDATIONS

- 1. Maintain the 11' wide shared-use path on the north side of the street for pedestrian and cyclist traffic.
- 2. Add new street trees and beautification as this is a primary street and will see increased use as the vacant properties develop.
- 3. Minimize curb cuts associated with new development.



Grant Avenue Segment E, Existing Section



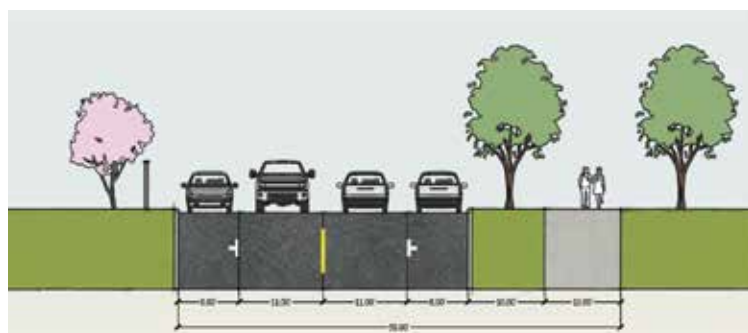
**E Preferred** - Added gateway and character elements along the street. Maintained all other aspects of this segment.

## GRANT AVENUE - SEGMENT F

Minimal changes are suggested for this portion of Grant Avenue. The shared-use path through Hart Park should be emphasized and continued into the vacant land.

## RECOMMENDATIONS

1. Establish a new shared-use path on the south side of the street, east of Hart Park, as this area begins to develop.
2. Improve the street crossing at Fourth Street for vehicular movement and trail and park access. This is a crucial pedestrian crossing where the shared-use path moves from the north side of the street to the south side of the street.



### Grant Avenue Segment F, Existing Section



**F Preferred** - Added gateway and character elements and pedestrian amenities along the street and shared-use path. Maintained all other aspects of this segment.

## GRANT AVENUE - SEGMENT G

As this vacant area of the neighborhood develops, adequate pedestrian amenities should be provided on both sides of the street.

## RECOMMENDATIONS

1. Establish a new shared-use path on the south side of the street, east of Hart Park, as this area begins to develop.
2. Establish a separated sidewalk on the north side of the street, beyond the existing residential.
3. Provide a landscape buffer north of the sidewalk on the north and south side of the street.



### Grant Avenue Segment G, Existing Section



**G Preferred** - Paved two-lane road with bike lanes, 8' and 10' detached shared-use paths, and character elements (based on collector without median cross section).

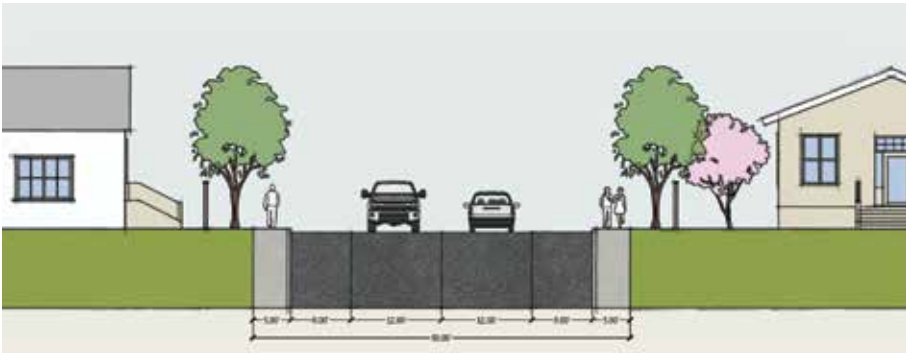


BUCHANAN AVENUE

Buchanan Avenue should retain its function and character as a neighborhood street that accommodates local traffic and residential parking needs, however it should be improved over time to provide a better pedestrian and cyclist experience to accommodate increased multi-modal usage as it connects the neighborhood to First Street, the Firestone Trail, 4th Street (and Hart Park), and new development to the east.

RECOMMENDATIONS

- 1. In the short term, incorporate sharrows and parking markings along to the street to promote local bicycle activity through the neighborhood.
- 2. In the long term, consider establishing a wider sidewalk on the north side of the street through the reduction of the travel lane widths. Parking lane widths should be maintained.
- 3. As the vacant land on the east side of the neighborhood develops, connect Buchanan Avenue through to Frontier Street to establish a full pedestrian connection across the neighborhood.



Existing Street Section (looking west)



**Preferred** - Added sharrows and striping, reduced travel lane widths, increased sidewalk widths on the north side, added beautification and character elements.



Neighborhood placemaking elements.



Sharrows and parking striping.

## 4TH STREET

While a less substantial connector for the neighborhood and a street that already accommodates its pedestrian and vehicle traffic, improvements to 4th Street should still be considered, particularly at intersections, as it will see substantial use as the main thru street to Hart Park and represents a key pedestrian connection as well.

## RECOMMENDATIONS

1. Create a safe, clear, and convenient crossing at the intersection of Grant Avenue and 4th Street, where the multi-use trail crosses from the north side of Grant Street to Hart Park and the south side of Grant Street. As a major pedestrian crossing and entry to Hart Park, this is a crucial location for improvements. Appropriate strategies include:
  - » A painted crosswalk at intersections;
  - » Accent paving through the crossings and/or at the street corners;
  - » Bulbouts to shorten crossing distances;
  - » Enhanced landscaping and character elements; and
  - » Signage to slow vehicular traffic.
2. The above intersection improvements should also be considered for the potential intersection east of Hart Park, should the following occur: Hart Park is expanded east; internal circulation is added to the vacant land on the east side of the park; and pedestrian facilities are added on the north side of Grant Avenue east of Hart Park.
3. Consider landscaping improvements and character elements along 4th Street to emphasize its importance to the neighborhood and improve the pedestrian and vehicular experience.



*Bulbout and landscaping at pedestrian crossing.*



*Enhanced paving design at pedestrian crossing and refuge.*



## 2.3 INFRASTRUCTURE AND UTILITIES

**One of the first sentiments expressed by the Historic Firestone community was the desire to improve the existing fabric of the neighborhood. “Putting a roof on it” or improving the utilities and infrastructure, should be one of the primary priorities of Plan implementation.**

### *Existing Infrastructure and Utilities*

The first step in improving the neighborhood’s infrastructure and utilities, which for the purposes of this document include roadways, alleys, sidewalks, water and sewer lines, power lines, and drainage and green infrastructure, is to upgrade the existing infrastructure and utility quality and capacity to meet the needs of the neighborhood. As with many older neighborhoods, the existing facilities are aging and in need of some upgrade in the near future. This preferred order of operations indicates to the existing residents that their requests were heard during this Plan process but it should not preclude new development, which can help provide more funding for other improvements in the future.

### RECOMMENDATIONS

1. Assess the Town’s water and sewer system and upgrade as needed. The 4” water lines will likely need to be upgraded to accommodate increased capacity. Upgrades to underground utilities should be made simultaneously with streetscape improvement, if feasible, to avoid demolition and reconstruction of the pavement more than once.
2. Study overhead powerlines to determine the cost and benefit of undergrounding some or all of them. Underground improvements should be consolidated for best efficiency. Explore the United Power undergrounding fund as a potential funding source.
3. Use Capital Improvement Project Funds or explore a local program for paving dirt alleys in the Historic Neighborhood for improved use and accessibility.
4. Do an inventory of sidewalk ramps to determine where repairs or new ramps are needed to bring the neighborhood up to Americans with Disabilities Act (ADA) standards.
5. Assess and address drainage issues, particularly in the First Street and Wooster area. Streets that are suffering from drainage issues should receive new grey or green infrastructure improvements such as:
  - » Gutters;
  - » Storm drains;
  - » Increased storm sewer capacity;
  - » Swales;
  - » Rain gardens; and
  - » Permeable paving.



*Green infrastructure example*



*Green infrastructure example*

## New Infrastructure and Utilities

After initial infrastructure and utility needs have been addressed within the existing neighborhood, improvements should focus on expanding infrastructure and utility capacity into the areas slated for new development, particularly the former Town Hall site, Saddleback Estates, and the Overlook Property. These infrastructure and utility expansions will be a key first step in implementing the Catalytic Projects described in Chapter 3.

### RECOMMENDATIONS

1. Extend utilities, including water, sewer, and power into the former Town Hall site. Ensure utility capacity is supportive of events and festivals held in the proposed plaza, including easily accessible power and water lines for vendors and use of the stage.
2. Develop roadways, alleys, parking, and sidewalks in the former Town Hall site to support internal circulation. See page 48-51 for more detail.
3. Extend utilities, including water, sewer, and power into the Saddleback Estates site to support residential and commercial uses. Consider working with a developer to ensure utility needs match the development Plan and explore impact fees as a funding strategy.
4. Develop roadways, alleys, parking, and sidewalks in the Saddleback Estates site to support internal circulation. See page 52-53 for more detail.
5. Extend utilities, including water, sewer, and power into the Overlook Property to support residential uses and new open spaces amenities. Consider working with a developer to ensure utility needs match the development Plan and explore impact fees as a funding strategy.
6. Develop roadways, alleys, parking, and sidewalks in the Overlook Property to support internal circulation. See page 54-55 for more detail.
7. Incorporate green infrastructure such as swales, rain gardens, stormwater detention, and permeable paving, into the design of all new development sites to offset the stormwater impacts of new pavement and buildings.



*Natural drainage way*



*Unpaved alley entry*



*Historic Weld County flooding*



## 2.4 CHARACTER AND CHARM

**The historic character and small town charm is one of the top reasons people live in or visit Historic Firestone. Any growth or change must respect and enhance this character to ensure the community maintains what makes it special.**

### *Branding Strategy*

Creating a cohesive and highly desirable place for both residents and visitors requires a recognizable identity. The Historic Firestone Neighborhood should work to develop a strategy for creating a more unified brand for the neighborhood that is incorporated into public spaces, streetscapes, signage and wayfinding, and amenities so that people know that they are in a neighborhood of significance. The introduction of branding to the public realm can also contribute to a more festive and community-oriented environment,

### RECOMMENDATIONS

1. Update the neighborhood logo and create a color and material palette that is relevant to the local character. The street clock (at right) is a recognizable aspect of Historic Firestone that should be celebrated and incorporated.
2. Consider a dedicated page on the Firestone website with information about businesses, events, and destinations within the neighborhood.
  - » This page could include statement of intent and a tagline for the district based on the community values.
3. Consider incorporating trash cans, sidewalk painting, and street light banners with the logo and branding incorporated, particularly along First Street, Grant Avenue, in existing and new park and open spaces, and in the proposed plaza.
4. Provide holiday lighting in public spaces and/or along First Street to create a festive atmosphere.
5. Organize and promote neighborhood events to bring the community together or draw new people, create recognition, and bring revenue to local businesses.
6. Implement recognizable and highly visible gateways into the neighborhood that are in alignment with and complementary to the established district branding. See pages 44-47 in Catalytic Projects for more detail.
7. As part of upcoming Town-wide signage and wayfinding efforts, develop a cohesive system of signage and wayfinding using the Historic Firestone branding to direct residents and visitors to key destinations:
  - » Historic First Street;
  - » Hart Park;
  - » Onorato Park
  - » Miners Park; and
  - » The proposed plaza at the former Town Hall site.



*Historic Firestone character*



*Festive neighborhood character elements example*

# Historic Preservation

While no buildings in Historic Firestone have an official historic designation, there are examples of historic features and character that are worthy of preservation. The older residential homes, the former Screwball Inn, and the store fronts on First Street help indicate the age and history of the neighborhood and give it a unique and authentic character that should be preserved.

## RECOMMENDATIONS

1. Document character-defining features within the neighborhood to be duplicated or preserved, see page 60 of the Design Guidelines for more information on character-defining features.
2. Encourage preservation and adaptive reuse for buildings with character-defining features to the extent feasible.
3. Encourage the reuse of original materials, including brick, windows, doors, facades and signs on historic buildings.
4. Ensure new buildings are reflective of Historic Firestone character and incorporate the use of authentic and appropriate material features and details as outline in Chapter 4 Design Guidelines, pages 60-61.



*Historic Former Screwball Inn*

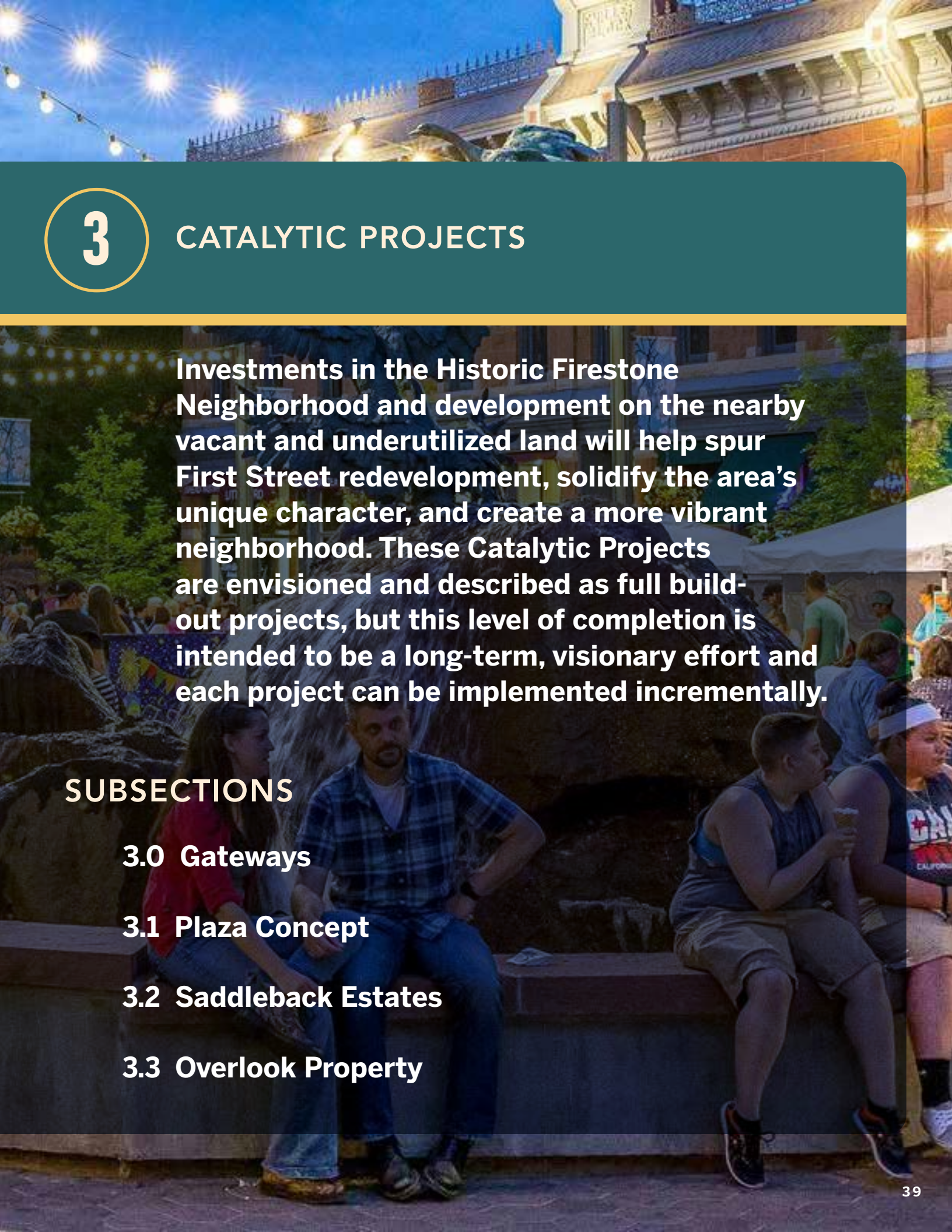


*Historic Firestone entry*









# 3

## CATALYTIC PROJECTS

**Investments in the Historic Firestone Neighborhood and development on the nearby vacant and underutilized land will help spur First Street redevelopment, solidify the area's unique character, and create a more vibrant neighborhood. These Catalytic Projects are envisioned and described as full build-out projects, but this level of completion is intended to be a long-term, visionary effort and each project can be implemented incrementally.**

### SUBSECTIONS

**3.0 Gateways**

**3.1 Plaza Concept**

**3.2 Saddleback Estates**

**3.3 Overlook Property**



## 3.0 GATEWAYS

**Gateways are an essential part of establishing a recognizable Historic Firestone character that will help display the pride of the residents in their neighborhood and history and also provide important wayfinding and sense of place.**

### *Historic and Artistic Inspiration*

A gateway entry into the Historic Firestone neighborhood should be specific to the neighborhood's character and history to establish it as a unique place. The Town of Firestone was originally established as a home for local coal miners and their families. A railroad ran through Town to transport the coal mined here. The tracks, decommissioned with the mine in 1947, is now the 12-mile-long Firestone Trail. The Town is also rooted in an area with rich agricultural history and western heritage. It is also the proud home of the American Legion Post 1985 and has been a strong supporter of its Veteran's population. All of these unique aspects of Firestone were examined when looking for design inspiration for the Town gateways. The public reviewed these themes and expressed a preference for an emphasis on the mining and railroad history. The historical photos and artistic interpretations shown below were an important starting point in the conceptual design of the gateway elements.

- Mining and Railroad History
- Agriculture
- Veteran Population
- Western Heritage

#### HISTORICAL PHOTOS

##### Mining History



##### Railroad History



#### ARTISTIC INTERPRETATIONS



## DESIGN ELEMENTS

Based on the preferred historic inspiration a number of design elements and materials are recommended for use in design of the Historic Firestone gateways. In order to ensure the gateway is visible, vertical elements should be incorporated. These vertical elements will also give an increased sense of entry. For the primary gateway, lettering should also be used to communicate that people are entering the Historic Firestone neighborhood. Elements that recall Firestone's history include mine cars, railroad rails, and ties. Elements of beautification should also be part of the gateway, including landscaping, lighting, and street trees. Primary materials to consider include:

- Steel and weathered steel (e.g. Corten)
- Wood
- Masonry
- Acrylic or aluminum (for lettering only)

## Gateway Hierarchy and Location

Three levels of Gateway are proposed for the Historic Firestone area. These levels should have cohesive designs with different scales, tailored to the user. They also have different levels of priority for implementation. Visual examples of the three gateways can be found on the following spread. The three tiers and corresponding recommended locations and prioritization are:

- **Primary Vehicular Gateway** - On Grant Avenue between Colorado Boulevard and First Street. This should be the largest gateway and it should be the first priority for implementation.
- **Secondary Vehicular Gateway** - McClure Avenue and Colorado Boulevard. This should be a smaller version of the primary gateway. This should be the third priority for implementation.
- **Pedestrian Gateway** - First Street and Venice Avenue (at the entrance to the Firestone Trail). This should be the smallest gateway, designed for pedestrians and cyclists. This should be the second priority for implementation.



*Vertical elements and lettering in gateway sign*



*Vertical lettering and steel in gateway sign*



*Steel and masonry materials and landscaping in gateway*





*Primary vehicular gateway*

## PRIMARY VEHICULAR GATEWAY DESIGN

The primary vehicular gateway, shown in the concept design above, should be the largest and most designed of the gateways. The location at Colorado Boulevard and Grant Avenue is where most people enter the Historic Firestone neighborhood. It should therefore be the top priority location for indicating to users that they have entered the neighborhood and for establishing the character. Concept design features for this gateway include:

- Masonry and mine cart base
- Vertical twisting railroad tracks and ties
- “Historic Firestone” lettering (large enough to be read by passing vehicles)
- Uplighting/accent lighting
- Well-designed and maintained landscaping
- Street lights with banners

While not all of these features are necessary to create a successful gateway, the essential characteristics include the historic features, vertical and highly visible elements, and the lettering. These improvements can also be phased over time.

## SECONDARY VEHICULAR GATEWAY DESIGN

The secondary vehicular gateway, shown at the top left of the following page, should be similar in style and appearance to the primary vehicular gateway but smaller in size and scope. The major thematic elements should remain the same to create a cohesive character but smaller in stature to create hierarchy as McClure Avenue is a less used entrance to the neighborhood. Concept design features for this gateway include:

- Masonry and mine cart base
- Vertical twisting railroad tracks and ties
- “Historic Firestone” lettering (optional)
- Uplighting/accent lighting
- Small area of well-designed and maintained landscaping
- Street lights with banners (optional)

As with the primary gateway, these improvements can be phased over time. More information about phasing can be found on the following page.





Secondary vehicular gateway



Pedestrian-scaled gateway

## PEDESTRIAN GATEWAY DESIGN

The pedestrian gateway should be the smallest and most intimate of the gateways, oriented along a multi-use path instead of a street. This gateway is recommended at major entries or intersections of the Firestone Trail. The first recommended location is First Street and Venice Avenue, but additional gateways may be added over time. The major thematic elements should remain the same as the vehicular gateways but at a very reduced scale, appropriate for pedestrians. Concept design features for this gateway include:

- Masonry and mine cart base
- Vertical twisting railroad tracks and ties
- Uplighting/accent lighting
- Small area of landscaping (optional)
- Pedestrian lights with banners
- String lights (with clearance sufficient for pedestrians and cyclists)
- Co-located with pedestrian amenities (benches, wayfinding, trash receptacles, etc.)

## RECOMMENDED PHASING

The gateways do not have to be implemented all at the same time. First, the phasing should be conducted in the order of gateway priority, starting with the primary vehicular gateway, then the pedestrian gateway, then the secondary vehicular gateway, and finally any additional pedestrian gateways deemed appropriate. Additionally, each gateway can be completed in multiple phases:

1. Gateway art: minecart, railroad ties, and lettering
2. Beautification: landscaping, trees, etc.
3. Amenities: lighting, benches, wayfinding, etc.



Historic minecart reuse

## COST ESTIMATE

The following is high-level cost estimate for the creation of the primary vehicular gateway, including landscaping, lighting, and signage. Due to the constraints of estimating such a custom design, the cost estimate is generalized for a similar but more standardized design. More information about potential funding mechanisms for the gateways can be found in the Implementation Section.

» Total cost estimate: \$50,000

## 3.1 PLAZA CONCEPT

**A plaza at the corner of First Street and Grant Avenue, at the former Town Hall site, will help anchor the commercial core of Historic Firestone, create a neighborhood gathering place, and provide amenities for residents and visitors.**

### *Concept Design*

A preliminary concept design for the proposed plaza can be found on the following page. The plaza has been recommended as a way of reusing the space occupied by the former Town Hall area as a rich and vibrant community amenity. Design concepts for the plaza were discussed in the community design charrette, which gave direction for the size, programming, amenities, and uses found in the plaza. The design is intended to provide a variety of open spaces for gathering and events, intermixed with paths, play areas, seating areas, and historical elements. In this concept design, multiple buildings are proposed around the outside of the plaza in addition to angled parking.

### APPROPRIATE LAND USES AND AMENITIES

A variety of land uses and amenities were suggested by the community for the plaza space. The top uses, and those most supportive of the location and neighborhood are listed below:

- Commercial
  - » Dining and Cafes
  - » Brew House
  - » Food Hall
- Community Spaces
  - » Post Office
  - » Help Center
  - » Commercial Kitchen
  - » Meeting Rooms
  - » Creative/Maker Spaces
- Play Area and Splash Pad
- Event Lawn and Stage
- Food Trucks
- Historic Water Tower or Relic



*Historic elements in community amenities*



*Community stage / event space*

### COST ESTIMATE

*The following is a general estimate of the costs associated with construction of the plaza concept design in this section. These prices are variable based on the final scale and timing of the project. More detailed cost information, potential funding mechanisms, and assumptions can be found in the Implementation section.*

- » Architecture - \$11,320,000
- » Roadway - \$1,150,000
- » Plaza - \$5,885,000
- » Play Area & Splash Pad - \$1,150,000

*Estimated Total (including soft costs and contingency): \$27,307,000*





Plaza concept design

## PROGRAMMING

In order to make the plaza a successful and active community space, a variety of programming is recommended. Programs to consider include:

- Community Events
  - » Food and Flicks
  - » Fireworks Viewing
  - » Festivals
  - » Rental Space for Birthdays, Anniversary Parties, Church Groups etc.
  - » Farmers Market
- Theater and Concerts
- Community Gardens
- Exercise Classes

## THEMES

Themes specific to the neighborhood and the desires of the Historic Firestone community will ensure that the plaza doesn't feel like just anywhere and instead helps connect people to the heritage of the area. Themes to incorporate into the design and programming include:

- History (Railroad, mining, etc)
- Community Gathering
- Outdoor Recreation
- Small Western Town

More information about how design elements should incorporate themes can be found on page 72 of the Design Guidelines.



# Parking Strategy

## ON-STREET PARKING CAPACITY

Parking capacity refers to the number of spaces potentially available in the commercial areas of the neighborhood. These include parking spaces located in public rights-of-way adjacent to commercial areas, by using 23-feet as an average parallel parking space length. The table below identifies existing and proposed parking locations and calculates the capacity for the number of possible spaces within Historic Firestone.

| STREET SEGMENTS                      | EXISTING CAPACITY (spaces)* | PROPOSED CAPACITY (spaces)** |
|--------------------------------------|-----------------------------|------------------------------|
| <b>Commercial Streets</b>            |                             |                              |
| McClure Ave. to Buchanan Ave.        | 75                          | 58                           |
| First Street (Buchanan to Grant)     | 74                          | 64                           |
| First Street (Grant to Golf Course)  | 128                         | 91                           |
| Grant Ave. (Colorado to Third)       | 113                         | 113                          |
| New Plaza (Second Street Extension)  | -                           | 110                          |
| <b>Subtotal</b>                      | <b>390</b>                  | <b>436</b>                   |
| <b>Adjacent Residential Blocks</b>   |                             |                              |
| North to South Blocks along Grant*** | 36                          | 36                           |
| East to West Blocks along First****  | 224                         | 224                          |
| <b>Subtotal</b>                      | <b>260</b>                  | <b>260</b>                   |
| <b>GRAND TOTAL</b>                   | <b>650</b>                  | <b>696</b>                   |

\* Existing parking capacity was determined by multiplying the total length of primary commercial streets by two and dividing that number by the average parallel parking space length of 23 feet. Counts and average deductions were made for driveways (20-25 feet), alleyways (20 feet), and intersections (70 feet), to account for all un-parkable areas.

\*\* Proposed parking capacity was determined by multiplying the existing capacity of parking spaces by the percentage street length with proposed changes.

\*\*\* Parking capacity was established for Second and Third Streets. The number of parking spaces were averaged between the two streets and resulted in 18 spaces per block.

\*\*\*\* Parking capacity was established for Wooster, Jackson, Monmouth, Buchanan, Granville, Berwick, and Florence Avenues. The number of parking spaces were averaged between the seven streets and resulted in 32 spaces per block.

## PARKING NEED

Parking demand is defined as the expected demand to park cars related to existing and/or potential land uses. The current parking supply adequately accommodates existing demand for the neighborhood. Yet, with anticipated development and redevelopment, insufficient parking may become an issue.

In mixed-use districts, such as the proposed plaza space and associated uses, on-street parking is counted towards meeting off-street parking requirements. Given this, and with parking ratios being applied at the Directors discretion given the unique nature of this development, an estimate was made based on an existing restaurant and office parking standards to determine anticipated demand, see the table below. The result shows a surplus of about 68 on-street parking spaces for proposed new uses if surrounding commercial street are counted towards meeting off-street parking requirements. Given the surplus of parking, the four new proposed buildings would not need to provide off-street parking.

| STREET SEGMENTS                               | EXISTING CAPACITY (spaces) | PROPOSED CAPACITY (spaces) | PARKING DEMAND (spaces)*** | PARKING SURPLUS/ DEFICIT |
|-----------------------------------------------|----------------------------|----------------------------|----------------------------|--------------------------|
| <b>Contributing Streets*</b>                  |                            |                            |                            |                          |
| First Street (Wooster to Grant)               | 19                         | 10                         | -                          | 10                       |
| First Street (Grant to Golf Course)           | 128                        | 91                         | -                          | 91                       |
| Grant Ave. (Colorado to Third)                | 113                        | 113                        | -                          | 113                      |
| New Plaza (Second Street Extension)           | -                          | 110                        | (256)                      | (146)                    |
| <b>Subtotal</b>                               | <b>260</b>                 | <b>324</b>                 | <b>(256)</b>               | <b>68</b>                |
| <b>Other Potential Contributing Streets**</b> |                            |                            |                            |                          |
| Second Street (Wooster to Grant)              | 19                         | 19                         | -                          | -                        |
| Wooster Street (First to Second)              | 39                         | 39                         | -                          | -                        |
| Lot on SE Corner of Grant and Second          | -                          | 55                         | -                          | -                        |
| <b>Subtotal</b>                               | <b>58</b>                  | <b>113</b>                 | <b>-</b>                   | <b>-</b>                 |
| <b>GRAND TOTAL</b>                            | <b>318</b>                 | <b>437</b>                 | <b>(256)</b>               | <b>68</b>                |

\* Streets near the proposed plaza that may contribute to off-street parking.

\*\*Streets nearby that can support weekly activity in the multi-use plaza but will likely not contribute to off-street parking requirements. Not included in analysis.

\*\*\*Parking demand was determined for four proposed commercial and community buildings in the mixed-use plaza. For this analysis, two of the buildings are two-stories and two are one-story, with an average building footprint of 60X120 feet. The use 'Restaurant, with outdoor seating area' was used as a guide to calculate parking requirements for one-third of the building uses (1 space per 3 seats plus 1 space per employee) and 'Office, Business or Professional' was used as a guide for two-thirds of the building uses (1 per 300 sf).

## LARGE EVENT PARKING

The 4th (of July) at Firestone is the neighborhood's most significant draw of the year. In 2021, about 700 vehicles were recorded in the 'Saddleback Lot' located behind the former Town Hall site. Based on those numbers and the 1.5 hours of traffic following the event, the Town estimated 1,000-1,400 vehicles traveled within or to Firestone for the event.

During a large event in the Historic Firestone Neighborhood, it's necessary to consider where the visitors and residents will park near the event plaza. This plan proposes that Grant Avenue transforms during a large event by turning its parking spaces into additional lanes to help traffic flow in and out of the neighborhood. Furthermore, there are opportunities for parking within the neighborhood.

- Neighborhood streets (minus the Safeway development) hold approximately 2,090 on-street parking spaces.
- The vacant lot to the east of Miner's Park could potentially accommodate about 55 spaces.
- If there is a need for additional parking, shared parking may be explored, as Safeway has approximately 445 parking spaces.



3D view of concept plaza design, looking northeast



Flexible event lawn



Western / historic detailing



Play space within plaza area



## 3.2 SADDLEBACK ESTATES

**The vacant land north of Grant Avenue and east of First Street, the Saddleback Estates property, is a prime opportunity to incorporate more diverse housing, public spaces, and amenities into the Historic neighborhood.**

### *Land Use and Built Form*

The Saddleback Estates site surrounding the former Town Hall is an excellent development opportunity on the north side of the Historic Firestone neighborhood. This area is recommended to support more housing density and active uses than the rest of the neighborhood as it is naturally buffered from the single-family homes by Grant Avenue, the proposed plaza, miners park, and the drainage ditch. Additional buffering is suggested with green spaces at the edges of the proposed development. Growth in this area is encourage to provide a variety of housing types and multiple price points to accommodate a more diverse cross section of the Firestone community. The highest density areas should be located along First Street, adjacent to the Safeway commercial center, and in the middle of the site, with the density tapering off in all other areas.

Buildings should be designed in an architectural style that compliments the character of the neighborhood. For more information on building form recommendations see page 63 of the Design Guidelines.

### APPROPRIATE LAND USES AND AMENITIES

A variety of land uses and amenities were suggested by the community for the Saddleback site. The top uses, and those most supportive of the location and neighborhood are listed below:

- Commercial (same as for plaza, above)
  - » Dining and cafes
  - » Brew House
  - » Food Hall
- Parks and open space
  - » Firestone Plaza
  - » Green space buffers
  - » Drainage areas
  - » Neighborhood parks
- Residential
  - » Small to medium lot single family
  - » Townhomes
  - » Multi-family buildings
  - » Affordable senior housing



*Single family homes*

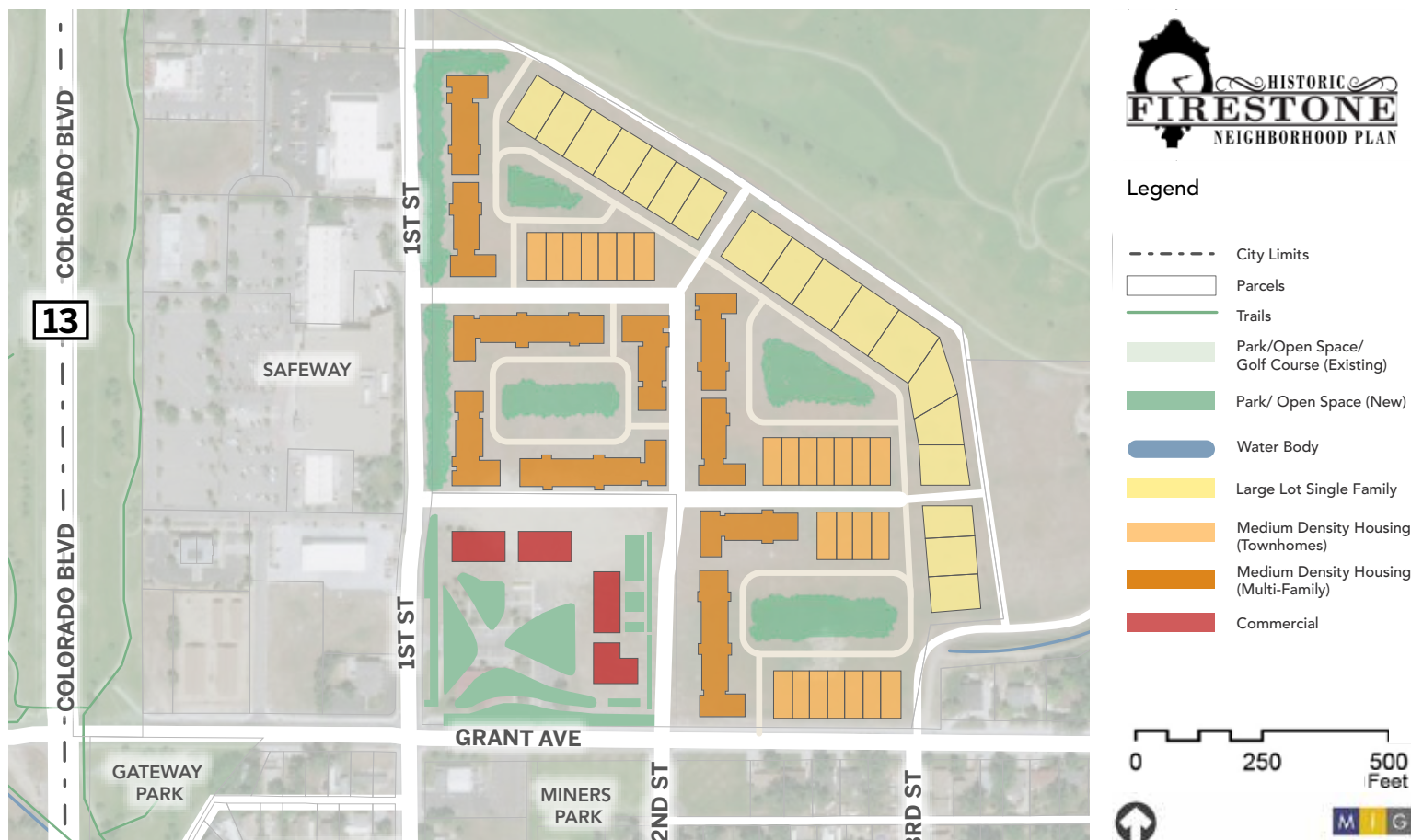


*Multi-family buildings*

### REGULATORY LEVERS

*Several strategies should be employed to ensure that the development that occurs in the Saddleback Estates and Overlook Property areas (on the following pages) is in-line with the community's vision:*

- » *Update the area's zoning to match the uses on the map to the right.*
- » *Create a procedure that includes adherence to the Design Guidelines as a condition of new development.*
- » *Provide fee reduction and expedited permitting for developers that will meet the desired vision and provide community amenities.*



## Environment and Recreation

Environmental considerations will be an important aspect of the development process for the Saddleback property. This part of Firestone has seen impacts from mining and drainage issues, which will need to be mitigated. Environmental assessments will be a necessary first step of any development and should consider wetlands, wildlife, endangered species, and undermining. Site design should include substantial green infrastructure such as drainage areas and rain gardens to help offset the loss of permeable surfaces.

New green space and parks should be integrated into the development plan for the site. In order to avoid overuse of existing Historic Firestone parks, sufficient green space (at least the amount required by the Town's code) should be provided for new residents throughout the development area. In addition, the two-track road along the north edge of the property currently serves as an informal greenway. New development should formalize this connection and make it a pleasant walking experience along the edge of the golf course.

## Circulation

Internal circulation that supports the proposed density and activity of the site will be an important factor in creating a successful development on the Saddleback site. As shown in the diagram above, a new north/south connection, two new east/west connections, and a diagonal alley connection along the northern edge of the property are proposed to accommodate new traffic. These streets should all accommodate a comfortable pedestrian experience. The single-loaded street on the outer edge, adjacent to the golf course, should also provide a multi-use path for pedestrians and cyclists.

Parking for the area should be provided through a combination of on-street parking, which is recommended to be angled parking around the plaza (see page 50 for the plaza parking strategy) and parallel parking elsewhere in the development, and lots for the multifamily and townhome buildings. These parking lots should be behind the building and screened from the street to enhance the pedestrian experience.



## 3.2 OVERLOOK PROPERTY

**The large, vacant Overlook Property presents a unique opportunity to expand the Historic Firestone area to the east, providing a variety of much needed housing for the community and creating new connections and amenities in the process.**

### *Land Use and Built Form*

The Overlook Property, on the far east edge of the neighborhood, adjacent to Frontier Street, can provide significant housing opportunities. A variety of housing types, from small-lot single family homes, to cottage clusters and townhomes, will not only improve the affordability of the neighborhood, it will also provide more options for those who may not be well-suited to single family housing like seniors or young people. The scale and design of this new housing can and should still fit into the small-town character of the Historic neighborhood. The highest density units along Grant Avenue and Frontier Street are located farthest away from existing residential. New development near existing homes should be low density homes or cottage clusters that compliment the scale of existing homes. Commercial lots are recommended at the corner of Grant Avenue and Frontier Street to provide small-scale neighborhood services.

Buildings should be designed in an architectural style that compliments the character of the neighborhood. For more information on building form recommendations see page 63 of the Design Guidelines.

### **APPROPRIATE LAND USES AND AMENITIES**

A variety of land uses and amenities were suggested by the community for the Overlook property. The top uses and those most supportive of the location and neighborhood are listed below:

- Commercial (only on corner lots)
  - » Cafe or neighborhood shop
- Residential
  - » Small to medium lot single-family
  - » Cottage Homes
  - » Paired homes/ townhomes
  - » Affordable senior housing
- Shared community spaces
  - » Parks and open space
    - » Hart Park (expansion)
    - » Green space buffers
    - » Open space trails and corridors
    - » Drainage areas
    - » Pocket parks



*Existing*

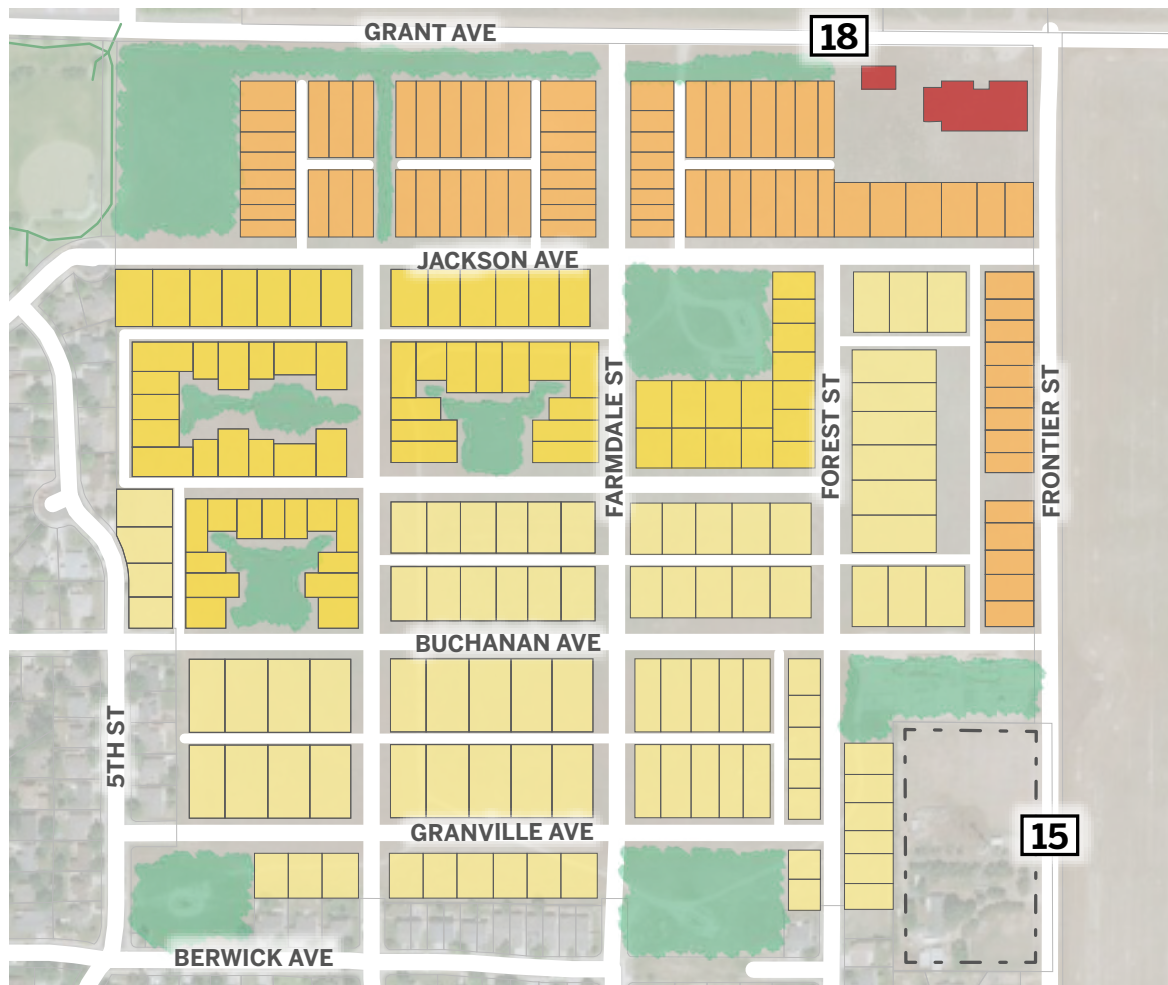


*Cottage cluster homes*



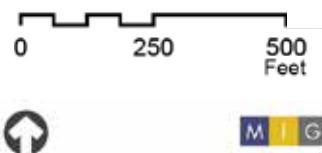
*Proposed First Street Commercial*





#### Legend

- City Limits
- Parcels
- Trails
- Park/Open Space/ Golf Course (Existing)
- Park/ Open Space (New)
- Water Body
- Large Lot Single Family
- Cottage Home Residential
- Small Lot Single Family
- Commercial



## Environment and Recreation

Environmental considerations will also be an important aspect of the development process for the Overlook property. This part of Firestone has seen impacts from mining and oil and gas extraction, which will likely need to be mitigated. Environmental assessments relating to the drilling in the area as well as wetlands, stormwater runoff and filtration, wildlife, and endangered species, will be a necessary first step of any development. Site design should include green infrastructure to help offset the loss of permeable surfaces.

New open space and parks should be integrated into the development plan for the site. In order to avoid a decrease in Level of Service of existing Historic Firestone parks, sufficient open space and parks should be provided for new residents throughout the development area. Cottage clusters should be oriented around a shared open space, additional pocket parks, and an expansion to Hart Park should be provided for the other housing types as well.

## Circulation

Given the amount of new housing recommended for the Overlook property, an extension of the gridded circulation should be used to support the new traffic for the area. As shown in the diagram above, Buchanan and Jackson Avenue are proposed to extend through the site to Frontier Street and Farmdale Street should extend to Grant Avenue. In total, three new north/south streets are proposed and four new east/west streets. These streets should all accommodate a comfortable pedestrian experience. Buchanan Avenue and Farmdale Street should include bike facilities that connect to the existing network.

Consistent with Historic Firestone, alleys are recommended for all of the new blocks to provide adequate parking and create a more pedestrian-oriented streetscape with minimal curb cuts. On-street parallel parking should be provided on major streets for visitors and overflow parking, but the majority of the parking spaces for the housing units should be alley-loaded garages or tuck-under parking for the townhomes.





# 4

## DESIGN GUIDELINES

The goals and design guidelines found in this chapter aim to provide a flexible set of recommendations for existing and future development in the Historic Firestone neighborhood. They outline design and maintenance best practices within the specific context of the Plan area. The overall intent of the guidelines is to create a more walkable, safe, well-amenitized, vibrant, and functional neighborhood that is complementary to the historic character and scale.

### SUBSECTIONS

#### 4.0 Private Realm - Existing Neighborhoods

#### 4.1 Private Realm - New Development

#### 4.2 Public Realm - Streetscapes

#### 4.3 Public Realm - Plaza and Public Spaces



## 4.0 DESIGN GUIDELINES INTRODUCTION

**The existing neighborhood and new development, the public realm and the private realm - by following these guidelines can contribute to a more cohesive and quality neighborhood.**

### REGULATORY FRAMEWORK

This chapter should be used in conjunction with the Neighborhood Plan and fits within the broader Town of Firestone regulatory framework. The design guidelines in this chapter are intended to supplement the regulations in the Firestone Development Code, Building Codes, and Americans with Disabilities Act (ADA) Standards. These existing regulations should still be the baseline for all development within the Historic Firestone Neighborhood.

### FORMAT AND APPLICABILITY

The design guidelines are organized into sections that address specific design topics. Each design topic is addressed at the three levels described below.

- Intent Statements describe the over-all objective of the section topic. They are written to provide high-level vision and guidance.
- Goals establish the objectives for each sub topic and may also be used to determine the appropriateness of alternative or innovative approaches that do not meet specific standards.
- Design Guidelines provide suggestions and criteria for achieving the intent statements. They use the term “should” or “consider” and are numbered by sub-section for reference.

The intent statements, goals, and design guidelines provide structure for the design review process while encouraging flexibility for creative design. See “Sample Design Standards and Guidelines Format” on the following page for more detail regarding the format and use of intent statements, goals, and guidelines.

In some cases, an innovative or creative design approach that may deviate from specific design guidelines may be approved if it is consistent with the goals and intent statements. It is the applicant's responsibility to show that an alternative solution is consistent with, and effectively implements the intent statements and goals.



### SECTION CATEGORIES

*The guidelines within this Chapter are organized into the following topics:*

- **Private Realm** - all areas on private property including homes and businesses.
  - » Existing Neighborhoods
  - » New Development
- **Public Realm** - public areas such as the streets, plazas, and parks.
  - » Streetscapes
  - » Plazas and Public Spaces



# SAMPLE DESIGN GUIDELINES FORMAT

To increase clarity and ease-of-use, Design Guidelines pages that include recommendations use a standard format. The example below indicates each key element of the standard format.

## # SECTION CATEGORY - SECTION TITLE

**Intent:** Intent statements describe the over-all objective of the section topic. They are written to provide high-level section vision and guidance, more specific goals can be found in the sub-topic goal statements



*NOTE: Images used in the DSG document are not directly representative of what is recommended. Images are purely conceptual representations and are only intended to convey the ideas expressed in their captions.*

Photographs and Diagrams show conceptual examples of the guidance listed on that page. Image Captions reference text from guidelines that relates to the image.

### SUB-TOPIC GOALS

- **Goal Statements** establish the objectives to be achieved for each sub-topic and may also be used to determine the appropriateness of alternative or innovative approaches that do not meet specific guidelines.

### SIDEBARS

**Sidebars** give general background information or reference the zoning code or other related documents.

### ## GUIDELINES

1. **Design Guidelines** provide recommendations to achieve the intent statements. They use the term “should” to indicate suggestions.
  - » **Bulleted Lists** indicate specific approaches and strategies to meet the corresponding guideline.

## ADDITIONAL FORMAT NOTES

*The Design Topic Title Bar is indicated with a heading at the top of each page.*

*Topic Sections and Guidelines are numbered for clarity and ease of reference.*

*Sidebar Pages are pages that do not have numbered guidelines. These pages offer additional explanation, imagery, and background information on design topics.*

## 4.1 PRIVATE REALM - EXISTING NEIGHBORHOODS

**Intent:** To prioritize neighborhood maintenance needs that improve overall aesthetics while maintaining existing character and scale.



*Redevelopment or infill projects should provide visual interest and architectural details.*



*Redevelopment or infill projects should replicate the existing character-defining features.*

### 1.1 BUILDING DESIGN GOALS

- To maintain the existing character and architectural style of the Historic Firestone neighborhood's predominantly single-family housing.
- To ensure buildings within the single-family neighborhood maintain a complementary mass and scale to the existing structures.
- To encourage design best practices in any existing neighborhood building reuse, redevelopment, infill, or addition.

### 1.1 GUIDELINES

1. Redevelopment or infill projects within the single-family neighborhood should not exceed two stories.
2. Redevelopment or infill projects should maintain a front setback from the street that is consistent with the surrounding structures.
3. Redevelopment or infill projects should be alley-loaded and avoid garages at the front of the house.
4. An addition or alteration should be designed to respect the existing structure and maintain its character-defining features and structural integrity.
  - » A contemporary design for an alteration or addition to an existing structure should not be discouraged as long as it does not impact character-defining features and the design is compatible with the existing building.
  - » An addition or alteration should relate to the original building in mass, scale, and character, but should appear as new.
5. Redevelopment or infill projects should replicate the existing character-defining features, defined below.
6. Redevelopment or infill of duplex or triplex houses will be evaluated through the Town's Special Use Review process as long as they maintain the mass, scale, and character of surrounding structures.
7. Redevelopment or infill projects should provide visual interest and architectural details, see page 66-67 for explanation and visual examples of appropriate techniques.

#### CHARACTER-DEFINING FEATURES

*To ensure reuse, redevelopment, infill, or additions within the area preserve or replicate the character-defining features, that character must be defined. Most homes in the area are 1-2 story or split-level. Architectural styles include ranches or raised ranches, post-war bungalows, and simple miner-style cottages. Features that should be preserved or replicated include: low to medium pitch gabled or hip roofs, roof gables (sometimes with decorative braces), window trim, awnings, columns, and brick or decorative siding.*



## 1.2 LANDSCAPE AND SITE DESIGN GOALS

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- To maximize landscaping health and survival.
- To encourage landscape designs that provide an environmental benefit.
- To maintain a strong relationship between the building and the street through contextually appropriate fence and wall designs.
- To encourage best management practices for residential water conservation, storm water management and yard design.

## 1.2 GUIDELINES

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1. Plant materials selected should be those that minimize water usage. Minimize use of bluegrass turf, consider water-wise grass such as buffalo grass and fescue.
2. Front yard fences should be low-height or highly transparent such as pickets, split rail, or decorative metal railing.
3. Screening, fencing, and walls should be high-quality, durable, and low-maintenance to ensure long-term use and suitability for the Colorado climate.
4. Chain link fencing should not be considered a suitable, high-quality material.
5. Water saving techniques for irrigation system designs should be considered.
6. Low Impact Development yard solutions should be considered including permeable driveway paving, xeriscaping, rain gardens, and swales.

## 1.3 MAINTENANCE GOALS

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- To ensure all homes and properties within the Historic Firestone Neighborhood are maintained to provide a public benefit and enhance the neighborhood character.

## 1.3 GUIDELINES

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1. Consider providing resources, incentives, and information to residents to improve building facades and front yards. Resources should emphasize:
  - » The benefits of native and low water plants;
  - » Green infrastructure and xeriscaping; and
  - » Sustainable construction and maintenance processes.
2. Ensure facade improvements maintain or enhance character-defining features and materials.
3. Focus outreach efforts on homes and yards that are falling into dereliction.



*Front yard fences should be avoided or highly transparent such as pickets.*



*Low Impact Development yard solutions should be considered including xeriscaping.*



*Ensure facade improvements maintain or enhance character-defining features and materials.*



## 4.2 PRIVATE REALM - NEW DEVELOPMENT

**Intent:** To encourage high-quality new development that provides new uses and services to Historic Firestone while complementing the existing character and scale of the neighborhood.



*Residential frontages that provide a transition between adjacent sidewalks and private residences.*



*Buildings located to promote a continuous and uniform building frontage.*

### 2.1 SETBACK AND PEDESTRIAN LEVEL GOALS

- To ensure that all parts of the streetscape and the spaces between buildings and the sidewalk activate or enhance the public realm.
- To encourage additional space for pedestrian movement and openings.
- To provide a consistent street edge that reinforces urban character and human scale.

#### ZONING SETBACKS

*The Town of Firestone development code allows a maximum residential setback of 10' for alley loaded homes and 20' for front loaded garages and a commercial setback of 20'. These guidelines aim to build on that requirement to promote a more pedestrian-oriented environment.*

### 2.1 GUIDELINES

1. Buildings should be located to promote a continuous and uniform building frontage along First Street to the maximum extent practicable.
  - » Buildings should only be set back to provide visual relief, create an outdoor amenity, or provide a Publicly Accessible Private Open Space.
2. When located on First Street or Grant Avenue, buildings should have their primary building entrance located on these frontages.
3. The ground floor of all buildings should have transparency suitable to their use.
  - » Ground-floor commercial uses should not be less than sixty percent (65%) transparent.
  - » Ground-floor residential uses should not be less than thirty percent (30%) transparent.
  - » Alternatives to transparency can include wall art or murals, architectural screens, and vertical gardens.
4. Commercial ground floors should have minimum ceiling height of 12'.
5. For all commercial uses along First Street or the Main Plaza, the maximum front setback should be 10 feet.
  - » Setbacks for commercial uses shall be primarily hard-scape and should act as an extension of the public realm.
6. For all residential uses the maximum front setback should be 15 feet.
  - » Setbacks for residential uses should be primarily softscape with the exception of stoops and porches.
7. Residential frontages should provide a transition between adjacent sidewalks and private residences. Appropriate strategies include:
  - » Planted areas or gardens;
  - » Stoops or porches;
  - » Cooking, eating, or seating areas; and
  - » Awnings or pergolas.



## 2.2 MASS AND SCALE GOALS

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- To create a comfortable, human-scale environment by reducing the mass and scale of large buildings.
- To encourage varied and creative building massing that provides visual interest.
- To maintain access to sunlight and views.

## 2.2 GUIDELINES

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1. Building massing should be designed to reduce the perceived size of the structure and create a human scale along the street. See page 66 for explanation and visual examples of appropriate techniques.
2. Building massing should be varied to provide visual interest, especially on facades that face First Street, Grant Avenue, or the Main Plaza. See page 66 for explanation and visual examples of appropriate techniques.
3. Buildings adjacent to one or two story buildings should step down in stories to transition to the height of the smaller building(s).
4. Buildings should be designed with careful attention to upper story massing and setbacks to preserve mountain views from the Main Plaza and to maximize solar access along the street and Plaza.



*Building designed with careful attention to upper story massing and setbacks.*



*Residential frontages should provide a transition between adjacent sidewalks and private residences.*

## 2.3 ARTICULATION AND DETAIL GOALS

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- To provide a visually interesting facade that complements the historic, civic, and commercial context.
- To reduce the perceived mass and scale of a building.

## 2.3 GUIDELINES

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1. Articulation techniques that provide visual interest and express a human scale should be used in the design of building facades. This is especially important along First Street, Grant Avenue, and the Main Plaza. See page 67 for explanation and visual examples of appropriate techniques.
2. Architectural details like exposed posts, beams, trusses, and brackets should be included with facade articulation.
3. Commercial buildings should be designed with a high degree of transparency.



*Commercial buildings designed with a high degree of transparency.*





*High-quality materials such as brick and stone.*



*Buildings should incorporate additional sustainability features such as solar panels.*



*Private development with shared green spaces.*

## 2.4 MATERIALS GOALS

- To ensure that building materials provide visual interest and a sense of scale.
- To ensure that building materials are durable and low-maintenance.

## 2.4 GUIDELINES

1. Building materials should contribute to visual interest and convey a sense of human scale. Use materials that have texture, finish, and detailing, and apply materials in ways that create shadow, contrast, and depth.
2. Building materials should be of a proven durability. Choose materials that are proven to be long-lasting and low-maintenance in the Colorado climate.
3. High-quality materials such as brick, stone, terra cotta, metal panels, colored cement board panels, stainless steel, and glass should be used.
4. Use local and regional materials, whenever feasible.
5. Synthetic, low-quality, or less durable materials should not be used. Discouraged materials include: EIFS (Exterior Insulation Finish Systems); fiberglass; cementitious stucco; and vinyl siding.

## 2.5 SUSTAINABLE BUILDING DESIGN GOALS

- To encourage buildings that are designed using sustainability best practices.
- To encourage buildings to incorporate additional sustainability features and renewable energy solutions.

## 2.5 GUIDELINES

1. Buildings should be oriented to optimize passive solar opportunities, solar gain, and natural day-lighting.
2. Buildings should be designed with proper insulation and thermal mass to minimize heating/cooling needs and reduce noise.
3. Buildings should incorporate additional sustainability features to provide an environmental benefit. Strategies include: green or vegetated roofs and living walls; solar and other renewable energy sources; and captured rainwater or greywater recycling systems.
4. Private development should incorporate shared green spaces, whenever feasible.

## 2.6 LANDSCAPE DESIGN GOALS

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- To provide screening, softening, and visual interest to private development.
- To maximize landscaping health and survival.
- To utilize architectural and landscape screening elements that help mitigate undesirable utility and service use functions.
- To ensure that screening provides visual interest to an adjacent public space.

## 2.6 GUIDELINES

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1. Plant material should conform to the American Standard for Nursery Stock and shall be of specimen quality.
2. Landscaping areas should be designed to protect and support the root system of mature shade trees.
3. Plant materials selected should be those that minimize water usage. Minimize use of bluegrass turf, consider water-wise grass such as buffalo grass and fescue.
4. Landscaping palettes should be visually appealing and provide varied and layered year-round interest.
5. Concentrations of landscaping should be located at residential and commercial driveways and building entries.
6. Landscaping should be provided in front of all building types to soften the appearance of private development.
7. Tree and plant species should be resilient and easy to maintain.
  - » Use hardy and drought tolerant plants.
  - » Ensure tree and plant species diversity.
  - » Consider salt tolerant plants where subject to de-icing.
8. New residential properties should be discouraged from having front yard fences unless they are low, transparent fences like split rail or open picket fences.
9. Chain link fencing should not be considered a suitable, high-quality material for use on private development.
10. Screening, fencing, and walls should be high-quality, durable, and low-maintenance to ensure long-term use and suitability for the Colorado climate.
11. Landscape screening should be layered or utilized in conjunction with screen walls to provide varied screening and avoid a hard monotonous treatment.



*Landscaping provided in front of buildings to soften the appearance of private development.*



*Visually appealing landscaping palettes with varied and layered year-round interest.*



*Landscape screening utilized in conjunction with screen walls to avoid a hard monotonous treatment.*



2.2 MASS AND SCALE TECHNIQUES

HUMAN SCALE TECHNIQUES - GUIDELINE 2.2.1

**Height variation** - Vary the height of a building to break up large masses.



**Upper story setback** - Step back upper floors to reduce mass at the pedestrian level, provide tree canopy space, and maximize sky exposure.



**Middle setback** - Carve out space in the middle of a building on upper floors to reduce its central mass. Creates an opportunity for outdoor spaces.



VISUAL INTEREST TECHNIQUES - GUIDELINE 2.2.2

**Facade plane changes** – Use changes in building facade such as vertical notches or shifts to provide relief at the pedestrian level and avoid a long wall.



**Changes in materials** – Material changes that align with visual breaks in massing, either vertically or horizontally, provide variety and continuity for longer facades.



**Vertical projections** – Use pilasters, columns, or overhangs to create a rhythm and enhance the pedestrian experience.



2.3 ARTICULATION AND DETAIL TECHNIQUES

ARTICULATION TECHNIQUES - GUIDELINE 2.3.1

**Accent lines** - Use vertical and horizontal features on a building wall. An accent line often projects from the wall. Examples include moldings, sills, cornices, pilasters, and spandrels.

**Wall recesses, projections, or banding** - Recess or project portions of wall in a vertical or horizontal rhythm. Bands provide predictability and visual interest.

**Changes in color and materials** - Color and material changes break up facades and contribute to an interesting and vibrant building.



ARTICULATION TECHNIQUES CONTINUED

**Balconies, canopies, and awnings** - Projecting elements add interest and human scale to a building and provide user comfort. They should be detailed to be integral to the architecture.

**Window composition** - Windows of familiar dimensions can convey a human scale. Aligning windows horizontally and vertically creates a visual rhythm.





## 4.3 PUBLIC REALM - STREETSCAPES

**Intent:** To create a safe and efficient network of pedestrian and bicycle facilities while ensuring that streetscapes still meet the vehicular needs of the community.



*Trees and pedestrian amenities occupying a consistent, well defined zones parallel to the pedestrian walking zone.*



*Major pedestrian crossing with bulb-outs to prioritize pedestrian safety.*

### 3.1 GENERAL STREETSCAPE GOALS

- To promote visual continuity along a street.
- To prioritize safe circulation to and through the site.
- To encourage pedestrian activity on the sidewalk and to support activities such as shopping, dining, and gathering.

### 3.1 GUIDELINES

1. Major pedestrian crossings should be designed with bulb-outs or table top crossings to prioritize pedestrian safety.
2. Streetscapes should be designed to maintain visual continuity.
  - » Establish a consistent rhythm of trees, lights, furnishings, and other vertical elements.
  - » Use paving and materials to define pedestrian and amenity zones.
3. The amenity zone should incorporate a variety of pedestrian-oriented amenities (see 3.2 for more information on pedestrian amenities).
4. Streetscape designs should integrate pedestrian-scale lighting to encourage evening use and enhance security.
5. Street furnishings, trees and pedestrian amenities should occupy consistent, well defined zones parallel to the pedestrian walking zone.
6. Streetscape furnishings, such as cafe seating, should be placed behind a 6 foot clear zone for uninhibited pedestrian travel along the sidewalk.
7. Streetscapes should be designed with furnishings to add visual interest and utility.
  - » Use attractive functional elements such as decorative railings, seating, walls, and paving.
  - » Introduce Historic Firestone character through decorative street lights and banners.
  - » Consider Historic Firestone Neighborhood branding integrated into amenities or public art.

### PREFERRED STREET SECTIONS

*As part of the Historic Neighborhood Plan a set of preferred street designs have been created for major streets, these are intended to create a palette of street cross sections for improving Firestone streetscapes. This palette starting on page 32 aims to provide a hierarchy of street types and can be referenced in conjunction with these guidelines.*



### 3.2 PEDESTRIAN AMENITIES GOALS

- To select a palette of unique and consistent pedestrian and bicycle amenities to unify the character and identity of the Historic Firestone streetscapes.
- To provide adequate pedestrian and bicycle amenities to encourage non-vehicular modes of travel.

### 3.2 GUIDELINES

1. Pedestrian and bicycle amenities should be high-quality, durable, and low-maintenance to ensure long-term use and suitability for the Colorado climate.
2. Pedestrian and bicycle amenities should be unifying elements with a palette of furnishings consistent with the historic neighborhood historic character.
3. Streetscapes should include a consistent palette of well-distributed amenities to provide pedestrian and cyclist comfort and convenience. Appropriate amenities include:
  - » Benches;
  - » Trash and recycling receptacles;
  - » Seat walls/planter boxes;
  - » Decorative light posts;
  - » Wayfinding;
  - » Bike racks; and
  - » Pet waste bag dispensers.
4. Pedestrian amenities should be co-located in strategic clusters along the street that indicate areas of rest and pause to pedestrians.
5. Pedestrian and bicycle amenities should be located to avoid conflicts with the direct flow of pedestrian and cyclist travel.
6. Pedestrian amenities should accommodate a variety of visitor needs, abilities, and activities.
7. Pedestrian and bicycle amenities should incorporate historic, artistic, creative, or decorative elements into their design.



*Pedestrian and bicycle amenities as unifying elements with a palette of consistent furnishings.*



*Pedestrian and bicycle amenities that incorporate historic and creative elements into their design.*



*Pedestrian and bicycle amenities located to avoid conflicts with the direct flow of pedestrian travel.*





*The use of chicanes to slow traffic, create bulbouts for safer crossings, and provide more amenity space.*



*Streetscape improvements like beautification and sharrows to provide a safe bicycle facility.*



*The 10' pedestrian trail along Grant Avenue.*

### 3.3 FIRST STREET GOALS

- To create a historic neighborhood-scale Main Street for Historic Firestone.
- To promote a more safe, active, and pedestrian-oriented streetscape.

### 3.3 GUIDELINES

1. The streetscape should be designed to increase pedestrian-oriented space, particularly along the east side of the street adjacent to the businesses.
2. Consider the use of chicanes along First Street to slow traffic, create bulbouts for safer crossings, and provide more amenity space along the street.

### 3.4 BUCHANAN AVENUE GOALS

- To maintain the existing street character and private property lines.
- To create a safe streetscape for pedestrians and cyclists.

### 3.4 GUIDELINES

1. Initial streetscape improvements should include beautification and sharrows to provide a safe bicycle facility through the neighborhood.
2. Consider reducing travel lane widths to slow traffic and provide additional pedestrian space on the north side of the street.
  - » Private property lines should be maintained.

### 3.5 GRANT AVENUE GOALS

- To continue the pedestrian trail design along the full length of the street.
- To enhance the streetscape character as the major entryway to Historic Firestone.

### 3.5 GUIDELINES

1. The 10' pedestrian trail should be continued past Hart Park to accommodate new development along the street.
2. Initial streetscape improvements should include beautification, amenities, and a gateway design to mark entry to the Historic Firestone neighborhood.
  - » Private property lines should be maintained.

### 3.6 LOCAL NEIGHBORHOOD STREETS

- To ensure proper upkeep of the existing streets network.
- To ensure a well-maintained and consistent streetscape experience throughout the historic neighborhood.
- To provide improvements over time that promote a more safe, pedestrian-oriented streetscape.

### 3.6 GUIDELINES

1. Maintenance and upkeep of the local street network should be a priority before, during, and after any other streetscape improvements so that the needs of the neighborhood residents continue to be met. Maintenance items to evaluate should include:
  - » Potholes;
  - » Sidewalk connectivity and surfacing;
  - » Alley surfacing;
  - » Striping; and
  - » Accessibility.
2. Consistent, continuous, 5' minimum sidewalks, should be provided throughout the study area.
3. Gravel alleys should be paved to create a consistent quality throughout the neighborhood and to ensure accessible sidewalks where they cross alleys.
4. Initial streetscape improvements to consider should include beautification, minimizing curb cuts, providing bulbouts or tabletop crossings where feasible, and reducing travel lane widths to slow traffic and provide additional space for pedestrians and cyclists.
5. Streetscape improvements should protect and support the root system of shade trees and new planting areas should avoid the discouraged species listed below.

#### DISCOURAGED TREE SPECIES

Several tree species have been shown to have major drawbacks in the front range region for a number of reasons, including hardiness, susceptibility to disease and harmful insects, and invasive growth patterns. Trees that should be avoided in Firestone streetscapes and public realm include:

- » Female Cottonwood tree (*Populus Deltoides*);
- » Box Elder (*Acer Negundo*);
- » Siberian Elm (*Ulmus Pumila*);
- » Russian Olive; and
- » Ash trees.



*Streetscape improvements include providing bulbouts or tabletop crossings.*



*Paved alleys to ensure accessible sidewalks where they cross alleys.*



*Streetscape improvements that protect and support the root system of shade trees.*



## 4.4 PUBLIC REALM - PLAZA AND PUBLIC SPACES

**Intent: To create active, vibrant, and functional spaces that are of an appropriate scale, well-amenitized, and true to Firestone's character and history.**



*Pedestrian and bicycle amenities acting as unifying elements.*



*Pedestrian and bicycle amenities that incorporate historic elements.*

### 4.1 PEDESTRIAN AMENITIES GOALS

- To select a palette of unique and consistent pedestrian and bicycle amenities to unify the character and identity of the public realm within the Historic Firestone Neighborhood.
- To select and locate pedestrian and bicycle amenities to encourage activity and gathering in the public realm.

### 4.1 GUIDELINES

1. Pedestrian and bicycle amenities should be high-quality, durable, and low-maintenance to ensure long-term use and suitability for the Colorado climate.
2. Pedestrian and bicycle amenities should be unifying elements with a palette of furnishings consistent with the Historic Firestone neighborhood historic character.
3. All areas within the public spaces should include a consistent palette of well-distributed amenities to provide pedestrian comfort and convenience. Appropriate amenities include:
  - » Benches;
  - » Tables;
  - » Seat walls/planter boxes;
  - » Trash and recycling receptacles;
  - » Bike racks; and
  - » Pet waste bag dispensers.
4. Pedestrian amenities should accommodate a variety of visitor needs, abilities, and activities.
5. Pedestrian amenities should incorporate historic, artistic, creative, or decorative elements into their design.
6. A variety of pedestrian amenity types and uses should be provided, including flexible furnishings in areas that could be used for events or other activities.

### 4.2 PAVING MATERIALS GOALS

- To support a variety of activities and abilities.
- To clearly distinguish pedestrian use areas from other modes of travel.
- To encourage creative paving designs that help create a unique sense of place.



## 4.2 GUIDELINES

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1. Distinct paving materials should be used to indicate areas of continuous travel and facilitate clear, pedestrian navigation on sidewalks, intersections, and parking areas.
2. Creative paving designs should be used in public spaces such as plazas and setbacks to create visual interest.
3. Paving materials should be used to help guide movement and differentiate between uses.

## 4.3 LANDSCAPING GOALS

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- To provide screening, softening, and visual interest to the public realm.
- To maximize landscaping health and survival.
- To ensure that screening provides visual interest to an adjacent public space.

## 4.3 GUIDELINES

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1. Plant material should conform to the American Standard for Nursery Stock and shall be of specimen quality.
2. Landscaping areas should be designed to protect and support the root system of mature shade trees.
3. Plant materials selected should be those that minimize water usage. Minimize use of bluegrass turf, consider water-wise grass such as buffalo grass and fescue or high-quality artificial turf.
4. Landscaping palettes should be visually appealing and provide varied and layered year-round interest.
5. Concentrations of landscaping should be located at intersection nodes, plazas, and gateways.
6. Landscaping should be provided to soften the appearance of the streetscape and public realm.
7. Tree and plant species should be resilient and easy to maintain.
  - » Use hardy and drought tolerant plants.
  - » Ensure tree and plant species diversity.
  - » Consider salt tolerant plants where subject to de-icing.
8. Screening, fencing, and walls should be high-quality, durable, and low-maintenance to ensure long-term use and suitability for the Colorado climate.
9. Landscape screening should be layered or utilized in conjunction with screen walls to provide varied screening and avoid a hard monotonous treatment.



*Paving materials used to help guide movement and differentiate between uses.*



*Landscaping provided to soften the appearance of the streetscape and public realm.*



*Landscaping areas designed to protect and support the root system of mature shade trees.*





*Sign designed to be creative and iconographic.*



*Light design with a unique experience through the use of decorative lighting.*



*Exterior lighting designed to provide consistent coloration and uniform light distribution.*

## 4.4 SIGNAGE GOALS

- To encourage sign locations that promote a vibrant, pedestrian-oriented street frontage.
- To create visual interest and a well-defined sense of place.

## 4.4 GUIDELINES

1. Signage and wayfinding should be well-constructed with durable materials that will maintain their quality.
2. Projecting signs should be encouraged in the Historic Neighborhood.
3. Building signs should be compatible with the building's architecture in material, color, finish, and attachment details.
4. Signs should be oriented or illuminated so that they do not adversely affect existing nearby residential uses or structures.
5. Signage and wayfinding should be designed to be creative and iconographic, whenever feasible.

## 4.5 LIGHTING GOALS

- To provide safe, welcoming, and well-lit pedestrian walkways and public realm environments.
- To minimize light pollution and impacts on building occupants and adjacent developments.

## 4.5 GUIDELINES

1. Building entries should be well lit.
2. Exterior lighting should be designed to provide consistent coloration and uniform light distribution without overly bright or poorly lit spots.
3. Exterior lighting should be designed to reduce glare and minimize light trespass.
4. Exterior lighting should contribute to a safe environment for all users.
5. Pedestrian lighting along public trails and in plazas should be provided at an interval of no less than 25' to ensure the public realm is well lit.
6. Light fixtures should be designed to a pedestrian scale and to accommodate banners and decorative lighting.
7. Light design should create a unique experience through the use of innovative, decorative, and feature lighting.



## 4.6 PUBLIC ART GOALS

---

- To create a unique sense of place by utilizing public art to add to the interest and character of the public realm.
- To encourage a variety of public art in strategic, prominent, and functional locations.

## 4.6 GUIDELINES

---

1. Public art should be placed in highly visible areas, along key sight lines, and as focal points in highly trafficked areas.
  - » Opportunities for seating and interaction with the art piece(s) should be incorporated.
  - » Consider public art at gateways and key intersections.
2. Public art should be constructed of durable materials that will withstand the sun and freeze thaw conditions of the Colorado climate.
3. Public art such as sculptures, wall art, and murals should be integrated into streetscapes, particularly on First Street.
4. Public art should match the historic character of the Historic Firestone Neighborhood.



*Public art placed in a highly visible area, along key sight lines.*



*Public art with historic character.*

## 4.7 GATEWAY GOALS

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- To clearly signal to people that they are entering Historic Firestone, a distinct and recognizable place.
- To represent the unique and historic nature of Firestone through an artistic design of the entry gateways.

## 4.7 GUIDELINES

---

1. Gateways should incorporate historic and artistic elements into their design. Recommended elements include:
  - » Traditional materials such as steel, stone, and wood;
  - » Historic items such as minecarts, railroad tracks, or other western iconography; and
  - » Decorative landscaping.
2. Gateways should be designed with vertical elements to be clearly visible to people entering Historic Firestone,
3. Any text incorporated into gateway elements should be easy to read and integral to the design of the gateway.
4. Entry gateways should have a clear hierarchy. The three recommended types of gateway are: primary vehicular gateways, secondary vehicular gateways, and pedestrian and bicycle gateways.



*Historic and artistic elements include historic items such as mine carts.*







# 5

## IMPLEMENTATION

**Tools for implementation are a key part of this Plan, whereby all the recommendations in the previous Chapters can become a reality for Historic Firestone. This chapter includes implementation first steps, a matrix that guides implementation and funding of projects and programs, and an overview of the funding mechanisms available to the Town of Firestone.**

### SUBSECTIONS

#### **5.0 Project and Program Prioritization Matrix**

#### **5.1 Funding Mechanisms**



## 5.0 PROJECT AND PROGRAM PRIORITIZATION MATRIX

**This section collects all the projects and programs that are recommended throughout the Plan and lays out a path to achieving them. The matrix on the following pages recommends partners, advocates, timing, cost, and funding mechanisms needed to bring these projects and programs to fruition.**

This page and the following page describe the elements found in the matrix on pages 80-83. The first section of the matrix lists the projects and programs located in Chapter 2, Plan Framework Recommendations and the second covers the projects in Chapter 3, Catalytic Projects. The first page of each describes the recommended partners and advocates the Town should work with, as well as the general timing and factor of scale cost for implementation. The second page indicates which funding mechanisms can be pursued. These mechanisms are described in more detail in Section 5.1, pages 84-85.

### *Partners and Advocates*

The key partners and advocates are the public and private entities that can help implement each project and program or that are major stakeholders. They are described below with the abbreviations used in the table.

#### CITY DEPARTMENTS

- **Firestone Planning and Development** - The Planning Department is a partner in all projects and programs.
- **Firestone Engineering** - The Engineering Department provides master planning, design, review, and technical support of the Town's various public infrastructure elements.
- **Public Works** - This department oversees the management of Firestone's streets, utility infrastructure, and other facilities.
- **Firestone Economic Development (Eco. Devo.)** - The Economic Development department provides services for businesses and development and also see the Urban Renewal Area.
- **Firestone Parks and Trails (Parks & Trails)** - The Parks and Trails department, within the broader Public Works department, manages the Town's parks, trails, and open space and programming within them.

#### PUBLIC ENTITIES

- **Historic Firestone Neighborhood Coalition (HF Neigh. Coalition)** - The creation of this group is recommended as part of the Plan recommendations. They can oversee neighborhood-specific beautification, events, and programs.
- **State of Colorado (State of CO)** - The State of Colorado may provide assistance and guidance for projects in several capacities and through multiple departments, for example, Public Safety, which aids in oil and gas hazard mitigation.
- **Colorado Department of Transportation (CDOT)** - More specifically, CDOT is a state-run agency that has purview over all state highways and also works across Colorado to help provide multi-modal transportation systems.
- **Carbon Valley Recreation District (Carbon Valley Rec.)** - The Recreation District offers and supports recreation and programming for the region.

#### PRIVATE ENTITIES

- **Carbon Valley Chamber of Commerce (Carbon Valley COC)** - The regional Chamber of Commerce provides support for local businesses, economic development, and programming.
- **Property Owners** - Property owners are a crucial part of Firestone, they are both stakeholders and partners in neighborhood projects. Some of the larger catalytic projects rely on the cooperation of the owners of the vacant land.
- **Business Owners (Biz Owners)** - Like property owners, business owners are both stakeholders and partners, particularly for improvements along First Street. They should benefit from any improvements made there.
- **Local Developers** - Local developers will be crucial in the successful implementation of the catalytic projects.
- **Oil and Gas Companies (O&G Co)** - Oil and gas has mineral interests in the vacant areas of Historic Firestone and will need to be partners in any development that occurs in those areas.

## Timing

A timing estimate for each project is provided in the matrix below. These are a rough idea of when the project can and should be implemented as well as the order in which the steps can be taken. A project or program identified as a “Short Term” is something the Town could begin work, setup, or coordination on immediately and complete or establish within a year. Those that are identified as “Medium Term” are relatively near-term action items that will likely take between one and three years, while projects and programs identified as a “Long Term” are improvements that will likely require several initial steps and higher levels of design, funding, and community buy-in before they can be implemented in three or more years. “Ongoing” projects are ones that will take consistent, but not extensive maintenance.

In the Catalytic Projects matrix, for recommendations within each project category (the blue matrix heading), projects with shorter time frames are prerequisites for the projects with longer time frames. For example, on the vacant land sites, environmental mitigation must be done before the utility construction, which must be done before the development can occur.

## Cost

The final column on the first page of the matrices is a rough estimation of cost. This is provided as simple dollar signs, with one “\$” symbol indicating the cheapest projects and programs, with an estimated cost of under \$50,000, and three “\$” symbols indicating the most expensive, with an estimated cost of over \$1 million. These are order of magnitude cost estimates that will help compare the relative cost of projects to each other. Those projects and programs with one dollar symbol are considered “low-hanging fruit” and something that can be implemented quickly, particularly if it also has a short term time frame. Projects and programs with three dollar symbols are the most involved and visionary of the projects and programs and can be implemented over time as funding becomes available.

More detailed cost estimating for two of the Catalytic Projects - the gateways and the plaza concept - can be found in Chapter 3, Catalytic Projects, in their respective subsections, 3.0 and 3.1.



*Firestone Planning and Development, Zoning Tool*



*Carbon Valley Parks and Recreation District*

# Neighborhood Opportunities Matrix

This matrix includes the most actionable recommendations, projects, and programs from Chapter 2, Plan Framework Recommendations. The headings are organized by the subsections with the Chapter.

|                                                                                  | Partners and Advocates                                     | Timing              | Cost          |
|----------------------------------------------------------------------------------|------------------------------------------------------------|---------------------|---------------|
| LAND USE AND BUILT FORM                                                          |                                                            |                     |               |
| Extend Hart Park                                                                 | Local Developers, Carbon Valley Rec.                       | Medium Term         | \$\$          |
| Existing Residential Support                                                     |                                                            |                     |               |
| ILC program                                                                      | Biz & Property Owners                                      | Short Term/Ongoing  | \$            |
| Program for residential facade/curb appeal improvement & home upkeep for seniors | Biz & Property Owners, Neigh. Coalition                    | Short Term/Ongoing  | \$-\$\$\$     |
| Reestablish HF Coalition award program                                           | Neigh. Coalition, Biz & Property Owners                    | Short Term          | \$            |
| ADU Program                                                                      | Property Owners                                            | Short Term/Ongoing  | \$            |
| Tracking/addressing of code violations                                           | Neigh. Coalition                                           | Short Term/Ongoing  | \$            |
| Revitalization volunteer program                                                 | Neigh. Coalition, Biz & Property Owners                    | Short Term/Ongoing  | \$            |
| First Street                                                                     |                                                            |                     |               |
| Facade/public realm improvement program                                          | Neigh Coalition, Biz & Property Owners                     | Short Term/Ongoing  | \$\$-\$\$\$\$ |
| Asbestos abatement and structural assistance program                             | Biz & Property Owners                                      | Short Term/Ongoing  | \$\$          |
| Demolition assistance program                                                    | Biz & Property Owners                                      | Short Term/Ongoing  | \$\$          |
| Assistance for small businesses                                                  | Neigh. Coalition, Biz Owners, Carbon Valley COC            | Short Term/Ongoing  | \$-\$\$\$     |
| MOBILITY AND STREETSCAPES                                                        |                                                            |                     |               |
| First Street improvements                                                        | Biz & Property Owners, Neigh. Coalition, Carbon Valley COC | Medium Term         | \$\$\$        |
| Grant Avenue improvements                                                        |                                                            | Medium Term         | \$\$\$        |
| Buchanan Avenue improvements                                                     | Biz & Property Owners, Neigh. Coalition                    | Long Term           | \$\$\$        |
| Fourth Street improvements                                                       |                                                            | Long Term           | \$\$\$        |
| INFRASTRUCTURE AND UTILITIES                                                     |                                                            |                     |               |
| Underground utility lines                                                        | United Power, Biz & Property Owners                        | Medium Term/Ongoing | \$\$\$        |
| Alley paving program                                                             | Property & Biz Owners, Neigh. Coalition                    | Medium Term/Ongoing | \$\$\$        |
| Sidewalk ramp repair for ADA compliance                                          |                                                            | Short Term/Ongoing  | \$\$          |
| Upgrading water lines                                                            | Property & Biz Owners, State of CO, Neigh. Coalition       | Ongoing             | \$\$\$        |
| Drainage improvements                                                            |                                                            | Medium Term/Ongoing | \$\$\$        |
| CHARACTER AND CHARM                                                              |                                                            |                     |               |
| Branding strategy                                                                | Neigh. Coalition, Carbon Valley COC                        | Short Term          | \$            |
| Historic preservation program                                                    | Neigh. Coalition, Property & Biz Owners                    | Short Term          | \$            |





NOTE: More information about each funding mechanism and its potential use can be found on pages 84-86.

| NOTE: More information about each funding mechanism and its potential use can be found on pages 84-86. | FUNDING MECHANISMS   |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
|--------------------------------------------------------------------------------------------------------|----------------------|---|---|---|---|---|---|--|---|---|---|---|---|---|------------------|
|                                                                                                        |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
|                                                                                                        | Main Street Grants   |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
|                                                                                                        | CDOT Mobility Grants |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
|                                                                                                        | GOCO Grants          |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| CDBG Grants                                                                                            |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| FURA TIF Funding                                                                                       |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| General Funds (CIP)                                                                                    |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| GO Bonds                                                                                               |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Certificates of Participation                                                                          |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Impact Fees                                                                                            |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| CHFA                                                                                                   |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| DOLA Programs                                                                                          |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| ARPA                                                                                                   |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| USDA Funding                                                                                           |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Other                                                                                                  |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| LAND USE AND BUILT FORM                                                                                |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Extend Hart Park                                                                                       |                      |   | X |   | X | X |   |  |   | X |   |   |   | X | Developer        |
| Existing Residential Support                                                                           |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| ILC program                                                                                            |                      |   |   |   |   |   |   |  |   |   |   |   |   |   | General Fund     |
| Program for residential facade/curb appeal improvement & home upkeep for seniors                       |                      |   |   | X |   |   |   |  |   | X | X |   | X |   |                  |
| Reestablish HF Coalition award program                                                                 |                      |   |   |   |   |   |   |  |   |   |   |   |   |   | General Fund     |
| ADU Program                                                                                            |                      |   |   | X |   |   |   |  |   | X | X |   |   |   |                  |
| Tracking/addressing of code violations                                                                 |                      |   |   |   | X |   |   |  |   |   |   |   |   |   | General Fund     |
| Revitalization volunteer program                                                                       |                      |   |   |   |   |   |   |  |   |   | X |   |   |   | General Fund     |
| First Street                                                                                           |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Facade/public realm improvement program                                                                |                      |   |   | X | X |   |   |  |   |   | X | X | X |   |                  |
| Asbestos abatement and structural assistance program                                                   |                      |   |   | X | X |   |   |  |   |   | X | X | X |   |                  |
| Demolition assistance program                                                                          |                      |   |   |   | X |   |   |  |   |   | X | X |   |   |                  |
| Assistance for small businesses                                                                        | X                    |   |   |   |   |   |   |  |   |   | X | X | X |   |                  |
| MOBILITY AND STREETSCAPES                                                                              |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| First Street improvements                                                                              | X                    | X |   | X | X | X | X |  | X |   |   |   | X |   |                  |
| Grant Avenue improvements                                                                              | X                    | X | X | X | X | X | X |  | X |   |   |   | X |   |                  |
| Buchanan Avenue improvements                                                                           | X                    | X | X |   | X | X | X |  | X |   |   |   | X |   |                  |
| Fourth Street improvements                                                                             |                      |   |   |   | X | X | X |  | X |   |   |   | X |   |                  |
| INFRASTRUCTURE AND UTILITIES                                                                           |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Underground utility lines                                                                              |                      |   |   | X | X | X |   |  |   |   |   |   |   |   | United Power     |
| Alley paving program                                                                                   |                      |   |   |   | X | X |   |  |   |   |   |   |   |   | Fed ADA Grant    |
| Sidewalk ramp repair for ADA compliance                                                                |                      | X |   | X | X | X |   |  |   |   |   |   |   |   | Fed ADA Grant    |
| Upgrading water lines                                                                                  |                      |   |   | X | X | X |   |  | X |   |   | X |   |   |                  |
| Drainage improvements                                                                                  |                      |   |   | X | X | X |   |  | X |   |   |   |   |   | Mitigation Grant |
| CHARACTER AND CHARM                                                                                    |                      |   |   |   |   |   |   |  |   |   |   |   |   |   |                  |
| Branding strategy                                                                                      |                      |   |   |   |   | X |   |  |   |   | X |   |   |   | Tourism Grant    |
| Historic preservation program                                                                          |                      |   |   | X |   |   |   |  |   |   | X |   |   |   |                  |

# Catalytic Projects Matrix

This matrix includes the projects and action items from Chapter 3, Catalytic Projects. The headings are organized by the subsections with the Chapter. More information about phasing and cost can be found within that Chapter.

|                                          | Partners and Advocates                                           | Timing      | Cost    |
|------------------------------------------|------------------------------------------------------------------|-------------|---------|
| <b>GATEWAYS</b>                          |                                                                  |             |         |
| Primary vehicular gateway                | Carbon Valley COC, CDOT, Neigh. Coalition, Biz & Property Owners | Short Term  | \$\$*   |
| Secondary vehicular gateway              |                                                                  | Short Term  | \$\$    |
| Pedestrian gateway                       |                                                                  | Medium Term | \$      |
| <b>PLAZA CONCEPT</b>                     |                                                                  |             |         |
| Construct infrastructure, utilities, etc | Carbon Valley COC, Neigh. Coalition, Biz & Property Owners       | Short Term  | \$\$\$  |
| Construct plaza and amenities            |                                                                  | Short Term  | \$\$\$* |
| Develop community/retail buildings       | Biz Owners, Local Developers, Carbon Valley COC                  | Medium Term | \$\$\$  |
| Event/programming coordination           | Biz Owners, Neigh. Coalition, Carbon Valley COC                  | Short Term  | \$      |
| <b>SADDLEBACK ESTATES</b>                |                                                                  |             |         |
| Construct infrastructure, utilities, etc | Local Developers, Property Owners                                | Medium Term | \$\$\$  |
| Incentivize desired development          | Local Developers, Carbon Valley COC                              | Medium Term | \$      |
| <b>OVERLOOK PROPERTY</b>                 |                                                                  |             |         |
| Construct infrastructure, utilities, etc | Local Developers, Property Owners                                | Medium Term | \$\$\$  |
| Incentivize desired development          | Local Developers, Carbon Valley COC                              | Medium Term | \$      |

\* For a more detailed cost estimate, see Catalytic Projects sections 3.0 (Gateways) and 3.1 (Plaza Concept), For assumptions and exclusions related to those costs, see below.

## PLAZA CONCEPT AND GATEWAY COST ASSUMPTIONS

1. Assumes stormwater piping to existing storm mains in the perimeter streets, additional study for drainage capacity will be required.
2. Plaza utilities assume Area Drains, Water Connections for Irrigation, and Electrical Connections for Lighting, Food Trucks, & Stage Area.
3. Utility connections for Commercial Buildings assume Water, Sanitary Sewer, Electrical, Gas, & Telecommunications. Additional study will be required.
4. Chemical subgrade treatment & overexcavation are excluded, Geotechnical Investigation will be required.
5. Soft Costs include Public Art, (1%), Owners Representative (.75%), Preconstruction Services (.35%), Engineering and Architecture Fees (8.5%), Plan Investment and Tap Fees (1.5%), Construction Testing (1%), Survey and Geotechnical (.5%), Reimbursable Expenses (.5%), Plan Review and Permit Fees (1%)
6. Assumes current 2021 pricing data. Pricing should be adjusted due to yearly inflation for construction costs.

NOTE: More information about each funding mechanism and its potential use can be found on pages 84-86.

|                                          | FUNDING MECHANISMS |                    |                      |             |             |                  |               |          |                               |             |      |               |      |              |               |
|------------------------------------------|--------------------|--------------------|----------------------|-------------|-------------|------------------|---------------|----------|-------------------------------|-------------|------|---------------|------|--------------|---------------|
|                                          |                    | Main Street Grants | CDOT Mobility Grants | GOCO Grants | CDBG Grants | FURA TIF Funding | General Funds | GO Bonds | Certificates of Participation | Impact Fees | CHFA | DOLA Programs | ARPA | USDA Funding | Other         |
| <b>GATEWAYS</b>                          |                    |                    |                      |             |             |                  |               |          |                               |             |      |               |      |              |               |
| Primary vehicular gateway                |                    | X                  | X                    |             | X           | X                |               |          |                               |             |      |               |      |              | Tourism Grant |
| Secondary vehicular gateway              |                    |                    | X                    |             | X           | X                |               |          |                               |             |      |               |      |              | Tourism Grant |
| Pedestrian gateway                       |                    |                    | X                    |             | X           | X                |               |          |                               |             |      |               |      |              | Tourism Grant |
| <b>PLAZA CONCEPT</b>                     |                    |                    |                      |             |             |                  |               |          |                               |             |      |               |      |              |               |
| Construct infrastructure, utilities, etc |                    |                    |                      |             | X           | X                | X             | X        | X                             |             |      |               |      |              |               |
| Construct plaza and amenities            |                    |                    | X                    |             | X           | X                | X             | X        | X                             |             |      |               |      |              |               |
| Develop community/retail buildings       | X                  |                    |                      | X           | X           |                  |               | X        |                               |             | X    |               | X    |              |               |
| Event/programming coordination           |                    |                    |                      |             |             | X                |               |          |                               | X           |      |               |      |              |               |
| <b>SADDLEBACK ESTATES</b>                |                    |                    |                      |             |             |                  |               |          |                               |             |      |               |      |              |               |
| Construct infrastructure, utilities, etc |                    |                    |                      |             | X           | X                |               | X        | X                             |             |      |               | X    |              |               |
| Incentivize desired development          |                    |                    |                      |             | X           |                  |               | X        |                               | X           |      |               | X    |              |               |
| <b>OVERLOOK PROPERTY</b>                 |                    |                    |                      |             |             |                  |               |          |                               |             |      |               |      |              |               |
| Construct infrastructure, utilities, etc |                    |                    |                      |             | X           | X                |               | X        | X                             |             |      |               | X    |              |               |
| Incentivize desired development          |                    |                    |                      |             | X           |                  |               | X        |                               | X           |      |               | X    |              |               |



## 5.1 FUNDING MECHANISMS

**A variety of funding mechanisms and resources are available to Historic Firestone in its efforts to revitalize, develop, and better serve the neighborhood. These mechanisms should be explored to implement the projects and programs found in the matrix.**

Funding, financing, and capacity support is available through a variety of agencies at several scales. Mechanisms include grant funding, programs that provide resources and support, development fees, tax revenue, bonds, loans, and economic recovery money. These are available through local, state, and federal agencies and non-profits. A variety of funding mechanisms should be explored for implementing the projects and programs in this Plan. These funding mechanisms and programs and their acronyms correspond to the columns in the implementation matrix in the previous section. Projects and programs that could be supported by each mechanism receive a check in that column. A few other mechanisms are listed in the “other column” and should be explored further, including United Power Franchise Fees, Federal ADA funding, the Department of Public Safety Hazard Mitigation Assistance Grant (for environmental remediation of undermining and oil and gas extraction), and the formation of a Business Improvement District (BID) for the commercial area of Historic Firestone.

### Grants

- **Revitalizing Main Street Grant** - The Revitalizing Main Streets Program, operated by the Colorado Department of Transportation (CDOT), provides two different Main Street grants. Both are in support of Colorado's COVID-19 Recovery Plan. The first provides funding for larger safety infrastructure grants, for which larger improvements along Grant Avenue and First Street would be eligible, on the condition of an at least 20% local match. The second grant opportunity is the Small Multi-modal and Economic Resiliency Projects, which is awarded based on the following relevant goals: encouraging active, multi-modal transportation; improving equity and public space access; and expanding economic opportunity and development.
- **Colorado Department of Transportation (CDOT) Mobility Grants** - Two different funding sources from CDOT are available to projects that provide multi-modal facilities, the Transportation Alternative Program (TAP) and the Multimodal Options Funds (MMOF). This funding is available to projects that provide pedestrian and bicycle facilities. These would be particularly relevant to Historic Firestone's current and future off-street multi-modal trails. TAP is a competitive grant program while MMOF funds are distributed among Colorado Transportation Planning Regions that prioritize and select eligible projects within their regions.
- **Great Outdoors Colorado (GOCO) Grants** - GOCO is a Colorado non-profit dedicated to preserving land and encouraging outdoor recreation. Their Community Impact Grants are offered to municipalities for the revitalization of outdoor spaces such as parks and trails. Note, these grants have been identified for use in development of the vacant properties but can only be used to fund the planning, design, and construction of the outdoor spaces in those areas.
- **Community Development Block Grant (CBDG)** - CBDGs are issued by DOLA for municipalities to fund acquisition, design, development, rehabilitation of public facilities, streetscape improvements, water systems, and community facilities. They are reserved for those projects that benefit low- and moderate- income persons or to prevent or eliminate blight. The Block Grants could be used for development of the vacant land only if it meets the affordability conditions.



## Local Mechanisms

- **Firestone Urban Renewal Authority Tax Increment Financing (FURA TIF) Funding** - The Town of Firestone's Southern Urban Renewal Area covers the streets of the Historic Neighborhood, as well as the parks, the Saddleback Estates, and the Overlook Property. FURA collects any funds obtained by increases in tax revenue in the area (tax increment) and can spend them on improvement projects within the Southern Urban Renewal Area. Note, improvements would likely have to happen on these vacant parcels in order for tax increment to be collected within the Southern Renewal Area, given the limited scope of the FURA within the neighborhood.
- **General Funds / Capital Improvement Project (CIP) Funding** - Municipal funding, either the non-earmarked or CIP-designated revenues, can be used to fund a variety of projects within the Town. These include infrastructure improvements, amenities, and other Town-funded projects.
- **General Obligation (GO) Bonds** - GO Bonds provide municipal funding for projects that don't generate direct revenue. They are backed by the full faith and credit of the local government and are repaid through tax revenue. They can help fund capital improvements at a very low interest and are paid back over time. GO Bonds may only be issued if authorized by a ballot election of the issuing municipality.
- **Certificates of Participation (COPs)** - COPs provide Firestone another way of funding projects outside of municipal bonds and are often used to finance real property, construction of public facilities, and facility maintenance and renovation. Through the COP an investor or developer buys a share in the improvements or development that the Town would fund through a lease-purchase agreement. The lease payments are not secured by a particular revenue source and pay for the project over time.
- **Impact Fees** - Impact Fees are fees that are imposed by a local government on new or proposed development projects to pay for all or a portion of the costs of providing public services to the new development.

## State Mechanisms

- **Colorado Housing and Finance Authority (CHFA)** - CHFA is a state-sponsored organization that assists in home-ownership and works to increase Colorado's housing stock. CHFA provides funding and low-interest loans for missing middle and multi-family housing projects, with an emphasis on affordable, senior, family, and rural housing. They also have a small-scale housing program that provides permanent loan financing for multi-family projects under 20 units.
- **Department of Local Affairs (DOLA) Programs** - DOLA offers two programs focused on economic development and Main Street revitalization. The first, the Rural Economic Development Initiative (REDI) program, helped fund the Neighborhood Plan. This program should be explored for future funding opportunities in support of First Street redevelopment, particularly in the areas of job creation and small business retention. The other DOLA program that should be explored is the Colorado Main Street Program, which offers support for community-led downtown revitalization. This could provide support services for First Street-specific programs.

## Federal Mechanisms

- **American Rescue Plan Act (ARPA) Funding** - In May 2022, Firestone will receive the second half of its allocated ARPA funds. Municipalities can use ARPA funds to address the negative economic impacts caused by the public health emergency, which could include help for local businesses, and to invest in infrastructure improvements like water lines.
- **US Department of Agriculture (USDA) Loans and Grants** - The USDA provides a number of federal loan and grant opportunities, relevant programs are described in more detail on the following page.

# USDA Funding Programs

## AVAILABLE TO TOWN OF FIRESTONE

- **Community Facilities Direct Loan and Grant Program:** The USDA operates a Community Facilities Direct Loan and Grant program that helps fund community facilities such as health care facilities, street improvements, community services (like child care and community centers), public safety services, and local food systems for rural areas, including Towns with less than 20,000 residents, which makes Firestone eligible. Note, the program prioritizes low income communities and will provide less funding for larger communities.
- **Rural Business Development Grants in CO:** Rural towns with less than 50,000 residents (outside urban areas) can apply for planning, technical assistance, and training for small business development (small applies to businesses with fewer than 50 workers). There is no maximum grant amount, but smaller requests are given higher priority. Funds can also be used for feasibility studies, land acquisition, and economic development.
- **Multifamily Housing Direct Loans:** These USDA loans are slated for the creation of multi-family rental housing for low-income families, the elderly, and disabled individuals in rural areas. The loans can be obtained by most state and local governmental entities as well as trusts, associations, and organizations. Applicants must have the legal authority needed to construct, operate and maintain the proposed facilities and services.

## AVAILABLE TO PARTNERS AND LENDERS

- **Single Family Housing Repair Loans & Grants:** This program is available to local homeowners who must occupy the residence and meet an income threshold of 50% below the area median income or be age 62 and older. The low-interest-rate loans can be applied to repairs, improvements, or modernization, while the grants, which are only available to seniors, can be used to remove health and safety hazards. Any Historic Firestone residents who meet this criteria and need should be encouraged to apply.
- **Multifamily Housing Loan Guarantees:** Loan guarantees are available to private-sector lenders, HUD, or state and local housing finance agencies to provide loans to state and local governmental entities, nonprofit organizations, or for-profit organizations that are building or preserving affordable rural rental housing. The housing must be a minimum of five units and meet several criteria for affordability. The Town of Firestone would need to partner with a lender in order to secure and use this loan opportunity.
- **OneRD Guarantee Loan Initiative:** This program provides loan guarantees to eligible lenders to provide water and waste water disposal, business and industry, rural energy, or develop essential community facilities in rural areas. The Community Facilities Guaranteed Loan (most relevant to the Historic Neighborhood) can be used to construct, enlarge, extend or otherwise improve essential community facilities such as health care services, community or cultural facilities, streets, parks, and infrastructure. The guarantee can only be provided to banks, mortgage and holding companies, and credit unions and would require partnership for the Town of Firestone.
- **Rural Innovation Stronger Economy (RISE) Grants:** This program, which is available to “rural jobs accelerator partnerships” offers grant assistance to create and augment high-wage jobs, accelerate the formation of new businesses, support industry clusters and maximize the use of local productive assets in eligible low-income rural areas. These partnerships must have expertise in delivering economic and job training programs and consist of non-profit entities, state entities, or public bodies. The Town of Firestone would need to partner with a local center or program that qualifies as a jobs accelerator in order to make use of these funds.
- **Multifamily Housing Rental Assistance:** This program provides payments to owners of USDA-financed rural housing projects (through the Multifamily Housing Direct Loans above) to help low-income tenants pay their full rent. The owner of the multifamily project must apply on behalf of the low-income tenants to subsidize their rent. Owners may then use the funds to pay operational expenses.







HISTORIC  
**FIRESTONE**  
NEIGHBORHOOD PLAN



**FIRESTONE**  
COLORADO

## FIRESTONE PLANNING AND ZONING COMMISSION

### RESOLUTION NO. PC-22-07

#### **A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE TOWN OF FIRESTONE HISTORIC FIRESTONE NEIGHBORHOOD PLAN**

WHEREAS, the Town, acting through its Planning and Zoning Commission, is empowered pursuant to C.R.S. §§ 31-23-201, *et seq.*, to adopt a master or comprehensive plan and one or more community plans to guide current and future growth and development of the municipality; and

WHEREAS, community stakeholders, citizens, property owners, staff from the Town of Firestone (“Town”), and the Town’s consultants have engaged in a rigorous, comprehensive, inclusive, transparent and collaborative planning process which has resulted in the Historic Firestone Neighborhood Plan (the “Plan”), attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS, a draft of the Plan has been made available on the Town’s website and the public has been given the opportunity for review and comment; and

WHEREAS, in accordance with C.R.S. § 31-23-208, the Firestone Planning and Zoning Commission, at its meeting held on March 17, 2022, conducted a public hearing on the Plan, following the publication of notice as required by law.

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

**Section 1.** The Historic Firestone Neighborhood Plan attached hereto as **Exhibit A** is hereby adopted by the Planning and Zoning Commission. Copies of the Historic Firestone Neighborhood Plan have been and will be made available for public inspection at the Firestone Town Hall, 9950 Park Avenue, Firestone, CO 80504, during regular business hours. The Historic Firestone Neighborhood Plan expressly includes maps and descriptive matter intended by the Commission to form the whole of the Historic Firestone Neighborhood Plan.

**Section 2.** In accordance with C.R.S. § 31-23-208, this Resolution, when attached to the Historic Firestone Neighborhood Plan, shall serve to document the Historic Firestone Neighborhood Plan’s approval by the Planning and Zoning Commission.

**Section 3.** Following ratification and approval of the Historic Firestone Neighborhood Plan by the Board of Trustees as required by C.R.S. § 31-23-206(1), the Town Manager shall cause to be sent a certified and attested copy of the Historic Firestone Neighborhood Plan to the Board of County Commissioners of Weld County. Attachment by the Town Manager of a certified copy of this Resolution and a copy of the Board of Trustees resolution ratifying the Historic Firestone Neighborhood Plan shall constitute certification and attestation of the Firestone Historic Firestone Neighborhood Plan.



PASSED AND ADOPTED this 17th day of March, 2022.



ATTEST:

  
Secretary

  
Chairperson

**EXHIBIT A**  
**Historic Firestone Neighborhood Plan**

## AGENDA INFORMATION MEMORANDUM

### FIRESTONE TOWN BOARD OF TRUSTEES



**AIM#:** 8.a

**Discussion/Action**

**Meeting Date:** March 23, 2022

**Initiated By:** Julie Pasillas

**Dept:** Public Works

#### **AGENDA TITLE**

**Resolution 22-44:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CONSTRUCTION CONTRACT BETWEEN THE TOWN OF FIRESTONE AND BRANNAN SAND AND GRAVEL COMPANY FOR THE MILL AND OVERLAY PAVING PROJECT FOR PORTIONS OF FIRESTONE AND COLORADO BOULEVARDS

#### **SUMMARY**

In the interest of the Towns pavement preservation program, it has been determined during the 2022 Budget preparation that the intersection of Firestone Blvd and Colorado Blvd pavement condition warrants a 2" mill and overlay treatment to prevent further deterioration of this intersection. Failure to perform this treatment could cost the Town more in the future if the intersection pavement condition worsens and results in a complete rebuild. In February, staff prepared and advertised an RFP for this project. The work for which the RFP requested consists of a 2" mill and overlay of Firestone Blvd from Oak Meadows Blvd to Cimarron St, both east and westbound lanes, and a 2" mill and overlay of Colorado Blvd from Cimarron St to Oak Meadows Blvd, both north and southbound lanes. Re-striping and replacement of thermoplastic markings on the area that has been overlayed. The Town received five bids total. Four prospective bidders attended the mandatory pre-bid meeting, and all four submitted a bid that was reviewed. As part of the bid review, staff evaluated the responses of the alternatives requested in the RFP. Brannan Sand and Gravel Company was selected as the winning bidder for this project; they were the low bidder as a result of a base price and selected alternates, and their day or night work cost would not impact the overall project cost. Brannan Sand and Gravel Company have agreed to do this work at night to minimize traffic impacts and reduce the effect on the surrounding businesses.

The Town will also receive all of the millings from the work for future projects, saving the town money down the road. Approximately 4500 tons of millings will come from this job.

#### **HISTORY AND PREVIOUS BOARD ACTION**

During the 2022 budget work sessions with the Board of Trustees, staff presented this project as part of the CIP for pavement maintenance.

#### **RECOMMENDATION**

Staff recommends that the Board approve Resolution 22-44, a resolution approving the Construction Services Agreement between the Town of Firestone and Brannan Sand and Gravel Company for construction services for the 2" Mill and Overlay Project on Firestone Blvd and Colorado Blvd.

#### **ALTERNATIVES**

The Board may choose not to approve Resolution 22-44 and provide Staff with additional direction.

#### **ATTACHMENTS**

1. Res No 22-44 CONSTRUCTION CONTRACT BETWEEN THE TOWN OF FIRESTONE AND BRANNAN SAND AND GRAVEL COMPANY
2. Construction Contract and Exhibit A-Brannan Sand and Gravel Company
3. Exhibit B-Brannan Sand Gravel Company S2022-9228



4. S2022-9228 RFP Mill and Overlay Firestone Blvd and Colorado Blvd Project Map
5. Bid Tabulation-2 inch Mill and Overlay of Firestone Blvd and Colorado Blvd S2022-9228 3-18-2022

**FINANCIAL CONSIDERATIONS**

The agreement includes an amount not to exceed \$ 670,008.23. Sufficient funds have been budgeted and appropriated in the Capitol Project Fund for Pavement Maintenance.

**RESOLUTION NO. 22-44**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE,  
COLORADO, APPROVING A CONSTRUCTION CONTRACT BETWEEN THE TOWN  
OF FIRESTONE AND BRANNAN SAND AND GRAVEL COMPANY FOR THE MILL  
AND OVERLAY PAVING PROJECT FOR PORTIONS OF FIRESTONE AND  
COLORADO BOULEVARDS**

WHEREAS, the Town of Firestone (“Town”) is in need of mill and overlay work for both lanes of Firestone Boulevard from Oak Meadows Boulevard to Cimarron Street and for both lanes of Colorado Boulevard from Cimarron Street to Oak Meadows Boulevard; and

WHEREAS, the Town issued an invitation for bids for the work and upon review of those submitted selected Brannan Sand and Gravel Company as the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

The Construction Contract between the Town of Firestone and Brannan Sand and Gravel Company for the mill and overlay paving project for portions of Firestone and Colorado Boulevards is approved in substantially the same form as the copy attached hereto and made a part of this Resolution and the Mayor is authorized to execute the Contract on behalf of the Town.

**INTRODUCED, READ AND ADOPTED** this 23rd day of March, 2022.

TOWN OF FIRESTONE, COLORADO

\_\_\_\_\_  
Bobbi Sindelar, Mayor

ATTEST:

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William P. Hayashi, Town Attorney

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## CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT (the "Construction Contract" or "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022 (the "Effective Date"), by and between the TOWN OF FIRESTONE, a Colorado municipal corporation with an address of 9950 Park Avenue, Firestone, Colorado 80504 (the "Town" or the "Owner"), and Brannan Sand and Gravel Company, an independent contractor with a principal place of business at 2500 East Brannan Way, Denver, Colorado 80516 ("Contractor") (each a "Party" and collectively the "Parties").

WHEREAS, the Town requires services; and

WHEREAS, Contractor has been found by the Town as having the expertise and experience to perform the required services.

NOW THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

### I. SCOPE OF WORK

A. Contractor shall complete all Work and perform all Services which are described or reasonably implied from the Scope of Work set forth in Exhibit A and the Contract Documents, attached hereto and incorporated herein by this reference and known as: **Mill and Overlay of Firestone Boulevard and Colorado Boulevard (S2022-9228)**.

B. A change in the Scope of Work shall not be effective unless authorized as a written amendment to this Agreement or change order in accordance with the Contract Documents. If Contractor proceeds without such written authorization, Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action.

C. Within 10 days of the Effective Contract Date, Contractor shall provide the performance bond and labor & material payment bond and certificate of insurance required by the contract Documents.

### II. RESERVE

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### III. CONTRACT TIMES; COMMENCEMENT AND COMPLETION OF WORK

A. The Work shall be substantially completed within 120 days of the Effective Date of this contract, and shall continue until Contractor completes the Scope of Services to the satisfaction of the Town, or until terminated as provided herein.

B. Either Party may terminate this Agreement upon 30 days advance written notice. The Town shall pay Contractor for all work previously authorized and completed prior to the date of termination. If, however, Contractor has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

C. Should a delay in completion constitute a compensable inconvenience to the Town and its residents, the liquidated damages established in this Section shall be enforced. Such damages are not a penalty, the parties recognize the delays, expense and difficulties involved in proving the actual loss suffered by the Town if the Work is not completed on time. For each day that all or a portion of the Work is delayed beyond the deadlines set forth in Section III hereof, plus any extensions thereof allowed, the Contractor shall be assessed the amount of two hundred fifty dollars (\$250) each day until the Work is complete.

### IV. COMPENSATION

In consideration for the completion of the Work by Contractor, the Town shall pay Contractor, subject to all of the terms and conditions of the Contract Documents, an amount not to exceed \$670,008.23 (the "Contract Price"). The Contract Price shall include all fees, costs and expenses incurred by Contractor, and no additional amounts shall be paid by the Town for such fees, costs and expenses.

### V. PAYMENT PROCEDURES

Contractor may submit Applications for Payment for completed work per the UNIT-PRICE BID FORM or the LUMP-SUM BID FORM. Contractor may submit periodic invoices, which shall be paid by the Town within 30 days of receipt.

### VI. RESPONSIBILITY

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and licenses in good standing, required by law.

B. The Work performed by Contractor shall be in accordance with generally accepted practices and the level of competency presently maintained by other practicing contractors in the same or similar type of work in the applicable community.

C. The Work performed by Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations, including the Keep Jobs in Colorado Act, C.R.S. 8-17-101, et seq.



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(the "Act") and the rules adopted by the Division of Labor of the Colorado Department of Labor and Employment implementing the Act (the "Rules").

D. The Town's review, approval or acceptance of, or payment for any completed Work shall not be construed to operate as a waiver of any rights under this Construction Contract or of any cause of action arising out of the performance of this Construction Contract.

E. Contractor hereby warrants to the Town that all materials and equipment used in the Work, and made a part of the Work, or placed permanently in the Work, shall be new unless otherwise specified in the Contract Documents. Contractor further warrants that all equipment and materials shall be of good quality, conform to the requirements of the Contract Documents and will be free from defects. All Work, materials, or equipment not conforming to the Contract Documents shall be considered defective.

F. The Contractor shall warrant and guarantee all materials and equipment furnished under the Contract and all Work performed for one year after the date of Substantial Completion. Under this warranty, Contractor agrees to repair or replace, at its own expense, any Work that is found to be defective. The expiration of the warranty period shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

#### VII. OWNERSHIP

Any materials, items, and work specified in the Scope of Work, and any and all related documentation and materials provided or developed by Contractor shall be exclusively owned by the Town. Contractor expressly acknowledges and agrees that all work performed under the Scope of Work constitutes a "work made for hire." To the extent, if at all, that it does not constitute a "work made for hire," Contractor hereby transfers, sells, and assigns to the Town all of its right, title, and interest in such work. The Town may, with respect to all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change such work without providing notice to or receiving consent from Contractor.

#### VIII. INDEPENDENT CONTRACTOR

Contractor is an independent contractor. Notwithstanding any other provision of this Construction Contract, all personnel assigned by Contractor to perform work under the terms of this Construction Contract shall be, and remain at all times, employees or agents of Contractor for all purposes. Contractor shall make no representation that it is a Town employee for any purposes.

#### IX. INSURANCE

A. Contractor agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Contractor pursuant to this Construction Contract. At a minimum, Contractor shall procure and maintain, and shall cause

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any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Worker's Compensation insurance as required by law.
2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. The policy shall be applicable to all premises and operations, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be canceled, terminated or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees, or its contractors shall be excess and not contributory insurance to that provided by Contractor. Contractor shall be solely responsible for any deductible losses under any policy.

C. Contractor shall provide to the Town a certificate of insurance as evidence that the required policies are in full force and effect. The certificate shall identify this Construction Contract.

#### X. INDEMNIFICATION

Contractor agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Construction Contract if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of a worker's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor.

#### XI. WORKERS WITHOUT AUTHORIZATION

A. Certification. By entering into this Construction Contract, Contractor hereby certifies that, at the time of this certification, it does not knowingly employ or contract with a worker without authorization, as that term is defined in C.R.S. § 8-17.5-101(9), as amended, who will perform work under this Construction

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Contract and that Contractor will participate in either the E-Verify Program administered by the U.S. Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment to confirm the employment eligibility of all employees who are newly hired to perform work under this Construction Contract.

B. Prohibited Acts. Contractor shall not knowingly employ or contract with a worker without authorization, as that term is defined in C.R.S. § 8-17.5-101(9), as amended, to perform work under this Construction Contract, or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with a worker without authorization, as that term is defined in C.R.S. § 8-17.5-101(9), as amended, to perform work under this Construction Contract.

C. Verification.

1. If Contractor has employees, Contractor has confirmed the employment eligibility of all employees who are newly hired to perform work under this Construction Contract through participation in either the E-Verify Program or the Department Program.

2. Contractor shall not use the E-Verify Program or Department Program procedures to undertake pre-employment screening of job applicants while this Construction Contract is being performed.

3. If Contractor obtains actual knowledge that a subcontractor performing work under this Construction Contract knowingly employs or contracts with a worker without authorization, as that term is defined in C.R.S. § 8-17.5-101(9), as amended, who is performing work under this Construction Contract, Contractor shall: notify the subcontractor and the Town within 3 days that Contractor has actual knowledge that the subcontractor is employing or contracting with a worker without authorization, as that term is defined in C.R.S. § 8-17.5-101(9), as amended, who is performing work under this Construction Contract; and terminate the subcontract with the subcontractor if within 3 days of receiving the notice required pursuant to subsection 3 hereof, the subcontractor does not stop employing or contracting with the worker without authorization who is performing work under this Construction Contract; except that Contractor shall not terminate the subcontract if during such 3 days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with a worker without authorization, as that term is defined in C.R.S. § 8-17.5-101(9), as amended, who is performing work under this Construction Contract.

D. Duty to Comply with Investigations. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Contractor is complying with the terms of this Section XI.

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E. Affidavits. If Contractor does not have employees, Contractor shall sign the "No Employee Affidavit" attached hereto. If Contractor wishes to verify the lawful presence of newly hired employees who perform work under the Construction Contract via the Department Program, Contractor shall sign the "Department Program Affidavit" attached hereto.

## XII. CONTRACT DOCUMENTS

The Contract Documents, which comprise the entire agreement between the Town and Contractor concerning the Scope of Services, consist of the following:

A. Exhibit to this Construction Contract:

1. Exhibit A: Scope of Work
2. Exhibit B: Unit-Price Bid Form

B. Performance Bond and Labor & Material Payment Bond.

C. Notice of Award.

D. Notice to Proceed.

E. "Specifications" bearing the title: \_\_\_\_\_.

F. "Drawings" consisting of \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

G. Addendum numbers:

1. Addendum #1: \_\_\_\_\_.
2. Addendum #2: \_\_\_\_\_.

H. The following which may be delivered or issued after the Effective Date of the Construction Contract and are attached hereto: All written amendments and other documents amending, modifying, or supplementing of the Contract Documents.

There are no Contract Documents other than those listed above in this Section XII.

## XIII. MISCELLANEOUS

A. Governing Law and Venue. This Construction Contract shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Weld County, Colorado.



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B. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Construction Contract by the Town shall not constitute a waiver of any of the other terms or obligation of this Construction Contract.

C. Integration. This Construction Contract and any attached exhibits constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

D. Third Parties. There are no intended third-party beneficiaries to this Construction Contract.

E. Notice. Any notice under this Construction Contract shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

F. Severability. If any provision of this Construction Contract is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. Modification. This Construction Contract may only be modified upon written agreement of the Parties.

H. Assignment. Neither this Construction Contract nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.

I. Governmental Immunity. The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

J. Rights and Remedies. The rights and remedies of the Town under this Construction Contract are in addition to any other rights and remedies provided by law. The expiration of this Construction Contract shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. Subject to Annual Appropriation. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

IN WITNESS WHEREOF, the Parties have executed this Construction Contract as of the Effective Date.

TOWN OF FIRESTRONE, COLORADO

\_\_\_\_\_  
Bobbi Sindelar, Mayor

ATTEST:

\_\_\_\_\_  
Jessica Koenig CMC, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William P. Hayashi, Town Attorney

Brannan Sand and Gravel Company

By: \_\_\_\_\_

STATE OF COLORADO )

) ss.

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was subscribed, sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

My commission expires:

(SEAL)

\_\_\_\_\_  
Notary Public

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## NO EMPLOYEE AFFIDAVIT

*To be completed only if Contractor has no employees*

1. Check and complete one:

☐ I, \_\_\_\_\_, am a sole proprietor doing business as \_\_\_\_\_. I do not currently employ any individuals. Should I employ any employees during the term of my Agreement with the Town of Firestone (the "Town"), I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

OR

☐ I, \_\_\_\_\_, am the sole owner/member/shareholder of \_\_\_\_\_, a \_\_\_\_\_ [specify type of entity – i.e., corporation, limited liability company], that does not currently employ any individuals. Should I employ any individuals during the term of my Agreement with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

2. Check one.

☐ I am a United States citizen or legal permanent resident.

*The Town must verify this statement by reviewing one of the following items:*

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card; or*
- *Any other documents or combination of documents listed in the Town's "Acceptable Documents for Lawful Presence Verification" chart that prove both Contractor's citizenship/lawful presence and identity.*

OR

☐ I am otherwise lawfully present in the United States pursuant to federal law.

*Contractor must verify this statement through the federal Systematic Alien Verification of Entitlement ("SAVE") program, and provide such verification to the Town.*

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Signature

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Date

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## DEPARTMENT PROGRAM AFFIDAVIT

*To be completed only if Contractor participates in the Department of Labor Lawful Presence Verification Program*

I, \_\_\_\_\_, as a public contractor under contract with the Town of Firestone (the "Town"), hereby affirm that:

1. I have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services ("Agreement") with the Town within 20 days after such hiring date;

2. I have retained or will retain file copies of all documents required by 8 U.S.C. § 1324a, which verify the employment eligibility and identity of newly hired employees who perform work under this Agreement; and

3. I have not and will not alter or falsify the identification documents for my newly hired employees who perform work under this Agreement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF COLORADO )

) ss.

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was subscribed, sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

My commission expires:

(S E A L)

\_\_\_\_\_  
Notary Public



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## EXHIBIT A SCOPE OF WORK

### Contractor's Duties

During the term of this Construction Contract, Contractor shall perform the following duties, as directed by the Town: 2" Mill and Overlay of Firestone Boulevard and Colorado Boulevard.

- Contractor shall Complete 2" Mill and Overlay.
- Contractor shall Restripe roadway and intersections.
- Contractor shall Reinstall all thermoplastic markings.
- Work to start no later than 6/1/2022 Substantial completion in 120 days full completion in 160.
- Contractor shall provide and maintain all traffic control devices and measures for the project.
- All Towns Standards and Specifications to be followed to include the procedures outlined in the Town's Street, Curb, and Gutter Maintenance/Replacement SOP to ensure stormwater compliance including installation and maintenance of stormwater control measures.
- Contractor shall be responsible for all geo technical services per Towns Standards and Specifications.

Total for services above: \$635,347.23

### Alternate services selected:

- Up to 200 tons of subbase repair (any additional subbase repair beyond 200 tons will require a pre approved change order)
- Night work

Total for alternate services: \$34,661.00

## UNIT-PRICE BID FORM

### Mill and Overlay of Firestone Boulevard and Colorado Boulevard (S2022-9228)

| Item Description                                                       | Quantity                   | Unit of Measurement    | Unit Price    | Extended Cost        |
|------------------------------------------------------------------------|----------------------------|------------------------|---------------|----------------------|
| Surface Milling – 2-inch thick                                         | Approximately 39,770       | Sq. Yds.               | \$ 2.40       | \$ 95,448.00         |
| Overlay – "S" (3/4" nominal) 2-inch thickness Including Tackcoat, etc. | Approximately 4,475        | Tons                   | \$ 76.68      | \$ 343,143.00        |
| Epoxy Pavement Striping                                                | Approximately 15,867       | Linear Ft. of Striping | \$ 1.14       | \$ 18,088.38         |
| Thermoplastic Pavement Markings                                        | Replace existing markings. | Total                  | \$ 47,554.91  | \$ 47,554.91         |
| Traffic Control                                                        |                            | Total                  | \$ 130,032.19 | \$ 130,032.19        |
| Stormwater BMP Compliance                                              |                            | Total                  | \$ 1,080.75   | \$ 1,080.75          |
| <b>TOTAL</b>                                                           |                            |                        |               | <b>\$ 635,347.23</b> |
| Unit Price for Crack Mitigation                                        | 1000                       | Lf                     | \$ 41.52      | \$ 41,520.00         |
| Unit Price for Subbase Repair                                          | 200                        | Tons                   | \$ 173.30     | \$ 34,660.00         |
| Add/Deduct Alternate for Night Work                                    | -                          | -                      | \$ 1.00       | \$ 1.00              |

Quantities are subject to change based upon actual site conditions found during the construction. Asphalt surface placement thicknesses are based upon a nominal thickness of two inches of compacted material. The actual thickness placed will vary with the cross section of the milled surface and therefore may be greater or less than two inches in some locations.

Please note any exceptions you take to this bid, e.g. , minimum quantity requirements:

#### BIDDER'S INFORMATION:

Company Name: Brannan Sand and Gravel Company

Mailing Address: 2500 East Brannan Way, Denver, CO 80516

Telephone Number: 303-534-1231

Email: pmiller@brannan1.com



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The bidder hereby acknowledges receipt of Addendum Nos. 1, 2, 3,   ,   ,   , to these specifications. (Insert number of each addendum received.)

Name and Title of Authorized Company Representative:

J. C. Marvel, Jr.

Name (Please print)

Member/Manager

Title

Signature

Dated this 4th day of March, 2022.



## Principals Matrix

| Name                | Title          | Address                                                 | Years Relevant Experience | Responsibilities                                          |
|---------------------|----------------|---------------------------------------------------------|---------------------------|-----------------------------------------------------------|
| J. C. Marvel, Jr.   | Member Manager | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 48                        | Overall management of organization                        |
| Cindy Marvel        | Member Manager | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | N/A                       | None                                                      |
| Jimmy Marvel        | Member Manager | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 15                        | Business Development Manager - Ready Mix & Material Sales |
| Chris Marvel        | Member Manager | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 13                        | Sr. Commercial Sales Manager/Project Manager              |
| Jordan Marvel       | Member Manager | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 10                        | Commercial Project Manager/Estimator                      |
| Corey Marvel        | Member Manager | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 10                        | Sr. Project Manager/Estimator<br>OC/TB Division           |
| Ann K. VanPortfliet | Member/CFO     | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 35                        | Chief Financial Officer                                   |
| Fred Marvel         | Member         | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 30                        | Management of material resources; safety.                 |
| Timothy Lyons       | Member         | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 34                        | Management of field operations.                           |
| Chuck Irsik         | Member         | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 37                        | Management of equipment.                                  |
| Theran Olson        | Member         | 2500 E Brannan Way<br>Denver, CO, 80229<br>303-534-1231 | 39                        | Management of facilities and plant operations.            |





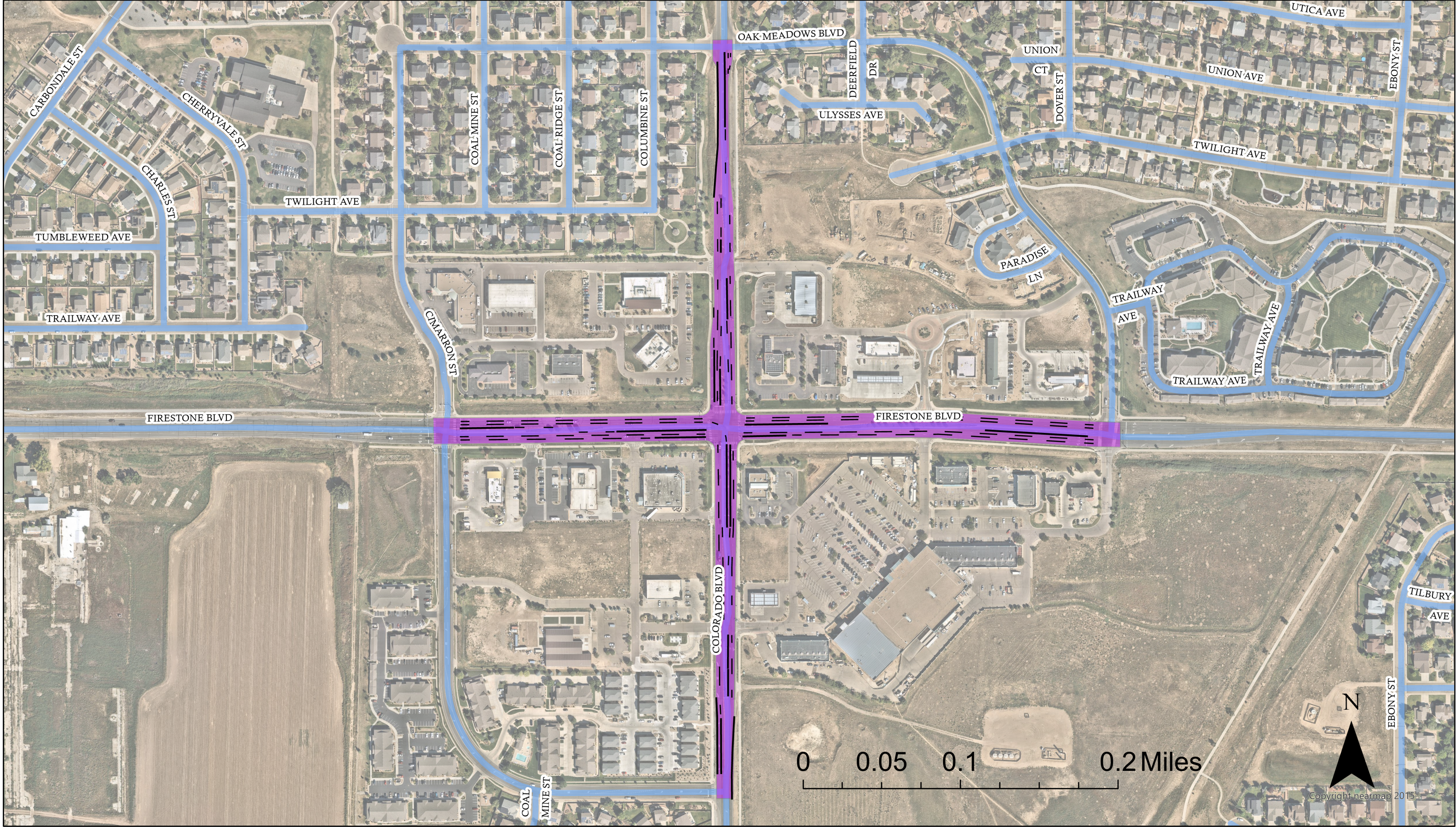
- Street Line
- Dashed
  - Solid
  - Scope of Work

Project: S20229228

Total Dashed Stripping: 11,710 Linear Ft

Total Solid Stripping: 4157 Linear Ft

Total Paved Surface: 39,770 Sq. Yds.





|                                                                                                                                                 |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Bid Tabulation Form</b><br>PROJECT: 2" Mill and Overlay of Firestone Blvd and Colorado Blvd; BID NO: S2022-9228, Town of Firestone, Colorado |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--|

|                                                                                                                                                 |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Bid Tabulation Form</b><br>PROJECT: 2" Mill and Overlay of Firestone Blvd and Colorado Blvd; BID NO: S2022-9228, Town of Firestone, Colorado |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--|

|                    |                                                                         |                        |                            | Engineers Est.       |                      | Martin Marietta |               | Coulson Excavation Company Incorporated |               | Brannan Sand and Gravel |               | Asphalt Specialties Company, Inc. |               | AVERAGE       |               |
|--------------------|-------------------------------------------------------------------------|------------------------|----------------------------|----------------------|----------------------|-----------------|---------------|-----------------------------------------|---------------|-------------------------|---------------|-----------------------------------|---------------|---------------|---------------|
| Item No.           | Description                                                             | Unit                   | Estimated Quantity         | Estimated Unit Price | Estimated Bid Amount | Unit Price      | Bid Amount    | Unit Price                              | Bid Amount    | Unit Price              | Bid Amount    | Unit Price                        | Bid Amount    | Unit          | Bid Amount    |
| 1                  | Surface Milling – 2-inch thick                                          | Sq. Yds.               | Approximately 39,770       | N/A                  |                      | \$ 2.35         | \$ 93,459.50  | \$ 4.00                                 | \$ 159,080.00 | \$ 2.40                 | \$ 95,448.00  | \$ 2.35                           | \$ 93,459.50  | \$ 2.78       | \$ 110,361.75 |
| 2                  | Overlay – “S” (3/4” nominal) 2-inch thickness Including Tack coat, etc. | Tons                   | Approximately 4,475        | N/A                  |                      | \$ 91.75        | \$ 410,581.25 | \$ 88.00                                | \$ 393,800.00 | \$ 76.68                | \$ 343,143.00 | \$ 81.50                          | \$ 364,712.50 | \$ 84.48      | \$ 378,059.19 |
| 3                  | Epoxy Pavement Striping                                                 | Linear Ft. of Striping | Approximately 15,867       | N/A                  |                      | \$ 1.15         | \$ 18,247.05  | \$ 2.50                                 | \$ 39,667.50  | \$ 1.14                 | \$ 18,088.38  | \$ 1.10                           | \$ 17,453.70  | \$ 1.47       | \$ 23,364.16  |
| 4                  | Thermoplastic Pavement Markings                                         | Total                  | Replace existing markings. | N/A                  |                      | \$ 60,500.00    | \$ 60,500.00  | \$ 60,000.00                            | \$ 60,000.00  | \$ 47,554.91            | \$ 47,554.91  | \$ 68,500.00                      | \$ 68,500.00  | \$ 59,138.73  | \$ 59,138.73  |
| 5                  | Traffic Control                                                         | Total                  |                            | N/A                  |                      | \$ 107,200.00   | \$ 107,200.00 | \$ 110,000.00                           | \$ 110,000.00 | \$ 130,032.19           | \$ 130,032.19 | \$ 83,000.00                      | \$ 83,000.00  | \$ 107,558.05 | \$ 107,558.05 |
| 6                  | Stormwater BMP Compliance                                               | Total                  |                            | N/A                  |                      | \$ 5,000.00     | \$ 5,000.00   | \$ 5,500.00                             | \$ 5,500.00   | \$ 1,080.75             | \$ 1,080.75   | \$ 2,800.00                       | \$ 2,800.00   | \$ 3,595.19   | \$ 3,595.19   |
| Total              |                                                                         |                        |                            |                      |                      |                 | \$ 694,987.80 |                                         | \$ 768,047.50 |                         | \$ 635,347.23 |                                   | \$ 629,925.70 |               | \$ 682,077.06 |
| 7                  | Unit Price for Crack Mitigation                                         | Lf                     | 1000                       | N/A                  |                      | \$ 31.20        | \$ 31,200.00  | \$ 18.50                                | \$ 18,500.00  | \$ 41.52                | \$ 41,520.00  | \$ 4.35                           | \$ 4,350.00   | \$ 23.89      | \$ 23,892.50  |
| 8                  | Unit Price for Subbase Repair                                           | Tons                   | 200                        | N/A                  |                      | \$ 197.00       | \$ 39,400.00  | \$ 165.00                               | \$ 33,000.00  | \$ 173.30               | \$ 34,660.00  | \$ 165.00                         | \$ 33,000.00  | \$ 175.08     | \$ 35,015.00  |
| 9                  | Add/Deduct Alternate for Night Work                                     | -                      | -                          | N/A                  |                      | \$ 18,000.00    | \$ 18,000.00  | \$ 53,000.00                            | \$ 53,000.00  | \$ 1.00                 | \$ 1.00       | \$ 20,000.00                      | \$ 20,000.00  | \$ 22,750.25  | \$ 22,750.25  |
| Total Alternates   |                                                                         |                        |                            |                      |                      |                 | \$ 88,600.00  | \$ 104,500.00                           |               | \$ 76,181.00            |               | \$ 57,350.00                      |               | \$ 81,657.75  |               |
| Total w/Alternates |                                                                         |                        |                            |                      |                      |                 | \$ 783,587.80 | \$ 872,547.50                           |               | \$ 711,528.23           |               | \$ 687,275.70                     |               | \$ 763,734.81 |               |

\$ 670,008.23

Selected bid  
price is for items  
selected 1  
through 6, 8 & 9

**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 8.b

**Discussion/Action**

**Meeting Date:** March 23, 2022

**Initiated By:** Julie Pasillas

**Dept:** Public Works

**AGENDA TITLE**

**Resolution 22-45:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE FOURTH AMENDMENT TO THE WATER CREDIT PURCHASE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC

**SUMMARY**

The Board approved Resolution 18-08 on February 7, 2018, which approved a Water Credit Purchase Agreement between the Town of Firestone and Mortgage Consultants, LLC for 131 water credits to be used on the Cottonwood Hollow development. The agreement had a provision that water credits shall expire on February 7, 2020, if not dedicated to the Town before the expiration date. Town staff received a request from the owner of Mortgage Consultants, LLC for a 12-month extension to the original agreement, which the Board granted a one-time extension on January 22, 2020.

To date, 56.33 water credits have been dedicated to Cottonwood Hollows Filling 1 development, leaving a remaining 74.67 water credits not dedicated. Mortgage Consultants, LLC had requested an additional extension to accommodate the timing of a pending sale of the remaining Cottonwood Hollow development properties to Alberta Development Partners, LLC. The Second Amendment, as presented on January 13, 2021, incorporated a 30-day extension for Mortgage Consultants, LLC, and language expressing the Town's willingness to consent to an assignment of the Agreement to Alberta Development Partners, LLC. The Third Amendment provided for the assignment and a 12-month extension upon the execution if the remaining properties were acquired by Alberta Development Partners, LLC, before the expiration date outlined in the Second Amendment as May 10, 2021, and the new expiration date for the Third Amendment is May 10, 2022.

Alberta Development Partners, LLC have successfully purchased the remaining Cottonwood Hollow development properties and is working with staff on submitting an application for preliminary plat and final plat. With the expiration date on the Third Amendment approaching, staff was contacted by Alberta Development Partners, LLC which requested an additional extension until December 31, 2022.

Before the Board tonight is the Fourth Amendment to the Water Credit Purchase Agreement with a new expiration date of December 31, 2022.

**HISTORY AND PREVIOUS BOARD ACTION**

The Board approved a long-term lease of water from the City of Loveland at the regular meeting on December 14, 2016.

The Board authorized staff to proceed with a process to bid 300 water dedication credits to owners of undeveloped property in the Town corporate limits at the regular meeting on August 9, 2017.

The Board approved Resolution 18-08, which approved the Water Credit Purchase Agreement at the special meeting on February 7, 2018.

The Board approved Resolution 20-18, approving the First Amendment of the Water Credit Purchase Agreement at the regular meeting on January 22, 2020.

The Board approved Resolution 21-09 and 21-15, approving the Second and Third Amendments of the Water Credit Purchase Agreement at the regular meeting on January 13, 2021.

**RECOMMENDATION**

Staff recommends that the Board approves Resolution 22-45, a resolution approving the Fourth Amendment to the Water Credit Purchase Agreement with Alberta Development Partners, LLC.

**ALTERNATIVES**

The Board may choose not to approve the resolution and provide staff with additional direction.

**ATTACHMENTS**

1. Res No 22-45 Fourth Amendment Water Rights Dedication
2. Fourth Amendment Water Rights Dedication-Alberta

**FINANCIAL CONSIDERATIONS**

None at this time.



## **RESOLUTION NO. 22-45**

### **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE FOURTH AMENDMENT TO THE WATER CREDIT PURCHASE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC**

WHEREAS, Mortgage Consultants, LLC, ("Mortgage Consultants") pursuant to an Annexation Agreement, agreed to dedicate water rights/shares to the Town of Firestone ("Firestone"), which water rights and or shares must be dedicated prior to the first recording of a final plat, final subdivision or final development plan or receiving a building permit; and

WHEREAS, Firestone obtained water supplies and in accordance with its procedures sought bids and Mortgage Consultants was the successful bidder and awarded the right to and purchased 131 water credits to fulfill its dedication requirement; and

WHEREAS, Firestone in its sole discretion agreed to accept the water credits to fulfill Mortgage Consultants dedication requirement and on February 18, 2018 the parties entered into a Water Credit Purchase Agreement ("Agreement") which specified in part that the water credits if not dedicated to Firestone by February 7, 2020, would expire and that the Agreement was not assignable; and

WHEREAS, Mortgage Consultants advised Firestone that as a result of contractual difficulties it would be unable to meet the February 7, 2020 dedication deadline but could meet the deadline if it was extended for one year; and

WHEREAS, Firestone and Mortgage Consultants entered into the First Amendment of the Agreement which in part, extended the Expiration Date to February 7, 2021; and

WHEREAS, Mortgage Consultants advised Firestone that it had entered into a contract to sell certain property ("Property") described in the Annexation Agreement to Alberta Development Partners LLC, ("Alberta") which contract was set to close after the February 7, 2021 Expiration Date, which would result in forfeiture of Mortgage Consultants remaining 74.67 water credits and any claim to proceeds or reimbursement and subsequent sale by Firestone of the forfeited water credits; and

WHEREAS, Mortgage Consultants requested Firestone extend the Expiration Date to May 10, 2021; and

WHEREAS, Mortgage Consultants also requested that Firestone consent to an assignment of the Agreement, as amended, to Alberta in connection with Alberta's purchase of the Property; and

WHEREAS, Firestone consented to such requests which the parties memorialized in entering into the Second Amendment to Water Credit Purchase Agreement; and

WHEREAS, Mortgage Consultants has therefore assigned the Agreement and the remaining 74.67 water credits to Alberta; and

WHEREAS, Alberta to facilitate development of the Property requested that the Expiration Date be extended from May 10, 2021 to May 10, 2022 and Firestone consented to such request upon its adoption of the Thrid Amendment to the Water Credit Purchase Agreement upon the condition that Alberta would not request an additional extension of the Expiration Date; and

WHEREAS, Alberta has once again approached the Town and acknowledges that it can not meet the Thrid Amendment extension deadline and thus it still needs additional time to facilitate development of the Property and requests that the expiration date be extended to December 31, 2022 and affirms that this will be the final extension request; and

WHEREAS, Alberta further agrees to assume all benefits and burdens and be bound by the terms and conditions of the Agreement, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

The Fourth Amendment to the Water Credit Purchase Agreement between the Town of Firestone and Mortgage Consultants, LLC, is approved in substantially the same form as the copy attached hereto and made a part of this resolution and the Mayor is authorized to execute the Fourth Amendment on behalf of the Town.

INTRODUCED, READ AND ADOPTED this 23<sup>rd</sup> day of March, 2022.

TOWN OF FIRESTONE, COLORADO

\_\_\_\_\_  
Bobbi Sindelar, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

\_\_\_\_\_  
William P. Hayashi, Town Attorney

**FOURTH AMENDMENT TO WATER CREDIT PURCHASE AGREEMENT  
BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC.**

WHEREAS, Mortgage Consultants, LLC, (“MC”) is a “subdivider, or developer” as that term is defined in Section 16.11.3 of the Firestone Development Code (“Code”), who agreed to dedicate “water rights” and/or “shares” to the Town of Firestone (“Firestone”) pursuant to an Annexation Agreement dated January 16, 1999 (“Annexation Agreement”), and who must actually dedicate those “water rights” and/or “shares” prior to the first recording of a final plat, final subdivision, or final development plan or receiving a building permit; and

WHEREAS, Firestone obtained certain water supplies and made these water supplies available to Bidders pursuant to the Firestone Municipal Water Credit Bidding Rules and Procedures (“Bidding Rules and Procedures”) as Water Credits; and

WHEREAS, MC placed a successful bid and was awarded the right to and purchase of 131 Water Credits from Firestone; and

WHEREAS, Firestone, in its sole discretion, agreed to accept the Water Credits to fulfill MC’s dedication of “water rights” and/or “shares” requirement as outlined in the Code and specified in the Water Credit Purchase Agreement (“Agreement”) entered into by Firestone and Buyer on February 8, 2018; and

WHEREAS, MC has dedicated 56.33 of the 131 Water Credits which are the subject of the Agreement leaving 74.67 Water Credits available pursuant to the Agreement; and

WHEREAS, MC transferred the Agreement as it pertains to the remaining 74.67 Water Credits to Alberta Development Partners, LLC (“Alberta”) or an affiliate of Alberta as the term affiliate is defined in the Second Amendment to this Agreement (hereinafter now referred to collectively as “Buyer”) in connection with the remainder of the Property as described in Exhibit A to the Agreement (the “Property”) which was owned by MC and as illustrated in the conceptual plan which assignment was approved by the Town pursuant to Section 6 of the Agreement and subject to Firestone and Buyer’s approval of the Third Amendment; and

WHEREAS, Buyer agreed to bound to the terms and conditions of the Agreement as amended; and

WHEREAS, Section 8 of the Agreement provided:

Expiration. The Water Credits described herein shall expire on February 7, 2020 (“Expiration Date”) if not dedicated to Firestone prior to the Expiration Date. All of Buyer’s rights in and to the Water Credits, and/or to dedicate said Water Credits, shall extinguish if not dedicated prior to the Expiration Date. Buyer shall not be entitled to any proceeds or reimbursement from any sale subsequent to the Expiration Date; and

WHEREAS, MC and Firestone entered into a Second Amendment to the Agreement which, among other things, extended the Expiration Date until May 10, 2021; and

WHEREAS, to facilitate the development of the Property, MC and Firestone entered into the Third Amendment to the Agreement which extended the Expiration Date to May 10, 2022; and

WHEREAS, once again to facilitate the development of the Property, Buyer desires to extend the Expiration Date to December 31, 2022; and

WHEREAS, in consideration of such extension, Buyer agrees that it shall not request an additional extension of the Agreement's Expiration Date; and

WHEREAS, Section 9 of the Agreement provides that it may be amended by a writing signed by both parties.

NOW THEREFORE, in consideration of the terms and conditions set forth herein, including the above recitals which are included herein and made a part of this Fourth Amendment, the parties agree as follows:

Section One: Section 8, "Expiration" of the Water Credit Purchase Agreement is amended to read as follows:

Expiration. The Water Credits described herein shall expire on December 31, 2022 ("Expiration Date") if not dedicated to Firestone prior to the Expiration Date. All of Buyer's rights in and to the Water Credits, and/or to dedicate said Water Credits, shall extinguish if not dedicated to Firestone prior to the Expiration Date. Buyer shall not be entitled to any proceeds or reimbursement from any sale subsequent to the Expiration Date. Buyer may only obtain an extension of the Expiration Date if its failure to dedicate the Water Credits prior to the Expiration Date is directly due to the occurrence of a Force Majeure event, as that term is defined herein, provided that: a) Buyer gives Firestone written notice describing the particulars of the Force Majeure event and details how it impacts Buyer's ability to dedicate the Water Credits; b) suspension of Buyer's obligation to dedicate the Water Credits and extension of the Expiration Date shall be of no longer duration than is required by the Force Majeure event; and c) Buyer proceeds with reasonable diligence to remedy its inability to dedicate the Water Credits. As used herein, "Force Majeure" shall mean events occurring beyond the reasonable control of the Buyer which would prevent it from completing the requirements which are necessary preconditions to dedicating the Water Credits to Firestone including acts of God, epidemic or pandemic, delays in obtaining any necessary government approval or permits beyond normal process times and which delays are not the result of Buyer's actions or inactions, war or terrorism.

Section Two: All other terms and conditions of the Agreement, as amended, remain in full force and effect.



**IN WITNESS WHEREOF**, the parties have executed this Fourth Amendment with an effective date of March \_\_\_\_, 2022.

TOWN OF FIRESTONE, COLORADO

ALBERTA DEVELOPMENT  
PARTNERS, LLC.

\_\_\_\_\_  
Bobbi Sindelar, Mayor

By: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William P. Hayashi, Town Attorney

**Hours/Units/Types Summary**

| PC            | Title                     | Hours     | Net Type           | Amount     | Info Type       | Amount |
|---------------|---------------------------|-----------|--------------------|------------|-----------------|--------|
| 1-00          | Regular Pay               | 9,088.25  | Direct Deposit Net | 416,869.57 | Informational   | 0.00   |
| 1-06          | PD Shift Supervisor       | 10.00     | Net                | 7,410.23   | Fringe Benefits | 10.36  |
| 2-00          | Overtime Pay              | 205.50    | 3rd Party Pay Net  | 2,346.28   |                 |        |
| 3-00          | Paid Time Off & EIB       | 1,324.02  |                    |            |                 |        |
| 5-00          | Call Outs                 | 22.00     |                    |            |                 |        |
| 5-03          | Standby                   | 0.00      |                    |            |                 |        |
| 7-00          | HolidayTO, Holiday Wrk    | 98.00     |                    |            |                 |        |
| 8-10          | PD Grant/Contracts        | 0.00      |                    |            |                 |        |
| 8-00          | Miscellaneous Pay         | 118.00    |                    |            |                 |        |
| 8-25          | Reserve Active Duty       | 160.00    |                    |            |                 |        |
| 8-26          | PHE - Public Health Emerg | 507.50    |                    |            |                 |        |
| 8-27          | Leave of Absence wo Pay   | 68.15     |                    |            |                 |        |
| 8-28          | PD POPS Programs          | 0.00      |                    |            |                 |        |
| 9-01          | Comp Time Earned          | 41.50     |                    |            |                 |        |
| 9-02          | Comp Time Used            | 23.50     |                    |            |                 |        |
| Grand Totals: |                           | 11,666.42 |                    | 426,626.08 |                 | 10.36  |

**Pay Code Totals - Employee**

| PC   | Title               | Amount     | PC    | Title                        | Amount     | PC    | Title                      | Amount     |
|------|---------------------|------------|-------|------------------------------|------------|-------|----------------------------|------------|
| 1-01 | Regular Pay         | 548,191.09 | 8-16  | Employee Bonus               | 0.00       | 61-02 | HSA7300                    | -7,587.84  |
| 1-03 | Mayor/Trustee       | 2,150.00   | 8-20  | Retro Pay (non-FPPA)         | 0.00       | 61-10 | FSA- Dependent Care        | -1,666.64  |
| 1-04 | Temporary           | 2,520.00   | 8-25  | Reserve Active Duty          | 0.00       | 61-11 | FSA- Limited Purpose       | -441.66    |
| 1-06 | PD Shift Supervisor | 671.49     | 8-26  | PHE - Public Health Emergenc | 10,168.62  | 61-12 | FSA - Medical              | -1,919.94  |
| 2-00 | Overtime            | 8,737.63   | 8-28  | PD POPS Programs             | 0.00       | 62-00 | Dental Insurance           | -922.76    |
| 3-01 | PTO                 | 25,102.78  | 9-02  | Comp Time                    | 513.99     | 63-00 | Vision                     | -305.00    |
| 3-05 | PTO Payout          | 10,356.92  | 19-00 | 3rd Party Pay                | 2,380.80   | 64-97 | Critical Illness Insurance | -689.50    |
| 3-10 | Contract PTO        | 0.00       | 21-01 | Stipend                      | 0.00       | 64-98 | Vol/ADD, Sps,Chld LIFE     | -1,548.30  |
| 4-00 | EIB                 | 0.00       | 21-02 | Cell Phone Stipend           | 300.00     | 64-99 | Accident Insurance         | -787.68    |
| 5-01 | Call Outs           | 458.77     | 30-04 | Life Ins > 50k               | 10.36      | 70-01 | Misc Deduction             | 0.00       |
| 5-02 | PD Call Outs        | 256.92     | 50-01 | FPPA 457                     | -2,121.99  | 70-02 | Child Support              | -837.50    |
| 5-03 | Standby             | 0.00       | 50-02 | FPPA PD Pension              | -24,127.60 | 70-03 | Garnishment                | -1,602.84  |
| 7-01 | Holiday Time Off    | 3,879.36   | 50-03 | FPPA ROTH                    | -400.00    | 70-04 | Equipment                  | -222.47    |
| 7-02 | Holiday Work SW     | 0.00       | 51-01 | PERA                         | -33,121.09 | 70-05 | ICMA Loan Payment          | 0.00       |
| 7-03 | Holiday Work NSW    | 0.00       | 51-02 | PERA+457                     | -527.52    | 74-00 | Soc Sec                    | -840.23    |
| 8-01 | Misc Pay            | 0.00       | 51-03 | PERA Life                    | -62.00     | 75-00 | Medicare                   | -8,460.70  |
| 8-02 | Retro Pay           | 169.61     | 51-05 | PERA 401k                    | -616.16    | 76-00 | FWT                        | -60,953.60 |
| 8-04 | Bereavement         | 0.00       | 51-07 | PERA 457 Roth                | -859.04    | 77-00 | SWT                        | -20,331.00 |
| 8-06 | Snow Day            | 0.00       | 52-01 | ICMA 401a                    | -250.00    | 79-00 | 3rd Party Medicare         | -34.52     |
| 8-08 | Pd Admin Leave      | 1,132.50   | 52-02 | ICMA 457b-Pre                | -833.18    | 85-00 | Net Pay - check            | 7,410.23   |
| 8-10 | PD Grant            | 0.00       | 52-04 | ICMA 457b-Post               | -323.08    | 86-00 | Dir Deposit                | 416,869.57 |
| 8-12 | Jury Duty           | 0.00       | 60-00 | Health Insurance             | -18,416.90 | 89-00 | 3rd Party Net              | -2,346.28  |
| 8-13 | Military Leave      | 1,804.00   | 61-01 | HSA3650                      | -1,960.66  |       |                            |            |

**Pay Code Totals - Employer**

| PC    | Title            | Amount    | PC    | Title                      | Amount   | PC    | Title                 | Amount   |
|-------|------------------|-----------|-------|----------------------------|----------|-------|-----------------------|----------|
| 50-02 | FPPA - Polic     | 19,213.98 | 61-02 | HSA7300                    | 5,550.00 | 75-00 | Medicare              | 8,495.22 |
| 51-01 | PERA             | 55,448.62 | 62-00 | Dental Insurance           | 5,753.73 | 91-00 | Long Term Disability  | 2,093.75 |
| 51-04 | PERA AED/SAED    | 522.98    | 63-00 | Vision Insurance           | 854.22   | 92-00 | Short Term Disability | 2,058.46 |
| 52-01 | ICMA 401a        | 1,600.00  | 64-97 | Critical Illness Insurance | 9.80     | 93-00 | Police Pension        | 6,604.47 |
| 52-02 | ICMA 457b        | 1,696.16  | 64-98 | Vol/ADD, Sps,Chld LIFE     | 15.90    | 94-00 | Basic Life & AD&D     | 1,496.04 |
| 60-00 | Health Insurance | 83,347.95 | 64-99 | Accident Insurance         | 12.39    | 95-01 | Employee Asst Plan    | 593.32   |
| 61-01 | HSA3650          | 2,800.00  | 74-00 | Social Security            | 840.23   | 98-00 | State Unemployment    | 1,229.02 |

| Name                                            | Total Paid |
|-------------------------------------------------|------------|
| Total 24/7 Networks, Inc.:                      | 865.95     |
| Total 4 RIVERS EQUIPMENT, LLC:                  | 2,865.73   |
| Total 8Z TITLE:                                 | 29.41      |
| Total ACE HARDWARE OF FIRESTONE:                | 12.26      |
| Total ADAMSON POLICE PRODUCTS:                  | 75.28      |
| Total AIRGAS INC:                               | 35.88      |
| Total ALAN PLUMMER AND ASSOCIATES, INC:         | 49,863.46  |
| Total ALERUS (EMPLOYER FUND):                   | 2,621.92   |
| Total ALERUS (FEE FUND):                        | 338.65     |
| Total ALERUS (WKLY CARD FUND):                  | 2,627.47   |
| Total AMAZON:                                   | 5,893.00   |
| Total AMERICAN CONSERVATION & BILLING SOLUTION: | 200.00     |
| Total ANDERSON CONSULTING ENGINEERS, INC:       | 31,260.36  |
| Total ANYTIME FITNESS:                          | 225.00     |
| Total APEX SHREDDING, INC.:                     | 45.00      |
| Total ARCO CONCRETE INC:                        | 631.50     |
| Total AUSMUS LAW FIRM, P.C.:                    | 1,200.00   |
| Total BAREFOOT RESIDENTIAL LLC:                 | 68.36      |
| Total BEACON COMMUNICATIONS LLC:                | 19,536.04  |
| Total BENEFIT TECHNOLOGY RESOURCES, LLC:        | 224.00     |
| Total BINFORD SUPPLY LLC:                       | 3,950.00   |
| Total Black Hills Energy:                       | 7,869.77   |
| Total BOBCAT OF THE ROCKIES:                    | 209.82     |
| Total BOHANNAN HUSTON INC:                      | 12,984.00  |
| Total BUDGET CONFERENCING:                      | 119.79     |
| Total C & W TRUCK AND TRAILER, LLC:             | 819.72     |
| Total CANYON TITLE - DENVER:                    | 6.03       |
| Total CCNC, INC:                                | 100.00     |
| Total Centennial Lending:                       | 9,158.60   |
| Total CENTRAL WELD COUNTY WATER DISTRICT:       | 17,426.27  |
| Total CENTRAL WELD COUNTY WATER DISTRICT.-TREA: | 48,434.34  |
| Total CENTURY LINK:                             | 548.05     |
| Total CESARE, INC:                              | 5,050.07   |
| Total CHASE PAYMENTNET:                         | 97,420.61  |
| Total CHICAGO TITLE (TUFTS):                    | 34.88      |
| Total CIGNA HEALTH & LIFE INSURANCE CO:         | 103,690.87 |
| Total CINTAS FIRST AID & SAFETY:                | 565.27     |
| Total CIRSA:                                    | 5,000.00   |
| Total CITY OF WESTMINSTER:                      | 720.00     |

| Name                                            | Total Paid   |
|-------------------------------------------------|--------------|
| Total CIVIC PLUS, INC:                          | 12,326.60    |
| Total COALRIDGE ANIMAL HOSPITAL, INC:           | 773.62       |
| Total COLLECTOR CAR CHECK LLC:                  | 500.00       |
| Total COLORADO CIVIL GROUP INC.:                | 37,551.87    |
| Total COLORADO JUMPS DBA AIRBOUND:              | 4,073.00     |
| Total DANA KEPNER COMPANY INC.:                 | 7,967.16     |
| Total DBC IRRIGATION SUPPLY:                    | 165.66       |
| Total DELTA DENTAL OF COLORADO, INC:            | 6,877.82     |
| Total ELECTION SYSTEMS & SOFTWARE:              | 20,525.00    |
| Total EMPLOYEE REIMBURSEMENTS & PER DIEMS:      | 1,216.73     |
| Total ENTERPRISE FLEET MGMT CUSTOMER BILLINGS:  | 29,238.47    |
| Total ENVIROTECH SERVICES INC.:                 | 32,385.08    |
| Total E-Z EXCAVATING INC:                       | 784,347.59   |
| Total FACTORY MOTOR PARTS CO.:                  | 28.54        |
| Total FARIS MACHINERY COMPANY:                  | 1,755.00     |
| Total FASTENAL COMPANY:                         | 407.32       |
| Total FIRST AMERICAN TITLE CO:                  | 14.29        |
| Total FIRST AMERICAN TITLE INSURANCE COMPANY-E: | 31.55        |
| Total FIRSTBANK:                                | 65.00        |
| Total FLEXX PRODUCTIONS LLC:                    | 1,751.59     |
| Total FRANCE PUBLICATIONS, INC:                 | 850.00       |
| Total FRED DIEHL CONSULTING:                    | 1,300.00     |
| Total FREDERICK - FIRESTONE FIRE PROTECTION:    | 32,798.50    |
| Total FRONT RANGE COMPLIANCE SERVICE, LLC:      | 1,185.25     |
| Total FRONTIER BUSINESS PRODUCTS:               | 9.60         |
| Total FRONTIER COMPUTER CORP.:                  | 258.24       |
| Total FUZION FIELD SERVICES LLC:                | 816.18       |
| Total GBSM INC:                                 | 19,373.02    |
| Total GRAINGER:                                 | 339.89       |
| Total GREEN GIRL RECYCLING SERVICES:            | 175.00       |
| Total GREEN MILL SPORTSMAN'S CLUB, INC:         | 150.00       |
| Total GROUND ENGINEERING CONSULTANTS, INC:      | 957.00       |
| Total HAYASHI & MACSALKA, LLC:                  | 16,705.50    |
| Total HEI CIVIL:                                | 1,087,935.63 |
| Total HENKE MANUFACTURING CORPORATION:          | 26,609.00    |
| Total HOMES BY CREEKSTONE BUILDERS:             | 40.16        |
| Total HOMESTEAD TITLE & ESCROW - WSTMNSTR:      | 9.54         |
| Total HOTSYS EQUIPMENT OF NORTHERN COLORADO:    | 8,342.50     |
| Total HYDRANT METER REFUNDS:                    | 1,754.07     |



| Name                                            | Total Paid |
|-------------------------------------------------|------------|
| Total INNOVATIVE HOME IMPROVEMENTS:             | 1,206.24   |
| Total INTEGRATED WATER SERVICES, INC:           | 929,968.92 |
| Total INTELLICHOICE INC:                        | 1,024.85   |
| Total INTERSTATE BATTERY OF THE ROCKIES:        | 408.65     |
| Total INTERSTATE FORD:                          | 1,831.07   |
| Total JAIME BROWER PSYCHOLOGICAL SERVICES:      | 1,000.00   |
| Total JOHNSON AUTO PLAZA:                       | 205.70     |
| Total JONES, STEPHEN:                           | 1,100.00   |
| Total KATHLEEN A. OATIS:                        | 1,250.00   |
| Total KB HOME COLORADO INC:                     | 89.17      |
| Total KG CLEAN INC:                             | 5,278.78   |
| Total KIMBALL MIDWEST:                          | 2,883.71   |
| Total KINSCO, LLC:                              | 441.43     |
| Total KUNC THE COLORADO SOUND:                  | 200.00     |
| Total LAND TITLE-DENVER-2:                      | 31.40      |
| Total LAND TITLE-FT COLLINS:                    | 1.28       |
| Total LAND TITLE-LONGMONT:                      | 4.81       |
| Total LANGUAGELINE SOLUTIONS:                   | 57.52      |
| Total LAST CHANCE DITCH COMPANY:                | 720.50     |
| Total LAWRENCE CUSTER GRASMICK JONES & DONOVAN: | 25,985.00  |
| Total LEAD INC:                                 | 3,629.62   |
| Total LEADSONLINE LLC:                          | 2,370.03   |
| Total LENNAR COLORADO:                          | 237.22     |
| Total LEONARD RICE ENGINEERS, INC:              | 26,041.12  |
| Total LIFE SAFETY TECHNOLOGIES LLC:             | 717.00     |
| Total LIFE STORIES:                             | 250.00     |
| Total LITTLE THOMPSON WATER DISTRICT:           | 145.50     |
| Total LONGMONT HUMANE SOCIETY:                  | 1,225.00   |
| Total MAC EQUIPMENT INC LONGMONT:               | 347.98     |
| Total MAIN STREET MAT COMPANY, INC:             | 364.79     |
| Total MCCANDLESS TRUCK CENTER, LLC:             | 834.69     |
| Total MCCI, LLC:                                | 10,861.31  |
| Total MCDONALD FARMS ENTERPRISES INC:           | 2,132.00   |
| Total MCGRANE WATER ENGINEERING, LLC:           | 54,721.50  |
| Total MCI:                                      | 51.58      |
| Total MELODY HOMES INC:                         | 204.82     |
| Total MICHOW COX & MCASKIN LLP:                 | 98.00      |
| Total MISC VENDOR:                              | 29,248.09  |
| Total MORGAN STANLEY SMITH BARNEY LLC:          | 3,661.49   |

| Name                                            | Total Paid |
|-------------------------------------------------|------------|
| Total MOUNTAIN STATES LIGHTING, LLC:            | 8,295.53   |
| Total MSM PUBLIC SAFETY:                        | 509.50     |
| Total MTECH MECHANICAL TECHNOLOGIES GROUP:      | 2,194.00   |
| Total MUNICIPAL CODE CORPORATION:               | 350.00     |
| Total MUTUAL OF OMAHA INSURANCE CO:             | 14,260.33  |
| Total NCSI:                                     | 114.00     |
| Total NEW IPT INC:                              | 2,163.00   |
| Total NORTHERN COLORADO WATER CONSERVANCY DIST: | 196.40     |
| Total O.J. WATSON COMPANY, INC.:                | 1,339.86   |
| Total OFFICE DEPOT INC:                         | 650.14     |
| Total O'REILLY AUTO PARTS:                      | 345.01     |
| Total PINNACOL ASSURANCE:                       | 1,280.46   |
| Total PRAIRIE MOUNTAIN PUBLISHING:              | 272.23     |
| Total PREMIUM EVENT STAFFING:                   | 3,423.64   |
| Total PROFORCE LAW ENFORCEMENT:                 | .00        |
| Total PUREWATER DYNAMICS, INC:                  | 666.75     |
| Total RAMEY ENVIRONMENTAL COMPLIANCE, INC:      | 100.00     |
| Total RESTITUTION / COURT REFUNDS:              | 957.39     |
| Total RICHMOND AMERICAN HOMES:                  | 92.27      |
| Total RIPTIDE CAR & PET WASH:                   | 1,805.25   |
| Total SAFE BUILT COLORADO INC:                  | 30,035.07  |
| Total SIMPLIFILE:                               | 421.50     |
| Total STANTEC CONSULTING SERVICES INC:          | 40,969.76  |
| Total STEVE BALCEROVICH:                        | 1,250.00   |
| Total SUNBELT RENTALS INC:                      | 431.27     |
| Total TEST GAUGE INC - CO:                      | 725.00     |
| Total Tier One Networking LLC:                  | 16,289.00  |
| Total TIMBER LINE ELECTRIC & CONTROL CORP:      | 10,259.15  |
| Total TIMBERLAN, INC:                           | 11,333.33  |
| Total TLTC DISTRIBUTING LLC:                    | 1,039.30   |
| Total TRAFFIC LOGIX CORPORATION:                | 1,600.00   |
| Total TRANSWEST TRUCK TRAILER RV:               | 818.83     |
| Total Treetop Products, Inc.:                   | 7,848.86   |
| Total UME CUSTOM EMBROIDERY:                    | 595.74     |
| Total UNITED POWER-BRIGHTON:                    | 22,681.00  |
| Total UNIVERSITY AUTO PARTS, INC:               | 3,563.67   |
| Total UTILITY NOTIFICATION CENTER OF COLORADO:  | 384.80     |
| Total UTILITY REFUNDS -1:                       | 485.27     |
| Total VALLI INFORMATION SYSTEMS:                | 3,580.58   |

| Name                                            | Total Paid   |
|-------------------------------------------------|--------------|
| Total VARRA COMPANIES:                          | 1,654.89     |
| Total VELOCITY POWER LLC:                       | 704.00       |
| Total VISION SERVICE PLAN - VSP:                | 1,170.43     |
| Total WAAS CAMPBELL RIVERA JOHNSON & VELASQUEZ: | 2,808.00     |
| Total WAGNER WELDING SUPPLY CO.:                | 8.68         |
| Total WEAR PARTS & EQUIP CO. INC:               | 894.70       |
| Total WELD COUNTY DEPT OF PUBLIC HEALTH & ADMI: | 918.00       |
| Total WELD COUNTY SHERIFFS OFFICE:              | 10,500.00    |
| Total WESTERN PAPER DISTRIBUTORS:               | 151.77       |
| Total WESTWATER RESEARCH, LLC:                  | 10,000.00    |
| Total WEX BANK:                                 | 11,220.24    |
| Total WHITESIDE'S BOOTS & CLOTHING 2 - BRIGHTO: | 2,635.71     |
| Total WICKHAM TRACTOR CO, Inc:                  | 10,300.98    |
| Total WORKWELL OCCUPATIONAL MEDICINE LLC:       | 1,101.50     |
| Total XPRESS BILL PAY / XPRESS SOLUTIONS:       | 2,206.39     |
| Total YOURMEMBERSHIP.COM:                       | 399.00       |
| Grand Totals:                                   | 3,935,171.28 |

| Name                                     | Total Paid |
|------------------------------------------|------------|
| <b>MISC VENDOR</b>                       |            |
| Total ALL TOWN PLUBMING LLC:             | 100.00     |
| Total COAL RIDGE LAND COMPANY LLC:       | 10,414.76  |
| Total FIRESTONE VENTURE LLC:             | 10,111.08  |
| Total HOME WATER SOLUTIONS LLC:          | 100.00     |
| Total KIM H GOLDBERGER:                  | 675.00     |
| Total LGI HOMES - COLORADO LLC:          | 6,044.00   |
| Total LOVELAND VETERINARY DENTISTRY LTD: | 1,803.25   |
| Grand Totals:                            | 29,248.09  |



**AGENDA INFORMATION  
MEMORANDUM**

**FIRESTONE  
TOWN BOARD OF TRUSTEES**



**AIM#:** 10.a.ii

**Reports**

**Meeting Date:** March 23, 2022

**Initiated By:**

**Dept:** Public Works

**AGENDA TITLE**

Public Works Equipment Update

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**

None

**FINANCIAL CONSIDERATIONS**

# WHY NOT

— CARBON VALLEY? —

Enhance our community –  
a desirable place to live, work, visit, and play...

# Timeline

2019  
Feasibility  
Study

2020  
“Hold”

2021  
Community  
Outreach

2021  
November  
Election

2021/2022  
Lessons  
Learned

2022 May  
Election

ONGOING:  
Growing  
Community

# 2021 Election

DRIVE-THRU  
DROP-OFF

MAIN ENTRY

FOOD TRUCK  
PARKING

SERVICE DRIVE

LAP POOL

SPLASH PAD

KIDDIE POOL

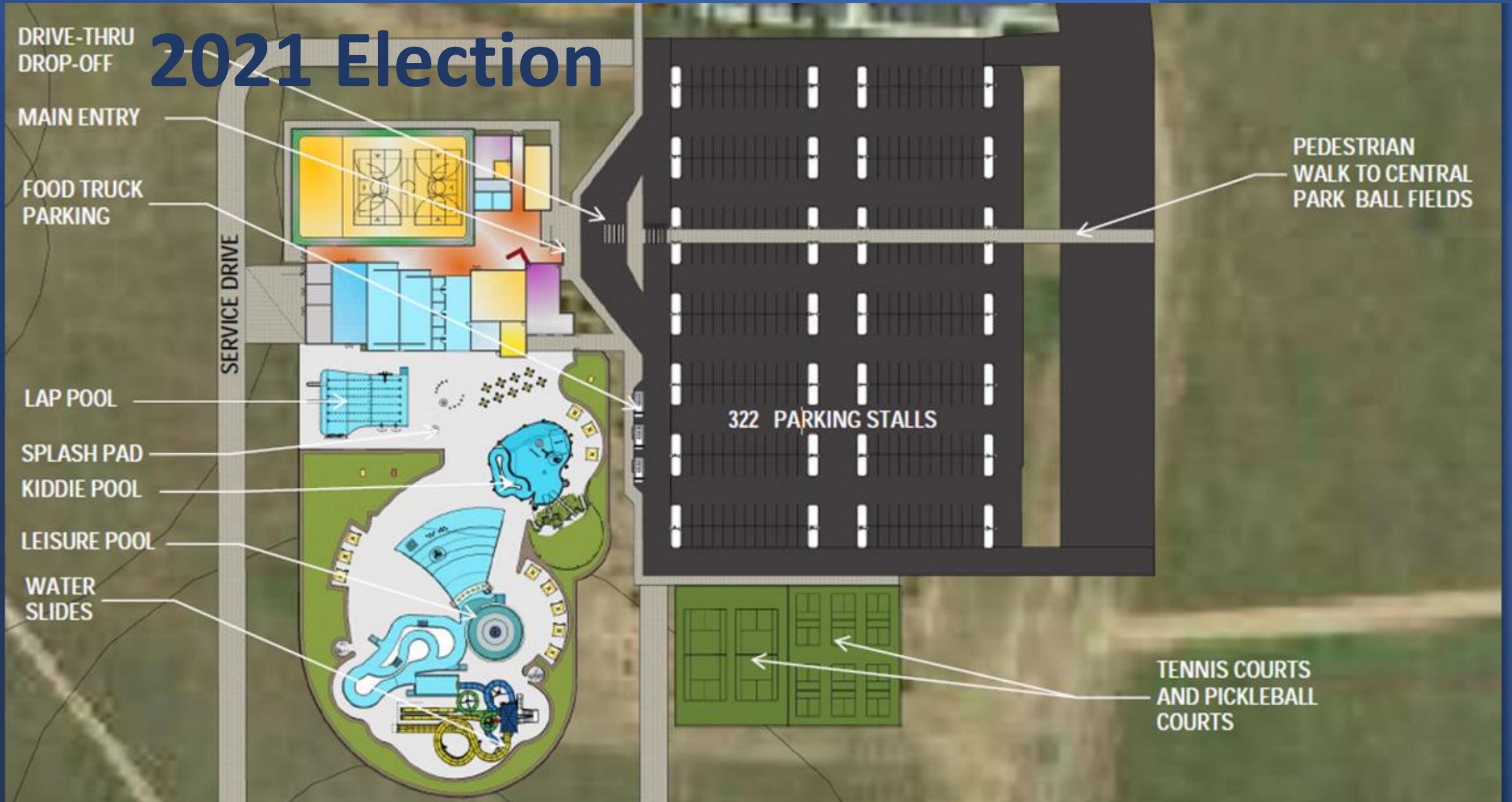
LEISURE POOL

WATER  
SLIDES

322 PARKING STALLS

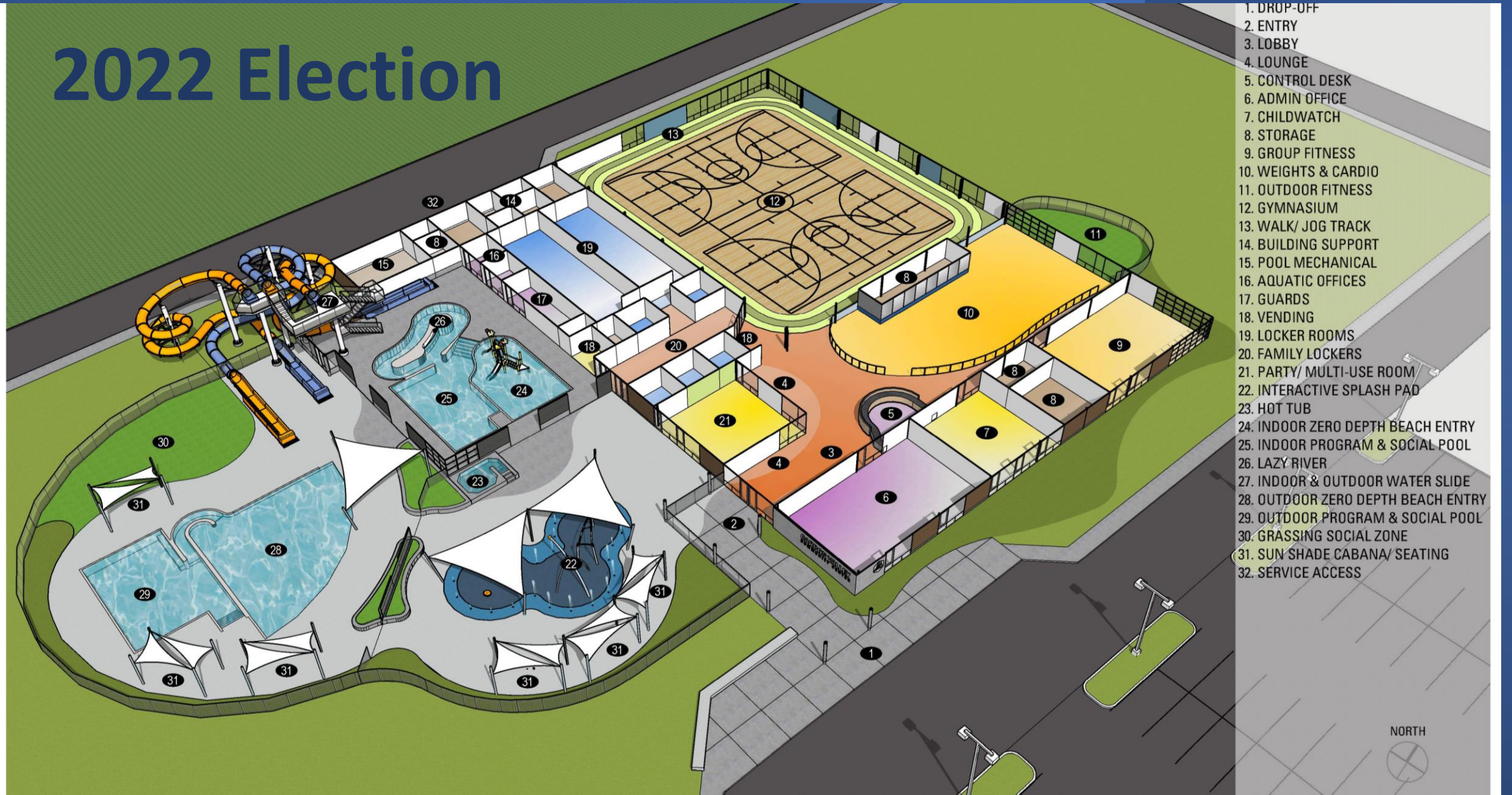
PEDESTRIAN  
WALK TO CENTRAL  
PARK BALL FIELDS

TENNIS COURTS  
AND PICKLEBALL  
COURTS





# 2022 Election







CARRON VALLEY COMMUNITY CENTER



BARKER  
BENKER





## CARRON VALLEY COMMUNITY CENTER

























# FAQs

Ballots in  
mailboxes  
mid-April.

Vote  
by May 2

## Proposed Second Rec Center with Indoor and Outdoor Pools

**When do residents vote on the proposed outdoor pool and second rec center?**

Ballots will be mailed to homes in mid-April and must be returned by Tuesday, May 2, 2022.

**What is the District Proposing?**

The District is proposing to build an outdoor pool and second recreation center with an indoor pool, gymnasium, weight/cardio room, fitness studio, party/event room, and child child sitting area.

**Where would the proposed outdoor pool and second rec center be located?**  
At Central Park in Firestone near the Carbon Valley Library.

**Why do we need this and is it sustainable?**

When the current rec center was expanded in 2005, the population of Carbon Valley was around 10,000. Today, Carbon Valley has more than tripled in size to a population of 36,000. The demand for our services has increased significantly and our facilities are bursting at the seams. The proposed plan delivers what the community has asked for and serves as an important local economic and social investment.

In 2018, the District paid off its last bonds which reduced property owners' tax bills by 2.785 mills. The District has demonstrated very strong fiscal responsibility, the project is financially viable, and we would expect a triple-A rating on our bonds.

**Will the existing rec center in Frederick close if this passes?**

No, the Carbon Valley Rec Center will remain open if this passes. The District continues to make improvements to the facility every year.

**How would the increase to property taxes impact me as a homeowner?**

The proposed increase depends on your home value. For every \$100,000 of home value it is \$19.31 annually/less than \$2 monthly. It would take the District's property taxes back to a little under the pre-2018 level when the last of our debt was paid off.

**Once the bonds are paid off, does that tax end?**

After 30 years, the funds used to finance the construction would be removed.

**Must the District use the proceeds of the bond measure specifically for what is presented in the ballot question?**

Yes. By law, the district cannot use the funds for anything other than what is presented in the bond question.

**How does the District's budget compare between user fees and property taxes?**

Property taxes currently account for 68% of revenues with user fees making up the vast majority of the other 32%. This is common for a government parks and recreation agency.



# FAQs

## Proposed Second Rec Center with Indoor and Outdoor Pools

**What changes have been made to the plans residents voted on last November?**

A post-election survey sent to registered District voters revealed residents want an indoor pool that can be used year-round and don't want a large water park but rather a smaller outdoor community pool. The new proposed plans were updated to include these requests from voters.

**Where would the water for an outdoor pool come from and will my water bill increase if it passes?**  
CVPRD will purchase water from the Town of Firestone in a manner similar to how water is purchased from the Town of Frederick for the pool at the existing rec center. Residents personal water bills will not increase due to this.

**How do the fees compare to other rec centers?**  
CVPRD's user fees are similar to fees charged at other recreation facilities in Erie, Longmont, and Loveland. The fees at all District facilities are less for District residents than they are for non-District residents.

**Why doesn't the Rec District fix the roads instead of trying to build new facilities?**

CVPRD is a completely separate entity from the City of Dacono and towns of Frederick and Firestone. District funds cannot be used to fix the roads in Carbon Valley.

**There's a drought right now, isn't it irresponsible to build an outdoor pool?**  
The water required to operate the proposed outdoor pool annually is the same amount used by three residential households.

**How can I help spread the word about the proposed plan?**  
Share the District's social media posts, stop by the rec center after March 15 to pick up a bag of election flyers and posters, that can be distributed in the community. Spread the word to your neighbors, friends, at church, at schools, and places you visit in the community.

## This has not passed yet. You must vote!

For more information about the proposed plans, please visit [www.cvprd.com](http://www.cvprd.com), email [election@cvprd.com](mailto:election@cvprd.com), or call 303-833-3660.

701 5th St., Frederick, CO 80504 | 303-833-3660 | [www.cvprd.com](http://www.cvprd.com)



# Form of the Ballot Measures

## **BALLOT ISSUE \_\_ - OPERATING MILL LEVY**

SHALL CARBON VALLEY PARKS AND RECREATION DISTRICT TAXES BE INCREASED UP TO \$980,000 ANNUALLY (FOR COLLECTION IN CALENDAR YEAR 2023) AND BY SUCH ADDITIONAL AMOUNTS RAISED ANNUALLY THEREAFTER THROUGH A PROPERTY TAX MILL LEVY IMPOSED AT A RATE OF ONE (1) MILL FOR THE PURPOSE OF PROVIDING FOR OPERATION AND MAINTENANCE COSTS, WHICH INCREASE SHALL BE IN ADDITION TO THE MILL LEVY CURRENTLY IMPOSED BY THE DISTRICT; AND SHALL THE REVENUE FROM SUCH MILL LEVY INCREASE CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITATION SET FORTH IN SECTION 29-1-301 OF THE COLORADO REVISED STATUTES?

\_\_\_\_\_ YES/FOR      \_\_\_\_\_ NO/AGAINST

## **BALLOT ISSUE \_\_ - COMMUNITY RECREATION CENTER GENERAL OBLIGATION BOND**

SHALL CARBON VALLEY PARKS AND RECREATION DISTRICT DEBT BE INCREASED UP TO \$29 MILLION, WITH A MAXIMUM REPAYMENT COST OF UP TO \$48.5 MILLION, AND SHALL DISTRICT TAXES BE INCREASED UP TO \$1.7 MILLION ANNUALLY FOR A PERIOD NOT EXCEEDING THIRTY (30) YEARS TO ADDRESS THE GROWING NEEDS AND EXPANDED SERVICES OF THE DISTRICT BY FINANCING THE COSTS OF CONSTRUCTING AND EQUIPPING A SECOND COMMUNITY RECREATION CENTER WHICH INCLUDES,

- INDOOR AND OUTDOOR POOLS,
- A MULTI-PURPOSE GYM WITH A RUNNING/WALKING TRACK,
- A CARDIO AND WEIGHT ROOM,
- A FITNESS AND CLASSROOM SPACE,
- A GROUP MEETING AND COMMUNITY ROOM, AND
- AN ONSITE CHILD WATCH AREA,

SUCH DEBT TO CONSIST OF THE ISSUANCE AND PAYMENT OF GENERAL OBLIGATION BONDS WHICH SHALL BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 3.75% PER ANNUM AND BE ISSUED AT SUCH TIMES AND PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE BOARD OF DIRECTORS MAY DETERMINE; AND SHALL AD VALOREM PROPERTY TAXES BE LEVIED WITHOUT LIMIT AS TO THE MILL RATE TO GENERATE AMOUNTS, NOT TO EXCEED THE AMOUNTS SET FORTH ABOVE, SUFFICIENT IN EACH YEAR TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH DEBT?

\_\_\_\_\_ YES/FOR      \_\_\_\_\_ NO/AGAINST

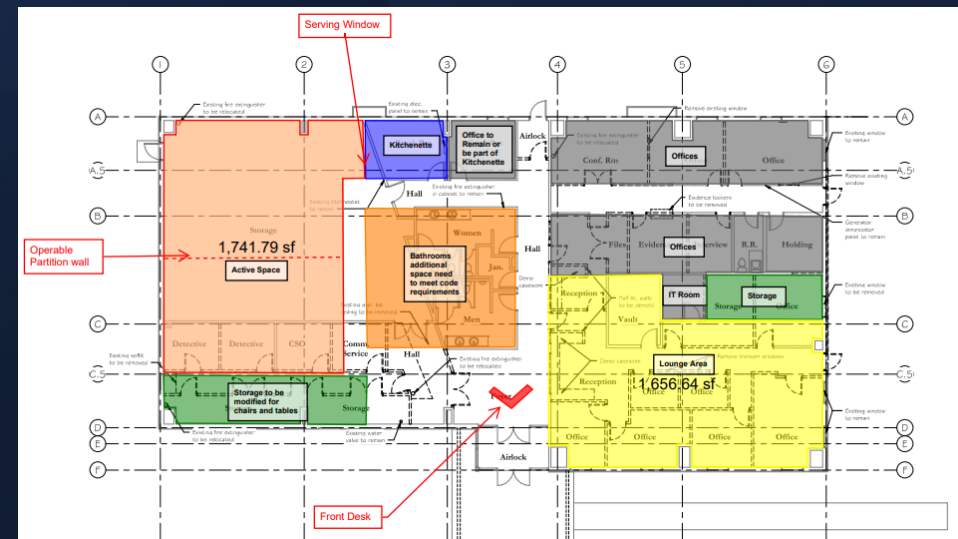
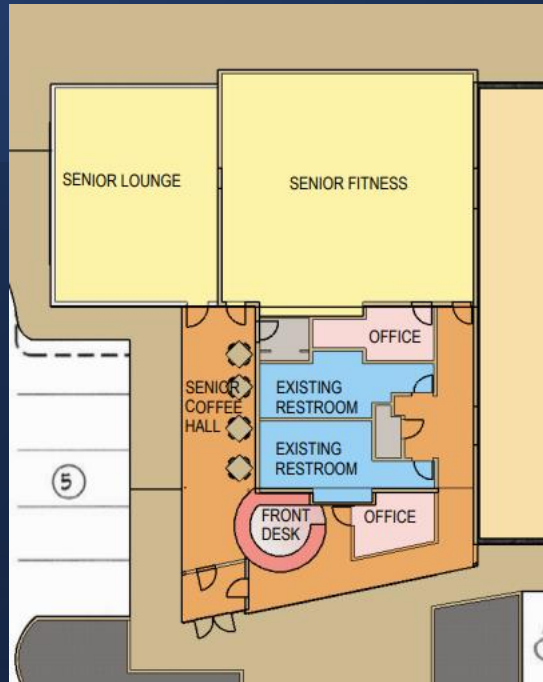


# Senior Center Needs



**(Active and Passive spaces in one location)**

# Senior Center Options:







# CONVERSATION

## How you can help

- Share this information with your neighbors
- Repost content we share on social media
- Take extra printed fact sheets and distribute them among networks
- Send people to our website for more information
- Invite us to present to groups or networks you're part of
- Neighborhood HOA & Meetings
- Volunteer to help – “boots on the ground”



- January 4, 2022 – CVPRD awarded Design-Build team (FCI & BRS)
- March 4, 2022 – Bond language and election certification
- April 11-18, 2022 – Ballots mailed to CVPRD residents
  - Returned by Mail, or
  - Ballot box on outside of the Rec Center
- May 3, 2022 – Final day for drop-off ballots
- ONGOING – Advocate support and community outreach



# 2022 - 2023

## FIRESTONE POLICE DEPARTMENT STRATEGIC PLAN





# Update on Issues Identified in AI Young's Report

- Narcotics Evidence
- Third Party Firearms Transfers
- Sexual Assault Kit Compliance with C.R.S.
- Seized Firearms Entered into CCIC
- National Integrated Ballistic Information Network (NIBIN) Participation



## Sexual Assault Kit Compliance with C.R.S.

- Colorado statute requires SAK submission to CBI within 21 days
- Redundancy build into policy to ensure timely submission to CBI
- Recent audit confirmed all SAK's in Firestone PD's possession have been submitted to CBI







## Seized Firearms Entered into CCIC

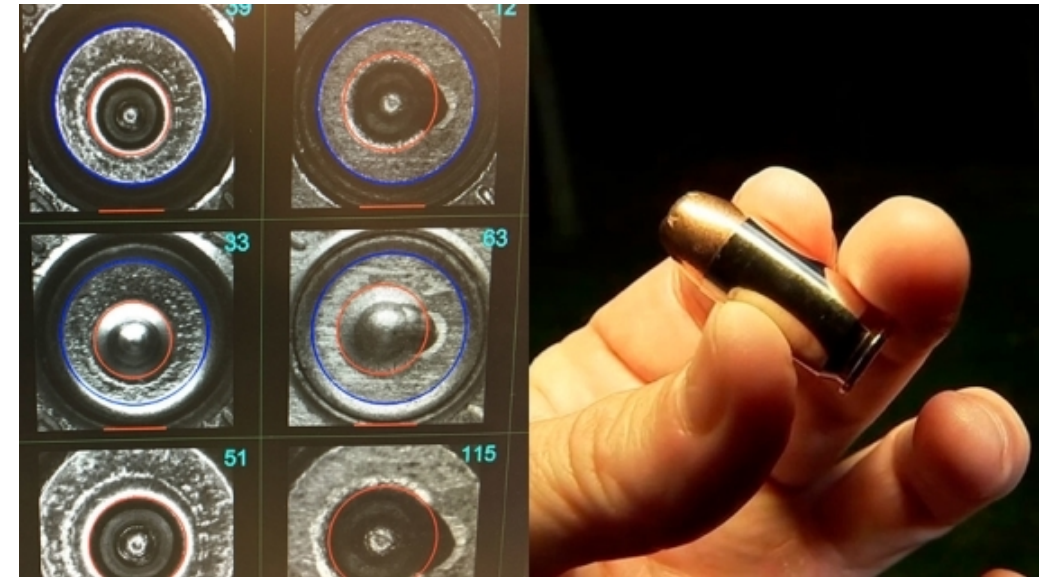
- Firearms are entered into CCIC when seized by the Firestone PD
- Notifies outside agencies who make queries for firearms that gun is in custody of Firestone PD
- Policy in place to submit all firearm identifying information in CCIC
- All guns in Firestone PD's possession have been entered in CCIC





# National Integrated Ballistic Information Network (NIBIN) Participation

- Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) manages the NIBIN system
- Digital images of spent bullets and casings recovered from crime scenes
- Firestone PD is actively participating in the NIBIN program
- 98.6% Confirmation Rate



## STRATEGIC INITIATIVES

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1. Employee Development
2. Recruitment and Retention
3. Training
4. Staffing
5. Employee Safety and Wellness
6. Technology Advancement
7. Enhance Community Relationships
8. Focus on Traffic Safety
9. Focus on Crime Prevention and Crime Reduction

## INITIATIVE I – EMPLOYEE DEVELOPMENT

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- Develop a formalized training program for all front line supervisors
- Cross train selected patrol officers on crime scene processing and evidence collection
- Provide specialized training to provide quality services to our community and to enhance employee development and job satisfaction
- Enroll each commander in a nationally recognized command school



## INITIATIVE II – RECRUITMENT AND RETENTION

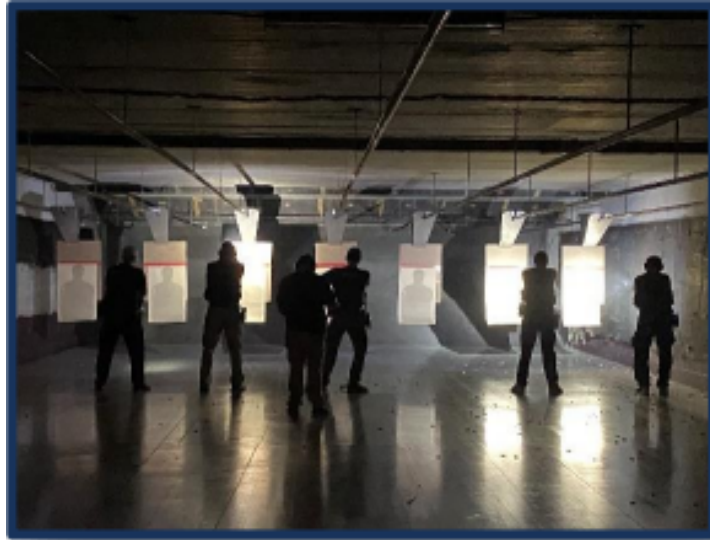
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- Work with Human Resources Department and the Town Manager to develop and maintain a competitive compensation plan
- Increase our recruiting footprint
- Start sponsoring our own applicants at police academies
- Actively recruit at events
- Employee recognition program

## INITIATIVE III – TRAINING

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- Identify high risk low frequency events that pose significant liability issues
- De-escalation and CIT training will continue to be a priority
- Identify current issues affecting policing and ensure our police officers are properly trained

## INITIATIVE IV – STAFFING

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- Recruit, hire and train a video evidence duplication technician
- Create an additional commander position assigned to administration
- Created an administrative sergeant position to work in Professional Standards
- Work with the HR Department to develop a comprehensive staffing study



## INITIATIVE V- EMPLOYEE SAFETY AND WELLNESS

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- Continue to utilize and enhance our in house peer support team
- Partner with CIRSA on the implementation and participation in the CORDICO health and wellness app
- Partner with CIRSA identifying additional health screening opportunities for employees



## INITIATIVE VI –TECHNOLOGY ADVANCEMENT

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- Weld County implementing a new computer aided dispatch (CAD) system and new RMS
- Transitioning to new evidence management system - FileOnQ
- Full Axon implementation of BWC, in-car cameras / LPR, and interview rooms
- Upgraded to TASER 7 model
- Established an investigations case management system that involves formalized screening of all cases forwarded to criminal investigations
- Implementing a crime analysis and crime mapping system



## INITIATIVE VI –TECHNOLOGY ADVANCEMENT

- Created a standardized process regarding case management

File Copy: \_\_\_\_\_  
Invest. Copy: \_\_\_\_\_

  
**INVESTIGATIONS**  
DISPO SHEET

|                        |                   |          |                |
|------------------------|-------------------|----------|----------------|
| CASE#                  | NATURE:           |          |                |
| ASSIGNED TO:           |                   |          | DATE ASSIGNED: |
| ASSIGNMENT EMAIL SENT: | DISPO EMAIL SENT: | SCANNED: |                |

|                                                |                                                   |                                                       |                   |
|------------------------------------------------|---------------------------------------------------|-------------------------------------------------------|-------------------|
| Person Crime<br><small>(Auto-Assigned)</small> | Missing/Runaway<br><small>(Auto-Assigned)</small> | Death Investigation<br><small>(Auto-Assigned)</small> | ← Solvability N/A |
|------------------------------------------------|---------------------------------------------------|-------------------------------------------------------|-------------------|

Property/Fraud  
(Assigned if Solvability > or = 6)

**SOLV PTS**

| ASSIGNMENT     |  |
|----------------|--|
| Case Review #1 |  |
| Date:          |  |
| Case Review #2 |  |
| Date:          |  |
| Case Review #3 |  |
| Date:          |  |

| Y | VALUE | SOLVABILITY FACTORS           |
|---|-------|-------------------------------|
|   | 5     | SUSPECT NAMED                 |
|   | 3     | RELIABLE VICTIM/WITNESSES     |
|   | 2     | SUSPECT DESCRIBED             |
|   | 2     | SUSPECT LOCATION              |
|   | 2     | VICTIM/WITNESS CAN ID SUSPECT |
|   | 2     | SUSPECT VEHICLE DESCRIPTION   |
|   | 2     | USEABLE PHYSICAL EVIDENCE     |
|   | 1     | TRACEABLE PROPERTY            |
|   | 1     | SIGNIFICANT M.O.              |
|   | 1     | ID THEFT PACKAGE              |

| DISPOSITION                                          |
|------------------------------------------------------|
| Deactivated                                          |
| Cleared By Arrest                                    |
| Exceptionally Cleared:<br>___ No Prosecution Desired |
| ___ Referred to: _____                               |
| ___ Returned Missing/Runaway                         |
| Unfounded                                            |
| Filed with DA                                        |

**DETECTIVE**

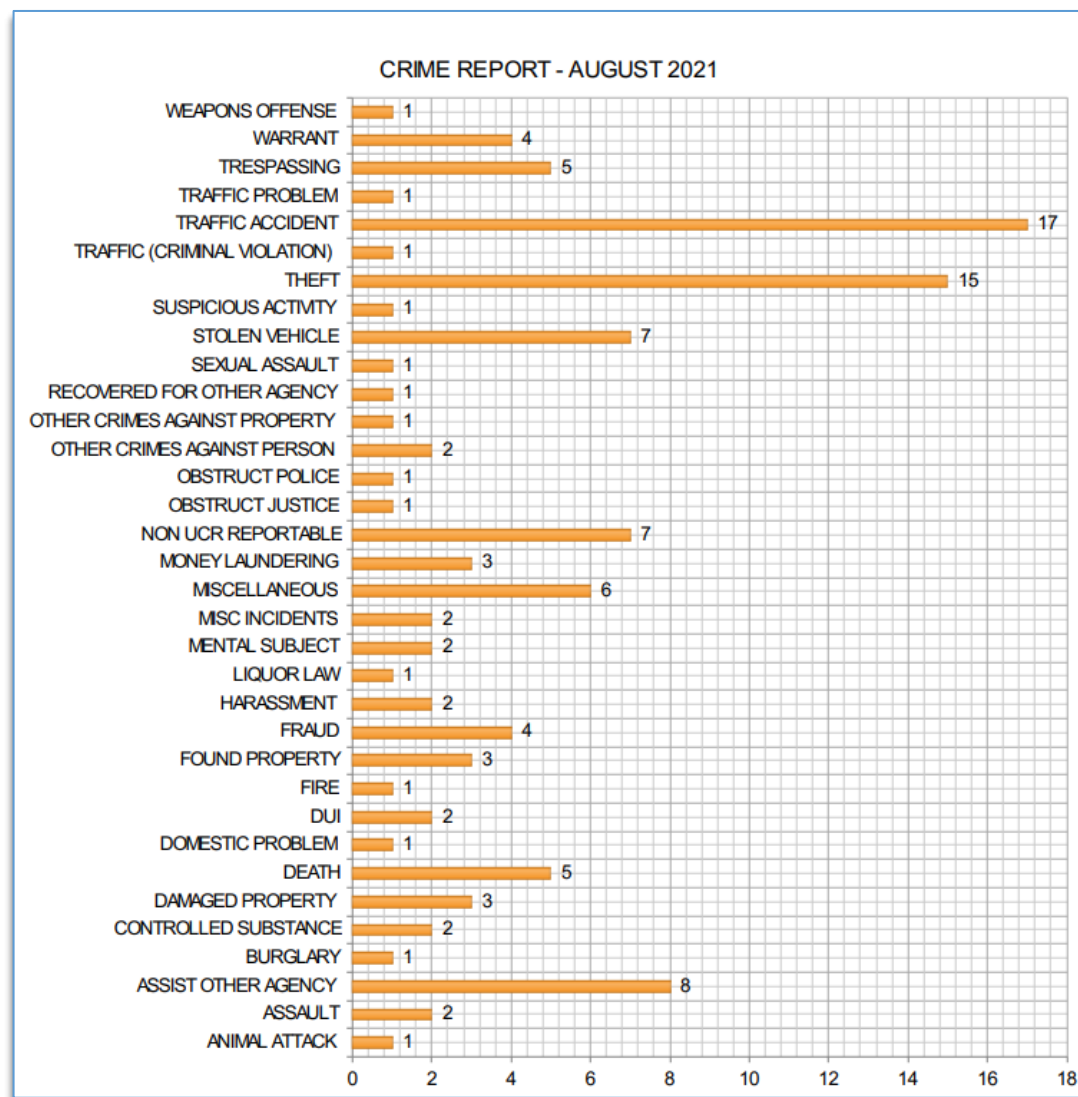
|           |      |
|-----------|------|
| SIGNATURE | DATE |
|           |      |

**APPROVAL**

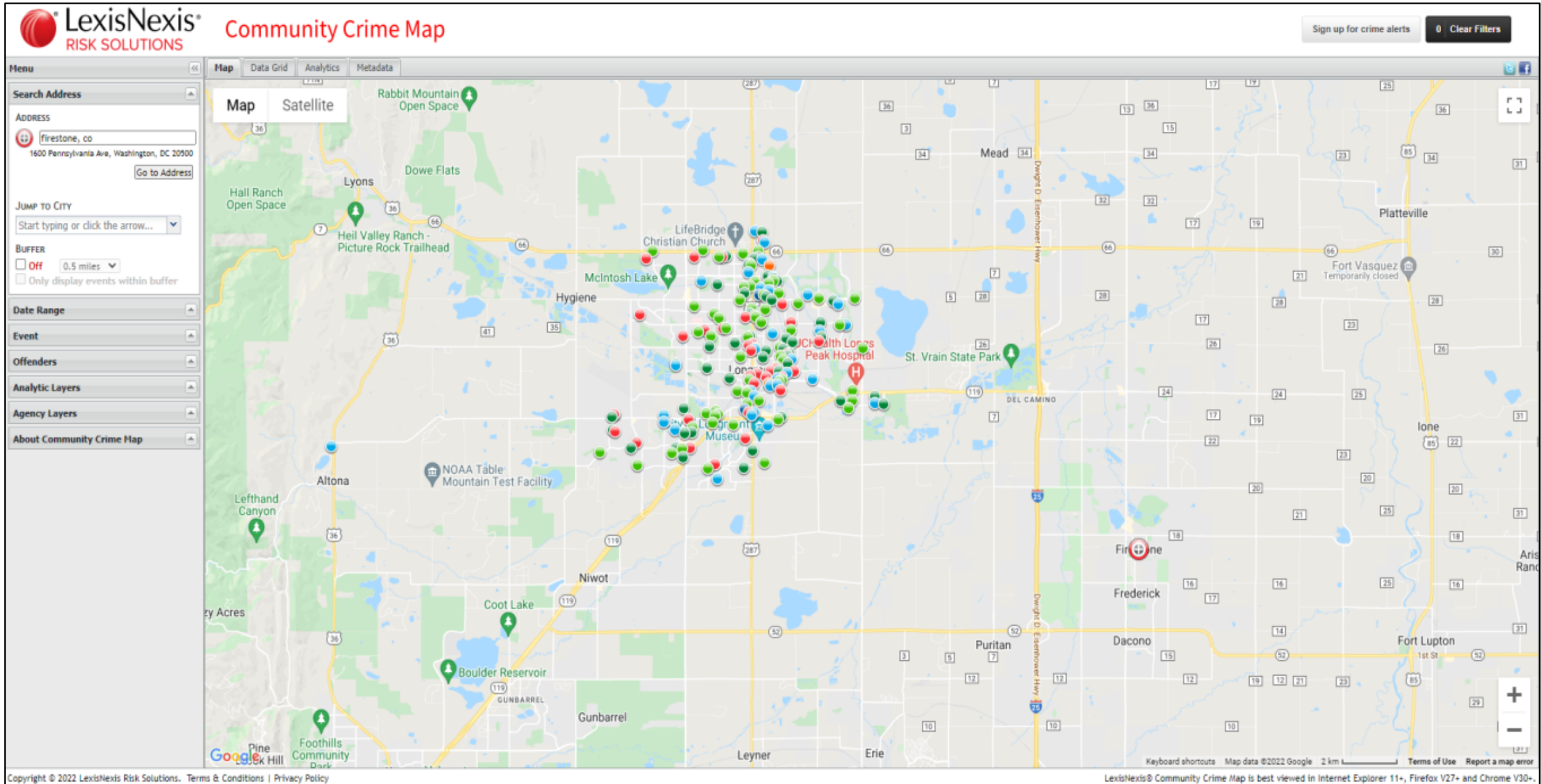
|               |                           |               |
|---------------|---------------------------|---------------|
| DATE RECEIVED | SUPERVISOR NAME/SIGNATURE | DATE APPROVED |
|               |                           |               |



## INITIATIVE VI –TECHNOLOGY ADVANCEMENT



# INITIATIVE VI –TECHNOLOGY ADVANCEMENT





## INITIATIVE VI –TECHNOLOGY ADVANCEMENT



## Community Crime Map

[Sign up for crime alerts](#)

0 Clear Filters

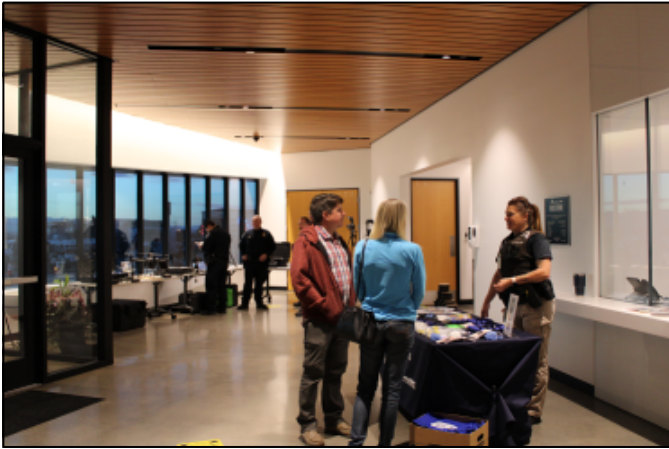
The screenshot displays the Boulder County Community Crime Map application. On the left, a sidebar contains a 'Search Address' section with a text input for 'Boulder, CO' and a 'Go to Address' button. Below this is a 'JUMP TO CITY' dropdown menu set to 'CO - Longmont'. Further down are filter sections for 'Date Range', 'Event', 'Offenders', 'Analytic Layers', 'Agency Layers', and 'About Community Crime Map'. The main map area shows a street grid in Longmont, CO, with labels for streets like Longs Peak Ave, 6th Ave, 5th Ave, 4th Ave, 3rd Ave, 2nd Ave, 1st Ave, and Main St. A red pin icon marks a crime incident location. A popup window titled 'Assault - Aggravated' is displayed over the pin, providing details: IR Number: 220001602, Crime: Aggravated Assault, Location Type: Parking/Drop Lot/Garage, Date: 02/27/2022, Time: 3:00 PM, Public Address: 4XX MAIN ST, and Accuracy: Address. The popup also shows a distance of 0.12 miles and the agency as Longmont Police Department. At the bottom of the popup, there is a link to 'Submit an anonymous tip' and a disclaimer: 'This point has been randomly offset at the request of the agency to protect victim privacy.' The map interface includes a 'Map' and 'Satellite' toggle at the top left, a 'Google' logo at the bottom left, and a 'Keyboard shortcuts' link at the bottom right.

## INITIATIVE VI –TECHNOLOGY ADVANCEMENT

### LexisNexis® Accurint® Virtual Crime Center



## INITIATIVE VII - ENHANCE COMMUNITY RELATIONSHIPS



- Increase presence on social media
- Develop Problem Oriented Policing (POP) strategies to address crime trends and repeat call locations
- Host youth academies during summer break
- Partner with local stake holders such as North Range Behavioral Health to provide alternatives to police services for mentally challenged citizens



- Identify high frequency crash locations and increase enforcement and education at those locations
- Monitor school zones for traffic law compliance
- Respond to traffic complaint areas





## INITIATIVE IX – FOCUS ON CRIME PREVENTION & CRIME REDUCTION



- Implement an active real time crime analysis function
- Establish a crime prevention program that focuses on public education and community engagement



# 2022-2023 Initiatives

- Continue to hire qualified police officers
- Training focused on best practices (Police Accountability)
- Research, identify, and implement new technologies to eliminate redundancy
- Research the feasibility of implementing an electronic ticketing program
- Develop and host a new citizen's police academy
- **FUTURE IS BRIGHT!**