

AGENDA
LARIMER COUNTY BOARD OF COMMISSIONERS
Monday, December 14, 2015/3:00 P.M./Hearing Room

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. PUBLIC HEARING CONSENT ITEMS: *Will not be discussed unless requested by
Commissioners or members of the audience.

*1. MORENG APPEAL, FILE #15-G0299 **PAGE 1**

Staff Contacts: Brenda Gimeson Planning, Clint Jones Engineering, Doug Ryan, Health

*2. BIG ELK MEADOWS TRACT 4, LOTS 25 & 26 LOT **PAGE 8**
CONSOLIDATION, FILE #15-S3352

Staff Contacts: Brenda Gimeson, Planning, Clint Jones Engineering, Doug Ryan, Health

*3. CRYSTAL LAKES SIXTH FILING LOTS 47 & 48A LOT **PAGE 19**
CONSOLIDATION, FILE #15-S3351

Staff Contacts: Savanah Benedick, Planning, Clint Jones Engineering, Doug Ryan, Health

*4. RAMONA HEIGHTS LOTS 16C & 17B BLOCK 14 LOT **PAGE 36**
CONSOLIDATION, FILE #15-S3350

Staff Contacts: Savanah Benedick, Planning, Clint Jones Engineering, Doug Ryan, Health

*5. CHILDREN'S HOUSE SPECIAL REVIEW, FILE #15-Z1985 **PAGE 46**

Staff Contacts: Savanah Benedick, Planning, Clint Jones Engineering, Doug Ryan, Health

*6. PFIEFF MINOR LAND DIVISION, FILE #15-S3349 **PAGE 101**

Staff Contacts: Rob Helmick, Planning, Clint Jones Engineering, Doug Ryan, Health

*7. OLANDER FARMS MINOR SPECIAL REVIEW, FILE #15-Z1994 **PAGE 113**

Staff Contacts: Rob Helmick, Planning, Clint Jones Engineering, Doug Ryan, Health

D. PUBLIC HEARING DISCUSSION ITEM:

8. JOHNSON APPEAL, FILE #15-G0298 **PAGE 147**

Staff Contacts: Karin Madson, Planning, Clint Jones Engineering, Doug Ryan, Health

9. MATSUOKA APPEAL, FILE #15-G0289 **PAGE 156**

Staff Contacts: Karin Madson, Planning, Clint Jones Engineering, Doug Ryan, Health

E. ADJOURN

- *5. TITLE: Children's House Special Review
- REQUEST: Special Review for a private Montessori School for primary and elementary age children with a farm component. The request includes an Appeal to allow on-site septic in the Loveland Growth Management Area.
- LOCATION: Section 30, Township 06, Range 68; 6664 N. County Road 13, at the southeast intersection of County Road 13 and County Road 30.
- OWNER: Steven and Colleen Dyekman
6664 N. County Road 13
Loveland, CO 80538
- APPLICANT: TB Group
C/O Mike Walker
444 Mountain Ave.
Berthoud, CO 80513
- STAFF CONTACTS: Savannah Benedick, Planning
Doug Ryan, Health
Clint Jones, Engineering
- FILE #: 15-Z1982
- NOTICE GIVEN: Newspaper Publication
First Class Mailing to surrounding property owners within 500 feet
- LCPC HEARING DATE: November 18, 2014
- LCPC RECOMMENDATIONS: Approval of the Special Review, motion passed by a vote of 6-0.
Approval of the Appeal to Section 8.1.1.B.1 of the Land Use Code, motion passed by a vote of 6-0.

DISCUSSION:

This item was on the consent agenda for the November 18, 2015 Planning Commission public hearing at 6:30 pm. At the hearing Staff presented the Development Services Team report recommending approval of the proposed Special Review and approval for the proposed appeal from Section 8.1.1.B.1 to allow on-site septic to serve the development. No members of the public spoke for or against the items. The Planning Commission voted 6-0 to recommend approval of the requests to the Board of County Commissioners.

PLANNING COMMISSION AND DEVELOPMENT SERVICES TEAM
RECOMMENDATION:

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval of the Children’s House Special Review, file #15-Z1982, for the property described on “Exhibit **B**” to the minutes, subject to the following conditions:

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The Site shall be developed consistent with the approved plan and with the information contained in the Children’s House Special Review, File #15-Z1982 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Children’s House Special Review.
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.
4. This application is approved without the requirement for a Development Agreement unless the applicant cannot demonstrate that all on-site and off-site improvements connected with the use will be completed prior to the issuance of a temporary or final certificate of occupancy.
5. The proposed Appeal to allow an on-site septic system must be approved in order for this approval to be valid.
6. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County’s election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney’s fees.
7. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
8. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.

MOTION PASSED: 6-0

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval the Children's House Special Review Appeal to allow on-site septic, file #15-Z1982, for the property described on "Exhibit A" to the minutes, subject to the following condition:

- The applicant shall apply for a permit to install the sewer system at the time of Building Permit application.

MOTION PASSED: 6-0

SUGGESTED MOTIONS FOR BOARD OF COUNTY COMMISSIONERS:

- A) I move that the Board of County Commissioners approve the Children's House Special Review, File 15-Z1982 subject to the conditions as outlined above.
- B) I move that the Board of County Commissioners approve the appeal to Section 8.1.1.B.1 of the Land Use Code to allow on-site septic.

**PLANNING COMMISSION
MINUTES
FROM
November 18, 2015**

LARIMER COUNTY PLANNING COMMISSION
Minutes of November 18, 2015

The Larimer County Planning Commission met in a regular session on Wednesday, November 18, 2015, at 6:30 p.m. in the Hearing Room. Commissioners' Christman, Cox, Gerrard, Glick, and Wallace were present. Commissioners' Dougherty and Miller were absent. Commissioner Jensen presided as Chairman. Also present were Terry Gilbert, Community Development Division Director, Matt Lafferty, Principal Planner, Rob Helmick, Senior Planner, Savannah Benedick, Planner II, Clint Jones, Engineering Department, Doug Ryan, Health Department and Jill Wilson, Recording Secretary.

The Planning Commission went on a site visit to Animal House Special Review, Children's House Special Review, and Norton Amended Rezoning.

CHILDREN'S HOUSE SPECIAL REVIEW #15-Z1982: Ms. Benedick provided background information on the request for a Special Review for a private Montessori School for primary and elementary age children with a farm component, located at 6664 N County Road 13, Loveland, which is at the southeast intersection of County Road 13 and County Road 30. The proposed improvements to the property primarily include a new 3750 sq. ft. primary school building, a new 2250 sq. ft. elementary/administrative school building, and a new parking area containing 22 parking spaces. It appears, based on the site plan, that the elementary school is proposed to replace a few small outbuildings. The single-family home is proposed to remain and will continue to be used as a single family home. The project description proposes 3 classrooms with 10 employees and a maximum of 72 total children. The request also includes an Appeal to allow on-site septic in the Loveland Growth Management Area.

Commissioner Wallace remarked that the school septic system could not go over 22,000 gallons per day. She wondered how it was determined whether that number/amount could go over.

Doug Ryan, Health Department, stated that they worked with the consultant and were satisfied that the system could be designed to meet the standards and fit within that restriction. He noted that an on-site sewer permit would need to be obtained by the Health Department

Commissioner Cox asked how the number of parking spaces was determined.

Ms. Benedick stated that it was based on the number of classrooms.

Commissioner Gerrard asked if there was room to expand the septic system if it would not be adequate.

Mr. Ryan replied that there was room to expand. If it did go over 22,000 gallons a day, it would trip different requirements and different standards would be applied.

Commissioner Ryan asked where the closest sanitation district was.

Mr. Ryan stated that the sanitation districts found that it was not feasible to provide sewer service at the current time.

DISCUSSION:

Commissioner Glick moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval the Children's House Special Review, file #15-Z1982, for the property described on "Exhibit A" to the minutes, subject to the following conditions:

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The Site shall be developed consistent with the approved plan and with the information contained in the Children's House Special Review, File #15-Z1982 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Children's House Special Review.
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.
4. This application is approved without the requirement for a Development Agreement unless the applicant cannot demonstrate that all on-site and off-site improvements connected with the use will be completed prior to the issuance of a temporary or final certificate of occupancy.
5. The proposed Appeal to allow an on-site septic system must be approved in order for this approval to be valid.
6. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.
7. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
8. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.

Commissioner Cox seconded the Motion.

Commissioners' Christman, Cox, Gerrard, Glick, Wallace and Chairman Jensen voted in favor of the Motion.

MOTION PASSED: 6-0

Commissioner Glick moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval the Children's House Special Review Appeal to allow on-site septic,

file #15-Z1982, for the property described on “Exhibit A” to the minutes, subject to the following condition:

- The applicant shall apply for a permit to install the sewer system at the time of Building Permit application.

Commissioner Cox seconded the Motion.

Commissioners’ Christman, Cox, Gerrard, Glick, Wallace and Chairman Jensen voted in favor of the Motion.

MOTION PASSED: 6-0

**PLANNING COMMISSION
STAFF REPORT
FROM
November 18, 2015**

TITLE: Children's House Special Review

REQUEST: Special Review for a private Montessori School for primary and elementary age children with a farm component. The request includes an Appeal to allow on-site septic in the Loveland Growth Management Area.

LOCATION: Section 30, Township 06, Range 68; 6664 N. County Road 13, at the southeast intersection of County Road 13 and County Road 30.

APPLICANT: TB Group
C/O Mike Walker
444 Mountain Ave.
Berthoud, CO 80513

PROPERTY OWNER: Steven and Colleen Dyekman
6664 N. County Road 13
Loveland, CO 80538

STAFF CONTACTS: Savannah Benedick, Planning
Doug Ryan, Health Department
Clint Jones, Engineering Department

FILE #: 15-Z1982

SITE DATA:

Parcel Number(s) 86302-00-002

Total Development Area: 9 acres

Existing Land Use: Single-family home, agricultural production and outbuildings

Proposed Land Use: Single-family home, private school, and agricultural land

Existing Zoning: O-Open

Adjacent Zoning:

 North & West: FA-Farming

 South & East: FA-Farming

Adjacent Land Uses:

 North: Single-family homes, Donath Lake

 South: Single-family homes, agriculture

 East: Single-family homes, agriculture

 West: Single-family homes

Services:

 Access: County Road 13

 Water: Fort Collins-Loveland Water District

 Sewer: On-Lot septic

 Fire Protection: Loveland Rural Fire

PROJECT DESCRIPTION/BACKGROUND:

The subject property is a 9-acre parcel that is located at 6664 County Road 13, which is directly southeast of the intersection of County Road 13 and County Road 30. The property is zoned FA-Farming and is located in the Loveland Growth Management Area.

The property currently contains a single-family home in conjunction with a farm and several agricultural outbuildings.

The applicants are seeking approval to add a private, year-round Montessori School for primary and elementary age children. The proposal also includes integration of the school with farm programming and dual English and Spanish curriculum. Private schools are allowed in the FA-Farming zoning district through the Special Review process.

Proposed improvements to the property primarily include a new 3750 sq. ft. primary school building, a new 2250 sq. ft. elementary/administrative school building, and a new parking area containing 22 parking spaces. It appears, based on the site plan, that the elementary school is proposed to replace a few small outbuildings. The single-family home is proposed to remain and will continue to be used as a single family home. The project description proposes 3 classrooms with 10 employees and a maximum of 72 total children.

The proposal includes an appeal to allow on-site septic in the Loveland Growth Management Area. Section 8.1.1.B.4 of the Land Use Code provides the opportunity to appeal from the requirement to connect to public sewer for properties in the growth management area as long as certain criteria are met.

Please note that if approved by the Board of County Commissioners, all representations, including employee and student numbers, and hours of operation would become conditions of approval.

REVIEW CRITERIA AND ANALYSIS:

To approve a Special Review application, the County Commissioners must consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

A. The proposed use will be compatible with existing and allowed uses in the surrounding area and be in harmony with the neighborhood;

The existing uses in the area are primarily residential and agriculture. The subject property currently contains a single-family home, a farm, and a number of outbuildings.

Compatibility is largely determined by input from surrounding property owners. Surrounding property owners have been notified throughout this Special Review process of the proposed development of a private school with a farm component. A Neighborhood Meeting was also held on August 27, 2015. See the attached notes outlining the items discussed at the Neighborhood Meeting.

The primary concern with this proposal has been traffic. Neighbors in the area have expressed concern with current traffic conditions in the area, and how this development may impact the existing conditions. A traffic study has been performed by Matt Delich and submitted to the Engineering and Planning Departments. The traffic study outlines the current conditions and anticipated trip generation for the proposed development. The study

shows that the anticipated peak hour traffic generated by the school will not warrant street improvements as the development will only increase the peak hour traffic by a small amount.

Other factors such as drainage and noise are also used to determine the compatibility of this development. A drainage study has been provided that indicates a minimal increase in impervious area in comparison with the amount of green space that will remain on the property. It is not anticipated that the development will impact noise levels in the area. The school will operate from 7 a.m. to 4 p.m. and will not operate during evening hours. No Special Events are proposed other than an annual continuation ceremony and monthly parent teacher meetings.

As proposed, and subject to the conditions of approval proposed at the end of this report, the uses would be compatible with surrounding uses as they strive to minimize potential impacts.

- B. Outside a GMA district, the proposed use is consistent with the county master plan. Within a GMA district, the proposed use is consistent with the applicable supplementary regulations to the GMA district, or if none, with the county master plan or county adopted sub-area plan;**

The subject property is located within the Loveland Growth Management area and the Fort Collins/Loveland Corridor Area (A Plan for the Region Between Fort Collins and Loveland). This property is located within Subarea 12 of the plan, which calls for a continuation of rural residential and agricultural uses. The City of Loveland has provided consent that the proposed development is compatible with the intended use of this area, and that the property is not currently eligible for annexation.

The applicant is appealing from Section 8.1.1.B.1 of the Larimer County Land Use Code, which requires new development to be served by public sewer in a growth management area. Refer to the adequate public facilities discussion in the next section and the appeal criteria analysis for more information regarding this appeal.

- C. The applicant has demonstrated that this project can and will comply with all applicable requirements of this code;**

Section 8 Standards for All Development

Section 8.1 Adequate Public Facilities

Sub-Section 8.1.1 Sewage Disposal Level of Service Standards:

The current home and associated farm are currently served by an on-site septic system. Section 8.1.1.B.1 requires that properties within a growth management area are required to connect to public sewer. Section 8.1.1.B.4 provides the opportunity to appeal from this standard as long as certain criteria are met. The materials required to appeal from this standard include:

- a. A technical/economic analysis demonstrating that public sewer is not feasible;
- b. A letter from the applicable city utility or sanitation district indicating concurrence that it is not feasible to connect to public sewer;
- c. A letter from the applicable municipality indicating their concurrence that the development as proposed will achieve the land use pattern envisioned for this part of the growth management area.
- d. A letter from the applicable municipality that indicates their willingness to annex the property when it becomes eligible for annexation; and

e. Information demonstrating that on-site sewage treatment systems can be safely provided as anticipated in subsections 8.1.1.B.2.d and e.

The Appeal analysis and discussion of the items listed above are located at the end of this report, which outline the review criteria and the Development Review Team's recommendation of the Appeal for on-site septic.

Sub-Section 8.1.2 Domestic Water Level of Service Standards:

Domestic water is supplied by the Fort Collins-Loveland Water District. A letter has been provided by the district indicating that connection to water lines is available. The applicants are working with the district to identify water service needs and location of meter pits.

The proposed primary and elementary school buildings are proposed to have fire sprinklers installed. See information below regarding fire protection standards addressed by the Loveland Fire Rescue Authority.

Sub-Section 8.1.3 Drainage Level of Service Standards:

A Drainage Report has been submitted with this application indicating that the proposed additions will create 23% of total impervious area.

Sub-Section 8.1.4 Fire Protection & Emergency Medical Level of Service Standards:

The Loveland Fire Rescue Authority is the authorized fire district serving this property. The attached comments from the district indicate that there are no concerns as long as the fire-service lines are shown on the Utility Plan. This requirement can be addressed during final site plan review following approval by the Board of County Commissioners.

Sub-Section 8.1.5 Road Capacity and Level of Service Standards:

The proposed facility will take access off of County Road 13 from a new paved driveway. The entrance to the driveway is located approximately 190' to the south of the proposed parking area in an effort to reduce traffic congestion on County Road 13.

Engineering comments indicate that both County Road 13 and County Road 30 require a total right-of-way of 80 feet. Therefore, it appears that an addition 15' of dedicated right-of-way will be required along both roads. This dedication can be accomplished through a Deed of Dedication at the time of final approval.

The current estimated Transportation Capital Expansion Fees are \$53,493, of which will be due during the building permit stage of the development.

A traffic study was submitted with the Sketch Plan submittal that illustrates the current and proposed Level of Service at nearby intersections. The study indicates that the thresholds to require turn lanes at two nearby intersections (CR 13 and E. 57th; CR 13 and CR 30) are currently being tripped; however, the minimum Level of Service will still be met even after the new development is put in place. Therefore, improvements at these intersections will not be required with this development.

Section 8.2 Wetland Areas:

There are no currently no wetland areas associated with this property.

Section 8.3 Hazard Areas:

The property is not within a mapped wildfire hazard area. The County mapping system illustrates a Low Geological Hazard classification relating to expansive soils and hydro-

compaction, of which will most likely need to be addressed during the building permit stage through an Engineered Soils Report.

Although the property is not in a mapped floodplain, the Engineering Department will require that the Preliminary Drainage Plan and Report demonstrate that there will be safe and adequate access to the property during a 10- year storm event.

Section 8.4 Wildlife:

According to Larimer County records, this property is not within a designated wildlife area. Colorado Parks & Wildlife office was notified regarding the proposed development during the Public Hearing phase. No comments have been received from this agency.

Section 8.5 Landscaping:

Larimer County landscaping requirements include screening and buffering, streetscape landscaping, parking lot landscaping, and building perimeters (other than single-family homes). The proposed site plan illustrates an extensive amount of landscaping along County Road 13, surrounding the parking lot, and within the site.

Section 8.6 Private Local Access Road and Parking Standards:

The Site Plan shows a 22-space parking lot, with 10 covered spaces and 12 uncovered spaces. The Land Use Code requires two spaces for every classroom or one space for each three seats in the auditorium of principal place of assembly, whichever is greater. This proposal only includes three classrooms and no formal place of assembly. Therefore, this requirement has been met. It is the applicant's responsibility to illustrate the parking need for this use, and whether this need will be met.

The Loveland Fire Rescue Authority has commented stating they have no concerns with the proposed driveway access. Fire sprinklers will be installed in both buildings, eliminating the requirement for a second emergency access.

Section 8.7 Road Surfacing Requirements:

The proposed parking lot and drive will be required to be paved with asphalt or concrete, per Section 8.6.3.C of the Land Use Code. The applicant has indicated that the parking lot and drive will be paved with asphalt.

Section 8.8 Irrigation Facilities:

There are no established irrigation ditches on or adjacent to the subject property. A share of the Loudon Ditch will be used to irrigate the property.

Section 8.11 Air Quality Standards:

The preservation of air quality is one of the reasons for requiring the pavement of private access, drive aisles and parking spaces for non-residential uses.

Section 8.12 Water Quality Management Standards:

The Drainage Plan submitted with this application describes the use of a grass swale to address water quality on site.

Section 8.13 Commercial Mineral Deposits:

The applicant has provided documentation from Zeren Land Services that there are no Mineral Owners or Mineral Leasehold Owners of the subject property at 6664 N County Road 13.

Section 8.14 Development Design Standards for Land Division.

None of the standards in this section currently apply to this proposal.

Section 8.15 Site Lighting:

All lighting for the facility must comply with the standards outlined in this section. The submitted project description indicates that site lighting will meet or exceed photometric and fixture requirements. Detailed plans for lighting will be provided during the final site plan review for the development.

Section 8.16 Fences:

The submitted site plan illustrates a 6' post fence surrounding the property. The illustrated fence appears to meet the requirements of the Land Use Code.

D. The proposed use will not result in a substantial adverse impact on property in the vicinity of the subject property; and

The proposed use of a private farm school is in character with the surrounding neighborhood and should not cause a substantial adverse impact on property in the near vicinity.

Feedback from surrounding property owners indicates minimal concern other than traffic. A Neighborhood Meeting was held on August 27, 2015. According to the attached Neighborhood Meeting Report, approximately 15 neighbors attended the meeting. After careful deliberation and discussion, a majority of the neighbors appeared to be favor of the proposed development as long as traffic is not substantially increased.

E. The recommendations of referral agencies have been considered.

The application was referred to a variety of agencies. The responses received are attached to this report.

E. The Applicant has demonstrated that this project can meet applicable additional criteria listed in Section 4.3 Use Descriptions.

Section 4.3 of the Land Use Code contains the use descriptions and specific development standards for a variety of uses organized by land use categories (agricultural, residential, commercial, institutional, etc.) This section does not specify any additional requirements for a private school other than the requirement to pursue the Special Review process.

OTHER REVIEW AGENCY COMMENTS:

Comments from review agencies have been incorporated into this report as applicable and are attached for reference.

The Larimer County Department of Health and Environment has commented stating that the proposed septic system meets the requirements of Section 8.1.1.B.4 as long as the applicant applies for a permit to install the sewer system at the time of building permit.

The Health Department has also indicated that the proposed school must meet the requirements of the *State Board of Health Rules and Regulations Governing Schools in the State of Colorado* regarding the number and type of animals allowed on school property. Animals are allowed as long as they are incorporated into the curriculum.

MAJOR ISSUES AND CONCERNS:Compatibility and Neighborhood Input

The applicant was informed at a very early stage that getting input and buy-in from neighbors is an important factor in determining compatibility of a proposed use. While surrounding neighbors have expressed concern regarding traffic, the applicant and development team for the proposed project have been very pro-active in providing information to demonstrate that the use will not cause an adverse impact on surrounding property, and may actually enhance the quality of life in the area.

Special Review approvals contain conditions that limit the scope of the operation and are based on an intensity that is requested by the applicant. As a general policy, the Development Review Team encourages applicants to plan for success and to make a request that will allow for long-term operation without having to modify the Special Review approval as a business sustains or grows. At the same time, the request must take into account potential impacts to surrounding properties.

The applicant has indicated that the proposed school is not anticipated to grow beyond what has been proposed. If growth does occur, the applicant has indicated that they would be willing to pursue a revised Special Review to address any potential impacts, such as traffic and septic system capabilities.

DEVELOPMENT SERVICES TEAM FINDINGS:Special Review Findings:

- A. The proposed use has the ability to be compatible with existing and allowed uses in the surrounding area and in harmony with the neighborhood. Staff does not anticipate that the proposed use will affect compatibility, as long as the owner/operator complies with the conditions of approval and with the representations outlined in the application materials.
- B. The project is located within the Loveland GMA district, and is consistent with the County Master Plan.
- C. If the property owner/operator complies with all of the recommendations found within this report, the proposed Children's House Special Review can comply with all applicable requirements of the Land Use Code.
- D. The proposed use should not result in a substantial adverse impact on other property in the vicinity, provided all recommendations and requirements of the Land Use Code are met.
- E. The recommendations of referral agencies have been considered.

DEVELOPMENT SERVICES TEAM RECOMMENDATIONS – SPECIAL REVIEW:

The Development Services Team recommends the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Children's House Special Review, File #15-Z1982 subject to the following condition(s):

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The Site shall be developed consistent with the approved plan and with the information contained in the Children's House Special Review, File #15-Z1982 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Children's House Special Review.

3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.
4. This application is approved without the requirement for a Development Agreement unless the applicant cannot demonstrate that all on-site and off-site improvements connected with the use will be completed prior to the issuance of a temporary or final certificate of occupancy.
5. The proposed Appeal to allow an on-site septic system must be approved in order for this approval to be valid.
6. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.
7. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
8. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.

REVIEW CRITERIA: APPEAL TO ALLOW ON-SITE SEPTIC

To approve an appeal from Section 8.1.1.B.1 of the Land Use Code requiring property in Growth Management Areas to be served by public sewer, the county commissioners must consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

A. Approval of the appeal will not subvert the purpose of the standard or requirement.

The applicant has provided all the required submittals per Section 8.1.1.B.4 of the Land Use Code, which include:

- a. A technical/economic analysis demonstrating that public sewer is not feasible;
- b. A letter from the applicable city utility or sanitation district indicating concurrence that it is not feasible to connect to public sewer;
- c. A letter from the applicable municipality indicating their concurrence that the development as proposed will achieve the land use pattern envisioned for this part of the growth management area.
- d. A letter from the applicable municipality that indicates their willingness to annex the property when it becomes eligible for annexation; and
- e. Information demonstrating that on-site sewage treatment systems can be safely provided as anticipated in subsections 8.1.1.B.2.d and e.

The applicant has provided materials for each criterion listed above. The materials include correspondence from the South Fort Collins Sanitation District and the Loveland Department of Water and Power. Both districts have indicated that public sewer is not currently available at this location. The City of Loveland also provided correspondence indicating that the proposed use corresponds with the land use pattern of the area and that future annexation would not be hindered by the use of a septic system. Lastly, a “Preliminary Evaluation of On-Site Wastewater Disposal” has been provided, which demonstrates that the proposed use will generate approximately 1230 gallons per day of wastewater, which is less than the required threshold of 2000 gallons per day.

B. Approval of the appeal will not be detrimental to the public health, safety or property values in the neighborhood.

It is not anticipated that the appeal will be detrimental to the public health, safety or property values in the neighborhood as long as all standards are met and the use does not exceed the 2000 gallons per day threshold for wastewater flow.

C. Approval of the appeal is the minimum action necessary.

Approval of this appeal is the minimum action necessary to allow the proposed school and not require the development to connect to public sewer.

D. Approval of the appeal will not result in increased costs to the general public.

Approval of the appeal is not anticipated to result in increased costs to the general public, as the proposal is to install an on-site septic system that will not impact surrounding properties if installed and maintained within County requirements.

F. Approval of the appeal is consistent with the intent and purpose of the Code.

Approval of the appeal is consistent with the intent and purpose of the County Code. While the Code does require connection to public sewer when possible, the applicant has demonstrated that connection is not possible at this time.

OTHER REVIEW AGENCY COMMENTS (Proposed Appeal):

Comments from review agencies have been incorporated into this report as applicable and are attached for reference.

The Larimer County Department of Health and Environment has reviewed the submitted materials and has found the proposal for on-site septic to be acceptable as long as the applicant applies for a permit to install the sewer system at the time of Building Permit application.

DEVELOPMENT SERVICES TEAM FINDINGS:

Appeal Findings:

- A. Approval of the appeal will not subvert the purpose of the standard or requirement.
- B. Approval of the appeal will not be detrimental to the public health, safety or property values in the neighborhood.
- C. Approval of the appeal is the minimum action necessary.
- D. Approval of the appeal will not result in increased costs to the general public.
- E. Approval of the appeal is consistent with the intent and purpose of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION - APPEAL:

The Development Services Team recommends the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Children’s House Special Review Appeal to Allow On-Site Septic subject to the following condition:

- The applicant shall apply for a permit to install the sewer system at the time of Building Permit application.

Revised - October 9, 2015

Public Hearing Review - Project Description

Children's House Montessori - Special Review

6664 CR 13

Larimer County, Colorado

Project Objective:

To preserve this heritage farm site, to create a successful Montessori farm school and to receive Larimer County approval for this early childhood center and private school.

Summary

Overview

The Children's House Montessori Farm School will be a small, year-round primary and elementary Montessori school that preserves the look and feel of this heritage farm site, featuring integrated farm programming and dual English and Spanish curricula.

Farm Programming & Location

Farm schools are traditionally integrated closely with real working farms, fully immersing the children in the daily operations and caretaking activities required. The farm is a co-curricular, rather than extra-curricular activity, and animal care is an integrated part of the curriculum.

Year-Round Schooling

Research shows that year-round schooling helps with retention of concepts learned in the previous academic year preventing "summer loss." In a Montessori setting, it is even more important that children stay "normalized." In addition, having a year-round school fits perfectly with farm school programming. Many farm activities occur during the summer months, allowing children to take full advantage of the farm and all that it has to offer.

Bilingual Education – English and Spanish

Speaking more than one language is a necessary skill in the 21st century. Spanish is of particular importance in the United States and many parts of the world so bilingual fluency will be a priority as part of our programming.

Certifications and Associations

Association Montessori Internationale (AMI) certification is the most rigorous type of training and certification you can receive both as an individual guide and as a Montessori school. It is the original Montessori association and is highly respected in the field of education. AMI school standards: <http://amiusa.org/school-standards/>

State Licensing and County Health Department

The Children's House Montessori Farm School will be licensed through the Colorado Department of Education and Early Childhood development departments, will comply with the Larimer County Health Department and State Health regulations related to early childhood centers and schools.

Review Criteria

The proposed Special Review we believe is compatible with the existing uses surrounding this property which is further supported in letters from both the City of Loveland and Larimer County. Due to the character of the Montessori and the proposed uses, this facility it is not anticipated to have a negative impact on the surrounding properties.

1. The project is located within Loveland's GMA district and is consistent with the county master plan's Land Use. The site design and location of the proposed buildings are consistent with existing building locations and with the County's vision of maintaining the character of rural areas.
2. The project will comply with all applicable requirements of the code.
3. The project will not result in a substantial adverse impact on other property in the vicinity of the proposed Special Review.
4. The project will comply with the recommendations of referral agencies, as applicable.
5. The project meets the criteria listed in the use descriptions for agricultural and residential uses.

Existing Conditions

The property is currently zoned FA. It is a 10.0 acre working farm predominantly of pastures and livestock areas with an existing house, barn, metal shop and multiple outbuildings. There is an existing unpaved driveway providing access to the house and another unpaved access point further south leading to the barn and other outbuildings. Surrounding properties consist of other farmland to the east and south, and estate residential on the north and west sides. The topography is relatively flat with a general slope towards the South-East.

The Preliminary Site Plan and Character Study of the buildings indicate the proposed locations, character of the new structures and associated land uses. It is the intent of the site layout to locate the new buildings and add landscape to locations that do not negatively impact adjacent properties or improves the frontage of CR 13. The intent is that the elevations along the Public-Right of Ways will only be improved through additional screening and architecture.

It is understood that the project will be processed as a Special Review and the Montessori would be considered and reviewed as a Value-Added educational facility. The site is currently located within Larimer County and inside the City of Loveland's Growth Management Area (GMA). It is bordered by County Road 13 on the west, County Road 30 on the North and open farmland to the east and south.

Operation

Project name: The Children's House - A Bilingual Montessori Farm School
 Manager: Michelle L. Rugel, M.Ed

Property address:
 6664 N COUNTY ROAD 13
 LOVELAND, CO 80538
 Subdivision #: /300668 - S30 T06 R68
 Neighborhood #: 28506
 Land Acres: 10.0
 Zoning: FA – Farming
 Parcel Number: 86302-00-002
 Schedule Number: R0510203

Legal Description:

That portion of the NW 1/4 of Section 30, Township 6 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, described as follows:

Considering the west line of said NW 1/4 as bearing North and South and with all bearings contained herein relative thereto:

Beginning at the W 1/4 corner of said Section 30;
 Thence along the south line of said NW 1/4, N89°44'48"E, 219.91 feet;
 Thence along an existing fence line the following (7) courses and distances:
 1) N02°03'12"W, 424.47 feet;
 2) N50°42'50"E, 12.43 feet;
 3) N07°07'31"E, 214.45 feet;
 4) N07°32'11"E, 116.58 feet;
 5) N18°49'20"E, 54.27 feet;
 6) N33°55'23"E, 23.19 feet;
 7) N89°09'48"E, 193.79 feet;
 Thence North 556.62 feet to the centerline of County Road #30;
 Thence along said centerline, S79°43'39"W, 488.26 feet to the west line of said NW 1/4;
 Thence along said west line, South 1304.39 feet, to the point of beginning. County of Larimer, State of Colorado.

Land Acres: 10.0
 Zoning: FA – Farming

Project Description:

Montessori Farm School for primary and elementary children integrated with gardening and small animal care for primary age children and integrated with farming and livestock care for elementary age children.

Number of Employees: 10
 Maximum number of classrooms: 3
 Students: 15 to 24 (max) per classroom

Primary School Building: 50'x75'

Elementary / Admin School Building: 45'x50'

Hours of Operation: Approximately 7am – 4pm – Start times will be staggered between primary and elementary schools.

Special Events: Annual continuation ceremony and monthly parent teacher meetings. Times will be staggered between primary and elementary schools.

Infrastructure

Roadway – The site is bound on the north by County Road (CR) 30 and on the west by CR 13. Both roadways are currently 2-lane rural sections with no curb and gutter. CR30 and CR13 are denoted on the Master Transportation Plans as Major Collectors with a full right of way width of 80 feet. The existing right of way / property lines are located 30 feet from the section lines; therefore, an additional 10 feet of right of way will be dedicated with this development. One new driveway entrance will be provided and one existing entrance will be closed off of CR 13. Auxiliary turn lanes and mainline pavement widening are not anticipated.

Water – The property is served by the Fort Collins Loveland Water District (FCLWD). There is an existing 6 inch AC waterline located within CR 30 and an existing 3 inch AC waterline located within CR 13. One domestic service line will remain intact to serve the onsite residence and a new water system will be provided to serve the two proposed school buildings. At this time it is anticipated that a fire suppression sprinkler system will be provided for each structure in lieu of an onsite fire hydrant due to the low flows and pressures that are available with the existing water system. The final configuration and sizing of the system will be further evaluated with the subsequent engineering plans for the site.

Sanitary Sewer – There are no existing public sanitary sewer systems readily available to serve the development and supporting letters have been provided from the South Fort Collins Sanitation District (SFCSD) and City of Loveland Utility Department to this effect. The existing residence is served by a private onsite septic system which will remain to serve the residence. The two new school buildings will be served by a new private septic system as generally shown on the Infrastructure Plan. The system will be limited to a maximum of 2,000 gallons per day. Detailed calculations associated with the design and sizing of the new system will be provided with subsequent engineering plans.

Drainage – The property is currently a working farm with a number of structures and site improvements. The majority of these structures will remain in place or will be replaced by the new school buildings. Therefore, the proposed development is anticipated to result in a marginal increase in impervious area. The development will provide an onsite stormwater management and water quality pond to treat any increased runoff such that the release rate from the site will be equal to or less than the historic runoff rate from the existing farmstead.

Proposed Changes and Improvements

The total area of the project is 10.0 acres. The proposed uses of the new buildings will be a primary school building, elementary school building with administrative support. The buildings being removed are numerous pens, lean to sheds and the metal shop building. There will still be a few existing pens, silos, lean-to sheds that will remain along with the barn and is our intent to reuse as many structures and materials as possible. The existing farm house and garage will continue to be used as a single family residence.

Traffic & Access

The property will be accessed in one location, which is proposed off of access CR 13 south. Although not 175' from the nearest driveway, we are more than 175' from the nearest intersection of CR 13 and CR 30. That said, we believe the proposed location does provides enough separation from the other private drives to not negatively affect the adjacent property owners.

The driveway will be in alignment of the existing buildings and barn and will culminate in a loop drive. There will be parking spaces near the front of to the Barn. The access driveway and parking areas will be asphalt. The developer believes in being proactive in traffic control and hopes to work with the County to provide adequate traffic control devices to help alleviate the neighbor's traffic concerns. Possible devices considered are flashing school zone signs, flashing stop sign ahead signs or rumble strips to alert drivers of upcoming stop sign at the intersection of CR 13 and CR 30.

Please see attached Traffic Study for further information

Fire Protection

The property will be accessed in one location, which is proposed off of access CR 13 south. The 24' wide asphalt or concrete private drive will be in alignment of the existing buildings and barn and will culminate in a loop drive that will have proper radii for fire truck access (25'r inside and 50'r outside). An emergency access easement will also be dedicated along this drive.

Attached is a hydrant flow test that indicates adequate pressure and flow is available for a fire sprinkler system for both buildings. This system will be built as a part of these improvements as requested by the fire district.

Manure and Pasture / Farm Animal Management

The stocking rate for the farm school will be less than four animals per acre using three acres for pasture. This ratio allows approximately 10 - 15 farm animals on site. This small amount of manure will easily be composted and used for fertilizer. Pasture management will include mowing during the growing season and dragging during the winter to minimize weeds and maximize native grasses and forage production for the farm animals.

Irrigation

An irrigation pond and pump house will be built as part of these improvements to irrigate the property. 1 acre foot of ditch water is dedicated and will be used for the irrigation water.

The irrigation and pump system will be designed and verified to meet the available P.S.I. and GPM requirement the proposed irrigation system. This system will have a rain sensor will be adjusted to a low water requirement, based on the needs of each selected plant material.

Sod grass areas are to be irrigated by a permanent underground automatic irrigation system. Turf areas less than 25 feet in width are to be irrigated with pop-up spray heads and areas greater than 25 feet shall use a rotor pop-up spray system. All trees, shrubs and perennials outside of irrigated sod areas, are to be irrigated with a permanent drip irrigation system.

Site Lighting

At this time site lighting is anticipated for this development. The lighting system will meet or exceed the County's photometric and fixture requirements. As the site develops through the site planning phase a photometric plan and associated details will be provided to ensure the county and the surrounding neighbors are not improperly impacted by these improvements.

Appeals

The applicant is requesting an appeal per section 22.2.1.A.3 and proposes to deviate from a standard requirement imposed by the Larimer County Land Use Code. The appeal is a request to deviate from the requirement that the developed property will be served by a sanitation district or municipal sewer system per 8.1.1.B.1. A development in a growth management area that includes a proposal to use on-site sewage treatment systems must submit an appeal as part of their application. This appeal includes justification for this appeal and required information for the following items:

- A. A technical/economic analysis demonstrating that public sewer is not feasible;
- B. A letter from the applicable city utility or sanitation district indicating concurrence that it is not feasible to connect to public sewer;
- C. A letter from the applicable municipality indicating their concurrence that the development as proposed will achieve the land use pattern envisioned for this part of the growth management area.
- D. A letter from the applicable municipality that indicates their willingness to annex the property when it becomes eligible for annexation; and
- E. Information demonstrating that on-site sewage treatment systems can be safely provided as anticipated in subsections 8.1.1.B.2.d and e of the Land Use Code.

Traffic Study

IV. CONCLUSIONS/RECOMMENDATIONS

This study assessed the transportation impacts associated with the development of The Children's House Montessori School in Larimer County, Colorado. This study analyzed the transportation impacts in the short range (2018) future. As a result of these analyses, the following is concluded:

- Full development of The Children's House Montessori School is feasible from a traffic engineering standpoint. The trip generation for The Children's House Montessori School site resulted in 316 daily trip ends, 58 morning peak hour trip ends, and 60 afternoon peak hour trip ends.
- Current operation at the LCR13/LCR30-Driveway and LCR13-Koldeway/E. 57th Street intersections is acceptable based upon City of Loveland evaluation criteria.
- It is unlikely that peak hour signal warrants will be met at any of the stop sign controlled intersections. It is important to note that at the LCR13-Koldeway/E. 57th Street intersection, an eastbound left-turn lane is warranted using the morning peak hour with the existing traffic. However, it is not likely that this left-turn lane would be built unless a safety concern exists. In addition to this, a northbound right-turn lane is warranted at the LCR13/LCR30-Driveway intersection using the morning peak hour with the existing traffic. Since the accompanying northbound through traffic is less than 20 vehicles, it is not likely that this right-turn lane would be built unless a safety concern exists. The accident analysis indicates that these intersections are not high accident locations.
- Using the background traffic in the short range (2018) future, the LCR13/LCR30-Driveway and LCR13-Koldeway/E. 57th Street intersections operate at acceptable levels of service.
- With short range (2018) development of The Children's House Montessori School and background traffic, the LCR13/LCR30-Driveway, LCR13-Koldeway/E. 57th Street, and LCR13/Site Access intersections will operate acceptably. All street links meet the ACF criteria.
- Pedestrian and bicycle facilities do not exist in this area. As streets are improved, sidewalks and bicycle lanes will be incorporated to the standard cross sections.
- Table 6 shows a summary of the recommended improvements and the responsibility for that improvement. The short range (2018) geometry is shown schematically in Figure 9.
- No environmental or special studies are required with this development.

TABLE 6 Recommended Improvements Summary			
Improvement Description and Location	Responsible Party		
	Applicant	Background	Master Planned
SHORT RANGE (2018)			
On-site infrastructure	X		



Septemeber 7, 2015

Savanah Benedick, AICP
 Larimer County Community Development Division
 200 W. Oak Street,
 Fort Collins, CO

Dear Savanah,

The applicant is requesting an appeal per section 22.2.1.A.3 and proposes to deviate from a standard requirement imposed by the Larimer County Land Use Code. The appeal is a request to deviate from the requirement that the developed property will be served by a sanitation district or municipal sewer system per 8.1.1.B.1. This appeal is justified because we are not currently eligible for annexation and there are no existing public sanitary sewer systems readily available to serve the development. Any extension to these district facilities would be cost prohibitive to the project as a whole. Supporting letters have been provided from the South Fort Collins Sanitation District (SFCSD) and City of Loveland Utility Department to this effect. The existing residence is served by a private onsite septic system which will remain to serve the residence. The two new school buildings will be served by a new private septic system as generally shown on the Infrastructure Plan. The system will be limited to a maximum of 2,000 gallons per day. Detailed calculations associated with the design and sizing of the new system is provided I the attached On Site Wastewater Disposal Report.

This appeal includes the attached documents which further explain the following requirements

- A. A technical/economic analysis demonstrating that public sewer is not feasible;
 Supportive letter attached
- B. A letter from the applicable city utility or sanitation district indicating concurrence that it is not feasible to connect to public sewer;
 Supportive letter attached
- C. A letter from the applicable municipality indicating their concurrence that the development as proposed will achieve the land use pattern envisioned for this part of the growth management area.
 Supportive letter attached
- D. A letter from the applicable municipality that indicates their willingness to annex the property when it becomes eligible for annexation; and
 Supportive GMA letter attached
- E. Information demonstrating that on-site sewage treatment systems can be safely provided as anticipated in subsections 8.1.1.B.2.d and e of the Land Use Code.
 Supportive On Site Wastewater Disposal Report

Please let us know if you have questions or need further information in regards to this appeal. Thank you so much for your time and attention to this exciting project and we look forward to working with you further.

Sincerely,

Mike Walker, RLA
 TB Group

FORT COLLINS-LOVELAND WATER DISTRICT



SOUTH FORT COLLINS SANITATION DISTRICT

June 23, 2015

Mr. Tom Livingston

RE: 6664 North County Road 13

To whom it may concern;

The above mentioned property is not within the South Fort Collins Sanitation District service area. Sanitary sewer service to the property by the South Fort Collins Sanitation District is cost prohibitive.

Please do not hesitate to contact me if you have any questions or require additional information.

Respectfully,

Mr. Terry W. Farrill, P.E.
District Engineer

xc Mr. Michael D. DiTullio, District Manager

5150 Snead Drive, Fort Collins, CO 80525

Phone (970) 226-3104 Fax (970) 226-0186

BCC 12/14/15

CHILDREN'S HOUSE
SPECIAL REVIEW



DEPARTMENT OF WATER AND POWER

Service Center • 200 North Wilson Avenue • Loveland, CO 80537
 (970) 962-3000 • Fax (970) 962-3400 • TDD (970) 962-2620
www.cityofloveland.org

Mike Walker
 The Birdsall Group
 444 Mountain Ave
 Berthoud, CO 80513
mike@fbgroup.us

RE: The Children's House – A Bilingual Montessori Farm School – Private septic request
 6664 N CR 13, Loveland CO 80538 (PID 86302-00-002)

Mike,

I received your emailed request on June 23, 2015 and have written this letter as reply by the City of Loveland to be used for your submittal to Larimer County Health Department.

I've copied the requirements you provided me below with my responses.

On-site sewage treatment systems in the growth management areas. A development in a growth management area that includes a proposal to use on-site sewage treatment systems must submit an appeal as part of their application. The appeal must include the following items:

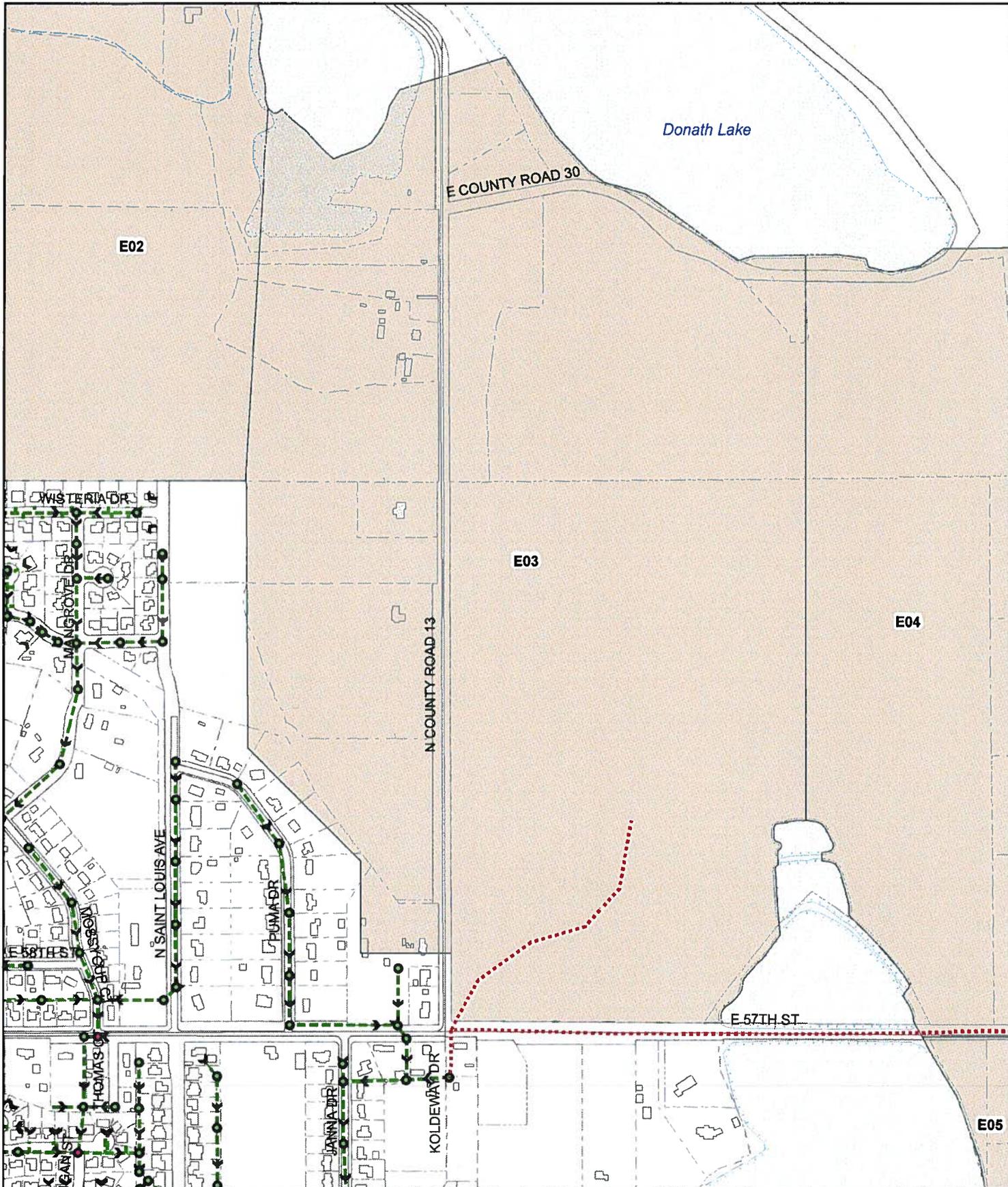
- a. A technical/economic analysis demonstrating that public sewer is not feasible;
- b. A letter from the applicable city utility or sanitation district indicating concurrence that it is not feasible to connect to public sewer;

The subject site is within the City of Loveland's wastewater service area. The site is located within the City's master planned service area within future basin E03. This basin is intended to be served by a future wastewater main interceptor extension from the existing City of Loveland MH 4464 located on Koldeway Drive approximately 200' south of E 57th Street. There would be a significant wastewater main extension required to serve the Basin and the site. Basin E03 is not anticipated to be developed in the near future and the City would be agreeable for an on-site septic solution for the future rural type Montessori school use. Allowing this septic system does not preclude a future annexation.

I am including a map depicting the current City of Loveland infrastructure and future planning for your use. I hope this help answer your request from the County. If you need anything further please let me know.

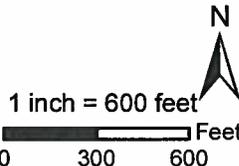
Melissa Morin

Melissa Morin, PE
 Civil Engineer
 City of Loveland



This document was prepared for internal use by the City of Loveland, CO. The city makes no claim as to the accuracy or completeness of the data contained hereon.

Due to security concerns, the city requests that you do not post this document on the internet or otherwise make it available to persons unknown to you.



City of Loveland
 Department of Water & Power
 Loveland, Colorado

Utility Map

Created By: gisview

Date Created: 6/25/2015

**CHILDREN'S HOUSE
 SPECIAL REVIEW**

BCC 12/14/15

GMA FORM 1 - Annexation Eligibility

ANNEXATION ELIGIBILITY FOR PROPOSED NEW DEVELOPMENTS IN GROWTH MANAGEMENT AREAS (BERTHOUD, FORT COLLINS, LOVELAND)

1. Prior to submittal to Larimer County of any development review application in a growth management area, this form must be completed and signed by the applicant and a member of the Planning Staff at the appropriate municipality/town.

2. Application Name: CHILDSPELL'S HOUSE MONTESSORI
Property Address: 60664 rd CR 13
Property Owners Name: STEVE + COLLEEN DYERMAN
Applicant's Name/Address/Phone Number: MIKE WALKER
IB Group - 444 Mountain Ave,
BERTHOUD, CO 80513 - 970-532-5891

3. This section is to be completed by the appropriate municipality

A. Is the property eligible for annexation? Yes No
[checkmark under No]

ADDITIONAL COMMENTS:

THE SUBJECT PROPERTY IS LOCATED WITHIN THE CITY OF LOVELAND GROWTH MANAGEMENT AREA. HOWEVER, IT IS NOT CONTIGUOUS TO THE CITY'S MUNICIPAL BOUNDARIES, IT IS NOT ELIGIBLE FOR ANNEXATION UNLESS PART OF A LARGER GENERAL ANNEXATION.

Signature of Applicant/Date

[Signature] 6-24-15
Signature of City Planning Staff/Date

mike@tbgroup.us

From: Troy Bliss [Troy.Bliss@cityofloveland.org]
Sent: Tuesday, July 07, 2015 11:24 AM
To: mike@tbgroup.us
Cc: Savannah Benedick
Subject: RE: The Children's House Montessori Farm School

Savanah,

I am providing you this email in response to the information that Mike Walker, TB Group was requesting for The Children's House Montessori Farm School at 6664 N. CR 13. The subject property is located in the City of Loveland Growth Management Area (GMA), having a land use designation per our current Comprehensive Master Plan as the Fort Collins/Loveland Corridor Area (A Plan for the Region Between Fort Collins & Loveland). As you are likely aware, the site sits in between Subareas 11 and 12 of the plan. In both instances, the land use character is rural residential. The proposed school would appear to correspond with the land use character of the associated subareas. In terms of a willingness to annex the subject property when it becomes eligible, we would seek to follow the ***Intergovernmental Agreement for Growth Management*** between the City of Loveland and Larimer County and/or consider voluntary annexation by the property owner. Ultimately, the willingness to annex would be determined by City Council.

I hope this email provides you the information you were looking for. If you have questions or need additional information, please feel free to contact me. Thank you.

Troy Bliss
Senior Planner
Current Planning
Development Services
City of Loveland
(970) 962-2579
Troy.Bliss@cityofloveland.org



August 11, 2015

Larimer County Department of Health and Environment
1525 Blue Spruce Drive
Fort Collins, Colorado 80524

Attn: Mr. Doug Ryan (ryandl@co.larimer.co.us)

Preliminary Evaluation for On-Site Wastewater Disposal
Montessori Children's House
Larimer County Roads 30 and 13
Larimer County, Colorado
EEC Project No. 1152081

Mr. Ryan:

As requested, Earth Engineering Consultants, LLC (EEC) personnel have completed a preliminary evaluation of average daily wastewater flow and infiltration capacity of site soils for potential use of an on-site septic leach field for the referenced project. The soil infiltration evaluation was completed by review of readily available information concerning the site. Results of our evaluation are included with this report.

Based on information provided by our client, the Montessori school is being designed to accommodate 72 students with an anticipated staff of 8 to 10. Table 5-2 of the 2014 Larimer County On-Site Wastewater Treatment System Regulation provides an estimate of 15 gppd average wastewater flow for day schools (additional for school workers). Using a total of 82 persons, a total wastewater flow of 1230 gpd may be estimated. An increase of students/staff of greater than 50% could be accommodated while keeping the total estimated wastewater flow below the 2000 gpd threshold for County – regulated systems.

An existing residence on this property utilizes an individual wastewater sewage disposal system. The existing brick septic tank was replaced in 2010 with a new tank utilizing the existing septic leach field. At that time, the size of the existing leach field was estimated at 600 sf. The Larimer County permit issued for that repair indicated the field was sized for a three (3) bedroom

4396 GREENFIELD DRIVE
WINDSOR, COLORADO 80550
(970) 545-3908 FAX (970) 663-0282

EEC Project No. 1152081
August 11, 2015
Page 2

residential unit. Review of the 2004 Individual Sewage Disposal System Regulations suggest that a three (3) bedroom home within the absorption field area on the order of 600 sf would be indicative of a percolation rate on the order of 20 minutes per inch.

Information from the Web Soil Survey from the USDA of Natural Resources Conservation Service indicates the new septic leach field would be in the area of Weld silt loam. The Weld silt loam is moderate plasticity with a listed liquid limit of 33 and plasticity index of 13 with approximately 52% silt size material, 30% clay size material and 17% sand size material. Utilizing the current USDA soil texture evaluation as outlined in the Larimer County Individual Sewage Septic System Regulations of 2014, that soil grouping of silty clay loam suggests a Type 3 or Type 3A soil with percolation rates of 41 to 60 and 61 to 75 minutes per inch, respectively.

Information on the NRCS site also suggest a percolation rate in the Weld silt loam of 8.9692 micrometer per second. That percolation rate corresponds to approximately 47 minutes per inch.

The three (3) different methodologies for estimating percolation rate as outlined above suggest percolation rates ranging from approximately 20 minutes per inch to the range of 61 to 75 minutes per inch. It should be noted that the percolation rates of 61 to 75 minutes per inch were based on a textural evaluation of the soil. The outlined evaluations along with the fact that the existing residence has been on septic for a number of years, suggests the site soils would be suitable for an absorption field for on-site wastewater disposal.

Field evaluation of the site soils in the area of the septic leach field will be required to help size the infiltration field for the proposed use.

EEC Project No. 1152081
August 11, 2015
Page 3

Earth Engineering Consultants, LLC

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report, or if we can be of further service to you in any other way, please do not hesitate to contact us.

Very truly yours,
Earth Engineering Consultants, LLC



Lester L. Litton, P.E.
Principal Engineer

Reviewed by: Ethan P. Wiechert, P.E.
Senior Project Engineer

cc: Bob Almirall (balmirall@interwestgrp.com)
Tom Livingston (tom@tomlrd.com)

Public Hearing Review – Neighborhood Meeting Report

Children’s House Montessori - Special Review

6664 CR 13

Larimer County, Colorado

Neighborhood Meeting Objective:

To provide the surrounding neighbors information about this project and allow the opportunity for property owners in the vicinity to comment.

Attendees:

General Public:	See attached sign-in sheets
County Staff:	Savanah Benedick, AICP Planner II Larimer County Community Development Division Clint Jones, Civil Engineer Larimer County Community Engineering Department
Owners	Steve and Coleen Dyekman
Project Developer	Jeff and Mary Hiatt
Owner’s Rep	Tom Livingston
Traffic Engineer	Matt Delich
Applicant:	Mike Walker, The Birdsall Group, LLC

Number of Attendees: +/- 15 estimated based upon sign in sheet (see attached)

Meeting Location:

Dyekman Farm
6664 CR 13
Larimer County, Colorado

Meeting Time:

August 27, 2015 - Meeting Began at 7:00 pm and ended approximately 8:15pm

Speakers:

Tom Livingston -	Gave a brief introduction and provided an overview of the proposed project
Jeff Hiatt -	Gave a brief introduction and provided an overview of the uses of the project
Mike Walker -	Gave a brief introduction and provided an overview of the process involved to get the project approved by the County
Matt Delich -	Gave a brief introduction and provided an overview of the traffic study and traffic impacts this project has to the surrounding road network.

Summary of Concerns:

Traffic Concerns:

1. Will there be increased traffic caused by the project?

Response: Yes, a minimal 15% increase in traffic will happen during the peak hours of use. These times will be between 7am and 9am and again in the afternoon between 2pm and 4pm. To help mitigate this congestion the School will stagger start and end times for the primary and elementary schools.

2. Is the project required to provide any public street improvements to help mitigate the increased traffic?

Response: Based on the Traffic Study and County Requirements no improvements to the public streets are required as a part of this development. The developer is wanting and will continue discussions with the County to provide adequate traffic control devices to help alleviate the neighbor's traffic concerns. Possible devices considered are speed limit signs, flashing school zone signs, flashing stop sign ahead signs or rumble strips to alert drivers of upcoming stop sign at the intersection of CR 13 and CR 30.

3. Will there be a secondary access to the site from CR 30?

Response: No, there is no plan to provide access from CR 30.

4. There is concern about vehicles stacking along the shoulder of CR 13 as parents wait to pick up their child.

Response: Parents will need to enter the school site to pick up their children. The proposed landscape screening and fencing will make it very difficult to pick up children along CR 13 and the driveway design will allow adequate stacking / waiting as well as parking on the property such that parking on CR 13 is unnecessary. Policies will also be in place to prohibit parents from parking or waiting on CR 13

5. Will a bike lane be added along CR 13 as a part of this project:

Response: No, this is not required.

Site and Use Concerns

1. Are there future plans to expand the school?

Response: No, the typical model for a Montessori School does not encourage expansion.

2. Can the school site change, add buildings, drives etc.

Response: Yes, but it will need to go through another Site Plan County Process that would include additional reviews, neighborhood meetings and final approval from the County.

3. What animals will be on the school site?

Response: No large livestock. Chickens (no Roosters), sheep, dwarf goats, alpaca and possibly miniature jersey cows.

4. We would like to have it in writing that the school cannot expand.

Response: At this time we do not anticipate any further expansion. As discussed by the County, no further improvements other than what is approved by this Special Review can be built. Any further improvements must be approved by the County through an entirely new site plan process.

5. How far off would the proposed trees be from CR 13

Response: Trees would need to be located just within or out of the 80' Public Right of Way:

6. What kind of septic system will be used?

Response: There are no existing public sanitary sewer systems readily available to serve the development and supporting letters have been provided from the South Fort Collins Sanitation District (SFCSD) and City of Loveland Utility Department to this effect. The existing residence is served by a private onsite septic system which will remain to serve the residence. The two new school buildings will be served by a new private septic system as generally shown on the Infrastructure Plan. The system will be limited to a maximum of 2,000 gallons per day. Detailed calculations associated with the design and sizing of the new system will be provided with subsequent engineering plans.

7. How much water will be left over for the rest of the neighborhood?

Response: Domestic water consumption will be kept at a minimum. A will serve letter has been provided by the local water district indicating there is water service available for this use. Irrigation water will be provided through a non-potable irrigation system.

If you have any further questions regarding this matter, please contact The Birdsall Group at 970.532.5891.

Regards,

Mike Walker, RLA
TB Group



The Children's House - A Bilingual Montessori Farm School
Neighborhood Meeting

Attendance Sheet

Name	Address	Phone	E-mail
1 Tina Waterhouse-Melson	6629 DCR 13	970-481-9149	TJ Waterhouse 2001.com
2 ROGER ROGER JENSEN	6235 CTY RD 13	RAJCONST@AOL.COM	970-613-1868
3 John BARROW	6531 N. COUNTY RD 13	970-622-8496	j.l.barrow@g.com
4 STEVE SCHAEFER	1012 ECR 30	970-290-3632	providencehomes@ hotmail.com
5 Cathy Schaefer	1012 ECR 30	970-290-3633	meschaefer@ hotmail.com
6 CLIFF NEMETH DAVE &	6755 N CTY RD 13	970-669-3111	nem5@aol.com
7 Kris Nemeth	"	907-957-2774	dknemeth@gmail.com
8 Rich Verley	116 Khamonia st Denver, CO 80220	720-260-7073	rjverley@gmail.com
9 Aaron Harlings	1117 E CR 30 Ft. Collins CO 80525	970-420-802	
10 Kurt Kuskie	1108 E County Rd 30 Ft Collins CO 80525	970-231-4199	Kuskier@yahoo.com





The Children's House - A Bilingual Montessori Farm School
 Neighborhood Meeting

Attendance Sheet

Name	Address	Phone	E-mail
11 Jeramiah Larsen	8543 SCL 13	970-980-6504	JeramiahLarsen@aol.com
12 Doug Coleman	6820 NOR 13	970-227-6285	coleman@major medicalsupply.com
13 ART & AGNES Koldewey	6228 No. City Rd 13	970-667-3840	
14 Genevieve Nachtmann	6222 N. C. Rd 13	970-667-1068	
15			
16			
17			
18			
19			
20			



LAND SERVICES
OIL AND GAS TITLE

P.O. Box 336337
Greeley, CO 80633-0606

Phone (970) 351-0733
Fax (970) 351-0867

LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION
(Steven T. and Colleen M. Dyekman Property)

Subject Property:

Township 6 North, Range 68 West, 6th P.M., Larimer County, CO
Section 30: That part of the NW¼ more particularly described on Exhibit A

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, *et seq.* in the Subject Property based upon the records of the Larimer County Assessor and Clerk Recorder as of August 13, 2015 at 7:45 a.m.:

Mineral Owners:

None (entitled to notice)

Mineral Leasehold Owners:

None (entitled to notice)

Dated this 18th day of August, 2015.

ZEREN LAND SERVICES

A handwritten signature in blue ink, appearing to read "Cynthia A. E. Zeren".

By: Cynthia A. E. Zeren, CPL
Certified Professional Landman #4044

At the request of CHHF Property Holding, LLC ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, *et seq.*

Zeren Land Services, searched (i) the records of the Larimer County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the Larimer County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through August 13, 2015 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, **the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services, for the listing.**

In order to induce Zeren Land Services, to provide such services, **Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing.** Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). **Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.**

ZEREN LAND SERVICES

Date: August 18, 2015

By:

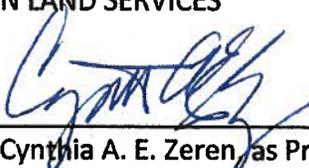

Cynthia A. E. Zeren, as President

Exhibit A**Township 6 North, Range 68 West, 6th P.M., Larimer County, CO**

Section 30: That part of the NW¼ being more particularly described as follows:

Considering the West line of said NW¼ as bearing North and South and with all bearings contained herein being relative thereto:

Beginning at the West Quarter Corner of said Section 30; thence along the South line of said NW¼, North 89°44'48" East, 219.91 feet; thence along an existing fence line the following seven (7) courses and distances:

- 1) North 02°03'12" West, 424.47 feet;
- 2) North 50°42'50" East 12.43 feet;
- 3) North 07°07'31" East, 214.45 feet;
- 4) North 07°32'11" East, 116.58 feet;
- 5) North 18°49'20" East, 54.27 feet;
- 6) North 33°55'23" East, 23.19 feet;
- 7) North 89°09'48" East, 193.79 feet;

Thence North 556.62 feet to the centerline of County Road No. 30; Thence along said centerline South 79°43'39" West, 488.26 feet to the West line of said NW¼; thence along said West line, South 1304.39 feet to the Point of Beginning.



DEPARTMENT OF HEALTH AND ENVIRONMENT

1525 Blue Spruce Drive
 Fort Collins, Colorado 80524-2004
 General Health (970) 498-6700
 Environmental Health (970) 498-6775
 Fax (970) 498-6772

To: Savanah Benedick
 Larimer County Planning Department

From: Doug Ryan *Doug Ryan*

Date: September 25, 2015

Subject: Children's House SR – Public Hearing Submittal



The Children's House special review is a proposal to allow a Montessori school with an integrated farm component. I have reviewed the information provided and have the following comments.

Water. Water is to be supplied by the Fort Collins-Loveland Water District. In their letter dated August 21, 2015, the District committed to supply water in conformance with the design standards outlined in Section 8.1.2 of the Larimer County Land Use Code. This is in conformance with the Code standard for domestic water service.

Sewer. The applicant is proposing to use on-site wastewater treatment for the school facility. This property is within the City of Loveland Growth Management Area. The County's Land Use Code requires properties within the GMA to connect to public sewer when they develop. This requirement was made to ensure that with adequate infrastructure the appropriate urban development pattern would occur, and that the property would ultimately be eligible for annexation into the City. The Code does provide an appeal process with specific application standards in Section 8.1.1.B.4.

In response to this requirement, the applicant has submitted a formal appeal as part of the public hearing submittal. It is my view that the appeal complies with the standards in the Land Use Code, and demonstrates that public sewer is not feasible at this time; that development with on-site systems is consistent with the land use pattern envisioned in the GMA and will not preclude a potential future annexation; and that an on-site treatment system appears feasible based on a preliminary analyses.

After reviewing the information provided, our Department recommends that the County Commissioners approve the appeal to the public sewer requirements for new development in the GMA.

The applicant will need to obtain a permit to install the sewer system from our Department at the time a building permit is requested. Soil test data and an engineer's design are required to support the permit application.

School Plan Review. As noted earlier, our Department will need to review and approve plans for the school prior to issuance of building permits. That review is for compliance with the *State Board of Health Rules and Regulations Governing Schools in the State of Colorado*. Those regulations are available on the Colorado Department of Health and Environment website at: <https://www.colorado.gov/pacific/cdphe/schools>.

Part of the technical plan review will need to address the farm component for the Montessori school. The school regulations cited above contain restrictions on the number and type of animals allowed on a school property. Animals are allowed if they are part of the curriculum however. Our office is available to consult with the applicant about the plan submittal and review process, and how that process can be structured to account for the farm component. A good contact to begin this consultation is Jim Devore at (970) 498-6780.

Thank you for the opportunity to comment on this application. I can be reached at 498-6777 if there are questions about any of these issues.

cc: Milk Walker, TB Group



ENGINEERING DEPARTMENT

Post Office Box 1190
Fort Collins, Colorado 80522-1190

(970) 498-5700
FAX (970) 498-7986

MEMORANDUM

TO: Savannah Benedick, Larimer County Planning Department

FROM: Clint Jones, Larimer County Engineering Department *CS*

DATE: September 22, 2015

SUBJECT: Children's House Special Review

Project Description/Background:

This is a Special Review for a private Montessori School with a farm component. The site is located at the southwest corner of County Roads 30 and 13.

The project site lies within the City of Loveland Growth Management Area and will therefore need to comply with the requirements contained in the Intergovernmental Agreement (IGA) between Larimer County and the City of Loveland.

Review Criteria:

Larimer County Engineering Department reviews submitted materials per the criteria found in the Larimer County Land Use Code (LCLUC), Larimer County Urban Area Street Standards (LCUASS) and Larimer County Stormwater Design Standards (LCSDS).

Drainage/Floodplain/Erosion Control Issues:

1. The submitted drainage report shows 18% impervious for both the existing and proposed conditions. Using the values in Appendix C, I calculate 23% impervious for the proposed conditions. If this is correct, the drainage report will need to be corrected and discuss the increase in runoff.
2. The boundaries of this project include or are adjacent to an irrigation ditch. Therefore, the Ditch Company will need the opportunity to review and comment on this proposal as it relates to their easements, setbacks, access, and site drainage

General Comments:

It should be noted that if the use is approved by the County Commissioners, Engineering will still require final construction plans and drainage report that shows all details for the parking lot, access points, drainage improvements and site access roads. Plans need to include dimensions for the parking lot such as lengths and widths of the drive isles, islands, access radii, parking stalls, etc. Existing and proposed grading information shall also be included such as existing contours and proposed spot elevations and percent slopes. Typical sections for the parking area and access roads shall be shown along with information on the depth and type of material that will be placed. Interior access roads and parking areas will need to meet the requirements of Appendix G of the Larimer County Rural Area Road Standards.

Fees and Permits:

1. All of the Fees outlined in my memo dated July 23, 2015 still apply.

Staff Recommendation:

With the understanding that the items stated above would be addressed, the Larimer County Engineering Department supports this proposal.

Please feel free to contact me at (970) 498-5727 or e-mail me at cdjones@larimer.org if you have any questions. Thank you.

cc: TB Group, Mike Walker, 444 Mountain Ave, Berthoud CO 80513
file



Loveland Fire Rescue Authority
 Community Safety Division
 410 East 5th Street
 Loveland, Colorado 80537
 Phone (970) 962-2537

TO: Savannah Benedick, Planner I, Larimer County Community Development Division

FROM: Carie Dann, Deputy Fire Marshal, Loveland Fire Rescue Authority, phone 970.962.2518, email carie.dann@cityofloveland.org

RE: Children's House Special Review (15-Z1982)

CC: Mike Walker, TB Group

DATE: October 1, 2015

These comments pertain to an appeal for a sketch plan for a Special Review for Children's House, a Montessori Farm School for primary and elementary children integrated with gardening and small-animal care for primary-age children and integrated with farming and livestock care for elementary-age children. Two schoolroom structures (Occupancy Group Education-E) are proposed: One is 3,750 SF, the other is 2,250 SF. It is an approximately 10-acre site within the Loveland Fire Rescue Authority jurisdiction.

The property is served by Fort Collins Loveland Water District. There is an existing 6-inch water main within CR 30 (east-west) and a 3-inch line within LCR 13 (north-south).

The property is within Larimer County, Loveland Fire Rescue Authority (LFRA) jurisdiction and the City of Loveland Growth Management Area.

The comments are in addition to the first Special Review comments provided by LFRA dated July 22, 2015.

APPEAL

1. LFRA has no comment or conditions related to the appeal request to allow on-site septic.

UTILITY PLAN CORRECTION

2. Please show the approximate locations of the fire-service lines on the Utility Plan.

FORT COLLINS-LOVELAND WATER DISTRICT



SOUTH FORT COLLINS SANITATION DISTRICT

September 29, 2015

Ms. Savannah Benedick, Planner I
 Larimer County Planning
 P.O. Box 1190
 Fort Collins, CO 80522-1190

RECEIVED
 OCT 02 2015

RE: Children's House SR
 15-z1982

Dear Ms. Benedick,

The Fort Collins - Loveland Water District has reviewed the above mentioned project and submits the following comments.

The District requires separate water taps for separate structures. There are two proposed buildings therefore two additional water taps are required. The size of the water services needs to be indicated.

The location of the meter pits need to be identified. The District does not allow the meter pits to be located in traffic or pedestrian areas.

A reduced pressure principle Back-Flow-Prevention- Device is required on domestic water services.

Please do not hesitate to contact me at 226-3104, ext. 14, if you have any questions or require additional information.

Respectfully,

Mr. Terry W. Farrill, P.E.
 District Engineer

xc: Mr. Michael D. DiTullio, District Manager
 Mr. Mike Walker, TB Group


DEVELOPMENT SERVICES
Current Planning

500 East Third Street, Suite 310 • Loveland, CO 80537
 (970) 962-2523 • Fax (970) 962-2945 • TDD (970) 962-2620
www.cityofloveland.org

October 2, 2015

Larimer County Community Development Division
 Attn: Savannah Benedick, Planner II, benediss@larimer.org
 P.O. Box 1190
 Fort Collins, CO 80522

Dear Savannah,

Thank you for referring the Children's House SR, Case Number 15-Z1982, project to the City of Loveland for review. The City's Development Review Team has provided the following comments:

Planning - Review: David Eisenbraun Complete 09/30/2015

Conditions:

None

Recommendations:

None:

For Future Reference:

None

undefined

Fire: Carie Dann Complete 10/01/2015

No Comments

Fire: Carie Dann Complete 10/01/2015

APPEAL

1. LFRA has no comment or conditions related to the appeal request to allow on-site septic.

UTILITY PLAN CORRECTION

2. Please show the approximate locations of the fire-service lines on the Utility Plan.

Parks and Rec: Bill Wildenberg Complete 10/01/2015

CONDITIONS

1. It appears that the “concrete walk to regional trail” stops at the trail easement. Please complete the trail connection within the easement (to the edge of the existing trail).

ITEMS REQUIRED WITH A RESUBMITTAL

1. None

ITEMS REQUIRED WITH FINAL DRAWINGS

1. None

INFORMATION FOR FUTURE REFERENCE

1. We support the connection shown from the project to the existing recreation trail.
2. Please note the following landscape standards for the City Recreation Trail:
 - A. All trees adjacent to the easement shall adhere to the following standards:
 - Minimum offset for coniferous trees from edge of easement to tree center is 12’.
 - Minimum offset for deciduous trees from edge of easement to tree center is 6’.
 - Minimum clear zone defined as the vertical height from trail to lowest branch is 10’.
 - B. All plant beds shall utilize wood fiber mulch only. Rock mulch shall not be permitted adjacent to the trail.
 - C. The easement can be maintained with dryland grasses as an alternative to wood fiber mulch.

Sincerely,

David Eisenbraun
 City Planner II | City of Loveland
David.eisenbraun@cityofloveland.org



COLORADO
 Division of Water Resources
 Department of Natural Resources

1313 Sherman Street, Room 821
 Denver, CO 80203

September 24, 2015

Savanah Benedick
 Larimer County Community Development Division
 Transmission via email: benediss@larimer.org

Re: Children's House SR
 Case No. 15-Z1982
 Pt. NW¼ Sec. 30, T6N, R68W, 6th P.M.
 Water Division 1, Water District 4

Dear Ms. Benedick:

We have reviewed the above referenced proposal for a Special Review for the Children's House Montessori Farm School. The submitted material does not appear to qualify as a "subdivision" as defined in C.R.S. § 30-28-101(10)(a). Therefore, pursuant to the State Engineer's March 4, 2005 memorandum to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments will not address the adequacy of the water supply plan for this property or the ability of the water supply plan to satisfy any County regulations or requirements.

The applicant has requested a Special Review for small year-round primary and elementary Montessori school on a parcel of approximately 10 acres. The school will feature integrated farm programming, with animal care as an integrated part of the curriculum. The application also includes an appeal to the requirement that the property be served by a sanitation district or municipal sewer system.

The property is served by the Fort Collins-Loveland Water District (FCLWD). There is an existing 6-inch AC water line along County Road 30 just west of the property, and an existing 3-inch AC water line along County Road 13 south of the property. One domestic service line will remain intact to serve the existing onsite residence, and a new water system will be provided to serve the two proposed school buildings. The existing residence is served by an onsite septic system which will continue to serve the residence. The two new school buildings are proposed to be served by a new septic system.

The FCLWD most recently provided information about their water supplies to this office in a letter dated March 18, 2013. According to the submitted information, the majority of the FCLWD's water supply is from Colorado-Big Thompson (C-BT) units, although they own shares of several other surface water rights. The FCLWD's average and dry year yields are 14,683 acre-feet and 13,906 acre-feet, respectively. Total 2012 water demand for the FCLWD was estimated at 10,097 acre-feet for 17,755 equivalent residential units. As of 2012, the FCLWD had committed to supply an additional 4,386 taps increasing future committed



Children's House SR
Case No. 15-Z1982

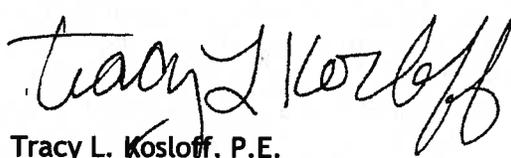
September 24, 2015

demand by 2,500 acre-feet per year ($0.57 \times 4,386 = 2,500$). Therefore, the FCLWD's total committed demand is 12,597 acre-feet per year ($10,097 + 2,500 = 12,597$). The FCLWD's committed demands are well below estimated supplies in both average and dry year conditions.

An irrigation pond and pump house are proposed to be built to irrigate the property. The irrigation water supply is 1 share of the Loudon Ditch. Direct water rights may be temporarily detained in an irrigation pond for up to 72 hours. Absent a storage right or free river conditions, all water, including storm water, must be released within 72 hours. Otherwise, a substitute water supply plan or an augmentation plan approved by water court must be obtained to replace evaporative losses. Further, construction of the irrigation pond must not result in the exposure of ground water. If construction of the pond results in ground water exposure, the applicant will need to obtain a well permit and an augmentation plan to provide replacement water to the stream system.

If you or the applicant have any questions regarding this matter, please contact Sarah Brucker of this office for assistance.

Sincerely,



Tracy L. Kosloff, P.E.
Water Resource Engineer

Cc: Mike Walker, TB Group (mike@tbgroun.us)



COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

October 2, 2015

Savanah Benedick
Community Development Division
Larimer County
P.O. Box 1190
Fort Collins, CO 80522

Location:
NW¹/₄ SW¹/₄ NW¹/₄ Section 30,
T6N, R68W of the 6th P.M.
40.4605, -105.0576

Subject: Children's House SR – Special Review
Case # 15-Z1982; Larimer County, CO; CGS Unique No. LM-16-0004

Dear Ms. Benedick:

Colorado Geological Survey has reviewed the above-referenced school site special review referral. I understand the applicant proposes a Montessori school with a farm component on approximately 9 or 10 acres located at 6664 N. County Road 13, Loveland. The site is not serviced by municipal sanitary sewer, so a new onsite wastewater disposal system would be needed to serve two new school buildings.

With this referral, I received a request for CGS review and a Site Data Sheet (September 11, 2015), a Project Description (TB Group, September 7, 2015), a Preliminary Evaluation for On-Site Wastewater Disposal (EEC, August 5, 2015), a Preliminary Utility Plan (Interwest Consulting Group, September 8, 2015), and a Preliminary Sketch Plan (TB Group, undated).

The proposed school site is located about 500 feet southwest of Dyekman Reservoir (aka Donath Lake). The site is located outside of any mapped FEMA flood hazard zones, does not contain steep slopes, is not undermined, and does not appear to be exposed to or located within any identified geologic hazard areas that would preclude the proposed school and residential uses. **CGS therefore has no objection to approval of the special review application as submitted.** Potential geotechnical constraints include:

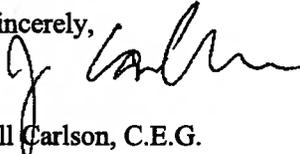
Expansive and collapsible soils, and expansive claystone bedrock. According to available geologic mapping, the site is underlain by eolian (wind-deposited) clay, silt and fine sand. Fine-grained eolian soils commonly exhibit low density, low strength, and collapse under wetting and loading but, depending on the clay content, can also exhibit shrink-swell in response to changes in water content. The eolian soils are underlain at an unknown depth by Pierre Shale. Clay shales and claystone layers within the Pierre Shale can exhibit very high swell when wetted and, if present at or near foundation depths, can cause significant damage to foundations if not properly identified and mitigated.

Site-specific geotechnical investigations and analysis will be needed, once building locations are finalized, to determine depths to bedrock and seasonal groundwater levels, to characterize soil and bedrock engineering properties such as density, strength, water content, and allowable bearing pressures, and to identify potentially moisture-sensitive (expansive and collapsible) soils and expansive claystone bedrock. This information is needed to determine subgrade preparation requirements, to design individual foundations, floor systems, subsurface drainage, pavements, OWS, etc., and to determine the site's suitability for basements, if planned.

Savanah Benedick
October 2, 2015
Page 2 of 2

Thank you for the opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,



Jill Carlson, C.E.G.
Engineering Geologist