

***TOWN COUNCIL***

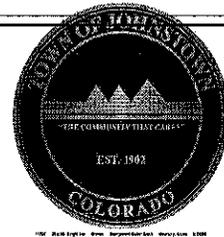
***MEETING***

***PACKET***

**May 5, 2014**

## Agenda

Monday May 5, 2014  
 Town Hall, Council Chambers  
 450 So. Parish Avenue  
 7:00 PM



**MISSION STATEMENT**—*The mission of the government of the Town of Johnstown is to provide leadership based upon trust and integrity, commitment directed toward responsive service delivery, and vision for enhancing the quality of life in our community.*

*Members of the audience are invited to speak at the Council meeting. Public Comment (item No. 5) is reserved for citizen comments on items not contained on the printed agenda. Citizen comments are limited to three (3) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position. If you wish to speak at the Town Council meeting, please fill out a sign-up sheet and present it to the Town Clerk.*

- 1) CALL TO ORDER
  - A) Pledge of Allegiance
- 2) ROLL CALL
- 3) AGENDA APPROVAL
- 4) RECOGNITIONS AND PROCLAMATIONS
- 5) PUBLIC COMMENT (three-minute limit per speaker)

*The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to have an item discussed or if there is public comment on those ordinances marked with an \*asterisk. The Council member may then move to have the subject item removed from the Consent Agenda for discussion separately.*

- 6) CONSENT AGENDA
  - A) Town Council Meeting – April 21, 2014
- 7) STAFF REPORTS
- 8) OLD BUSINESS
- 9) NEW BUSINESS
  - A) \*Public Hearing – Thompson Crossing II Design Guidelines and Preliminary Plat
  - B) Consider Award of Contract to A-1 Chipseal Company for 2014 Chip Seal Project
  - C) Consider Professional Services Agreement with TST Inc. of Denver Consulting Engineers for Design Engineering Services for Replacement of State Highway 60 Twelve Inch (12") Water Transmission Main
  - D) Consider Resolution No. 2014-04, A Resolution Appropriating Additional Sums of Money to Defray Expenses and Transfers In Excess of Amounts Budgeted for the Town of Johnstown, Colorado
- 10) COUNCIL REPORTS AND COMMENTS
- 11) MAYOR'S COMMENT
- 12) ADJOURN

**NOTICE OF ACCOMODATION**

If you need special assistance to participate in the meeting, please contact the Town Clerk at (970) 587-4664. Notification at least 72 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to the meeting.

**AGENDA ITEM 6A**

**CONSENT**

**AGENDA**

- **Council Minutes – April 21, 2014**

**TOWN COUNCIL AGENDA COMMUNICATION**

**AGENDA DATE:** May 5, 2014

**ITEM NUMBER:** 6A

**SUBJECT:** Consent Agenda

**ACTION PROPOSED:** Approve Consent Agenda

**PRESENTED BY:** Town Clerk

**AGENDA ITEM DESCRIPTION:** The following items are included on the Consent Agenda, which may be approved by a single motion approving the Consent Agenda:

- A) Town Council Minutes – April 21, 2014

**LEGAL ADVICE:** The entire Consent Agenda may be approved by a motion of the Town Council approving the Consent Agenda, which automatically approves each and every item listed on the Consent Agenda. If a Council member wishes to have a specific discussion on an individual item included with the Consent Agenda, they may move to remove the item from the Consent Agenda for discussion.

**FINANCIAL ADVICE:** N/A

**RECOMMENDED ACTION:** Approve Consent Agenda

**SUGGESTED MOTION:**

**For Approval:** I move to approve the Consent Agenda.

**For Denial:**

**Reviewed:**

  
Town Manager

**COUNCIL  
MINUTES**

The Town Council of the Town of Johnstown met on Monday, April 21, 2014 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor Romanowski led the Pledge of Allegiance.

Roll Call:

Those present were: Councilmembers Berg, James, Lebsack, Mellon, Molinar Jr. and Townsend

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager. John Franklin, Town Planner, Brian Phillips, Chief of Police, Tom Hellen, Public Works Director and Diana Seele, Town Clerk

Agenda Approval

Councilmember Mellon made a motion seconded by Councilmember Berg to approve the Agenda as submitted. Motion carried with a unanimous vote.

Consent Agenda

Councilmember Townsend made a motion seconded by Councilmember James to approve the Consent Agenda with the following items included:

- April 7, 2014 - Town Council Meeting Minutes
- Payment of Bills
- March Financial Statements
- 2<sup>nd</sup> Reading – Ordinance No. 2014-133-Annexing Certain Unincorporated Lands Located in a Portion of the Northwest  $\frac{1}{4}$  of Section 9, Township 4 North, Range 67 West of the 6<sup>th</sup> Principal Meridian, County of Weld, State of Colorado known as the Parish, LL C Annexation, and containing approximately 89.73+/- Acres.
- 2<sup>nd</sup> Reading – Ordinance No. 2014-134, Approval of Planned Unit Development Business (PUD-B) Zoning of the property known as the Parish, LLC Annexation located in a portion of Northwest  $\frac{1}{4}$  of Section 9, Township 4 North, Range 67 West of the 6<sup>th</sup> Principal Meridian, County of Weld, State of Colorado, and containing approximately 89.73+/- Acres.

Motion carried with a unanimous vote.

New Business

A. Consider Beer and Wine License Renewal for Mona Lisa and Me Your Downtown Art Studio – Councilmember James made a motion seconded by Councilmember Townsend to approve the beer and wine liquor license for Mona Lisa and Me Your Downtown Art Studio. Motion carried with a unanimous vote.

B. Consider Colorado Division of Homeland Security and Emergency management Grant Agreement – The Town of Johnstown is seeking reimbursement of funds from the Colorado Department of Public Safety, Division of Homeland Security and Emergency Management under the FEMA Public Assistance Program for costs incurred by the Town following the September, 2013 flood. The maximum amount eligible for payment (reimbursement) under the Grant is \$76,722.38. Councilmember Berg made a motion seconded by Councilmember Lebsack to approve the contract with the State of Colorado and authorize the Mayor to sign the agreement. Motion carried with a unanimous vote.

C. Consider Amendment to Wastewater Rate Study Agreement for Additional Professional Services (Task Order No. 11-Sewer Rate Study Update) – Farnsworth Group – Councilmember Lebsack made a motion seconded by Councilmember James to approve an amendment to the original sewer utility rate study and cost of service analysis agreement for additional professional services for Task Order No. 4 (Sewer Rate Study Update) in a total amount not to exceed \$16,000, and authorize the Mayor to sign the agreement. Motion carried with a unanimous vote.

There being no further business to come before the Council the meeting adjourned at 7:53 p.m.

Mayor

Town Clerk/Treasurer



**AGENDA ITEM 9A**

**THOMPSON  
CROSSING II  
DESIGN GUIDELINES/  
PRELIMINARY PLAT  
(\*Public Hearing)**

**PUBLIC HEARING PROCEDURE- Thompson Crossing II Design Guidelines  
and Preliminary Plat**

1. Open public hearing.
2. Receive information from staff.
3. Ask to hear from anyone who supports the design guidelines and preliminary plat.
4. Ask to hear from anyone who opposes the design guidelines and preliminary plat.
5. Close the public hearing.
6. Ask for discussion.
7. Make decision and/or motion from Council.
  - a. Need motion to approve or deny.

**(SUGGESTED MOTIONS):**

**For Approval: I move to approve the Thompson Crossing II Design Guidelines and Preliminary Plat (subject to the following conditions...).**

**For Denial: I move to deny approval of the Thompson Crossing II Design Guidelines and Preliminary Plat.**

## TOWN COUNCIL AGENDA COMMUNICATION

**AGENDA DATE:** May 5, 2014

**ITEM NUMBER:** 9A

**SUBJECT:** \*Public Hearing- Thompson Crossing (TC) II Design Guidelines and Preliminary Plat

**ACTION PROPOSED:** Consider Thompson Crossing II Design Guidelines and Preliminary Plat

**PRESENTED BY:** Mr. John Franklin, Town Planner

**AGENDA ITEM DESCRIPTION:** The applicant, TC Phase 2, LLC has submitted a request for approval of Design Guidelines and a Preliminary Plat for a 76±-acre parcel of land generally located east of Thompson Crossing residential neighborhood and adjoining Larimer County Road 3.

The Preliminary Plat review process serves to identify development issues, and to determine possible means to resolving those issues, ahead of the major effort and expense of final platting and detailed civil engineering. The Preliminary Plat allows large parcels to be divided and developed in a logical, phased manner. Issues identified during this process are not expected to be fully resolved, and often become the foundation for special provisions in the development agreement(s) to follow.

Surrounding land uses include the following: north – Great Western railroad and the 2534 Development, south – agricultural and the Big Thompson River, east – rural residential, LCR 3 and west – Thompson Crossing PUD residential. The property slopes gradually to the south and east and is currently used for agricultural and rural residential purposes. The zoning for the property is Planned Unit Development- Residential. The development is subject to the Maxfield Annexation Agreement (Approved in 2007) which provides for the Town and Owner to jointly develop and agree to “Performance Standards” addressing design considerations including architectural, site planning, landscaping, streetscape, sign elements and a final plans approval process. This document is similar in structure to the 2534 Design Guidelines and the Thompson Crossing Design Guidelines. A total of 166 single family dwellings are proposed. Lots range in size from 6,416 sf to 22,320 sf, with smaller lots located near the railroad tracks and near High Plains Blvd. Homes similar in character and size to Thompson Crossing are envisioned. The Design Guidelines include prototype elevations which feature varied architectural details and large proportions of brick/stone.

At the March 12, 2014 Planning and Zoning Commission meeting, the Commissioners voted unanimously to approve the Thompson Crossing II Design Guidelines and Preliminary Plat subject to conditions, as follows:

1. Referral comments shall be resolved or addressed as special development provisions with the final plat.
2. Prior to final plat approval, the developer shall investigate neighborhood impacts of opening Tarragon Dr. in adjoining Thompson Crossing to through traffic, and alternatives including emergency-only access, roadway constrictions and speed management.
3. The developer shall dedicate at final plat 30' of additional right of way for High Plains Blvd. adjoining the property, and the roadway shall be improved to at least an Interim Arterial standard. The paved roadway shall extend to the nearest paved roadway Ronald Reagan Blvd., including railroad crossing improvements. The developer may also be required to participate in a proportionate share of design and construction of access improvements on LCR3 at US Hwy 34.

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**LEGAL ADVICE:** N/A

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**FINANCIAL ADVICE:** N/A

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**RECOMMENDED ACTION:** The Planning and Zoning Commission has recommended approval of the Thompson Crossing II Design Guidelines and Preliminary Plat, subject to certain conditions being satisfied.

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**SUGGESTED MOTIONS:**

**For Approval:** I move to approve the Thompson Crossing II Design Guidelines and Preliminary Plat (subject to the following conditions...).

**For Denial:** I move to deny approval of the Thompson Crossing II Design Guidelines and Preliminary Plat

Reviewed:



A handwritten signature in black ink, appearing to be "J. Smith", written over a horizontal line.

Town Manager

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**PLANNING AND ZONING  
COMMISSION**

**SUMMARY MINUTES**

**PLANNING & ZONING COMMISSION**

**WEDNESDAY, MARCH 12, 2014**

**COUNCIL CHAMBERS**

**450 S. PARISH AVE.**

**1. CALL TO ORDER:** *Vice Chair Dowling opened the meeting at 7:00 p.m.*

**2. ROLL CALL:** *Present were Commissioners Terasa, Dowling, Montez, Eady and Tepper. Absent were Commissioners Longdo and Kingsolver.*

**3. PUBLIC COMMENTS REGARDING ITEMS NOT ON THE AGENDA:** *None*

**4. PUBLIC HEARINGS:**

**A. Site Development Plan – Johnstown Storage (Robert Pfankuch):** *Chair Dowling opened the public hearing at 7:05 p.m. Town Planner Franklin introduced the application and presented the staff recommendation. Robert Pfankuch, Owner presented the request and answered questions.*

*Commissioner questions:*

- *Specific location? (One lot north of Longs Peak Dr. and west of Gateway Dr.)*
- *Small security office only? (Yes, main office at Johnstown Self Storage on Basher)*
- *Secondary access? (No, not required to date by Fire District)*
- *Trash and dumpster management? (No dumpster on site – will manage dumping)*

*Public comment: None*

*Chair Dowling closed the public hearing at 7:20 p.m.*

*Motion by Commissioner Tepper, seconded by Montez to approve the Site Development Plan for Lot 2, Block 2, I-25 gateway center Filing No. 5. Unanimous.*



**B. Preliminary Plat and Design Guidelines – Thompson Crossing II (TC Phase II, LLC):** *Chair Dowling opened the public hearing at 7:25 p.m. Town Planner Franklin introduced the application and presented the staff recommendation. Jim Birdsall, Birdsall Group, representing the applicant presented the request and answered questions. The applicant, and other consultants were also introduced. Matt Delich presented the traffic impact study.*

*Commissioner questions:*

- *LCR 3 is not now paved? (it is all gravel road)*
- *Proportion of traffic movements anticipated to head south?(some)*
- *Traffic projected to move westbound on Ronald Reagan Blvd. from LCR 3? (Yes)*
- *Has applicant had conversations with Thompson Crossing neighbors? (No)*
- *Discussed LCR 3 with GWRR? (Not yet, GWRR will want Town involved in crossing discussions)*
- *How was the truck traffic handled in 2534? (three districts constructed right turn lane on US Hwy 34)*

*Public Comment:*

*Tom Donkle, Gerrard Excavating: Gerrard owns property in 2534 and supports the proposal. Three metro districts worked on Larimer Parkway right turn lane access. Town should take the lead and help pay for LCR 3 intersection at US Hwy 34.*

*Brittany and Jonathan Coonrad 641 N. CR 3: Her and husbands property is surrounded by this project. Does not desire urban development. LCR 3 traffic is bad now. Now in a property line dispute with owner. Has owned property for 5 years.*

*Anita Comer 503 N. LCR 3: PowerPoint presentation – There are alternatives to proposed access road from LCR 3 1) Extend Larimer Parkway; 2) Extend Tarragon as proposed; 3) Move access road north of Coonrad property. Concerned about wetlands in ravines, water source, wildlife (fireflies).LCR 3 safety is a concern, especially at US Hwy 34 westbound. Owned property for 4 years.*

*Matt \_\_\_? Attorney representing Anita Comer - LCR 3 is everyone's problem.*

*Ken Haas, 1229 N. Wilson Loveland – Friend of Coonrads' and supports her statements.*

*Ray Maxfield Windsor CO 3/5 owner in property. Progress happens, everyone try to work together.*

*Todd Kurtin, Los Angeles – Applicant. Addressed comments. Thompson Crossing neighbors divided on Tarragon access, Fire District supports full access. Town staff mentioned secondary access in 2008 letter to Gary Hoover. Met with Coonrads offered sewer connections.*

*Chair Dowling close the hearing at 8:50 p.m.*

*Motion by Commissioner Tepper seconded by Montez to recommend approval of the Thompson Crossing II Preliminary Plat and Design Guidelines with conditions as follows:*

- 1. The developer shall dedicate, at final plat 30' of additional right of way for High Plains Blvd. adjoining the property, and the roadway improved to at least an Interim Arterial standard. The paved roadway shall extend to the nearest paved roadway (Ronald Reagan Blvd., including railroad crossing improvements. The developer may also be required to participate in a proportionate share of design and construction of access improvements on LCR3 at US Hwy 34.*
- 2. Referral comments shall be resolved or addressed as special development provisions with the final plat.*
- 3. Prior to final plat approval, the developer shall investigate neighborhood impacts of opening Tarragon Dr. in adjoining Thompson Crossing to through traffic, and alternatives including emergency-only access, roadway constrictions and speed management.*

*Unanimous*

**5. NEW BUSINESS:**

**A. Approval of Minutes of January 8, 2013:** *Motion by Commissioner Montez, seconded by Terasa to approve the minutes as presented. Unanimous*

**B. Referrals:** *No referrals.*

**6. STAFF REPORT:** *Town Planner Franklin discussed the following items:*

**A. Recent Town Council Actions (Attachment)**

**B. Applications in Review (Attachment)**

**C. Project and Program Updates**

**7. COMMISSIONERS' ITEMS:** *None*

**8. ADJOURN:** *Chair Dowling adjourned the meeting at 9:20 p.m.*

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*Respectfully submitted by John Franklin, Town Planner as Secretary to the Commission.*

**STAFF REPORT  
TO  
PLANNING AND ZONING  
COMMISSION**

**MEMORANDUM**

**TO:** Johnstown Planning and Zoning Commission  
**FROM:** John Franklin, AICP, Town Planner   
**DATE:** For March 12, 2014  
**SUBJECT:** Design Guidelines and Preliminary Plat – Thompson Crossing II

**PROPERTY DATA:**

**Applicant:** TC Phase 2, LLC

**Owner(s):** Same

**Location:** Approximately one-half mile south of US Hwy. 34, and west of High Plains Blvd. (Larimer County Road 3)

**Property Size:** 76.25± acres

**Current Zoning/Land Use(s):** PUD- R Planned Unit Development – Residential

**Surrounding Zoning/Land Uses:**

North: 2534 PUD-MU/ Great Western RR, vacant

South: PUD – FA/Ag

East: PUD-MU/High Plains Blvd., Agriculture

West: 2534 PUD-MU/Thompson Crossing single family residential

**Comprehensive Plan Designation:** Residential

**Summary of Application:** This is a request for approval of a preliminary subdivision plat and design guidelines for 166 single family residential lots, a private neighborhood park, open space and trails. Single family lots rang in size from 6,416sf to 22,320sf. Smaller lots are located near the railroad tracks and near High Plains Blvd.

**Prior Actions:** The property was annexed and zoned PUD-R in 2007 as part of the Maxfield Annexation.

**Existing and Proposed Land Use(s):** The property is in agriculture and is proposed for single family residential.

**Design Guidelines:** Approval of design guidelines is requested.

## **Technical Analysis**

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**Relationship to Town Vision and Strategic Plan:** The community envisions a range of housing opportunities, and access to recreation amenities.

**Public Health and Safety Impacts:** There are no known impacts at this time.

**Access and Traffic:** Primary access will be from High Plains Blvd. Proposed secondary access is to the west - Tarragon Dr. in Thompson Crossing.

**Utilities:** The property is within the Town's service area. Water is available close to the site. Sanitary sewer will be treated at the Low Point Wastewater Treatment Plant. Stormwater will be collected and detained and ultimately released at historic rate to the Big Thompson River. A stormwater development fee of \$1100 per acre is due at final plat.

**Mineral Interests and Operations:** There are no known oil or gas facilities on the site.

**Parks and Open Space:** A 1± ac private park is proposed. An internal trails system and the adjoining ravines will be maintained as private open space.

**Schools:** The property is within the Thompson School District. A cash-in lieu of school site dedication will be due with building permits.

**Architectural Design:** Residential design will be governed by the Design Guidelines and subject to final Town approval.

**Landscaping:** Landscaping shall comply with Johnstown Landscape Standards and Specifications.

**Fencing and Screening:** Rail fencing is required where lot lines adjoin park and open space. A screen fence is permitted/required where lots back up to the railroad right of way or arterial street.

**Lighting and Street Furniture:** Decorative street lighting and signage will be required.

**Signage:** Entry signage will be required with development.

**Phasing:** A development phasing plan will be submitted at final plat.

**Attachments:** Application, Design Guidelines, preliminary plat, preliminary plan, referral comments

**Municipal Code Review Provisions:** reference Town PUD and Subdivision regulations.

**Crucial Referral Responses:** Loveland Fire & Rescue is calling for Tarragon Dr. to be fully opened as a through street, and not emergency access.

**Applicant's Response:** Please see letter and attachments.

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### **Staff Report**

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**Technical Findings:** The purpose of the preliminary plat process is to evaluate all known impacts and constraints that development may encounter on a specific property. Such concerns will either be resolved, or addressed as special requirements at time of platting.

The property is annexed and zoned for residential development, and the proposed design guidelines will help assure a quality neighborhood. Interim arterial street improvements to High Plains Blvd. will be required, and a railroad crossing and paved access to Hwy 34 must be considered. Whether Tarragon Dr. will be a full street or for emergency vehicles needs to be resolved.

**Staff Recommendation:** Based upon the review, approval with conditions:

1. Referral comments shall be resolved or addressed as special development provisions with the final plat.
2. Prior to final plat approval, the developer shall investigate neighborhood impacts of opening Tarragon Dr. in adjoining Thompson Crossing to through traffic, and alternatives including emergency-only access, roadway constrictions and speed management.
3. The developer shall dedicate, at final plat 30' of additional right of way for High Plains Blvd. adjoining the property, and the roadway improved to at least an Interim Arterial standard. The paved roadway shall extend to the nearest paved roadway (Ronald Reagan Blvd., including railroad crossing improvements. The developer may also be required to participate in a proportionate share of design and construction of access improvements on LCR3 at US Hwy 34.

## Planning Commission Action

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**1. Approval/Recommendation:**

"I move that the Commission approve/recommend approval of the Thompson Crossing II preliminary subdivision plat and design guidelines"

Or,

**2. Approval/Recommendation with Conditions:**

"I move that the Commission approve/recommend approval of the Thompson Crossing II preliminary subdivision plat and design guidelines with the following condition(s):

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- etc. "

Or,

**3. Not approved/Recommend denial:**

"I move that the Commission not approve/recommend denial of the Thompson Crossing II preliminary subdivision plat and design guidelines for the following reasons:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- etc. "

# APPLICATION

Town of

# Johnstown

450 S. Parish Ave. Johnstown, CO 80534  
Ph: 970-587-4664 Fax: 970-587-0141

## COMMUNITY DEVELOPMENT APPLICATION

Date: December 5, 2013

Project Name: \_\_\_\_\_

Application is for:  Annexation  Zoning  Subdivision  USR  Cond. Use  Other \_\_\_\_\_

Landowner: TC Phase 2, LLC

Address: PO Box 5644

Frisco Co 80443

Telephone: 970-3906277

Authorized Representative: Lomas Partners, LLC or its authorized representative

Address: 6008 LAS LOMAS AVENUE

PACIFIC PALISADES, CA 90272

Telephone: 310-220-9278; Fax Number: \_\_\_\_\_; E-Mail: toddkurtin@yahoo.com

### Landowner Authorization:

The undersigned affirms ownership of the property pertaining to this application, and hereby applies to the Town of Johnstown, Colorado for the above indicated development review process, and authorizes the individual or company stated as "authorized representative" to represent me/us in all aspects of said process.

by submitting and processing BUT NOT RECORDING, a subdivision plat.

Tyler Myers  
Signature of Landowner

\_\_\_\_\_  
Signature of Landowner

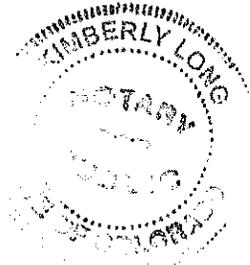
STATE OF COLORADO )  
  )ss  
COUNTY OF Summit )

The foregoing application was subscribed and sworn to before me this 11 day of December, A.D., 2013, by Tyler Myers, Landowner.

Witness my hand and official seal.

My commission expires: March 02, 2014

Kimberly Long  
Notary Public



December 18, 2013

### Thompson Crossing II PUD Preliminary Plat Narrative

This request is for a preliminary plat for approximately 76.248 acres known as Thompson Crossing II. The site is intended to be subdivided into 166 single family lots with a variety of sizes ranging from 6,416 square feet to lots that will be ½-acre in size. The average lot size is 9,167 square feet. Overall gross density is 2.18 dwelling units per acre. The site is located east and adjacent to the existing Thompson Crossing I subdivision. The motivation behind this subdivision is to create lots that are sized for the current market. The rationale for the proposed plat is to create a neighborhood that is complimentary in size and scale to the existing established neighborhood. The PUD will contain a high quality residential development, with densities and lot sizes appropriate for this site. Included with the submittal are Design Guidelines.

The Thompson Crossing II Subdivision is consistent with the following Review Criteria per Section 16-303 of the Land Use Code:

(1) Comprehensive Plan and Code requirements:

a. Is the proposed development in accordance with all elements of the Comprehensive Plan including, but not restricted to, park and school sites, street location and classification?

The proposed plan has densities that are consistent with the SF-1 Zone District Standards and the Land Use Map of the Comprehensive Plan, which is designated as Conservation-oriented Ag/Large Lot Residential. There is a 1.23-acre pocket park and 37% open space. The streets form a continuous pattern and are classified as local streets. There is connectivity to Thompson Crossing I via a street and trail connection.

The project is consistent with several goals of the Comprehensive Plan including Community Form CF3 and CF4. Also the plan embodies Neighborhoods Goals NH1, NH3, NH4 and NH 5. In the Parks and Greenways section, the applicable goals are PG1, PG2 and PG3.

b. Have all applicable provisions of the subdivision and zoning regulations been met? If not, have the exceptions/variances requested been evaluated through the PUD process and found to contribute positively to the PUD design?

No variances are anticipated at this time.

c. For PUDs including exceptions to the height standards, have the following been satisfied?

This section is not applicable.

d. Have all material and procedural requirements of the Town Code been met?

We believe that material and procedural requirements have been met.

(2) Public facilities:

a. Is there present and available adequate capacity to serve the proposed development at appropriate service levels with the following utilities and facilities without negatively impacting the service levels of the surrounding neighborhoods, or have arrangements been made for extension and/or augmentation to adequately serve the proposed development and mitigate negative impacts on surrounding neighborhoods?

**Water**

There is an existing 20" water main immediately adjacent to the west edge of the proposed development and a 16" water main will be extended from the north down the east edge of the proposed development in County Road 3 (CR3). We feel this provides adequate water supply. This 16" water main currently exists in CR3 immediately north of the project boundary.

**Streets/Transportation System**

Tarragon Drive abuts the proposed development on the west edge and is proposed to be extended as was intended when Thompson Crossing I was approved. In addition, CR3 is proposed to be paved with two lanes of asphalt from Ronald Reagan Avenue south to the proposed development. These connections provide adequate vehicular service to the proposed development. The extension of Tarragon enhances the existing Thompson Crossing I development by providing a second means of ingress/egress both for residents and emergency vehicles.

**Sewer**

An existing trunk sanitary sewer main exists along the west edge of the proposed development. It is our understanding the Town and District are discussing capacity of the existing infrastructure.

**Gas, Electric, and Telephone**

To our knowledge gas, electric and telephone infrastructure necessary to serve the development is in the vicinity with the existing developments to the north and west. Extensions to serve the development will be necessary.

**Storm Drainage**

The storm drainage conveyance is discussed further in the drainage analysis. Detention will be provided on-site with release to the natural drainage-ways within the development.

b. Does the proposed development comply with all standards, requirements and specifications for the following services, without a negative impact on existing services, or alternatively have exceptions been evaluated through the PUD process and found to contribute positively to the PUD design?

The design of the proposed development will comply with written Town of Johnstown and other applicable standards for utilities and streets.

|                   |                           |
|-------------------|---------------------------|
| Water             | Storm Drainage            |
| Sewer             | Floodplain                |
| Electricity       | Telephone                 |
| Gas               | Streets/Pedestrian System |
| Ditch             | Fire Protection           |
| Public Transit    | Cable Television          |
| Refuse Collection |                           |

(3) Neighborhood compatibility:

a. Are the scale, building bulk and orientation, setbacks, landscaping and visual integrity of the proposed development appropriate for the development, sensitive to the immediate area, compatible with the character of the neighborhood and promote the stabilization of the surrounding neighborhood?

The Thompson Crossing II development will ultimately create a desirable product for future homeowners who want to move to the area and build on a larger than average lot and take advantage of the unobstructed views that this property offers. The community will encourage the use of pedestrian and bicycling by utilizing the local street, sidewalk and trail networks. The project will be complimentary in size and scale to the existing established neighborhood.

b. Does the design and layout of the proposed development facilitate the development of adjacent property rather than limit design options for adjacent landowners?

The proposed subdivision will have a street pattern of local streets, providing connections within the development and to the adjacent existing streets. There is existing platted development to the west. There are no negative impacts on adjacent landowners.

(4) Resource protection:

a. Does the proposed development preserve significant existing vegetation (i.e. large trees) and unique features of the site?

The project preserves vegetation and unique features such as the arroyos and natural drainage areas. The lots are placed high on the bluff, while maximizing walk-outs. The lots along the bluff are designed and located to minimize impacts to the arroyos and natural drainage areas.

b. If the project contains known areas of natural or geologic hazard, including unstable slopes, flood, high groundwater or soil conditions unfavorable to urban development, are special engineering precautions proposed to be taken to address satisfactorily those limitations, or have these areas been set aside appropriately restricted from development?

There are no known areas of geologic hazard.

c. Does the proposed development preserve significant scenic views from both on and off the site?

The project preserves significant views.

d. Does the proposed development include design features or facilities to promote energy, water and other resource conservation?

The majority of the project will be irrigated with drought-tolerant turf and high quality vegetation that will be consistent with the surrounding neighborhoods in the area. All other disturbed natural areas will be seeded with a non-irrigated native grass.

(5) Land use:

a. Is the land use mix appropriate given land use designations of the Comprehensive Plan, support facilities in the area, project design and PUD district intent?

The land use is appropriate.

b. Do the land use specifications of the PUD meet the restrictions for permitted uses and appropriately address conditional use standards, goals and criteria for those uses which are specified in this Chapter as conditional in the underlying zoning district?

Please refer to Design Guidelines.

c. Have the appropriate design standards been satisfied?

Please refer to Design Guidelines.

d. Are the exceptions to standard requirements warranted by virtue of inclusion in the PUD of design elements and amenities exceeding minimum requirements?

We are not aware of any exceptions to standard requirements at this time.

# **PRELIMINARY PLAT**

# THOMPSON CROSSING II

BEING LOCATED IN THE N 1/2 OF THE SE 1/4 OF SECTION 14, T 5 N, R 68 W OF THE 6TH P.M.,  
TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO  
PRELIMINARY PLAN

OWNER:  
TO PHASE 2, LLC, A COLORADO LIMITED LIABILITY COMPANY  
10000 W. 10TH AVENUE, SUITE 200  
DENVER, CO 80202

DEVELOPER:  
DAVID PALMER, LLC  
10000 W. 10TH AVENUE, SUITE 200  
DENVER, CO 80202

ENGINEER:  
MERRICK & COMPANY  
11000 W. 10TH AVENUE, SUITE 200  
DENVER, CO 80202

PLANNER:  
THE BRISCALL GROUP  
11000 W. 10TH AVENUE, SUITE 200  
DENVER, CO 80202

SUPERVISOR:  
WILLIAM H. SMITH & ASSOCIATES P.A.  
11000 W. 10TH AVENUE, SUITE B  
FORT COLLINS, CO 80526

LEGAL DESCRIPTION:  
OVER LAND TITLE GUARANTEE COMPANY ORDER NO. F022619022

THE N 1/2 OF THE SE 1/4 OF SECTION 14, T 5 N, R 68 W OF THE 6TH P.M.,  
TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO, EXCEPT THOSE  
PARCELS DESCRIBED IN LEGAL DESCRIPTION F022619022, BEING 20.00 AC. AT  
SECTION 14, T 5 N, R 68 W OF THE 6TH P.M., TOWN OF JOHNSTOWN, COUNTY OF  
LARIMER, STATE OF COLORADO.

1. ALL INTERESTS SHOWN CROSSING THE PROPERTY WILL BE  
REMOVED AND REPLACED AS APPROPRIATE.

2. ALL UTILITY EASEMENTS SHOWN CROSSING THE SUBJECT PROPERTY SHALL BE  
REMOVED AND REPLACED AS APPROPRIATE.

3. IRRIGATION OUTLETS AND LATERALS SERVING THE SUBJECT PROPERTY WILL BE  
REMOVED AND REPLACED AS APPROPRIATE.

4. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

5. THE RIGHT OF WAY FOR COUNTY ROAD 3 IS SHOWN AS 60' WIDE, 20' ON THE  
EAST SIDE FOR ROAD BOOK 4, PAGE 126 AND 20' WIDE ON THE WEST SIDE FOR  
ROAD BOOK 4, PAGE 126. ADDITIONAL, NORTH OF WAY WILL BE SUBMITTED AS  
SHOWN HEREON.

6. OUTLOT D, THOMPSON CROSSING WILL NEED TO BE REDIVIDED AS PUBLIC  
RIGHT OF WAY.

7. ALL BENCHMARKS ARE ASSUMED BASED UPON THE NORTH  
LINE OF THE SOUTHWEST QUARTER OF SECTION 14, T 5 N, R 68 W OF THE 6TH P.M.,  
TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO.

8. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

9. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

10. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

11. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

12. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

13. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

14. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

15. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

16. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

17. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

18. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

19. THE LEGAL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL BE  
EXTENDED UNDER THE PROPOSED THOMPSON DRIVE CONSTRUCTION.

SITE STATISTICS:  
TOTAL ACRES: 6.31 AC  
SUBDIVISION: 20 LOTS  
APPROXIMATE LOT SIZE: 0.315 AC  
RIP REBATED: 56.57% OF 6.31 AC

TYPICAL EASEMENTS:  
FRONT/STREET PRIVACY/UTILITY EASEMENT  
UTILITY EASEMENT  
SIDEWALK

OUTLOT PURPOSES:  
UTILITY EASEMENT  
COLORADO AGRICULTURE UTILITY & PRESTRICTION ACCESS EASEMENT  
UTILITY EASEMENT  
UTILITY EASEMENT  
UTILITY EASEMENT  
UTILITY EASEMENT  
UTILITY EASEMENT

THE OUTLINE ITEMS REFER TO SCHEDULE B - SECTION 2 EXCEPTIONS CITED IN  
LAND TITLE GUARANTEE COMPANY ORDER NO. F022619022. ITEMS TO BE  
VACATED ARE NOTED WITH AN ASTRISK (\*).

(1)-(7) NOT PLATTABLE

(8) THE WEST RIGHT OF WAY LINE OF COUNTY ROAD 3 IS SHOWN HEREON AS  
SHOWN IN THE LEGAL DESCRIPTION. THE EAST RIGHT OF WAY LINE OF  
COUNTY ROAD 3 IS SHOWN AS 60' WIDE, 20' ON THE EAST SIDE FOR ROAD  
BOOK 4, PAGE 126.

(9) NOT A SETTABLE. NO VISIBLE EVIDENCE OF MARKING WAS SEEN ON THE SUBJECT  
PROPERTY.

(10) THE AT&T EASEMENT IS DEFINED AS BEING 10 FEET ON EACH SIDE OF THE  
SUBJECT PROPERTY. THE AT&T EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(11) THE ADDRESS AND UTILITY EASEMENTS SHOWN ON THE 4 EXEMPTION MAPS  
HAVE BEEN SHOWN HEREON.

(12) THE PUBLIC EASEMENT IS A BLANKET EASEMENT OVER A PORTION OF THE  
SUBJECT PROPERTY. THE PUBLIC EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(13) THE PUBLIC EASEMENT IS A BLANKET EASEMENT OVER A PORTION OF THE  
SUBJECT PROPERTY. THE PUBLIC EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(14) THE PUBLIC EASEMENT IS A BLANKET EASEMENT OVER A PORTION OF THE  
SUBJECT PROPERTY. THE PUBLIC EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(15) THE PUBLIC EASEMENT IS A BLANKET EASEMENT OVER A PORTION OF THE  
SUBJECT PROPERTY. THE PUBLIC EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(16) THE PUBLIC EASEMENT IS A BLANKET EASEMENT OVER A PORTION OF THE  
SUBJECT PROPERTY. THE PUBLIC EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(17) THE PUBLIC EASEMENT IS A BLANKET EASEMENT OVER A PORTION OF THE  
SUBJECT PROPERTY. THE PUBLIC EASEMENT IS LOCATED 8 FEET EAST OF THE AS-BUILT  
UTILITY EASEMENT.

(18) NOT PLATTABLE.

(19) THE EASEMENT HAS BEEN SHOWN HEREON AND COVERS THE DRIVES FROM  
AC 1 TO AC 3 AND AC 5 TO AC 6.

(20) THE EASEMENT HAS BEEN SHOWN HEREON AND COVERS THE DRIVES FROM  
AC 1 TO AC 3 AND AC 5 TO AC 6.

(21) NOT PLATTABLE.

(22) NOT PLATTABLE.

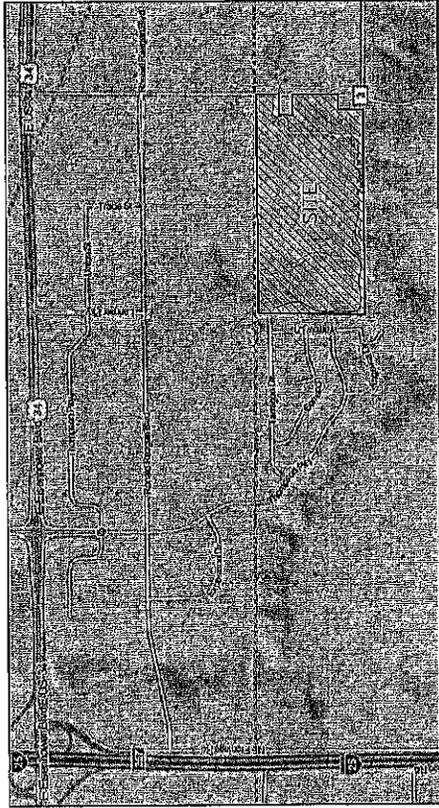
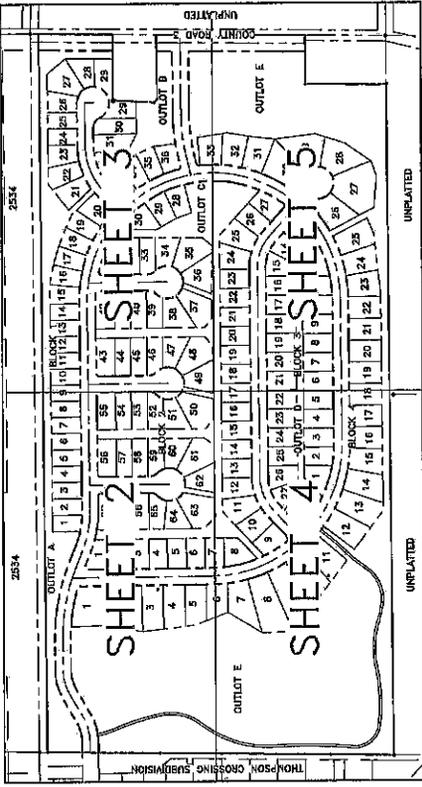
(23) NOT PLATTABLE.

(24) NOT PLATTABLE.

(25) NOT PLATTABLE.

(26) NOT PLATTABLE.

(27) NOT PLATTABLE.



| NO. | DATE     | BY | REVISION             |
|-----|----------|----|----------------------|
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| 2   | 12/15/15 | JL | REVISED PER COMMENTS |
| 3   | 12/15/15 | JL | REVISED PER COMMENTS |
| 4   | 12/15/15 | JL | REVISED PER COMMENTS |
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| 100 | 12/15/15 | JL | REVISED PER COMMENTS |

THOMPSON CROSSING II  
JOHNSTOWN, COLORADO  
PRELIMINARY PLAN

DATE: 12/15/15  
SHEET: 1 OF 5

MERRICK & COMPANY

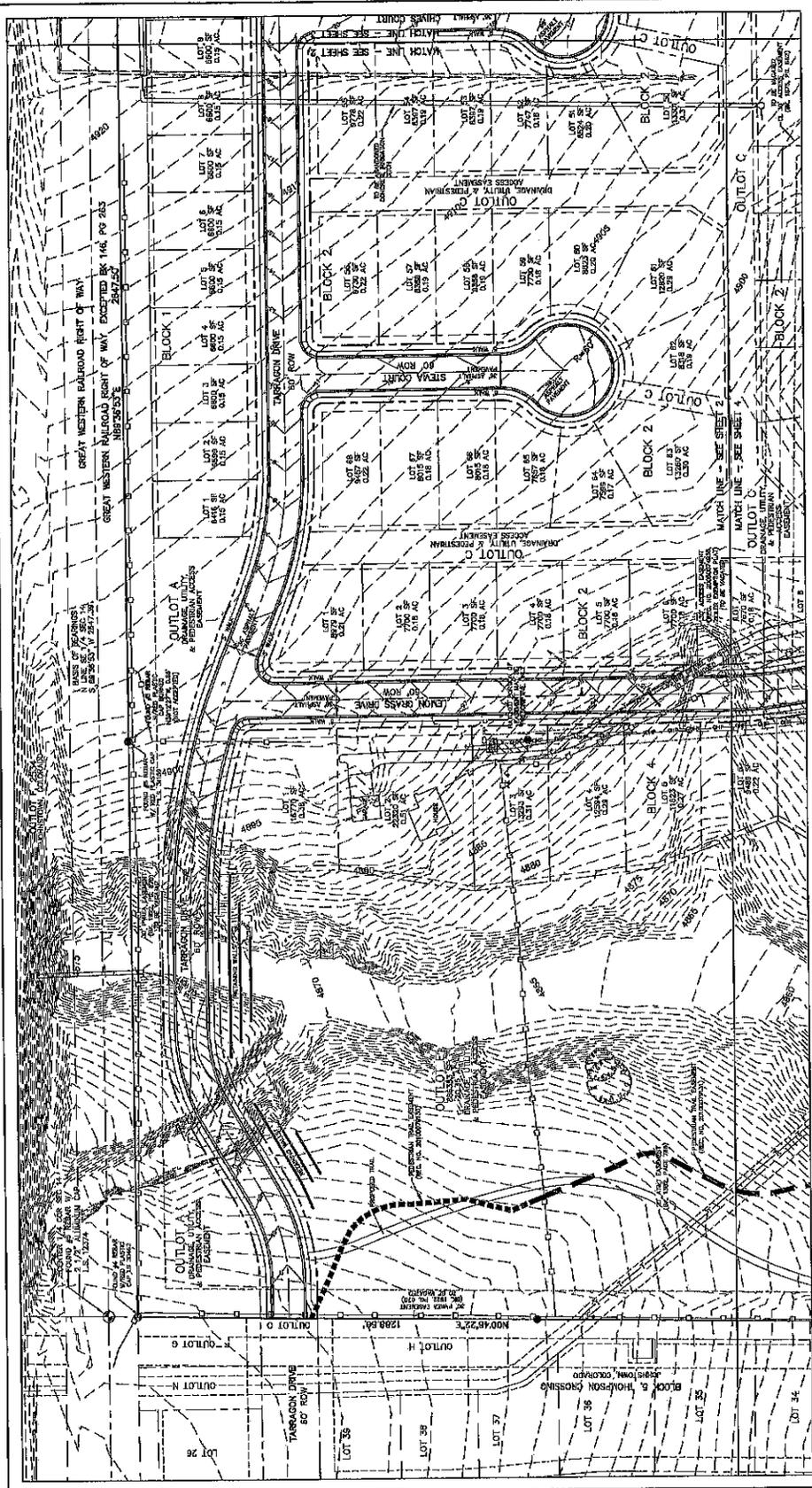


|          |           |
|----------|-----------|
| ACRES    | 12.24     |
| SECTION  | 16        |
| TOWNSHIP | 10 N      |
| RANGE    | 65 W      |
| COUNTY   | JOHNSTOWN |
| STATE    | COLORADO  |

|             |               |
|-------------|---------------|
| DATE        | 12/14/75      |
| BY          | W. J. MERRICK |
| CHECKED BY  | W. J. MERRICK |
| APPROVED BY | W. J. MERRICK |

THOMPSON CROSSING II  
JOHNSTOWN, COLORADO  
PRELIMINARY PLAN

|             |               |    |   |
|-------------|---------------|----|---|
| SHEET       | 2             | OF | 5 |
| DATE        | 12/14/75      |    |   |
| BY          | W. J. MERRICK |    |   |
| CHECKED BY  | W. J. MERRICK |    |   |
| APPROVED BY | W. J. MERRICK |    |   |



- LEGEND
- ◆ FOUND SECTION CORNER AS DESCRIBED
  - FOUND MONUMENT AS DESCRIBED
  - SET BY SURVEYOR W/ REF. UNLESS OTHERWISE DESCRIBED
  - ⊙ DECIDUOUS TREE
  - ⊞ ELECTRICAL SERVICE CABINET
  - ⊞ ELECTRICAL METER
  - ⊞ POWER POLE
  - ⊞ ELECTRIC POLE
  - ⊞ WATER METER
  - ⊞ TELEPHONE ASSET
  - STORM PIPE
  - OVERHEAD POWER LINE
  - ELECTRICAL LINE
  - FENCE LINE
  - TELEPHONE LINE
  - WATER LINE



**MERRICK & COMPANY**



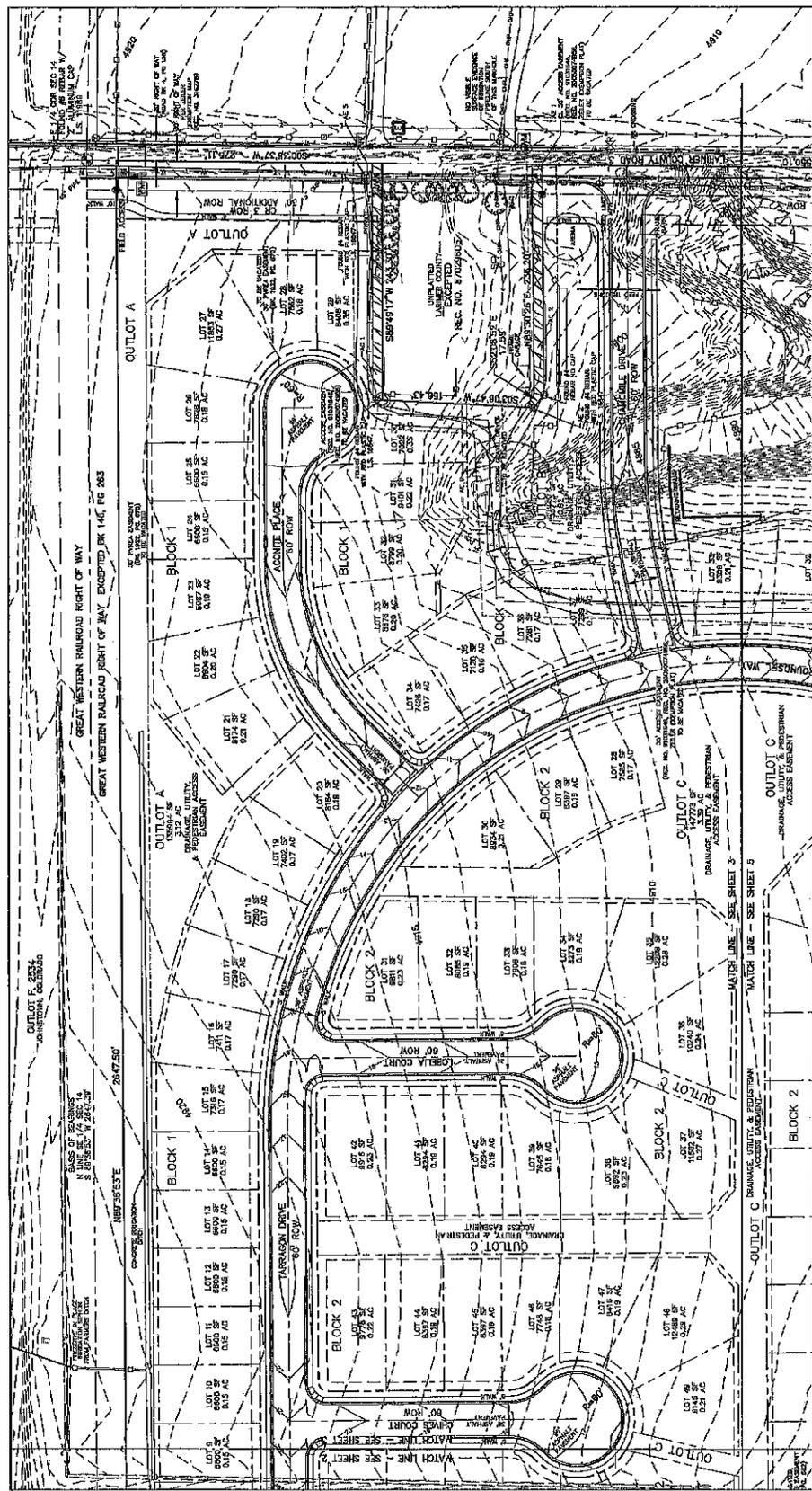
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| DATE  | 12/17/15 |
| SHEET | 3 OF 3   |

|             |                      |
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| PROJECT     | THOMPSON CROSSING II |
| LOCATION    | JOHNSTOWN, COLORADO  |
| DATE        | 12/17/15             |
| BY          | 12/17/15             |
| CHECKED BY  | 12/17/15             |
| APPROVED BY | 12/17/15             |
| SCALE       | AS SHOWN             |

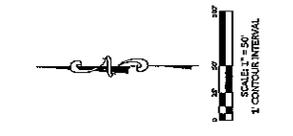
PRELIMINARY PLAN

THOMPSON CROSSING II  
JOHNSTOWN, COLORADO

JOB NO. 201502000  
DATE: 12/17/15  
SHEET: 3 OF 3



- LEGEND**
- FOUND SECTION CORNER AS DESCRIBED
  - FOUND MONUMENT AS DESCRIBED
  - PLACED CORNER BY THIS SURVEY UNLESS OTHERWISE DESIGNATED
  - RECREATION TREE
  - ELECTRICAL SERVICE CABINET
  - ELECTRICAL METER
  - POWER POLE
  - ELECTRIC POLE
  - WATER METER
  - TELEPHONE METER
  - STORM PIPE
  - OVERHEAD POWER LINE
  - ELECTRICAL LINE
  - FENCE LINE
  - TELEPHONE LINE
  - WATER LINE

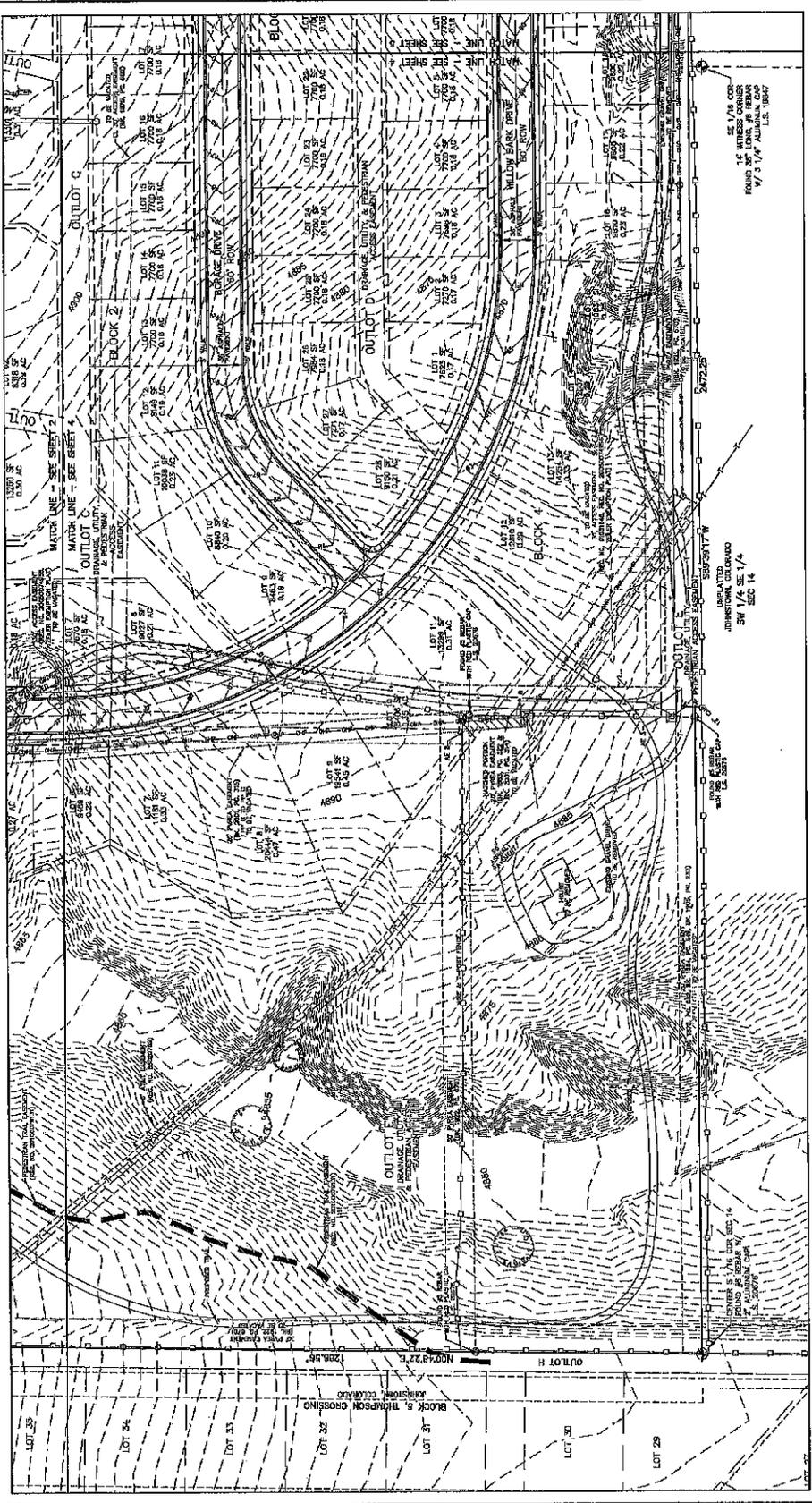




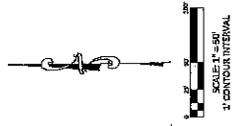
| NO. | DATE    | DESCRIPTION      |
|-----|---------|------------------|
| 1   | 12/1/75 | PRELIMINARY PLAN |
| 2   | 12/1/75 | DESIGN BY        |
| 3   | 12/1/75 | CHECK BY         |
| 4   | 12/1/75 | DATE             |
| 5   | 12/1/75 | SCALE            |

**THOMPSON CROSSING II**  
 JOHNSTOWN, COLORADO  
 PRELIMINARY PLAN

DATE: 12/1/75  
 SHEET: 1 OF 5



- LEGEND**
- FOUND SECTION CORNER AS DESCRIBED
  - FOUND MONUMENT AS DESCRIBED
  - SET BY REBAR W/ ROD UNLESS OTHERWISE DESCRIBED
  - DECIDUOUS TREE
  - ELECTRICAL SERVICE CABINET
  - ELECTRICAL METER
  - POWER POLE
  - ⊕ ELECTRIC POLE
  - ⊖ WATER METER
  - ⊖ TELEPHONE RISER
  - STORM PIPE
  - OVERHEAD POWER LINE
  - ELECTRICAL LINE
  - FENCE LINE
  - TELEPHONE LINE
  - WATER LINE

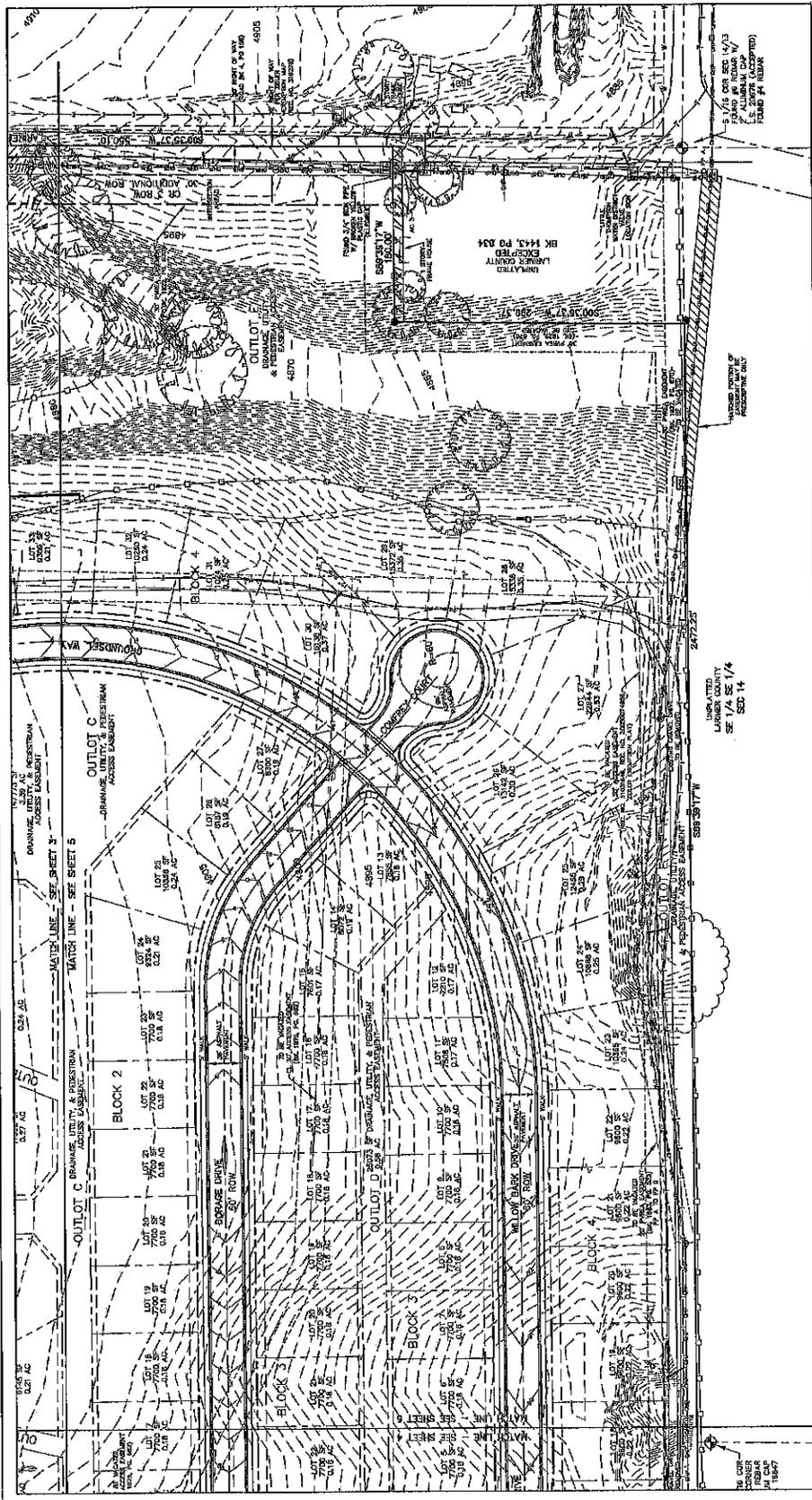




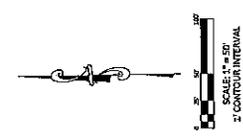
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| 4   | REVISION | 12/1/73 |
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| 6   | REVISION | 12/1/73 |
| 7   | REVISION | 12/1/73 |
| 8   | REVISION | 12/1/73 |
| 9   | REVISION | 12/1/73 |
| 10  | REVISION | 12/1/73 |

THOMPSON CROSSING II  
 JOHNSTOWN, COLORADO  
 PLATTSMAN PLAN

SHEET 1 OF 2  
 DATE 12/1/73  
 JOB NO. 2000022000



- LEGEND**
- FOUND SECTION CORNER AS DISCREPANT
  - FOUND MONUMENT AS DISCREPANT
  - SET IN REBAR W/ RED UNLESS OTHERWISE DISCREPANT
  - DECIDUOUS TREE
  - ELECTRICAL METER
  - POWER POLE
  - ELECTRIC POLE
  - WATER METER
  - TELEPHONE BOX
  - STORM PIPE
  - OVERHEAD POWER LINE
  - ELECTRICAL LINE
  - FENCE LINE
  - TELEPHONE LINE
  - WATER LINE



SCALE: 1" = 50'  
 2" CONTOUR INTERVAL

UNPLATTED  
 LAWRENCE COUNTY  
 SE 1/4 SE 1/4  
 SEC 14

**PRELIMINARY**  
**PUD DEVELOPMENT PLAN**













**MERRICK & COMPANY**

GRADING - NORTH EAST

THOMPSON CROSSING II  
JOHNSTOWN, COLORADO

GRADING - NORTH EAST

DATE: 12/16/13  
SHEET: C4.2

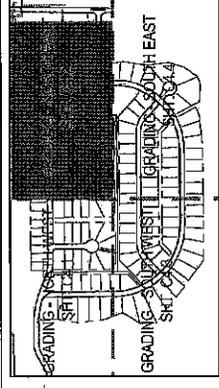
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|                |                 |
|----------------|-----------------|
| DATE: 12/16/13 | BY: [Signature] |

THOMPSON CROSSING II  
JOHNSTOWN, COLORADO

GRADING - NORTH EAST

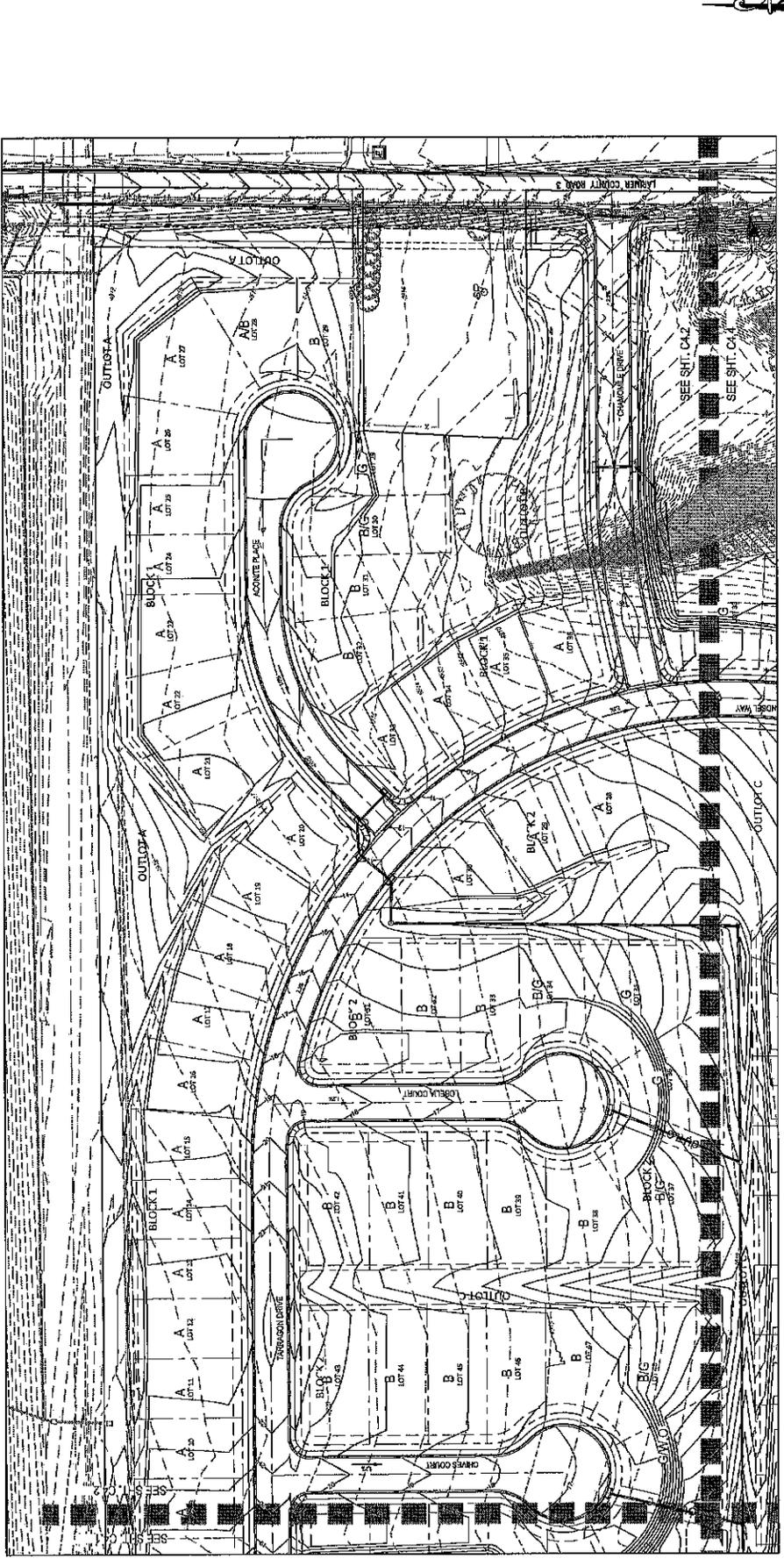
DATE: 12/16/13  
SHEET: C4.2



**LEGEND**

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING RIGHT OF WAY
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

**KEY MAP**  
SCALE 1" = 400'



GRADING - NORTH EAST  
- PLAN -  
SCALE 1" = 50'



**MERRICK & COMPANY**

For and on Behalf of  
Merrick & Company

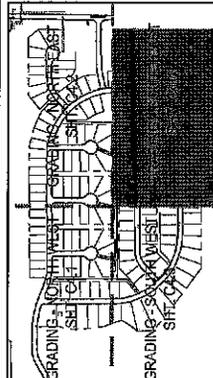
NO. 12345678  
DATE 12/15/13  
SHEET C4.4

| NO. | REVISION DESCRIPTION | DATE     | BY  |
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| 2   | REVISED PER COMMENTS | 12/15/13 | JLM |
| 3   | REVISED PER COMMENTS | 12/15/13 | JLM |
| 4   | REVISED PER COMMENTS | 12/15/13 | JLM |
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PROJECT NO. 12345678  
DATE 12/15/13  
SHEET C4.4

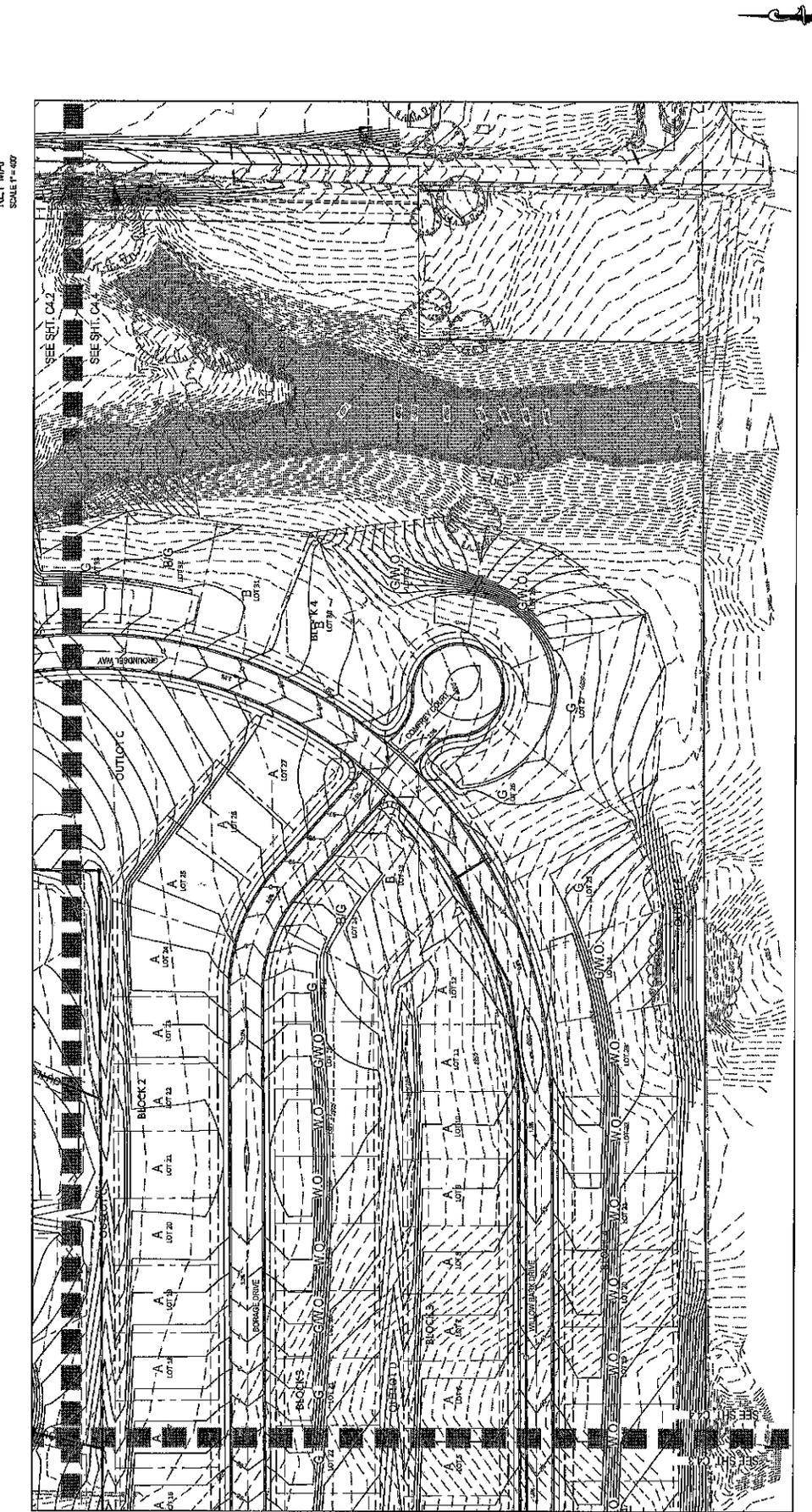
THOMPSON CROSSING II  
JOHNSTOWN, COLORADO  
GRADING - SOUTH EAST

DATE 12/15/13  
SHEET C4.4



**LEGEND**

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR



GRADING - SOUTH EAST  
- PLAN -  
SCALE 1"=50'

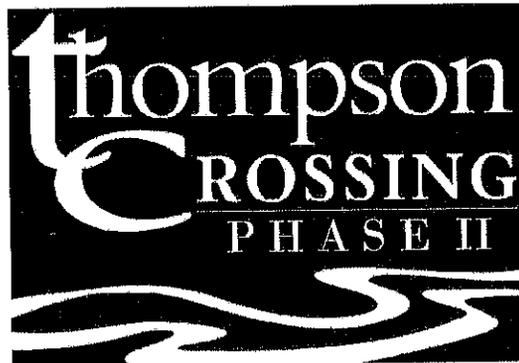


# **DESIGN GUIDELINES**

# DESIGN GUIDELINES



Encouraging Design Quality &  
Continuity, with Flexibility for  
Innovation & Creativity.



# DESIGN GUIDELINES

## INTRODUCTION

It is the intent of these guidelines to promote both high quality construction and a cohesive neighborhood design. The guidelines, although specific, are broad enough that homeowners, architects, builders, and landscape designers still have great flexibility for innovation and creativity. In order to create an interesting neighborhood, no plan may be built within three lots of itself, including across the street. In order to maximize the panoramic views for neighboring lots, the Thompson Crossing Phase II Design Review Committee (DRC) has designated certain lots for single-story homes only. All architectural and landscape designs must be reviewed and approved by the Thompson Crossing Phase II Design Review Committee (DRC). In addition, the Town of Johnstown (JRC) will require review of all residential models and any major changes to the development's amenities. The DRC reserves the right, at its sole discretion, to deny approval based on design and/or style, even though minimum square footages and other requirements may have been met.

### **IMPORTANT NOTE**

*TO ENSURE A SUCCESSFUL DESIGN/BUILD PROCESS, ALWAYS REQUEST AND USE THE MOST CURRENT REVISION OF THE DESIGN GUIDELINES.*

## **I. ARCHITECTURAL DESIGN**

All residential designs must fall into one of three specific motifs or styles: Prairie, Colorado Craftsman/Lodge, and European (including influences of French Country, Tudor, and Mediterranean). These are all styles that fit well with the rural character of Thompson Crossing Phase II. See Appendix C.

### **ARCHITECTURAL GUIDING PRINCIPLES**

- A. Architectural styles must be Colorado vernacular (Prairie, Colorado Craftsman/Lodge, European) rather than foreign (Southwest, Victorian, etc.).
  - Present day interpretations of traditional styles are encouraged.
  - Homes should be different than, but compatible with, the neighboring homes.
  - Architecture should encourage indoor-outdoor relationships.
  
- B. Building mass should provide interest and depth.
  - The profile should start low at the edges and mass towards the center.
  - The upper story should have a variety of orientations and locations.
  - The upper story should have less bulk than the lower level.
  - Exterior elements should be scaled in relationship to each other.
  - Covered entries, porches, decks, and patios should be used to balance and transition to the upper story.

- C. Garages should not dominate the home or streetscape.
- Garage location and orientation should be integrated with the home.
  - Garage layout shall vary within the development.
  - Side loaded and angled garages are encouraged.
  - Avoid excessive freeboard above the garage.
  - Masonry should extend above the garage doors, not just along the sides.
  - The garage roofline should be integrated into the main roof using similar form and pitch.
  - Use garage doors with deep trim, windows, and decorative panels.
  - Individual carriage-style garage doors are encouraged.
  - Wood garage doors are encouraged.
- D. Roof forms should be simple.
- In general, there should be a simple, dominant roof form with complimentary, secondary or minor roof forms.
  - Roof breaks shall be provided on all homes.
  - Roof pitch shall be a minimum of 5/12 and a maximum of 14/12.
  - Minor roof forms, gable ends, and dormers should be proportional to the spaces they cover, as well as to the main roof size and form.
  - In general, roof overhangs must be a minimum of 12" and in proportion to the pitch and style of the home.
  - Eaves, fascia, and soffits shall be appropriately sized and detailed according to the individual architectural style.
  - Flashing and vents shall be painted to match the roof color.
- E. Articulation should be used to provide variety and visual interest.
- Avoid long expanses of blank walls and windowless elevations.
  - Provide façade articulation on all four elevations to avoid a box-like appearance.
  - Architectural elements and finishes used on the front elevation should be carried through on side and rear elevations for a more uniform look.
  - All elevations should use shingles, brick, stone, board and batten, etc. to provide visual interest and variety.
  - Use covered entries, porches, dormers, bays, cantilevers, and other projections to add interest.
  - Provide horizontal and vertical building off-sets in proportion to the elevation or wall plane.
  - On walk-out lots, incorporate elements such as covered porches or decks, bay windows, and skirt roofs on the three-story rear elevation.
  - Foundation materials should be heavy and visually solid, transitioning to lighter siding and roofing.
  - Exposed foundation walls above six (6) inches from grade should be covered with similar materials to the wall above.
  - Masonry materials should create depth.
  - Masonry materials must "wrap" the corners.
- F. Covered entries, porches, and decks should be integrated into the home design.
- They should be human scale.
  - They should act as a transition to the upper story, with materials, roof forms, and pitches, which complement the main structure.
  - Columns and supports should be substantial and in proportion to the overall building mass.

- Columns and supports should consist of built-up elements such as masonry bases, top and bottom trim, and ornamentation consistent with the architectural style of the home.
  - Materials should be consistent and complementary to the home.
- G. Windows and doors should be proportionate to wall size, complementing the roof form and overall architectural style.
- Windows should emphasize the room in which they are located, with special windows incorporated as accent features.
  - Window groupings should generally be centered on the building mass on which they are located.
  - Windows in masonry walls should be recessed, providing a header and a sill for added visual interest.
  - Windows should be trimmed with a material that complements the architectural style of the home.
  - Garden-level and walkout basement doors and windows should receive the same consideration for placement, size, and detailing as the doors and windows on the main levels.
  - Front doors should be substantial, constructed of panels or heavy wood planks, accented by windows and decorative hardware that is consistent with Colorado vernacular architecture.
- H. Building projections should be integrated with the main house in terms of materials, colors, and proportions.
- Projected elements should not appear to "float" but should be supported by substantial brackets or corbels, or they should be anchored to the ground.
  - Exposed chimneys should be of a masonry material that is complementary to the architectural style of the home.
- I. Building materials and colors should create visual depth and detail.
- Strong textures and rich earth-tone colors are encouraged.
  - White, bright, and highly reflective materials will not be allowed.
  - Materials and colors should be in keeping with the architectural style of the home.
  - A variety of materials should be used to add interest. However, frequent changes in materials and colors should be avoided.
  - Exterior selections should be compatible with adjacent homes.
- J. Roof material and colors should reflect the architectural style of the home.
- 30-year high-profile designer series fiberglass/asphalt shingles, slate, standing seam metal, copper, and concrete tile are acceptable materials depending on stylist demands.
  - Acceptable roof colors will be complementary to the architecture of the home.

#### **ELEMENTS APPROPRIATE TO STYLE (See Appendix C)**

- Interior courtyards and private patios
- Extensive covered porches
- Porch supports are large posts, timbers, or massive piers of stone
- Porch rails and balustrades (no "turned" balustrades)
- Windows aligned both vertically and horizontally
- Window surrounds are simple and frequently asymmetrical
- Multiple windows and multi-paned windows

- Vertical windows with double hung sashes
- Clerestory windows
- Prairie-style window grids
- Window shutters (that are proportional to the size of the window)
- Board and batten and vertical siding
- Low-pitched gable roofs with substantial roof overhangs
- Exposed rafter tails
- Corbels and brackets
- Belly bands
- Standing seam metal, composition, and copper roofs
- Dormers
- Individual carriage-style garage doors with rustic hardware
- Masonry chimneys
- Natural-looking stone or tumbled brick
- Stone and brick masonry foundations

## **II. SITE PLANNING**

### **GARAGES, ACCESSORY BUILDINGS, and HARD SURFACING**

Garages and accessory buildings should be an integral part of both the residence and the overall site. Garages and garage doors should be designed so that they are not the dominant architectural features of the residence. Designs that create open-space enclosures such as courtyards, enclosed patios, and parking courts are encouraged. Garages and accessory buildings should be connected to the main residence through the use of breezeways, pergolas, and covered walkways.

Driveways should be no more than 18 feet in width at the street, widening to 24 feet at the garage apron. A minimum 2-foot wide stamped and colored border on all driveways is encouraged. Full width stamped and colored driveways are highly encouraged. Hard surface materials, colors, and textures shall blend with the architecture of the residence. Excessive areas of uncolored and/or untextured pavement are highly discouraged.

### **GRADING, DRAINAGE, and EROSION CONTROL**

Final lot grading and drainage must comply with the overall development grading plans as they have been approved. The builder must provide a copy of the Grade Certification to the DRC upon issuance of a Certificate of Occupancy. Grading should be graceful and natural looking, designed to work with the existing contours. Cuts and fills should feather into the surrounding landscape, thus avoiding sharp, unnatural looking angles. Steeper slopes might require the use of retaining walls, which shall be constructed of natural materials. Storm water runoff from driveways, roofs, and other hard surfaces shall drain away from foundations into natural looking drainage channels or swales. Drainage patterns that adversely impact adjoining lots are not permitted. During construction, it is important to use erosion control devices and barriers to prevent damage to the site and to the adjoining environmentally sensitive areas.

### **III. LANDSCAPE DESIGN**

#### **LANDSCAPE GUIDING PRINCIPLES**

- Design landscaping so that trees or large shrubs do not block neighboring views of the open spaces, Thompson River valley, and/or the Rocky Mountains.
- The location of trees and shrubs must be carefully planned so that mature sizes do not interfere with fences, landscaping, or structures on adjacent lots.
- Front yard landscaping should create a cohesive "flowing" relationship between adjacent lots.
- Trees, shrubs, and planting beds should blend together between adjacent lots for a pleasing streetscape.
- Planting beds and mulch areas between adjacent lots should appear to be unified by using the same type of rock or wood mulch.
- Avoid designs with formal plantings, hard edges, mow curbs, or other materials that delineate lot lines.
- Landscaping adjacent to native open spaces should blend and harmonize with the natural landscape.
- Retaining walls should be low, visually attractive, and made of natural materials to complement the architectural style of the home. They should generally blend with the masonry used on the home and should appear to be a "natural outcropping".

#### **SPECIFIC REQUIREMENTS**

- Landscape plans shall be designed by a professional landscape designer.
- Landscaping shall be installed as soon as weather permits, but in any event no later than 6 months after a Certificate of Occupancy is issued.
- Buried sprinkler systems must be installed in front, side, and backyards.
- Trees shall be minimum 2" caliper and shrubs shall be minimum 5 gallon.
- Turf shall be a high quality Kentucky bluegrass or an approved drought tolerant fescue.
- Each lot shall install, as part of their overall landscape plan, "street trees" of the species, size, and location as shown on the approved development landscape plan.
- On those lots that have detached walks, the homeowner shall install and maintain underground irrigation, approved turf, and the required "street trees" in the area between the detached walk and the street.
- A minimum of 2 trees (in addition to the required "street trees") and 4 shrubs will be planted on each lot.
  - On non-corner lots, at least 1 tree and 4 shrubs will be planted in the front yard.
  - On corner lots, at least 1 tree shall be planted in the front yard and 1 tree in the side yard adjacent to the street. At least 4 shrubs shall be planted in the front or side yard adjacent to the street.

## **IV. TYPICAL IMPROVEMENTS**

The following list contains a wide variety of typical types of improvements which homeowners frequently consider installing. Unless otherwise specifically stated, drawings and/or plans for a proposed improvement must be submitted to the DRC and written approval of the DRC obtained PRIOR TO commencement of construction of the improvement. If a proposed improvement is not specifically listed below, the homeowner, architect, builder, or landscape designer must still make a request to the DRC for review and approval. Again, make sure the most current revision of the guidelines are being used, as they can change from time to time as allowed by the Thompson Crossing Conditions, Covenants, and Restrictions (CCR's). Also, submittal fees may be adjusted from time to time by the DRC. DRC approval is required for, but is not limited to, the following typical improvements:

1. **ACCESSORY BUILDINGS and STORAGE BUILDINGS.** Generally speaking, they are not permitted. However, they will be considered if they are enclosed and appear as an integral part of the residence.
2. **ADDITIONS and EXPANSIONS.** They will be considered if they look like an integral part of the residence, rather than "tacked on" or an "after thought".
3. **ADVERTISING.** See "SIGNS".
4. **AIR CONDITIONING EQUIPMENT.** Only central air conditioning is permitted. Air conditioning equipment must be installed only in a side or rear yard and should be reasonably screened from view of adjacent property owners. Installation of air conditioning equipment on the roof, in a window, or through the wall of a residence is not permitted.
5. **ANTENNAE.** Not permitted. Exterior radio (including amateur "ham" radio), television, or other types of antennae may not be erected. Microwave, internet, and/or satellite television dishes are permitted on side and rear elevations only.
6. **AWNINGS.** Type and location require DRC approval. The color must be similar or complementary to the exterior color of the residence. The covering may be used over the rear patio only. No aluminum or fiberglass awnings are allowed.
7. **BALCONIES.** See "DECKS" and "PATIOS".
8. **BASKETBALL BACKBOARDS.** DRC approval is required for placement and design.
9. **BIRD HOUSES and FEEDERS.** DRC approval is not required if limited to 1- foot by 2-feet and if not more than two in number are installed on any lot. They must be located within the front or back yards, but not within 10 feet of the side and/or back property lines.
10. **CARPORT.** Carports are not permitted. However, porte cochere will be considered on an individual basis.
11. **COLORS.** Subtle earthtone colors to blend with the rural character of the neighborhood are required. All colors and color combinations must be approved by the DRC PRIOR TO their application. Repainting when existing color changes requires DRC approval. All projections including, but not limited to, chimney flues, vents, gutters, downspouts, utility boxes, porches, railing, and exterior stairways shall be of an approved color and shall closely match or complement the permanent color of the surface from which they project. Duplicate color schemes shall not be allowed on adjacent lots or on lots across the street from each other. Bold colors may be used only with written approval of the DRC.
12. **DECKS.** Deck railing must be redwood, DRC approved vinyl, or iron. Deck posts that extend to the ground from the main floor on walkout basements must be 6" X 6" or larger. Final sizes and materials can vary with DRC approval.
13. **DOG HOUSES and DOG RUNS.** Materials, colors, and location must be approved by the DRC.

14. **DRAINAGE.** There can be no interference with or change to the established drainage pattern over the property. When landscaping is installed, it is very important to insure that water drains away from foundations, sidewalks, and driveways, and that the flow patterns prevent water from flowing under or ponding near or against foundations, sidewalks, and driveways. Changing drainage patterns so that adjoining lots are adversely impacted is not permitted. Final lot grading must comply with the overall development grading plans as they have been approved, i.e. it is not permitted to make a walkout lot out of a garden-level lot, a garden-level lot out of a "B" lot, etc. The builder must provide a copy of the Grade Certification to the DRC upon issuance of a Certificate of Occupancy.
15. **DRIVEWAYS.** Extension or expansion of driveways requires DRC approval. All driveways and private lanes shall be constructed entirely of concrete, stamped and/or colored concrete, brick, or pavers from the entrance of the garage doors to the existing street. Colors must be approved by the DRC.
16. **ELEVATION TREATMENTS.** Architectural design shall incorporate a consistent level of interest in all elevations. The use of walkout or garden-level basements and architectural features such as cantilevers, window projections, roof elements, decks, etc. shall be used to add contrast and interest to all elevations. There must be at least three variations in the front elevation and 2 variations in the rear elevation. Stagger should be a minimum of three feet. No individual unit shall be built (with the same elevation) within three (3) of itself on both sides of the street. Exposed foundation walls above six (6) inches from grade should be covered with similar materials to the wall above.
17. **FENCES.** In order to maintain a consistency throughout the community, perimeter fencing for individual side and rear yards shall be a three-rail perimeter fence, similar to Thompson Crossing, and shall be of the same color. A "mesh" type material approved by the Thompson Crossing DRC will be allowed on the inside of the perimeter, side yard, and rear yard fencing. Front yard fencing is not permitted. Privacy fencing must be within 20 feet of the residence, but may not extend into any lot line setbacks, may not be more than 35 feet in total length, and may not exceed six feet in height. Privacy fencing design, materials and colors must be similar or complementary to the residence. "Double Fencing" with an adjacent lot is not permitted. This is the "first fence in" rule. Cost sharing is appropriate and encouraged.
18. **FLAGPOLES.** One wall-mounted bracket (painted as required) per residence shall be allowed.
19. **GARAGES.** There shall be a minimum of two and a maximum of four car spaces in a garage that is attached and fully enclosed. Minimum dimensions for each space are 9 feet by 19 feet. Garage doors must be kept closed when not in use. Garage doors must be of such a design that complements the architectural style of the residence. Articulate wood doors are highly encouraged. Detached garages and/or porte cochere will be considered on an individual basis.
20. **GARBAGE COLLECTION and CONTAINERS.** At the discretion of the DRC, one single trash collection company will be permitted to pick up trash in Thompson Crossing. All homeowners must use uniform container designated by said company and place these container outside only on the day they will be emptied. All containers must be moved back inside the same day, after they are emptied. This procedure limits garbage trucks to one day per week, thereby increasing safety, reducing wear and tear on the streets, reducing noise, and allowing for discount pricing.
21. **GARDENS.** Type and location require DRC approval.
22. **GREENHOUSES.** Type and location require DRC approval.

23. **HARD SURFACING.** Type and location require DRC approval regardless of whether for walks, driveways, porches, patio areas, or other purposes and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, or paver stones are used as the hard surfacing material. Hard surfaces must be located so as not to block any drainage patterns.
24. **HEIGHT.** Maximum height for a single-story residence is 28 feet above the engineered top of foundation. Maximum height for a two-story residence is 35 feet above the engineered top of foundation. No home shall exceed two stories in height. See Appendix B.
25. **HOT TUBS.** Must be an integral part of the deck or patio area and of the rear or side yard landscaping. Must be installed in such a way that it is not immediately visible to adjacent property owners and does not create the potential for noise disturbance for adjacent property owners.
26. **HOUSE MODELS.** No home model shall be built within three of itself, including across the street.
27. **IRRIGATION SYSTEMS.** See "SPRINKLER SYSTEMS".
28. **LANDSCAPING.** Design shall be prepared by a professional landscape designer. Landscaping shall be installed as soon as weather permits, but in any event no later than 6 months after a Certificate of Occupancy is issued.
29. **LATTICEWORK.** Type and location require DRC approval.
30. **LIGHTS and LIGHTING.** Exterior and landscape lighting shall be of a conventional style with illumination patterns and intensities which do not create a nuisance for adjacent property owners.
31. **MASONRY.** A minimum of 30% of the street-facing elevation shall be masonry, i.e. brick, stone, or stucco. The area is calculated including windows, doors, and garage doors, but excluding roof areas. All outside corners of street-facing elevations will require "wrapping" of corners (inclusive of garage walls) a minimum of 8 feet on those lots designated as "Estate", 6 feet on those lots designated as "Large", and 4 feet on those lots designated as "Standard". The DRC highly encourages the wrapping of masonry to a point that it "dies" into an adjacent appendage.
32. **OVERHANGS.** See "AWNINGS".
33. **PAINTING.** All residences, accessory buildings, storage buildings, play houses, and play equipment shall be kept well-painted in the color originally approved by the DRC. Color changes must be approved by the DRC.
34. **PATIO COVERS.** Type and location require DRC approval. Must be constructed of wood or a material that is generally recognized as complementary to the residence. They must be similar or complementary to the exterior color of the residence. They should look like an integral part of the residence, rather than "tacked on" or an "after thought".
35. **PATIOS (OPEN).** Type and location require DRC approval. Patios must be an integral part of the residence and/or landscaping. They must be similar to and complementary in color and design to the design of the residence. They must be located so as to not create the potential for noise disturbance for adjacent property owners, and they must not block any drainage patterns.
36. **PAVING.** See "HARD SURFACING".
37. **PLAY and SPORTS EQUIPMENT.** Type and location require DRC approval.
38. **PLAY HOUSES.** Type and location require DRC approval. In general, they are to be less than 8 feet in height at the peak and have less than 120 square feet of floor space. Basic design, materials and colors must be similar or complementary to the residence. Play houses should be incorporated into the landscape and at least partially screened by landscaping features so as to not create the potential for noise disturbance for adjacent property owners.
39. **POOLS.** Only in-ground or indoor pools are allowed.

40. **RETAINING WALLS.** Type, materials, and location require DRC approval. Retaining walls must not block any drainage patterns. Retaining walls that change drainage patterns so that adjoining lots are adversely impacted are not permitted.
41. **ROOFS.** The roof shall be a minimum of 5/12 pitch and a maximum of 14/12 pitch. As much as practical, roof vents, plumbing vents, and HVAC vents shall be located on the backside of the roof peak as viewed from the street. Roof vents and flashing shall be painted to match the permanent roof color or trim color, whichever lessens the visual impact. It is highly encouraged to locate roof vents and stacks in a "chimney" feature. If used, fiberglass/asphalt shingles shall be a minimum 30-year high-profile designer series. Other roofing materials may be approved by the DRC if necessary for architectural integrity. All roof colors are to be approved by the DRC. Roof overhangs shall be a minimum of 12 inches, although stylist demands may be accepted by the DRC if found necessary to keep architectural integrity.
42. **SATELLITE DISHES.** Microwave, internet, and/or satellite television dishes are permitted on side and rear elevations only.
43. **SAUNAS.** See "ADDITIONS and EXPANSIONS".
44. **SEASONAL DECORATIONS.** Do not require DRC approval. Refer to covenants.
45. **SETBACKS.** The front yard and rear yard setbacks on all lots shall be a minimum of 20 feet from the front and rear property lines. For variety along the street, a greater front setback may be encouraged and/or required, depending on individual house plans and lot size. The side yard setback on those lots designated as "Estate Lots" shall be a minimum of 7 feet (Lots 80' or wider). The side yard setback on those lots designated as "Standard" shall be a minimum of 5 feet. See Appendix B.
46. **SHINGLES.** See "ROOFS".
47. **SIDING.** Exterior siding may be of cedar, redwood, brick, stone, synthetic stone wood shingle, stucco, architectural concrete, hardboard, or other compressed material siding products. Other stylist products may be allowed by the DRC if found necessary to keep architectural integrity. All siding materials submitted to the DRC will be highly scrutinized for conformity to architectural style, type, and color to maintain the highest sense of conformity and cohesiveness in the neighborhood. Grooved and/or T-111 panelized siding is not permitted.
48. **SIGNS.** DRC approval is required for all signs, including address numbers and nameplates. One temporary real estate "for sale" sign (per lot) does not require DRC approval, provided it is not more than 5 square feet in size. Lighted signs of any kind are not permitted.
49. **SOLAR ENERGY DEVICES.** All passive and active solar systems require DRC approval. They must be designed to appear as if they are an integral part of the residence. No exterior plumbing may be visible.
50. **SPRINKLER SYSTEMS.** All yards must have an automatic, clock-activated, buried sprinkler system throughout.
51. **SQUARE FOOTAGE.** On those lots designated as "Estate", the minimum finished square footage is 2,300 square feet for a single-story residence and 2,500 square feet for a two-story residence. On those lots designated as "Large", the minimum finished square footage is 2,000 square feet for a single-story residence and 2,300 square feet for a two-story residence. On those lots designated as "Standard", the minimum finished square footage is 1,650 square feet for a single-story residence and 1,900 square feet for a two-story residence. The square footage of basements, walkout basements, garden level basements, porches, and garages shall not be used in determining the square footage of a residence. See Appendix B.
52. **SWING SETS.** Type and location require DRC approval.
53. **TRASH CONTAINERS AND ENCLOSURES.** See "GARBAGE COLLECTION and CONTAINERS".
54. **TREES.** See "LANDSCAPING".

55. **VENTS.** All wall vents including, but not limited to, dryers, cook-tops, range hoods, gas fireplaces, and plumbing must be screened from sight and painted to match the permanent residence color or trim color, whichever lessens the visual impact.
56. **WINDOWS.** Windows shall be wood, vinyl, or vinyl-clad or metal-clad frames. Metal-clad window frames shall be anodized aluminum in a color consistent with the design character of the residence. Window design shall be consistent with the architectural design statement in size, proportion, detail, and placement on the elevation. Any wall facing a public street should include at least 15% of the façade in windows.

The following items are NOT PERMITTED under any circumstances:

1. CLOTHESLINES and HANGERS.
2. EVAPORATIVE COOLERS.
3. FREE-STANDING FLAG POLES.
4. GROOVED AND/OR T-111 PANELIZED SIDING.
5. RADIO ANTENNAE.
6. ROOFTOP EQUIPMENT.
7. STORAGE TANKS.
8. STUCCATO BOARD.
9. SWAMP COOLERS.
10. SYNTHETIC TURF.
11. TELEVISION ANTENNAE.
12. TEMPORARY STRUCTURES.
13. WELLS.

## **V. DESIGN REVIEW COMMITTEE SUBMITTAL PROCEDURE**

The design review submittal procedure has been written to accommodate most of the conditions that could be encountered in the wide variety of development activities that might occur in Thompson Crossing Phase II. However, there may be cases where many of the step-by-step procedures can be streamlined at the discretion of the DRC. Prior to submittal, the DRC coordinator should be consulted to determine what information will be required for review by the DRC. A Sketch Plan submittal is optional but highly recommended. It is the opinion of the DRC that such a submittal will save the applicant both time and the expense of unnecessary revisions of working construction drawings. All submittals must be complete and accurate. The applicant may request, in writing, for an application withdrawal without prejudice from the DRC; however, application fees may be forfeited at the sole discretion of the DRC.

DRC review and approval of plans is for conformance for stylistic cohesion of the neighborhood only, and is not intended as approval for conformance to Local, County, State, and Federal codes, ordinances, and regulations.

## DRC Approval Process

Requests for DRC approvals and waivers shall be made in writing to the DRC. The DRC shall make every effort to notify the applicant in writing of either approval or denial within 30 calendar days following its receipt of the waiver request. Should the DRC fail to respond to the applicant's waiver request within 30 calendar days, the applicant should resubmit to the DRC. Should the DRC fail to respond to the applicant's resubmission within another 30 calendar days, the waiver request shall be deemed to be approved by the DRC.

The DRC shall review and approve the plans PRIOR TO applicant's submission to the Town of Johnstown for their issuance of a building permit. The Town of Johnstown will return any submission without DRC approval to the applicant, without the issuance of a building permit.

All sketch plan drawings and construction drawings must be prepared by an architect licensed in the state of Colorado. All landscaping plans must be prepared by a professional landscape designer. The DRC reserves the right, at its sole discretion, to waive this requirement based on the background of the applicant or his agents.

On behalf of the DRC, all architectural plans will be reviewed for conformance by:

(Firm providing Architectural Review will be determined prior to final Town of Johnstown approval.)

It may be beneficial to the applicant to contact \_\_\_\_\_ early in the architectural design process, thereby ensuring that all of the provisions of the Thompson Crossing Phase II Design Guidelines are met.

On behalf of the DRC, all landscape plans will be reviewed for conformance by:

The Birdsall Group  
444 Mountain Avenue  
Berthoud, CO 80513

Again, it may be beneficial to the applicant to contact The Birdsall Group early in the landscape design process, thereby ensuring that all of the provisions of the Thompson Crossing Phase II Design Guidelines are met.

Two sets of Sketch (optional but recommended), Construction, and Landscaping Plans (ALL on 24" x 36" sheets), sample boards with exterior material selections, and the appropriate review fees (see Appendix B) must be submitted to the DRC at:

Thompson Crossing Phase II Community Association  
Design Review Committee  
Address Line 1  
Address Line 2  
Phone Number

## 1) SKETCH PLAN SUBMITTAL (Optional but Recommended)

### Site Plan (1" = 20')

- Name, address, and telephone numbers of homeowners, architect, and builder
- Legal description of property (address, lot, and block)
- North arrow
- Property lines, setback lines, and easement lines with dimensions
- Building footprint with porches, balconies, patios, decks, tennis courts, pools, etc.
- Drives, parking areas, walkways, accessory buildings
- Site contours with drainage patterns
- Top of engineered foundation

### Floor Plan (1/4" = 1')

- Overall dimensions
- Total enclosed square footage
- Exterior walls dimensioned

### Elevations (1/4" = 1')

- Overall height from top of engineered foundation
- Height of each floor and roof peak
- Building façades and roofs
- Roof pitch
- Exterior materials
- Porches, balconies, patios, decks, windows, and doors
- Extensive labeling and callouts are expected

### Roof Plan (1/4" = 1')

- Building footprint outline superimposed onto roof plan
- Roof pitches, pitch directions, valleys, hips, materials, chimneys, and overhangs

## 2) CONSTRUCTION PLAN SUBMITTAL

### Site Plan (1" = 20')

- Name, address, and telephone numbers of homeowners, architect, and builder
- Legal description of property (address, lot, and block)
- North arrow
- Property lines, setback lines, and easement lines with dimensions
- Building footprint with porches, balconies, patios, decks, tennis courts, pools, etc.
- Drives, parking areas, walkways, accessory buildings
- Site contours with drainage patterns
- Top of engineered foundation
- Water, sewer, electric, natural gas, and phone services

### Grading Plan (1" = 20')

- Proposed driveway gradients
- Existing and proposed contours
- Elevations of all building pads
- Existing grades along lot perimeter with appropriate cross sections

**Floor Plan (1/4" = 1')**

- Overall dimensions
- Total enclosed square footage
- Exterior walls dimensioned

**Elevations (1/4" = 1')**

- Overall height from top of engineered foundation
- Height of each floor and roof peak
- Building façades and roofs
- Roof pitch
- Exterior material samples on 1' x 1' sample boards, identified by brand name, color, and number
- Porches, balconies, patios, decks, windows, and doors
- Original and final grade lines
- Extensive labeling and callouts are expected

**Roof Plan (1/4" = 1')**

- Building footprint outline superimposed onto roof plan
- Roof pitches, pitch directions, valleys, hips, materials, chimneys, and overhangs

**3) LANDSCAPE PLAN SUBMITTAL****Landscaping Plan (1"= 10')**

- Name, address, and telephone numbers of homeowners and landscape designer
- Location, size, quantity, and species of trees and shrubs
- Location and species of turf areas
- Location and type of mulch areas
- Location of planting beds
- Location and type of edging
- Retaining wall location, height, and materials
- Community and lot fencing location (to be constructed per required fence prototype)
- Privacy fence location, height, and materials
- Location and materials for decks, patios, pools, spas, hot tubs, saunas, playground areas, rock, timbers, fountains, or any other special landscape features
- Exterior and landscape lighting
- Dog houses and dog runs

Following DRC review, the DRC will either:

- 1) Approve the Construction or Landscape Drawings, in which case the applicant may proceed with permitting and construction,
- 2) Conditionally approve the Construction or Landscape Drawings, in which case the applicant must revise the drawings to comply with the stated conditions. Permission to proceed with permitting and construction may be granted by the DRC for those items that are not affected by the revisions. Revised drawings must be resubmitted to the DRC coordinator, and the applicant must receive written approval PRIOR TO commencing construction of those items that were affected by the revisions, or
- 3) Deny the Construction or Landscape Drawings, in which case the applicant will be required to resubmit new plans. Construction cannot commence.

- 4) Approval is contingent upon the submittal of materials and payment of any designated fees or expenses, and favorable review. A letter from the DRC will be sent to each applicant within a maximum of thirty (30) days after the date of the submittal. This notice will state whether approval or disapproval has been granted and outline any conditions associated with the ruling.

## **5) CONSTRUCTION AND DRC INSPECTIONS**

Permitting and construction may commence upon written approval from the DRC. The homeowner or builder shall be responsible for obtaining all jurisdictional permits prior to construction. The DRC reserves the right to conduct field inspections for compliance during any stage of construction. The DRC shall be empowered to enforce the Design Guidelines pursuant to the provisions of the Thompson Crossing Phase II CCR's. The builder must provide a copy of the Grade Certification to the DRC upon issuance of a Certificate of Occupancy.

### **JRC Approval Process**

The Town of Johnstown's Design Review Committee shall review and approve the following:

- 1) Residential models
- 2) Any major changes to the development features or amenities

#### **A. Pre-Application**

The applicant shall schedule a pre-application conference with the Town Planner prior to submittal of any project proposal. The intent of this initial meeting shall be as follows:

1. To informally discuss the overall objectives for the proposed project.
2. To review how the project has interpreted the guidelines and criteria for development of the project as set forth in the Design Guidelines.
3. To review a sketch plan and architectural design concepts prepared by the applicant.

#### **B. Final Development Plan Submittal and Process**

All development projects shall be submitted in compliance with the current Town Community Development Application Form. Accompanying the application shall be all required fees as well as a certification from the DRC stating that the development as proposed in the application meets all the applicable standards and guidelines of the Thompson Crossing II Design Guidelines. The application shall be reviewed for completeness within seven (7) working days of filing. If the Town determines that the application is complete, the application shall then be reviewed by the JRC. If the Town determines that the application is incomplete, the Town shall specify in writing the specific ways in which the application is insufficient or incomplete.

The JRC shall review the application for conformance with all of the applicable terms and conditions of the Design Guidelines. Said review shall be completed within 45 calendar days of Town determination of completeness of the application. Said 45 day period may be extended in writing by the applicant. Review of the application by the JRC is administrative in nature for the purpose of determining that the proposed development as set forth in the application complies with the terms and conditions of the Design Guidelines.

The JRC has the right to grant variances to the Thompson Crossing Phase II Design Guidelines based upon the applicant's ability to demonstrate innovative approaches to design solutions, or future market conditions which the Committee feels is advantageous to, and in conformity with, the intent of the Thompson Crossing Phase II Guidelines. In no event shall the JRC grant a variance to the permitted uses in a development parcel.

### C. JRC Approval

The JRC shall approve the application if it complies with the applicable terms and conditions of the Design Guidelines. The JRC may approve the application with conditions. Said conditions shall be specifically related to compliance with standards and guidelines in the Thompson Crossing Phase II Design Guidelines. In the event the JRC determines that the proposed development in the application does not comply with the Design Guidelines, the JRC shall specify in writing the specific reasons in which the application does not meet the applicable criteria.

### D. JRC Appeals

The decision of the JRC may be appealed by the applicant to the Johnstown Town Council. The appeal shall be in writing, and shall be made within thirty (30) days of the date of the transmittal of the JRC's decision. The Johnstown Town Council shall hear the appeal within thirty (30) days of the filing of the appeal by the applicant. The decision of the Johnstown Town Council on the appeal shall be final.

## **APPENDIX A**

### **CONFLICTS**

Improvements installed by homeowners, architects, builders, and landscape designers shall comply with all Local, County, State, and Federal codes, ordinances, and regulations. All improvements shall also comply with the Thompson Crossing Phase II CCR's.

The Thompson Crossing Phase II Design Guidelines do not modify or supersede any Local, County, State, or Federal codes, ordinances, or regulations. In the event of conflicts or discrepancies, jurisdictional regulations shall take precedence, and the most restrictive standards shall apply.

### **VARIANCES and WAIVERS**

The DRC shall have the right to grant variances and waive any provisions of the Thompson Crossing Phase II Design Guidelines at its sole discretion. No such variance or waiver shall be construed to be a variance or waiver of any or all of the provisions of the Thompson Crossing Phase II Design Guidelines, and shall not apply to any other party.

### **AMENDMENTS**

From time to time, the Thompson Crossing Phase II Design Guidelines may be amended as allowed by the Thompson Crossing Phase II CCR's. It is the responsibility of the homeowner, architect, builder, and landscape designer to use the most current revision of the Thompson Crossing Phase II Design Guidelines.

### **APPROVALS and DENIALS**

Approvals may be granted or denied at the sole discretion of the DRC, and shall be in writing. Approvals or denials pursuant to the Thompson Crossing Phase II Design Guidelines do not constitute any representations, warranties or assurances by the approving/denying party and the approving/denying party shall have no responsibility by virtue of such approval or denial.

## APPENDIX B

### MINIMUM FINISHED SQUARE FOOTAGES

|                           |                  |       |
|---------------------------|------------------|-------|
| Estate Lot Single-Story   | 2300 Square Feet | (10%) |
| Estate Lot Two-Story      | 2500 Square Feet | (25%) |
| Large Lot Single-Story    | 2000 Square Feet | ( 5%) |
| Large Lot Two-Story       | 2300 Square Feet | (30%) |
| Standard Lot Single-Story | 1650 Square Feet | ( 5%) |
| Standard Lot Two-Story    | 1900 Square Feet | (25%) |

### MAXIMUM HEIGHTS (Above Engineered Top of Foundation)

|                        |         |
|------------------------|---------|
| Single-Story Residence | 28 Feet |
| Two-Story Residence    | 35 Feet |

### MINIMUM SETBACKS

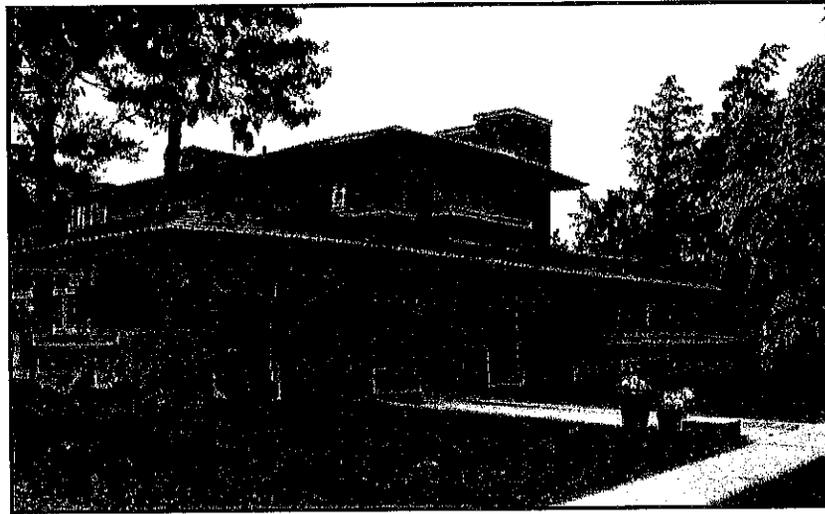
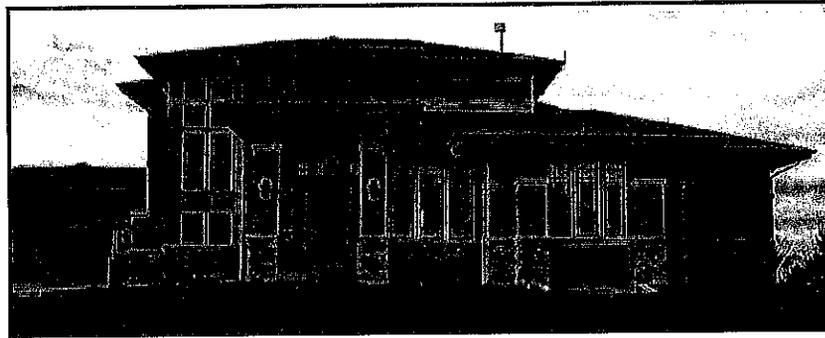
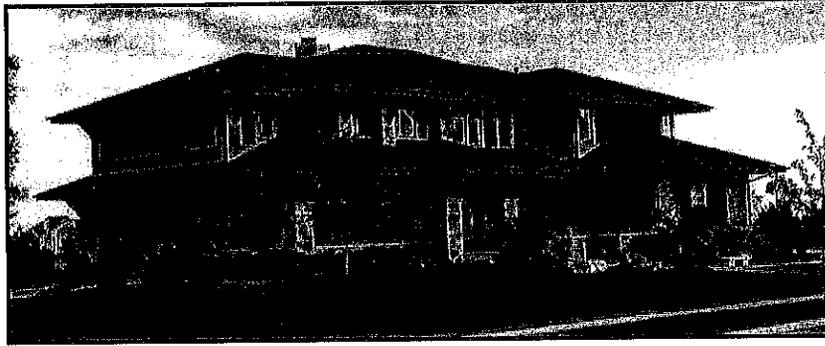
|               |       |                               |
|---------------|-------|-------------------------------|
| Estate Lots   | Front | 20 Feet (or more for variety) |
|               | Rear  | 20 Feet                       |
|               | Side  | 7 Feet                        |
| Large Lots    | Front | 20 Feet (or more for variety) |
|               | Rear  | 20 Feet                       |
|               | Side  | 7 Feet                        |
| Standard Lots | Front | 20 Feet (or more for variety) |
|               | Rear  | 20 Feet                       |
|               | Side  | 5 Feet                        |

## APPENDIX C

The following images are meant only as illustrations of building elements that may be accepted and/or rejected by the DRC. These images represent both positive design solutions as well as negative design solutions only as they pertain to the desired Architectural image and presence of Thompson Crossing Phase II.

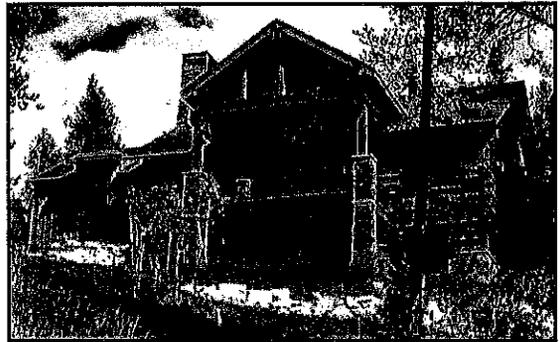
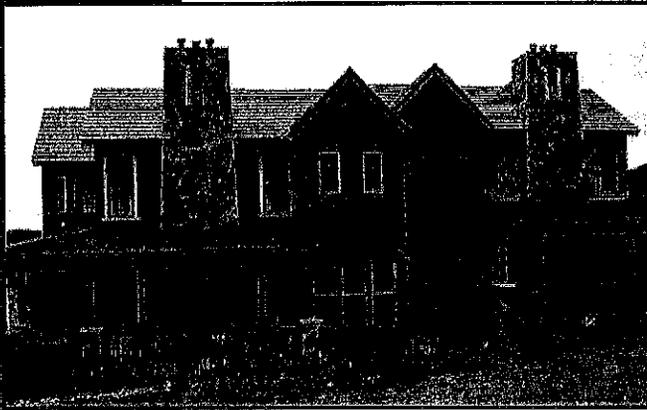
The images were taken from a variety of sources. Any resemblances to local construction should be considered coincidence only. The design elements represented in these images may or may not be acceptable design solutions in any other development, but also may or may not be acceptable design solutions in Thompson Crossing Phase II.

## PRAIRIE STYLE DESIGN



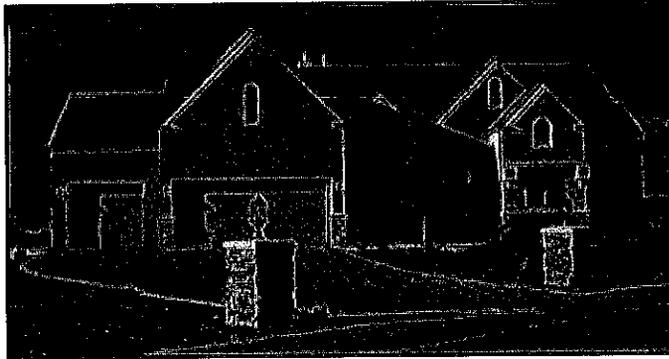
The images on this page indicate examples of "Prairie Style".

## COLORADO CRAFTSMAN/LODGE STYLE DESIGN



The images on this page indicate examples of "Colorado Craftsman design".

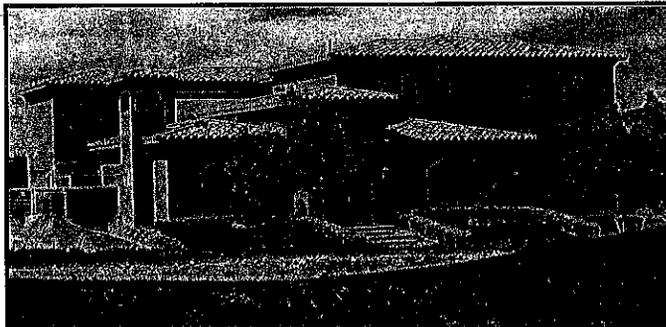
## EUROPEAN INFLUENCED DESIGNS



French Country



Tudor



Mediterranean



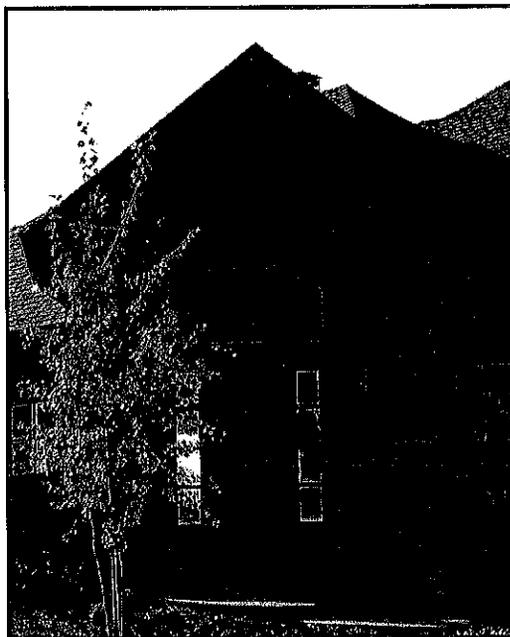
Mediterranean

The images on this page indicate examples of "European Influenced Designs".

## ELEMENTS THAT ARE ENCOURAGED



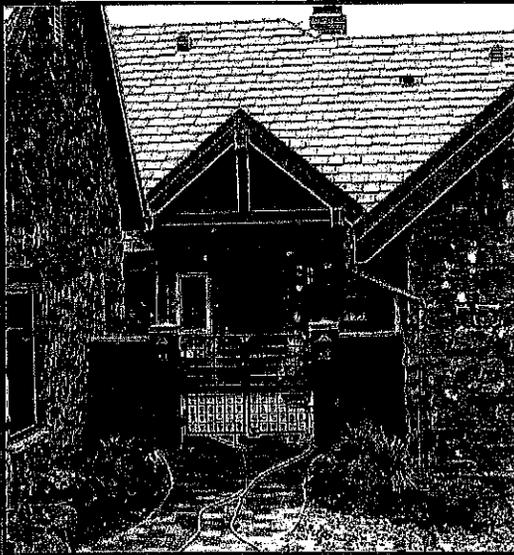
Nice courtyard entry. Great materials and proportions.  
Nice "natural" approach to a manmade structure.  
Draws the eye to the entry point.



Nice entry. Great materials and proportions.  
Arch in Truss echoes the arched window.  
Width to height proportion feels good.  
The homes "best" materials are present in the most public location.

The images on this page indicate examples of the  
"Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED



Nice entry to the home through a courtyard.

Courtyard on the "front" of the house is very fitting as a "porch" replacement in the three styles of architecture chosen for Thompson Crossing Phase II.

Houses with views to the front might consider a courtyard with protection as important as a large deck on the back.



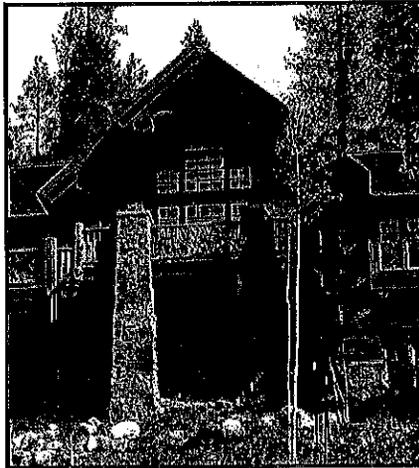
Nice entry with a well-proportioned and de-tailed tower.

Trellis entry provides focal point for entry and for courtyard to the left.

Mix of roofing material helps finish the design statement at the entry.

The images on this page indicate examples of the "Elements that are Encouraged".

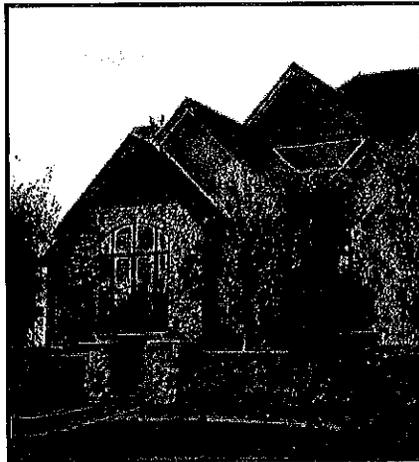
## ELEMENTS THAT ARE ENCOURAGED



Well-proportioned elevation.

Tapered stone columns are correct in size for their height and make a nice bold "structural" statement.

The rounded logs suggest more of a lodge style than a craftsman style. Stone caps are a must.



Multiple roof lines provide immediate interest from the street.

Mix of materials adds to the interest, especially in the proportions they are used.

Nice stone low wall and posts to front entry. Stone caps finish off the detail.



A bit more rustic look with the mix of lap and vertical type sidings.

Entry has nice proportion and detail with rough sawn posts and beams set on stone bases with distinctive stone caps.

The shed roof lends itself to breaking up the roof a bit as well as emphasizing the rustic nature of the design.

The stone chimney is also well proportioned and blends with the rustic nature.

The images on this page indicate examples of the "Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED



Nicely detailed wood posts and beams with strong structural lines.



Arches are appropriate for the style and the use of arched windows to accent the arches is a nice touch.

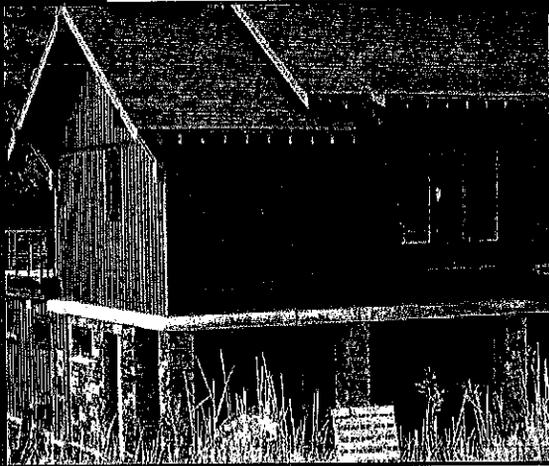
The log columns are a nice blend from clean faced stucco to a more rustic nature.



Style appropriate detailing.

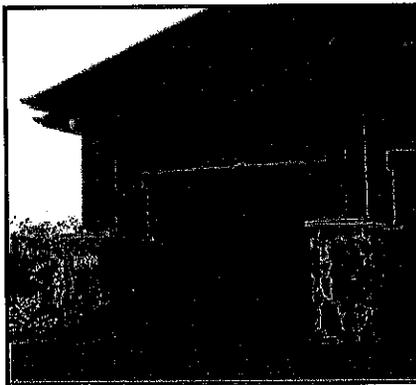
The images on this page indicate examples of the "Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED



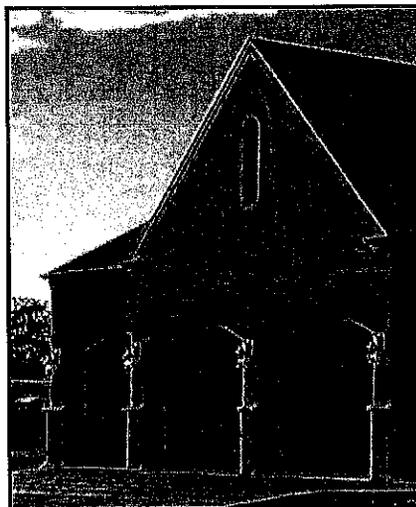
The garage doors are nicely tucked away under the stone cap between the stone columns.

The brackets and the exposed rafter tails add to the crafts- man nature of the design.



The garage doors are nicely detailed and tucked away with extra roof lines supported by strong wood posts on strong stone bases.

The header of the garage door is well proportioned and looks structural as it is intended to look.

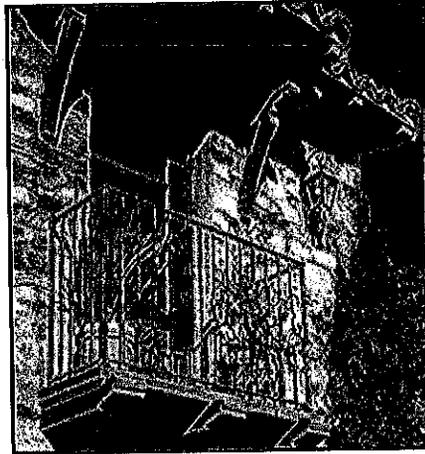


The long face of the garage is nicely broken-up with the multiple garage doors with style appropriate arches.

The doors are also nicely designed.

The images on this page indicate examples of the "Elements that are Encouraged".

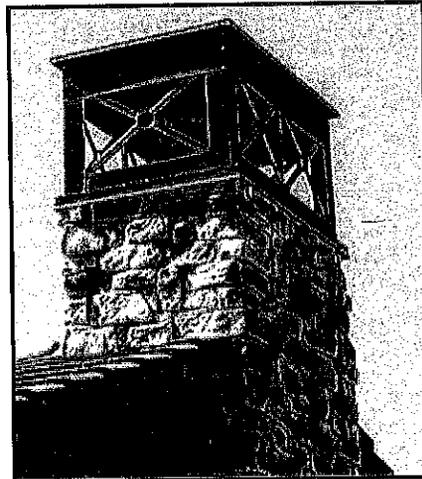
## ELEMENTS THAT ARE ENCOURAGED



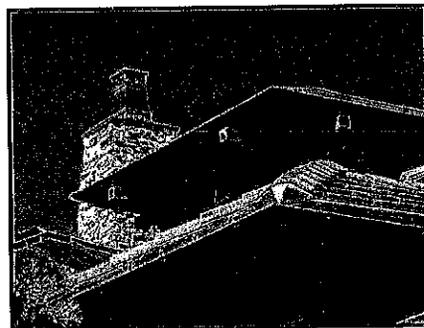
Beautiful balcony with nice lookout beam details.

The door and balcony is protected with a shed roof with nicely detailed wood brackets.

The "old world" look to the stone veneer makes it look as if the building is made of solid stone.



Rather than just a stack sticking up over the top of a chimney, this chimney is made of strong looking stone and capped with a finely detailed spark arrester.



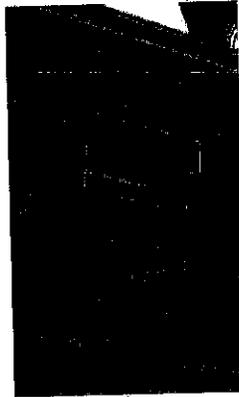
Nice top to the chimney.

Nice brackets and lookout beams help "hold" up the heavy roof materials.

Rounded gutters and downspouts are also a nice detailed "break" from standard.

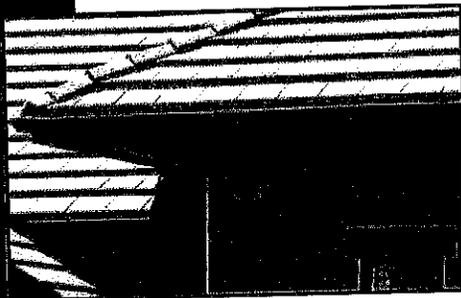
The images on this page indicate examples of the "Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED



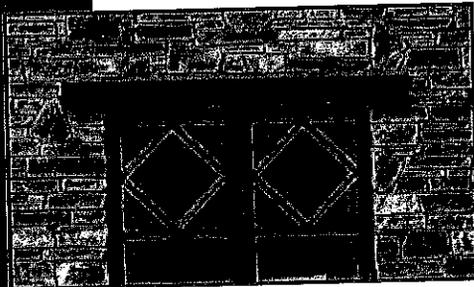
Window looks as if it is set within a nice thick wall.

Header is nice in size but the underside should look as if the header continues back into the interior.

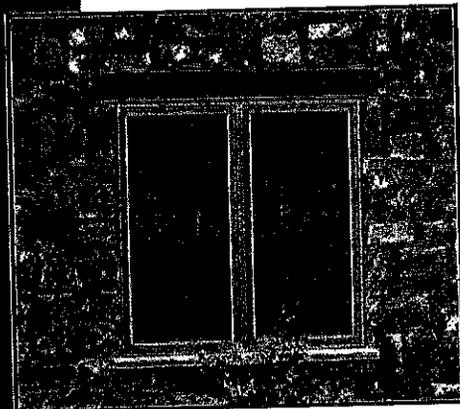


The brackets under the eave suggest structure that is "thru-wall" structure which is a nice detail.

Header over window is very realistic and style appropriate.



Heavy looking stone needs to sit on a header. This design shows how a true stone wall would look as it sits on a window.

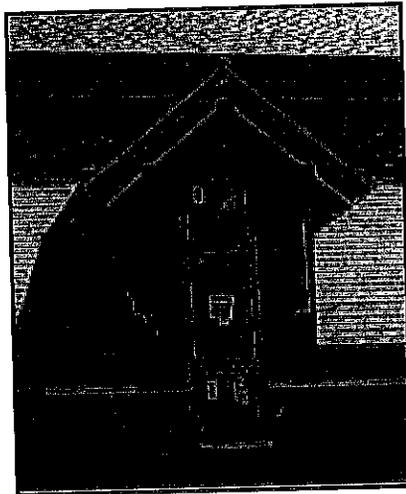


Heavy looking stone needs to sit on a header. This design shows how a true stone wall would look as it sits on a window.

The stone sill is also a nice detail that is also very period specific and style appropriate.

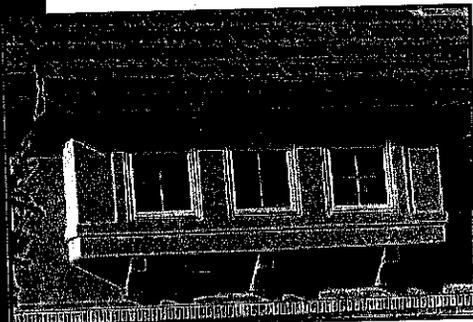
The images on this page indicate examples of the "Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED

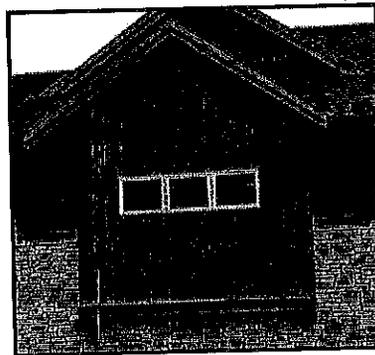


This dormer shows a nice composition of structural beams, thick fascia boards, intersection with stone at the window sill.

Again, the header over the window, the stone sill below the window and the stone "water-table" cap over the top of the stone is expected of this style.

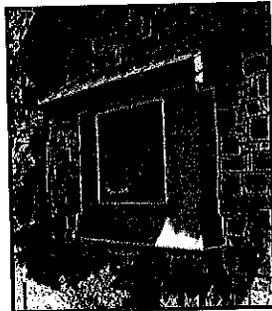


Rather than just having 3 windows to introduce natural light into the interior, this design makes more of a design statement with a bumpout and brackets.



An interesting mix of materials.

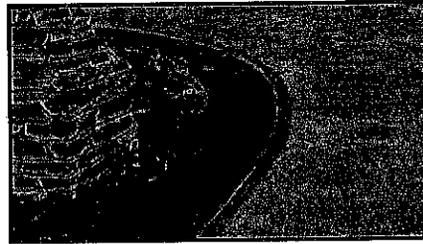
Brackets under a bumpout help breakup a long façade as well as maintain a style with a style appropriate design feature.



Rather than just having a window to introduce natural light into the interior, this design makes more of a design statement with a bumpout and brackets.

The images on this page indicate examples of the "Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED

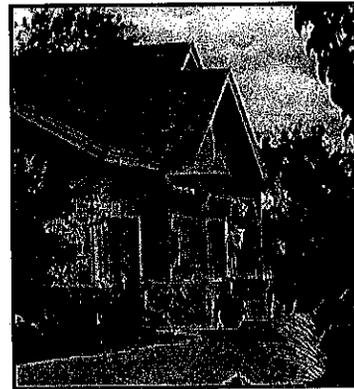


The 2 foot strip of stamped, colored concrete go a long way in providing an "upgrade" detail to an otherwise boring gray concrete drive without breaking the bank.



This elevation is of a garage. Although there may not be a bumpout for the windows to break up the elevation, there is plenty of detail to catch the eye.

Board-n-batten siding with a nice transition of color from the stucco, along with a wrapped stone column of substantial size and a continuous and wrapped base of stone with a watertable stone typical.



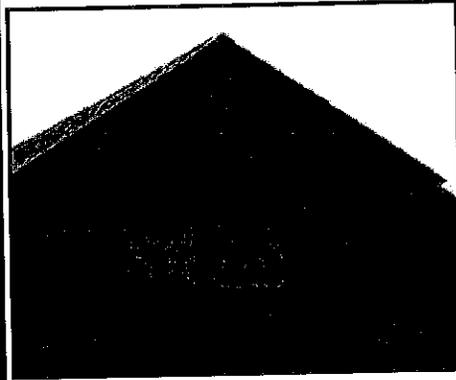
This detail is of the side of a home. The designer and owner took the care to make sure this elevation had plenty of detail as nice as the front of the home does.



Another boring roof that is "upgraded" with the use of a shed dormer.

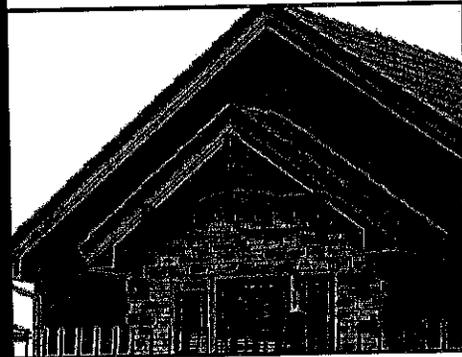
The images on this page indicate examples of the "Elements that are Encouraged".

## ELEMENTS THAT ARE ENCOURAGED



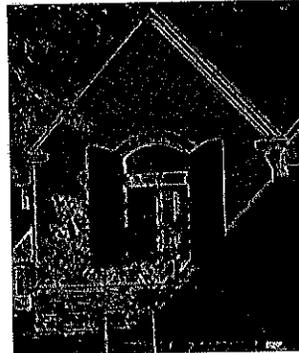
Nice detail for finishing off the under side of the apex of a gable roofed wall on a craftsman style design.

The mini truss with beams and the protruded vent with brackets break up what would have otherwise been a dull spot in this design.



Another example of doing something nice with an end gable rather than just a big triangle filled with stone or stucco.

The design would have been nicely finished with a structural looking header holding up the large amount of stone over the window.

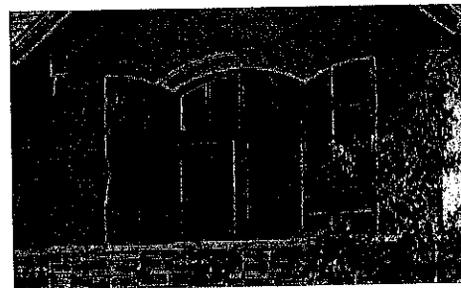


Shutters are a distinct design feature in this home.

The color contrasts nicely with the surrounding stucco.

The shutters are arch shaped to match the arch of the window.

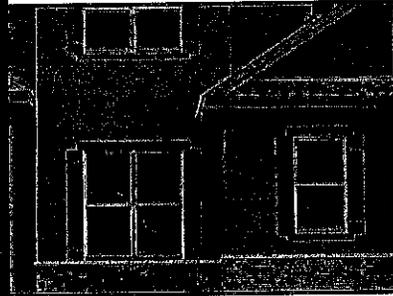
The shutters look as if they are each exactly 1/2 of the width of the window so that if they were shut they would create a nice fitted closing.



Again, another nicely detailed shutter design.

The images on this page indicate examples of the "Elements that are Encouraged".

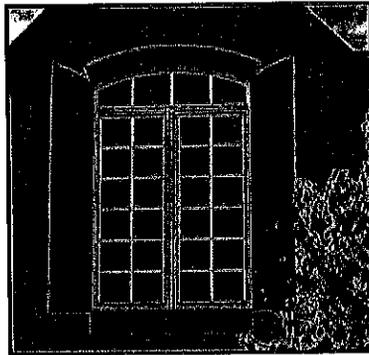
## ELEMENTS TO AVOID



These shutters are "ticky tack" only. They should hint at actually being able to cover the window in cases of storm as originally intended.

The headers and sills are not sized appropriately and a wood sill looks somewhat odd.

The roof design of providing a mid-wall shed on a gable end wall and intended to be a Dutch hip, is not style appropriate.



Again, the shutters are mis-sized. However, the use of the brick for an arch over an arched window is good.



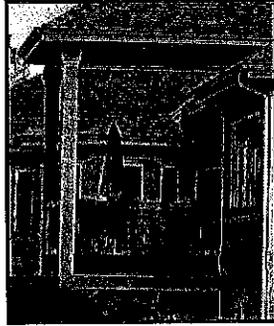
EIFS and stucco shouldn't be "trimmed" at the corners or around other building elements such as windows, doors or stone waterables. This is a wood siding detail typically.



At first glance this design looks nice, but there are some elements that may need to be adjusted: Do show the appropriate size and shape of shutter. Don't just have a hint of a balcony at a window; have a real balcony. Don't stop stone in the same plane as the stucco. Do wrap the stone around the corner rather than leaving it as an applied look only.

The images on this page indicate examples of the "Elements to Avoid".

## ELEMENTS TO AVOID



These columns look too tall and thin to support the roof and hold up the deck. Structurally there isn't a problem, but proportionately they look awkward.



The gable form suggests entry, but not to the front door. The columns are too thin. The railing is not an appropriate balustrade. The front door looks a bit "off the shelf". The choice of materials doesn't inspire one to enter.



Columns at entry are too tall and lack lateral supporting members, and the space over the entry door window is out of scale. The shutters don't work well in size, style, material or color. The railings for the balconies should match, but not match the bottom balustrade.



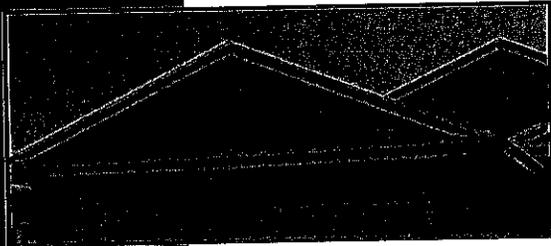
Columns are too thin and the roof looks too heavy. The use of an end gable that shows a "scissor truss" was used in supporting the roof should be avoided as this isn't style appropriate and is otherwise not attractive.

The images on this page indicate examples of the "Elements to Avoid".

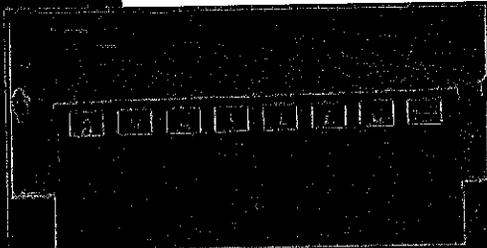
## ELEMENTS TO AVOID



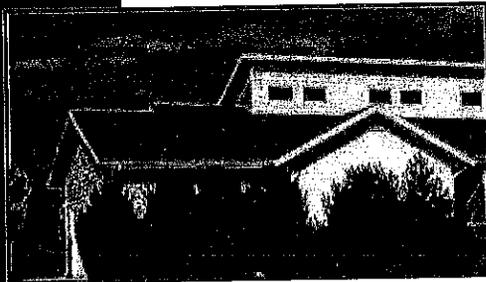
Awkward roof lines coming together.



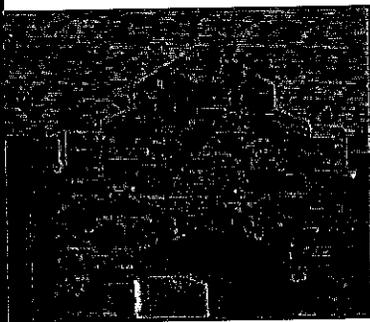
The shed piece of roof similar to a Dutch Hip should be avoided for style appropriateness as well as it is an expensive detail for no better of an image that it creates.



The signage in the windows is the best part of this design. The trimmed arch is to be avoided, the stamped aluminum garage door is also something that doesn't aid the design but very much detracts from it.



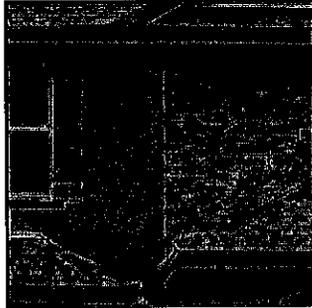
This type of clerestory should be avoided.



This type of detail will not make it through the architectural review process at Thompson Crossing Phase II.

The images on this page indicate examples of the "Elements to Avoid".

## ELEMENTS TO AVOID



Flat stone transition to stucco shows lack of depth and planning.

Multiple roof lines at odd pitches should be avoided.

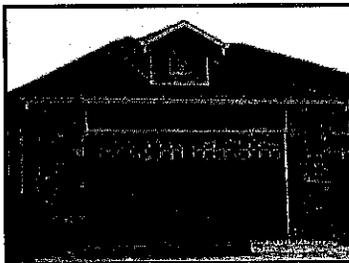
Shutter is too narrow for window size.



Masonry should carry above the garage doors.

Garage doors should make a design statement.

Round fake vents don't fit with any of the architectural style options.



Masonry should carry over garage doors.

Vent/dormer is not necessary and is in poor taste.



Garage doors are acceptable, but arched windows don't seem to fit the rest of the image of the building.

Roof form/fascia doesn't fit with acceptable styles.



Palladian arch/entry with spindly columns out of character and out of proportion.

The images on this page indicate examples of the "Elements to Avoid".

# **REFERRAL COMMENTS**

February 12, 2014

Lomas Partners, LLC  
608 Los Lomas Avenue  
Pacific Palisades, CA 90272

Re: Thompson Crossing II – Preliminary Subdivision Plat and Preliminary Development Plan

The technical review has concluded and the following comments are provided. I have also enclosed copies of the referral comments received to date. If additional comments are received these will be forwarded to you.

The preliminary plat/plan review process serves to highlight the requirements for development, and foster resolution of issues and/or identify required improvements prior to final plat and detailed civil engineering. As discussed in the pre-application meetings, the appropriate extension of High Plains Blvd., sanitary sewer and sanitary sewer tap allocations are major issues.

A. Preliminary Development Plan (PDP):

1. The PDP is generally consistent with the Outline Development Plan and - as it should - offers greater design detail. The overall lot layout and distribution, and general improvements intent is acceptable at this level of review.
2. Landscape Design Review Comments are attached.
3. A decorative privacy fence will be required along lots backing to High Plains Blvd. Rail fence will be required along lots backing to open space and park land.
4. The park amenities will need to be detailed in the final development plan.
5. Overall, it will help the P&Z Commission and Council consideration if the PDP plan set includes a cover sheet with the vicinity map, legal description, tabulation of lot sizes and dwelling unit sizes. The cover sheet could include the Statement of Intent language. Sheet 2 would be the balance of the text and Sheet 3 the site/landscape plan. Where possible, sketches or photos of prototype of improvements such as street lights, fencing and playground equipment are helpful.

B. Design Guidelines:

1. The Design Guidelines will be considered for approval with the PDP and Preliminary Plat. The original Thompson Crossing is part of 2534 and is subject to the 2534 Design Guidelines – Mr. Hoover thereafter created a more detailed (and very nice) subset of Guidelines for his use. The Design Guidelines meet the

"Performance Standards" requirement in the Annexation Agreement, but are not covenants, although the CCRs may refer to them. The Design Guidelines are a Town/Developer agreement on the quality of the neighborhood. The Guidelines need to be consistent with Municipal Code and provide for the Johnstown Review Committee approval of: 1) residential models and 2) any major changes in the development features or amenities. Please refer to the 2534 Design Guidelines for approval process text, and Section 4.4.2 for general residential standards. Remove the DRC Fees and charges.

2. Please add a guideline item to ensure that the same elevation/house model does not repeat within three lots adjoining that model, or across the street from that model.
3. Please add a provision regarding minimum two car garages.
4. The minimum percentage of masonry required on the front of the dwelling should be noted. 30% of gross wall area is in the 2534 Guidelines. The masonry should wrap around corners at least 24" (48" preferred)
5. Page 35, the discussion next to the middle picture does not seem representative of the narrative next to it. It seems like it should shift one picture down.
6. Seasonal decorations can be mentioned but only as exempt from DRC/JRC review process. The rest of the language should be in the covenants.
7. The proposed limits on requiring election signs should reference the Municipal Code. More stringent requirements may be placed in the covenants but risk running afoul of the First Amendment.
8. Definition #56 seems different than the rest of the definitions and really a subset of the Windows definition above.
9. Pages 12 and 13 of the Guidelines have contact information for the architectural design process and Design Review Committee. This will need to be furnished after final plat approval.
10. The minimum dwelling floor areas described on Appendix B should have a percentage distribution to avoid a proliferation of the small homes.

C. Preliminary Plat:

1. The thematic street names are subject to final approval at final plat.
2. Is there any phasing anticipated with the development?
3. Note #3 causes some concern. Essentially, what is being proposed is ignoring the legal descriptions and going off field evidence. How does the location of the proposed subdivision relate to what was annexed?
4. Please provide dimensions of a typical lot easement layout on a sample lot.
5. With outlots for utility easements generally at the rear of all lots, rear lot utility easements would seemingly not be needed.
6. A drainage easement should probably be put in place at the existing drainageways on-site to comply with Section 17-104.
7. Lot 30, Block 2 and Lot 12, Block 3 may be difficult to build on given their configuration.
8. Sheet 4 of 5 – will the proposed trail meet ADA grades in the southwest portion of the site?
9. The cover sheet shows different numbering for Block 1 (2 lot 29's) than is shown on the plat.

10. A utility easement on the east side of Lot 30, Block 1 may be needed to connect the utilities at the rear of lots to the front. This may also apply to Lot 29, Block 1 on the south lot line.
11. The material/finish of the proposed retaining walls should blend in with the natural surroundings.

E. Access and Streets: (Town Traffic Engineer Comments attached)

1. High Plains Blvd. (LCR 3) is planned as a major arterial. At minimum, an Interim Arterial road section will be required. The roadway should be improved to the southern extent of the property and extend past other properties (a cost reimbursement agreement is possible). The Great Western Railway crossing to the north will need to be improved per railroad/PUC requirements.

New roads must connect to existing improved roads with sufficient capacity, which in this case is Ronald Reagan Blvd. However, the Town Transportation Plan calls for High Plains Blvd. to extend to US Hwy 34. McWhinney Enterprises, developer of Iron Horse Filings 1 and 2 is obliged to improve High Plains Blvd. as an Interim Arterial along their property from north of the GWRR tracks to US Hwy 34. Discussions with McWhinney Enterprises and the 2534 Owners are advised to coordinate appropriate and acceptable subdivision access.

2. The extension of existing Tarragon Drive in Thompson Crossing (across Tract O) to this subdivision raises concerns about traffic impacts of the new development. Homeowners in Thompson Crossing and especially along Tarragon have made the Town aware of their concern for increased traffic levels and speeds. While acknowledging the need for secondary emergency access and the Fire Authority comment on extending Tarragon, there needs to be major traffic calming measures, such as suggested by the Town's Traffic Engineer.

F. Water/Sanitary Sewer:

1. Reference Town Engineer comments, attached.
2. The Town Water/Wastewater Superintendent has asked for a water line extension to the southeast portion of the development for future connections.
3. A Water and Sewer Service Agreement will be required for Town Council consideration with the final plat. The agreement will be prepared by the Town's Water Attorney, based upon the final water demand analysis as approved by the Town's Water Engineer. Sufficient water rights must be dedicated to the Town upon approval of the plat.

G. Storm Drainage: Stormwater System Development Fees (\$1100/acre) will be payable upon approval of Final Plat.

H. Schools: Comments have not yet been received from the Thompson School District, but typically the district will want cash in lieu of school site dedication at final plat.

I. Dry utilities: No comments received to date.

J. Mineral Interests: Presuming the mineral estate is not owned by the property owner and per state law, once a hearing date is scheduled you will need to provide the Town a copy of the 30-day notice to owners of severed mineral interests or a waiver of such notice.

Town Advisors and outside agencies may be contacted directly to resolve their concerns and/or identify improvement requirements. I will be happy to meet and discuss the general comments.

The preliminary plat may be considered by the Planning and Zoning Commission as early as March 12, 2014. It is customary to provide a response to the comments for the Commissioners' meeting packets. A Town Council hearing will be scheduled thereafter.

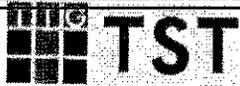
Sincerely,

A handwritten signature in black ink, appearing to read "John Franklin", with a long horizontal line extending to the right.

John Franklin, AICP  
Town Planner

Attachments

Copies with attachments to:  
Rob Van Uffelen, P.E. Merrick & Co.  
Town Advisors  
Martin Jones, Water/Wastewater Superintendent  
File



CONSULTING ENGINEERS

1/30/14

Mr. John Franklin  
Town of Johnstown  
450 S. Parish Avenue  
Johnstown, CO 80534

RE: Thompson Crossing II  
Preliminary Plat / Development Plan  
TST Job. No. 127-046

Dear John,

I have reviewed the referral package dated December 26, 2013 for the above referenced Project.

The package as submitted and reviewed consists of the following documents:

- Preliminary Plat – Sheets 1 – 3, dated 12/16/13, by Merrick & Company.
- Preliminary Development Plans, 10 Sheets, dated 12/16/13, by Merrick & Company.
- Preliminary Drainage Report, dated 12/16/13, by Merrick & Company.
- Landscape Plans, Sheets 1-5, dated 12/17/13, by TB Group.
- Preliminary Plat Narrative Letter, 4 pages, dated 12-18-13, by TB Group.
- Preliminary Geotechnical Exploration Report, dated 11/13/13, by Earth Engineering Consultants, LLC.

We have the following comments:

#### **General Comments**

1. Only those documents/sheets/pages for which we have specifically identified comments are listed below. Comments provided also may apply to other sheets/locations in the Project documents. The applicant's professional should verify that the item(s) are addressed throughout the documents consistently, as applicable.
2. Thompson Crossing II is a proposed 165 lot single family subdivision development of an approximately 76.2 acres site located immediately west of LCR 3, approximately one-half mile south of US Highway 34, and immediately east of the Thompson Crossing I subdivision.
3. Some of our general observations from the submittal review are:

**Access – Transportation:** The proposed street connections include two connections to existing streets: One to the, west to existing Tarragon Drive in the Thompson Crossing I subdivision; and, the second connection to the east to existing Larimer County Road No. 3. A proposed network of internal paved local streets and cul-de-sacs) will provide access to the lots.



CONSULTING ENGINEERS

Thompson Crossing II  
Preliminary Plat /Development Plan Referral Comments  
1/30/14  
pg. 2

**Public Water:** As indicated on the Overall Utility Plan (Sheet C3.0 in Preliminary Development Plans package), public water service within TC #2 will be provided by internally looped 8-inch water lines located in each of the streets within the subdivision. The TC #2 water lines will connect into the existing 20" water main at the west boundary of the site (at Tarragon Drive), and also into a proposed extension of the existing 16-inch in LC Road #3. The existing 16-inch main is proposed to be extended south along LC Road #3 from the N.E. corner of the subdivision to the S.E. corner of the subdivision. A connection then will be made into the subdivision via the proposed 8-inch subdivision mains in the new street connecting to LC Road #3. The TC #2 water system concept appears to be in general conformance with the Town Water Master Plan recommendations regarding main sizing, and appears to meet general engineering practice.

The Overall Utility Plan provides the minimum information required per the Town's Preliminary Plat submittal checklist, and is conceptually acceptable with respect to water service to the proposed subdivision. However, prior to final plat and/or engineering plans approvals, detailed engineering design/construction plans will need to be developed and submitted, and any subsequent specific review comments on those plans will need to be addressed. Additional documentation (as identified in Part III – Water System of the adopted Design Criteria & Construction Regulations) also will be need to be submitted by the developer and/or his engineer, including:

- (1) Concurrence/approval of the appropriate fire protection district (Loveland Fire District).
- (2) Water system analysis documenting:
  - (a) Peak hour demand residual water pressures will be at least 40 psi.
  - (b) Residual pressure of at least 20 psi will be maintained at the max. day demand + ISO fire flow.

**Public Sanitary:** The above referenced Overall Utility Plan indicates proposed 8-inch public gravity sanitary mains within the public streets in TC #2. The TC #2 system is proposed to discharge to the southwest via gravity, with a proposed aerial crossing of the drainage arroyo along the western portion of the site and then connection into the existing north-south sanitary trunk sewer at the west edge of the site. As identified within the Town's Wastewater Utility Plan (Dec. 2008), the proposed TC #2, is tributary to the Johnstown Low Point WWTP. According to the master plan, the Low Point WWTP was projected to have adequate capacity for the projected growth in its service area (even at a defined "high growth" rate), through approximately 2030.

The proposed TC #2 sanitary service plan appears conceptually acceptable at this time, subject to resolution of any special considerations associated with the proposed aerial crossing of the arroyo. Prior to final plat and/or engineering plans approvals, detailed engineering design/construction plans will need to be developed and submitted, and any subsequent specific review comments on those plans will need to be addressed. Appropriate basis of design documentation for the on-site sanitary sewer system, and confirmation of available capacity within the receiving trunk sewer, will be required as part of those detailed engineering submittals.



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CONSULTING ENGINEERS

Thompson Crossing II  
Preliminary Plat /Development Plan Referral Comments  
1/30/14  
pg. 3

**Stormwater Systems:** The Overall Utility Plan, Overlot Grading Plans and Phase I Drainage Report/Plan identify the proposed overall drainage system concept. As presented in the referral package documents, the majority of the on-site stormwater drainage would be conveyed by public street curb and gutters to a system of inlets, storm sewers and swales, much of which are located within the open space behind/between lots in Outlot C. The collected stormwater is directed toward the west and southwest, and into a proposed stormwater detention pond at southwest corner of the development. The detention pond is proposed to provide water quality detention and discharge at the historical 5-yr runoff rate, and to provide detention and discharge at no greater than the historical runoff rate for the 100-yr event. Discharge from the pond will be directed into the existing arroyo and then south a few hundred feet via the arroyo into the Big Thompson River. A limited portion of the site drainage would be directed into one or more of the other four existing arroyo's on the south and east sides of the development and then south into the Big Thompson River. Also, a small portion of the drainage would be directed east into the existing roadside ditch along the west side of LC Road #3. Overall, the combined developed site proposed stormwater discharge flow rates are indicated to be less than the historical stormwater discharge flow rates from the existing (undeveloped) site. .

I have one major concern over the stormwater collection system concept as presented in the submitted referral documents. Per the concept, much of the drainage would be directed from the street collection system into swales, inlets and storm lines within Outlot C, and then west through Outlot C via storm sewers located in easements within open space behind/between proposed lots. This concept would not be in general conformance with the Johnstown "standard" to keep the storm sewer system within the public street right-of-way to the maximum extent practical. I discussed this issue with the developer's engineer, Merrick and Company, and Merrick has provided a revised storm sewer layout concept (see attached 11 x 17" plan sheet) which I believe better encompasses the Town standard. Based on the revised storm system layout in the new plan by Merrick, and the general information contained within the Preliminary Drainage Report (subject to future modification to match the new plan concept), I believe the proposed overall stormwater management concept will be in general conformance with Town standards and will be acceptable.

**Flood Plain:** The proposed TC #2 developed area property (residential lots, streets etc.) does not fall within an identified regulatory 100-year flood plain boundary. The stormwater detention pond may lie, in part, within the 100-yr water elevation within the western arroyo. If so, further consideration and/or grading modifications resolve this issue will be addressed during detailed engineering design evaluations.

**Preliminary Traffic Study:** Per the Town's Supplemental Information check list, a preliminary traffic study is required with the preliminary plat package submittal. A preliminary traffic study was not included with the documents submitted for our review. The required traffic information/study may have been submitted to the Town's Traffic Engineer (FHU) for comment.



**CONSULTING ENGINEERS**

Thompson Crossing II  
Preliminary Plat /Development Plan Referral Comments  
1/30/14  
pg. 4

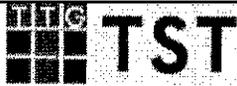
**Specific Comments By Document**

**Preliminary Plat:**

1. The preliminary plat includes Outlots A, B, C, D and E. On Sheets 2 – 5 of the preliminary plat, each of a brief identifier intended use is included on each Outlot (e.g. for "Drainage, Utility & Pedestrian Access Easement"). It may be useful to require addition of note(s) to the preliminary plat cover page which lists each of the Outlots and their use, and which identifies who the Outlot will be owned by and maintained by.

**Preliminary Development Plans:**

2. Sheet 1– Cover:
  - a. Typical street cross sections are shown for the internal subdivision local streets. The Preliminary Plat indicates 60-foot ROW and 36 foot asphalt (flowline to flowline) streets, which is consistent with the Town's Local Street standards. However, the Typical Cross Section shown on Sheet 1 shows a proposed 48-foot ROW. The typical cross section should be revised to appropriately reflect the Town street standards (60-foot ROW, 36 foot flow-line to flow-line pavement, 5-foot walk and landscape planting strip each side), and to match the Preliminary Plat.
  - b. The local street typical section shows mountable curbs. The Preliminary Drainage Report includes documentation which suggests 4" mountable curbs and also 6" standard vertical curbs within the proposed subdivision. The applicant should clarify which curb style is planned, and if both – then where each is proposed. The plans and/or report should be revised as necessary to be in agreement with each other.
  - c. The typical cross section for County Road #3 – Initial Phase, shows a proposed 120-foot R.O.W. The Preliminary Plat shows existing ROW on County Road #3, adjacent to the proposed subdivision of 50' (30' on west side of centerline and 20' on east side), and a proposed 30' of additional ROW along the frontage of the TC #2 property – for a total of 80' of ROW. The proposed 30' additional ROW grant from TC #2 would create a total of 60' ROW on the west side - consistent with an ultimate 120' ROW provided an additional 40' of additional ROW were also to be obtained from the adjacent property(ies) on the east side. The Town may wish to request appropriate note(s) be added on/with the Typical Cross Section to acknowledge that additional ROW dedications (outside of the TC #2 development grants) will be required in order to achieve the indicated 120' ROW typical cross-section along County Road #3.



**CONSULTING ENGINEERS**

Thompson Crossing II  
Preliminary Plat /Development Plan Referral Comments  
1/30/14  
pg. 5

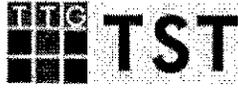
3. Sheet C3.0 – Utility Plan:
  - a. The storm sewer layout needs to be updated to incorporate the revised concept shown in the attached revised Sheet C3.0, as noted in the prior comments above.
  - b. A hydrant or appropriate water blow-off should be indicated at the south end of the proposed 16-inch water main extension along County Road #3.
4. Sheets C4.0 – C4.4 – Grading Plans:

The general grading concept(s) indicated, subject to minor revisions required to reflect the revised storm sewer layout concept previously noted, are acceptable at a Preliminary Plat/Preliminary Development Plan stage. Further refinement, and comments, will occur during the development and review of the detailed engineering plans.
5. Sheet C5.0 – Drainage Plan:

This sheet is included as an exhibit in the Preliminary Drainage Report, and is not commented on separately here. The Drainage Report and Drainage Plan will need to be updated appropriately to conform to the revised storm system layout. The applicant's engineer has indicated to our office a desire to incorporate those updates during development of the Final Drainage Report and detailed engineering plans, rather than to revise and reproduce the full set of Preliminary Development Plans and the Preliminary Drainage Report at this time. This approach would be acceptable, subject to concurrence by the Town.

**Preliminary Drainage Report:**

6. The preliminary drainage report format meets the general submittal requirements. However, prior to recommendation for approval of the drainage report, some general questions/issues, including but not limited to the following, will need to be resolved. Additionally, we have a number of specific technical comments regarding the drainage report documentation, which, rather than listing herein, we will transmit to and discuss separately with the developer's engineer, Merrick & Company.
  - a. The documentation will need to be updated to reflect the revised drainage concept (as noted previously in this letter).
  - b. The Minor Storm for design on the street drainage and storm system should reflect the 5-yr storm event.
  - c. Documentation will be required within the Final Drainage Report to demonstrate that proposed flows within swales and arroyos (both on-site and downstream of the site's discharges) do not result in erosive flow conditions. If necessary, appropriate channel/swale stabilization should be provided for in the final engineering designs.



CONSULTING ENGINEERS

Thompson Crossing II  
Preliminary Plat /Development Plan Referral Comments  
1/30/14  
pg. 6

**Preliminary Geotechnical Exploration Report:**

7. The report notes that subsurface exploration conducted by others in March of 2006 indicated the presence of water (either ground water and/or perched water) at approximate depths of 8 to 17 ½ feet below existing grades. Based on that observation, the current report recommends consideration for installation of dewatering systems to reduce potential for groundwater impacts on lower level/basement areas of structures. Further evaluations to address the whether formal dewatering may be needed should be addressed prior to final engineering design approvals.
8. The report presents preliminary planning level recommendations for pavement design of the on-site streets. These preliminary recommendations appear reasonable. The report also notes that, consistent with Town Standards, a *"final pavement evaluation and geotechnical engineering exploration will be required ... after [overlot grading and] utility infrastructure has been installed and the subgrade section is at or near "final subgrade" elevations."* The final pavement design recommendations then will be established.

The information/comments contained within the Preliminary Geotechnical Report do not appear to raise any particular or unusual issues which should prevent preliminary plat approval consideration.

**Landscape Plans:**

From an engineering standpoint, we review landscape plans primarily for indications of sight distance conflicts at street intersections and for potential conflicts with existing/proposed utilities (water mains, sanitary sewers, storm sewers) and/or storm drainage/detention. We typically do not offer comments on the specific landscaping plant palates, quantities, etc.. Accordingly, our comments on the landscape plans are as follows:

9. No sight distance issues are apparent based upon the current landscape plans submittal.
10. Based on the currently shown storm sewer/swale locations (in Outlot C), there would have been a number of trees either directly over, or too close (e.g. within less than 10-feet either side of) the proposed storm sewers. Based upon the revised storm system layout (with most of the storm sewers moved to be within the street ROW), these tree conflicts will be significantly reduced/eliminated. Proposed tree locations should be reviewed and established to avoid trees being located over/near the remaining storm sewer(s) in Outlots (outside the ROW). Also, tree locations should be selected so as to avoid placement within flow lines of the proposed drainage swales within the Outlots and/or in other locations).



**CONSULTING ENGINEERS**

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Thompson Crossing II  
Preliminary Plat /Development Plan Referral Comments  
1/30/14  
pg. 7

**Recommendation**

We have noted a few concerns/issues in the comments above. We recommend these issues be addressed and resolved to the satisfaction of the Town prior to Town approval of the Preliminary Plat/Preliminary Development Plan for the Thompson Crossing II subdivision. Additionally, we recommend that if the Town elects to grant Preliminary Plat/Preliminary Development Plan approval prior to confirmation of resolution of all of our engineering concerns, that the Town approval(s) be granted contingent upon:

1. Contingent on the understanding that the approved documents are based on the revised drainage plan (revised in-street storm sewers per revised Preliminary Plan Sheet C3.0).
2. Contingent upon final engineering approvals.

If there are any questions regarding any of our comments, or if further clarification is desired, please contact our office.

Sincerely,

TST INC. OF DENVER

A handwritten signature in black ink, appearing to read 'Gregory A. Weeks', written in a cursive style.

Gregory A. Weeks, PE, LEED ® AP

Enclosure: Revised Overall Utility Plan (showing revised storm sewer/drainage concept).

**MERRICK & COMPANY**

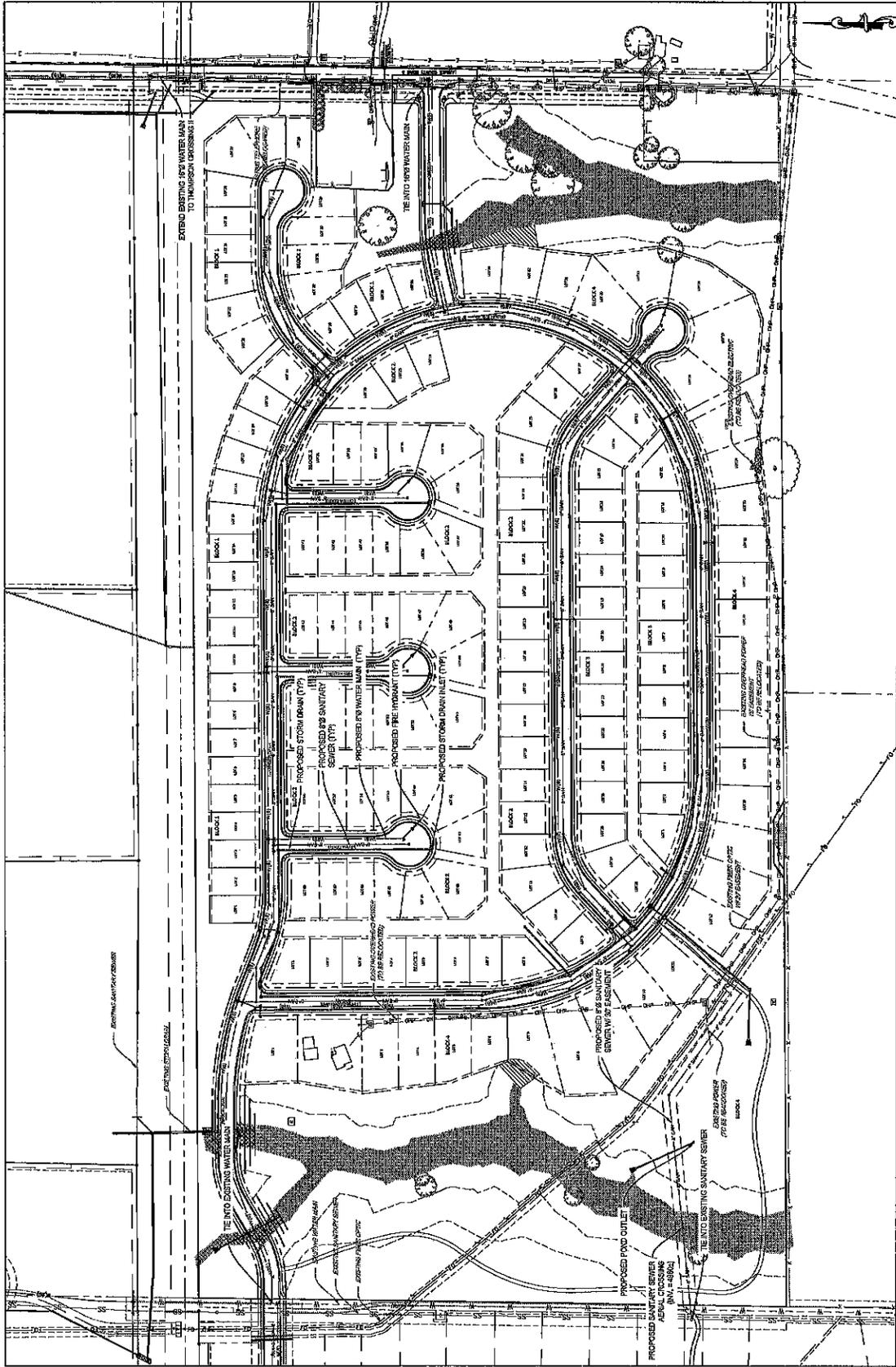
For and on behalf of  
 HARRIS & COMPANY

| NO. | DATE | REVISION DESCRIPTION |
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JOHNSON CROSSING II  
 JOHNSTOWN, COLORADO  
 UTILITY PLAN

LAB. NO. 60189215  
 DATE: 12/11/13  
 SHEET C3.0



UTILITY PLAN  
 - PLAN -  
 SCALE: 1" = 100'



FELSBURG  
HOLT &  
ULLEVIG

*engineering paths to transportation solutions*

January 30, 2014

**MEMORANDUM**

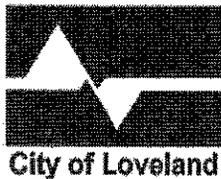
TO: John Franklin  
FROM: David E. Hattan, P.E.  
SUBJECT: Review of Preliminary Plat and Traffic Impact Analysis  
PROJECT: Thompson Crossing II  
FHU # 99-201

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I have reviewed the preliminary plat and traffic impact analysis prepared by Delich Associates (December 2013) for this development. I have reviewed this information from the perspective of traffic engineering and transportation planning but not general civil or utility engineering. The following are my comments regarding these plans:

- The primary concern is Tarragon Drive as a through street connecting Thompson Crossing II with Thompson Crossing I. Although this connection was planned with the approval of Thompson Crossing I, existing residents are resisting this connection which would increase the traffic on Tarragon Drive in their neighborhood. In addition, a letter dated January 16, 2014 states that the "Loveland Fire Recue Authority requires that Tarragon Drive be constructed as a full, open connection (not a barricaded, "emergency access-only" connection)". My suggestion is that Tarragon Drive be constructed as a narrower road (possibly as narrow as 15 feet, hopefully no more than 20 feet wide) with signs at each end that state "Do Not Enter" (R5-1) along with a black on white regulatory sign below stating "Emergency Vehicles Excepted". There would not be any barricades or other obstructions. This would be enforceable by Johnstown Police if residents disregard the prohibition.
- The traffic study prepared by Delich Associates properly addresses the traffic impacts if Tarragon Drive were allowed to be a full-service connection. However, this is not possible, and the study will need to be revised. Since all Thompson Crossing II traffic will now use LCR 3 for access, I have the following concerns:
  - Paving on LCR 3 – At a minimum, LCR 3 will need to be paved to Ronald Reagan Boulevard to the north. This will involve upgrading the Great Western Railroad crossing north of the development which will require Public Utilities Commission (PUC) approval. The requested new street cross section should look to the future so that additional approvals are minimized. It would be better if LCR 3 could be paved north to US 34 and south to LCR 18. This would give future residents paved access for all directions of travel.
  - Chamomile Drive – since this will be the only full-time access to the development, I recommend that Chamomile Drive be built as a Collector with Raised Median or Residential Collector west to Groundsel Way/Tarragon Drive. This will allow separate left and right turn lanes to be built for the eastbound approach to LCR 5.
  - Intersection of Chamomile Drive and LCR 3 – In addition to Chamomile Drive, the traffic study needs to reanalyze auxiliary lane requirements at this intersection.

Please call if you have any questions or need additional information.



**Loveland Fire Rescue Authority  
Community Safety Division**

410 East Fifth Street • Loveland, Colorado 80537  
(970) 962-2497 • FAX (970) 962-2912 • TDD (970) 663-5144  
[www.cityofloveland.org](http://www.cityofloveland.org)

TO: John Franklin, Planner, Town of Johnstown

FROM: Carie Dann, Deputy Fire Marshal, Loveland Fire and Rescue, phone 970.962.2518, email [carie.dann@cityofloveland.org](mailto:carie.dann@cityofloveland.org)

RE: Thompson Crossing II Fire Hydrant Exhibit

CC: Rob Van Uffelen, Project Manager, Merrick & Co.

DATE: January 16, 2014

This letter is in regard to the Thompson Crossing II Fire Hydrant Exhibit.

I have reviewed and approve the proposed locations of the fire hydrants. However, I need additional information as to the type of hydrant that will be installed and water-line size.

Additionally, Mr. Van Uffelen and I met Oct. 26, 2013, and discussed the extension of Tarragon Drive in this new subdivision, to connect to the existing Tarragon Drive to the west (Thompson Crossing I). Because of the large number of single-family residences between these two projects, Loveland Fire Rescue Authority requires that Tarragon Drive be constructed as a full, open connection (not a barricaded, "emergency access-only" connection). The full connection is needed to maintain the highest level of life safety for the residents of our jurisdiction.

# Green Creations

## Town of Johnstown Development Plan Review

**TO:** John Franklin, Johnstown Planner  
**REVIEWED BY:** Steve Ransweiler, Green Creations  
**PHONE:** 303-264-7249  
**DATE:** February 11, 2014  
**PROJECT NAME:** Thompson Crossing II – Preliminary Plat and Preliminary Development Plan

### Comments to the Town:

1. It is recommended that the Town require the developer to design and construct the LCR 3 Arterial ROW trail adjacent to the unplatted property north of proposed Chamomile Drive. It seems that they will need to acquire ROW/easement to construct the grading and drainage improvements shown in the preliminary development plans, so acquiring the necessary additional/ROW to complete this important pedestrian connection would be a benefit to the community.
2. The proposed detention pond in the southwest corner of the site seems not to include any water quality measures to cleanse the storm water before it discharges into the existing wetlands area. To preserve the quality of the waterway into which the water will discharge, it is recommended that efforts are made to add features to the stormwater detention design that will cleanse the water prior to discharge.
3. On Sheet 1/5 of the Landscape Plans, the Landscape Use Chart notes that the proposed native areas in Outlot E are excluded from any landscape improvements requirements. Please confirm that this assessment has been approved by the Town. It would seem that additional trees/shrubs would provide interest and shade around the proposed trail in the western portion of Outlot E.

### Plan Revisions:

#### Preliminary Plat:

1. Sheet 1/5 – Please clarify Easement and ROW Note #6, as there is no Outlot O shown on the plat or development plan.
2. Sheet 2/5 – Please clarify the need for the pedestrian trail easements shown in Outlot E. It seems that they are remnants from past work. The proposed trail is located outside of these easements. It seems that they should be vacated with this plat.
3. Sheet 3/5 – Please revise the sidewalk shown along LCR 3 from 6' wide to 10' wide, per Section F.1.f of the current Town of Johnstown Landscape Standards and Specifications.

#### Preliminary Development Plans:

4. Cover Sheet – Please clarify the reasoning for the swale behind the back of curb along the western edge of LCR 3. The ultimate design of the road ROW should show drainage over the curb into the drain pan. Please review the cross section and plan to drain this water over the curb or provide a design and cross-section showing how this swale is necessary in the interim road condition.
5. Sheet C1.1 – Standard Grading, Erosion and Sediment Control Construction Plan Note #22 reads that hydromulching shall be allowed, but then the rest of the note reads as if straw or hay mulch were required. Please clarify which type mulch is being specified. A straw/hay mulch is desired for the proposed seeded areas, depending on what time of year the seed will be applied.
6. Sheet C2.0 – Demolition plan notes refer to the removal of existing trees on site. Please provide the species, size and health and other information about these and all other trees on site and clarify if they are to be removed or preserved, per Sections D.1.b and H.3 of the current Town of Johnstown Landscape Standards and Specifications.
7. Please clarify the proposed width and material for the trail in Outlot E.
8. Sheet C4.2 – Per Comment 4 above, please revise the grading in the LCR 3 arterial ROW to eliminate the swale behind the curb and provide drainage over the curb into the storm sewer system.
9. Sheet C4.3 – The grades south of Lot 14 are steeper than 3:1. Please revise the grades to meet the requirements of Section H.1.d of the current Town of Johnstown Landscape Standards and Specifications or add a wall to achieve the required grades.
10. Sheet C4.4 - The grades southeast of Comfrey Court at Lot 28 and in the LCR 3 Arterial ROW are steeper than 3:1. Please revise the grades to meet the requirements of Section H.1.d of the current Town of Johnstown Landscape Standards and Specifications or add a wall to achieve the required grades.
11. Sheet C5.0 – Per Comment 7 above, it seems that the drainage at the northern end of the site could be conveyed into the existing pond north of the railroad tracks or into the gutter pan instead of into a swale behind the curb and in the landscaped area.

Landscape Plans:

12. Sheet 1/5 – Please revise Landscape Note #6 to reflect the requirements listed in Section H.10.a.i of the current Town of Johnstown Landscape Standards and Specifications.
13. Sheet 1/5 – Landscape Note 16 references temporary irrigation systems to establish seed in native areas. Please note that any temporary irrigation methods need to be approved by the Town and need to meet the requirements listed in Section H.5.d of the current Town of Johnstown Landscape Standards and Specifications.
14. Sheet 1/5 – Please delete a reference to the 2534 DRC in Landscape Note #19.
15. Sheet 1/5 – Please revise Irrigation Note #1 to reflect that irrigation plans for the LCR 3 Arterial ROW will be required with the Final Landscape plans, per current Town of Johnstown Landscape Standards and Specifications.
16. Sheet 1/5 – Please add the required plan notes to the Irrigation Notes, per Sections H.5.b.i-xiv of the current Town of Johnstown Landscape Standards and Specifications.

17. Sheet 1/5 – Please delete Ash species from the suggested plant list due to the Emerald Ash Borer epidemic hitting Colorado.
18. Sheet 1/5 – The Tree Protection Notes are accurate, but no trees are shown to be protected on the plans. Please revise the plans (or provide a separate tree preservation plan) to reflect all existing trees and their status per Comment #6 above.
19. Sheet 1/5 – Please add the LCR 3 Arterial ROW to the chart with all required information, per Section D.1.f of the current Town of Johnstown Landscape Standards and Specifications.
20. Please provide the required typical cross section with all required information, per Section D.1.g of the current Town of Johnstown Landscape Standards and Specifications.
21. Please add the required plan notes per Sections D.1.h.i-v of the current Town of Johnstown Landscape Standards and Specifications.
22. Sheet 3/5 – Please add the required preliminary landscape design in the LCR 3 ROW south of Chamomile Drive, including trail and landscaping, per Section D.1.d of the current Town of Johnstown Landscape Standards and Specifications.
23. Please clarify how the landscape requirements for the proposed stormwater detention facility in Outlot E are being met, per Section E.4.a of the current Town of Johnstown Landscape Standards and Specifications.

**General Comments:**

1. Please note that these plans have been reviewed at a preliminary level only. Future plans will be reviewed for additional detail with future submittals, per the requirements of the current Town of Johnstown Landscape Standards and Specifications.
2. Please note that future submittals shall include response comments clarifying how the above comments have been addressed in updated plans.
3. On future plans, please clarify the proposed locations of the straw blanket and soil retention blanket referred to in Grading and Erosion Control Notes #24 & #25 on Sheet C1.1 of the Preliminary Development Plans.

20  
mid 2

# TOWN OF JOHNSTOWN REFERRAL AGENCY DISTRIBUTION LIST

Application for: Thompson Crossing Preliminary Plat

| To:   | Date Sent         | Comments Sheet Returned | With Comments Y/N |
|---|-------------------|-------------------------|-------------------|
| <input checked="" type="checkbox"/> <u>TOWN ADVISORS</u>  |                   |                         |                   |
| <input checked="" type="checkbox"/> <u>Town Attorney - R. Russell Anson</u>   | <u>12/26/13</u>   |                         |                   |
| <input type="checkbox"/> <u>Town Water Attorney - Peter Ampe</u>  |                   |                         |                   |
| <input type="checkbox"/> <u>Town Water Engineer - Tom Williamsen</u><br><u>twilliamsen@helton-williamsen.com</u>  |                   |                         |                   |
| <input checked="" type="checkbox"/> <u>Town Engineer - John Cotten</u><br><u>TST, Inc. c/o Greg Weeks</u>   | <u>12/26/13 M</u> | <u>1/30/14</u>          | <u>Y</u>          |
| <input type="checkbox"/> <u>Public Improvements Inspector</u><br><u>Tim Farner, TST, Inc.</u>   |                   |                         |                   |
| <input checked="" type="checkbox"/> <u>Development Plans Review</u><br><u>Jennifer Henninger, RG &amp; Associates, LLC</u><br><u>jhenninger@ci.sheridan.co.us</u> | <u>12/26/13 R</u> | <u>1/29/14</u>          | <u>Y</u>          |
| <input checked="" type="checkbox"/> <u>Landscape Plan Review</u><br><u>Steve Ransweiler, Green Creations</u>  | <u>12/26/13</u>   |                         |                   |
| <input checked="" type="checkbox"/> <u>Transportation &amp; Traffic</u><br><u>Dave Hattan, Felsburg, Holt &amp; Ullevig</u><br><u>Dave.Hattan@FHUENG.COM</u>      | <u>✓ R</u>        | <u>1/30/14</u>          | <u>Y</u>          |
| <input type="checkbox"/> <u>TOWN STAFF</u>  |                   |                         |                   |
| <input type="checkbox"/> <u>Planner - John Franklin</u>   |                   |                         |                   |
| <input type="checkbox"/> <u>Public Works Director -</u>   |                   |                         |                   |
| <input type="checkbox"/> <u>Building Official - Ken Kidd</u>  |                   |                         |                   |
| <input type="checkbox"/> <u>Police Chief - Brian Phillips</u>   |                   |                         |                   |
| <input checked="" type="checkbox"/> <u>Streets Superintendent - Don Gardner</u>   | <u>✓</u>          |                         |                   |
| <input checked="" type="checkbox"/> <u>Water/Wastewater Superintendent - Marty Jones</u>  | <u>✓</u>          | <u>1/3/14</u>           | <u>Y</u>          |
| <input type="checkbox"/> <u>DISTRICTS</u>   |                   |                         |                   |
| <input checked="" type="checkbox"/> <u>Johnstown Fire Protection District</u><br><u>jmolar@johnstownfire.org</u>  |                   |                         |                   |
| <input checked="" type="checkbox"/> <u>Loveland Rural Fire Protection District</u>  |                   |                         |                   |

TH

SEE LOVELAND

| To:  | Date Sent | Comments<br>Sheet<br>Returned | With<br>Comments<br>Y/N |
|--|-----------|-------------------------------|-------------------------|
| <input checked="" type="checkbox"/> <b>Loveland Fire and Rescue</b><br>Attn: Carie Dann, Deputy Fire Marshal <a href="mailto:eplan-fire@cityofloveland.org">eplan-fire@cityofloveland.org</a>  | 12/26/13  | 1/16                          | y                       |
| <input checked="" type="checkbox"/> <b>Little Thompson Water District</b><br>Attn: Michael T. Cook PE <a href="mailto:mtcook@ltwd.org">mtcook@ltwd.org</a>   | ✓         |                               |                         |
| <input checked="" type="checkbox"/> <b>Thompson Rivers Parks &amp; Rec. District</b><br>Attn: Clint Dudley, Director <a href="mailto:cdudley@trpr.org">cdudley@trpr.org</a>  | ✓         |                               |                         |
| <input type="checkbox"/> <b>Weld County School District RE-5J</b><br>Attn: Dr, Martin Foster <a href="mailto:mfoster@weldre5j.k12.co.us">mfoster@weldre5j.k12.co.us</a>  |           |                               |                         |
| <input checked="" type="checkbox"/> <b>Thompson School District R2-J</b><br>Thompson School District<br>Attn: Planning Services  | 12/26/13  |                               |                         |
| <b><u>UTILITIES</u></b>  |           |                               |                         |
| <input checked="" type="checkbox"/> <b>XCEL Energy</b><br>Attn: Todd Anderson  | ✓         |                               |                         |
| <input checked="" type="checkbox"/> <b>Baja Broadband</b><br>Attn: Josh Speiser, Technical Operations Manager<br><a href="mailto:Joshua.speiser@tdstelecom.com">Joshua.speiser@tdstelecom.com</a> , <a href="mailto:cthirlwall@bajabb.tv">cthirlwall@bajabb.tv</a> | ✓         |                               |                         |
| <input checked="" type="checkbox"/> <b>CenturyLink</b><br><a href="mailto:Terry.Speer@centurylink.com">Terry.Speer@centurylink.com</a> ?   |           |                               |                         |
| <input type="checkbox"/> <b>AT&amp;T</b><br>Bruce Kelly (I-25 Corridor)  |           |                               |                         |
| <b><u>OTHER AGENCIES</u></b>   |           |                               |                         |
| <input type="checkbox"/> Colorado Dept. of Transportation<br>Attn: Gloria Hice-Idler (Mail only)   |           |                               |                         |
| <input type="checkbox"/> <b>Consolidated Hillsborough Ditch Co.</b><br>(Mail)  |           |                               |                         |
| <input type="checkbox"/> <b>Harry Lateral Ditch Company</b><br>Mario Herrera, President  |           |                               |                         |
| <input type="checkbox"/> <b>Reorganized Farmers Ditch Company</b><br>Includes: Consolidated Home Supply,<br>Big Thompson Ditch Manufacturing Company   |           |                               |                         |
| <input type="checkbox"/> <b>Little Thompson Water District</b>   |           |                               |                         |

| To:   | Date Sent | Comments<br>Sheet<br>Returned | With<br>Comments<br>Y/N |
|---|-----------|-------------------------------|-------------------------|
| <b>Northern Colorado Water Conservation District</b><br>Attn: Marilyn Conley<br>Marilyn Conley <a href="mailto:mconley@northernwater.org">mconley@northernwater.org</a> |           |                               |                         |
| <b>Omni-Trax</b> - Attn: Barbara Burns  |           |                               |                         |
| <b>U S Postal Service</b><br>Attn: Postmaster   |           |                               |                         |
| <b>United Power</b> - Attn: Al Trujillo<br>Senior Right-of-Way Specialist   |           |                               |                         |
| <b>Larimer &amp; Weld Irrigation Company</b>  |           |                               |                         |
| <b>Larimer County Assessor</b><br>Attn: Subdivision Dept. / Megan Harrity<br><a href="mailto:mharrity@larimer.org">mharrity@larimer.org</a> (Prelim and final Plats)    | ✓         |                               |                         |
| <b>Larimer County Health Department</b><br>Attn: Doug Ryan <a href="mailto:ryandl@co.larimer.co.us">ryandl@co.larimer.co.us</a>   |           |                               |                         |
| <b>Larimer County Planning Division</b><br>Attn: Matt Lafferty <a href="mailto:mlafferty@larimer.org">mlafferty@larimer.org</a>   | ✓         |                               |                         |
| <b>Larimer County Public Works Admin.</b><br>Attn: Rusty McDaniel (by mail only)  |           |                               |                         |
| <b>City of Loveland - Planning Dept.</b><br><a href="mailto:Eplan_planning@cityofloveland.org">Eplan_planning@cityofloveland.org</a>                                    |           |                               |                         |
| <b>Weld County Planning Department</b><br><a href="mailto:mmartin@co.weld.co.us">mmartin@co.weld.co.us</a>  |           |                               |                         |
| <b>Weld County Public Works Dept.</b><br>Attn: Don Carrol   |           |                               |                         |
| <b>Town of Milliken</b><br>Attn: Anne Best Johnson, Director of Community Development   |           |                               |                         |
| <b>Town of Windsor</b><br><b>Planning Department</b><br><a href="mailto:ptremelling@windsorgov.com">ptremelling@windsorgov.com</a>                                      |           |                               |                         |
| <b>City of Greeley</b><br><b>Community Development Department</b>   |           |                               |                         |

The following items were sent to each of the referral agencies:

Application, Maps, \_\_\_\_\_

REV. 12/2013



**AGENDA ITEM 9B**

**AWARD  
OF  
CONTRACT  
(2014 Chip Seal Project)  
(A-1 Chipseal Company)**

## **TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** May 5, 2014

**ITEM NUMBER:** 9B

**SUBJECT:** Consider Award of Contract to A-1 Chipseal Company – 2014 Chip Seal Project

**ACTION PROPOSED:** Award Contract to A-1 Chipseal Company

**PRESENTED BY:** Public Works Director, Town Manager and Town Attorney

**AGENDA ITEM DESCRIPTION:** Chip seal is an economical surface treatment designed to protect and prolong the life of pavement. In a single chip seal, an asphalt binder is sprayed onto the pavement, then immediately covered by a single layer of uniformly sized chips. The new surface is then rolled to seat the aggregate and broom swept to remove any loose chips. A fog seal is then applied to the treated surface. Fog seal is a process whereby a diluted asphalt emulsion is sprayed onto the road surface to give the roadway a black appearance, which also aids in the chip retention.

Chip seals are used for restoring skid resistance, protecting a roadway surface from aging, waterproofing the surface of the road and protecting the underlying pavement from oxidation, and traffic wear.

The 2014 Chip Seal Project represents a total of approximately 65,200 square yards of pavement surface improvements to street segments within the Town (refer to attached street list). The cost for 1/4" chip seal per square yard is **\$2.55**, and **\$2.69** per square yard for a 3/8" chip seal, plus **\$115** per hour for street sweeping.

A-1 Chipseal Company has successfully completed chip seal projects over the past eleven (11) years in Johnstown. The Company has also performed work in the cities of Denver, Colorado Springs, Aurora, Lakewood, Arvada, Golden, Northglenn, Loveland, Frederick, Estes Park, etc. A-1 Chipseal's owner has been in business since 1981.

*Section 9.1.3 of the Town's Purchasing Procedure Manual provides in part for the following:*

"Procurement Under Existing Contracts:" Department Heads and the Town Administrator may contract for services, construction of items of tangible personal property without use of competitive sealed bids or competitive sealed proposals, as follows:

**9.3.1** "With a vendor which has a current contract or price agreement with the state purchasing agent or central purchasing officer or with another municipality or a county which has or uses an open bid process for the items, services or construction meeting the same standard specifications as the items that are to be procured if the following conditions are met:

- a. The quantity purchased does not exceed the quantity, which may be purchased under the applicable contract; and
- b. The purchase order adequately identifies the contract relied upon by number, if applicable, or by other appropriate references."

On March 11, 2014, A-1 Chipseal Company (Daniel Gryzmala, President) was awarded a contract by the City of Loveland for the City's 2014 Street Resurfacing Program in the amount of \$484,000 (refer to attachments). Mr. Gryzmala has agreed to perform the Town of Johnstown's 2014 Chip Seal Project in accordance with the City of Loveland specifications, and at the same unit cost (\$2.55/sy.) for 1/4" aggregate chip seal, (\$2.69/sy.) for 3/8" aggregate chip seal, and \$115 per hour for the chip seal pickup sweeper for a total contract price not to exceed \$235,000, which includes a \$6,915 contingency.

**NOTE:** According to the Contractor, the chip seal work will be completed at the same time as the 2014 Loveland chip seal project.

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**LEGAL ADVICE:** The former Town Attorney drafted the attached agreement.

**FINANCIAL ADVICE:** According to the Town Treasurer, sufficient funds are available for the project.

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**RECOMMENDED ACTION:** Award contract to A-1 Chipseal Company.

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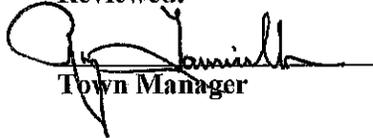
**SUGGESTED MOTIONS:**

**For Approval:** I move to award the contract for the 2014 Chip Seal Project to A-1 Chipseal Company for a total price not to exceed \$235,000, and authorize the Mayor to sign the agreement.

**For Denial:** I move to deny the award of the contract to A-1 Chipseal Company.

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**Reviewed:**

  
Town Manager

# **AGREEMENT**

**TOWN OF JOHNSTOWN, COLORADO**

**2014 CHIP SEAL PROGRAM**

THIS CONTRACT entered into at Johnstown, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2014 by and between the TOWN OF JOHNSTOWN, COLORADO, a Colorado Home Rule Town, with address for notice at 450 S. Parish Ave./ P.O. Box 609, Johnstown, Colorado 80534 hereinafter called and referred to as the Town, and A-1 Chip Seal Company, with address for notice at 2001 W. 64<sup>th</sup> Lane, Denver, CO 80221 hereinafter called and referred to as Contractor.

**WITNESSETH:**

THAT FOR AND in consideration of the premises, the payments hereinafter provided for, and the mutual covenants, promises, doings, and things hereinafter set forth, the parties hereto do now agree as follows:

1. That Town does engage the services of Contractor, and Contractor does hereby bind himself unto Town, to perform the following project to Town, to wit:

**2014 CHIP SEAL PROGRAM**

for a total price not to exceed Two Hundred Thirty-Five Thousand and 00/100 Dollars (\$235,000), which shall be paid in the following manner:

The bid price shall be payable by Town unto Contractor upon Town's accounts payable cycle following approval by Town of detail invoices from Contractor. Final payment equal to ten percent (10%) of the bid amount shall be paid upon final completion of the work, and acceptance by the Town, and receipt of all lien waivers, and end of period for Notice of Final Payment as published by Town Clerk.

2. That all of Contractor's performance hereunder shall be in a workmanlike manner, and shall be in conformity with the attached specifications for said project, and in accordance with time restrictions and limitations set forth:

The term "Contract documents" means and includes the following:

- (a) Contract and Attachments
- (b) Specifications
- (c) Chip Seal quote
- (d) Insurance Certificates and Insurance Requirements
- (e) Notice to Proceed
- (f) Change Order
- (g) Invitation for Bids
- (h) Information for Bidders
- (i) Bid Proposal and Bid Bond

- (j) Notice of Contractor's Settlement
- (k) Final Receipt and Guarantee

The contractor shall furnish all materials, supplies, tools, equipment, labor and other services necessary for the construction and completion of the project described herein.

3. That within three (3) days of the execution of the contract, the Contractor shall have furnished the Town all of the items required of the Contractor in the Contract Documents. Upon receiving the required documents, the Town shall issue a Notice to Proceed. Contractor shall then have thirty (30) calendar days to complete the project. Failure to complete the project by the specified time shall cause Contractor to be liable to the Town for \$100.00 each day beyond such time period to reimburse Town for its damages for such delay, such amount being difficult to ascertain in advance, and therefore, the Parties agree to the per day damages as liquidated damages and not as a penalty.

This contract shall be and become binding upon, and inure to the benefit of, the parties hereto, their heirs, personal representatives, successors and assigns. Further, this Contract shall be construed and interpreted according to the laws of the State of Colorado and any action to interpret, construe, or enforce the same shall be maintained in the appropriate court in Weld County, Colorado.

Executed as of the date and year as above written.

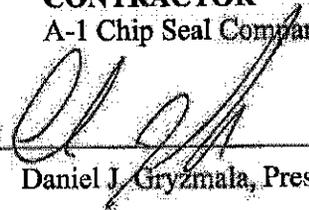
**TOWN OF JOHNSTOWN, COLORADO**

By \_\_\_\_\_  
Mayor

**ATTEST:**

By \_\_\_\_\_  
Town Clerk

**CONTRACTOR**  
A-1 Chip Seal Company

By  \_\_\_\_\_  
Daniel J. Gryzmala, President

Attachment A

**REQUIRED PROVISIONS FOR CONTRACT FOR SERVICES  
PROHIBITING EMPLOYMENT OF ILLEGAL ALIENS**

Contractor shall not:

1. Knowingly employ or contract with an illegal alien to perform work under this public contract for services; or
2. Enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this public contract for services.

Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services through participation in either the e-verify program or the Department of Labor and Employment program.

Contractor is prohibited from using either the e-verify program or the Department of Labor and Employment program procedures to undertake pre-employment screening of job applicants while the public contract for services is being performed.

If Contractor obtains actual knowledge that a subcontractor performing work under the public contract for services knowingly employs or contracts with an illegal alien, the Contractor shall be required to:

1. Notify the subcontractor and the contracting state agency or political subdivision within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
2. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to subparagraph 1 of this subparagraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days that subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Contractor shall comply with any reasonable request by the Department made in the course of an investigation that the Department of Labor and Employment is undertaking pursuant to the authority established in subsection (5) of Section 8-17.5-102 of the Colorado Revised Statutes.

**IF CONTRACTOR VIOLATES ANY OF THE AFOREMENTIONED REQUIREMENTS, THE TOWN MAY TERMINATE THE CONTRACT FOR BREACH OF CONTRACT. IF THIS CONTRACT IS SO TERMINATED, CONTRACTOR SHALL BE LIABLE FOR ACTUAL AND CONSEQUENTIAL DAMAGES TO THE TOWN OF JOHNSTOWN.**

ATTACHMENT B

Hi Tom,

The rollover pricing accepted by the Town of Loveland for 2014

is;

3/8" Chip \$2.69

1/4" Chip \$2.55

Sweeping \$0.21 sy or 300 hrs @ \$115.00 per hour

This pricing was increased 8.5% from the 2013 prices.

These prices include mobilization and bond, but do not include any striping or thermoplastics.

Please contact me if you have any questions.

Respectfully,

Quinten Larkin

Estimator

A-1 Chipseal & Rocky Mountain Pavement

970-443-6153 (cell)

303-650-9653 (direct)

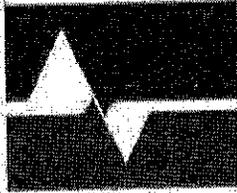
303-650-9669 (fax)

[quintenl@asphaltrepair.com](mailto:quintenl@asphaltrepair.com)

<http://www.a-1chipseal.com>

<http://www.asphaltrepair.com>

**CITY  
OF  
LOVELAND  
MATERIALS**



## CITY OF LOVELAND

Public Works Engineering

410 East Fifth Street • Loveland CO 80537  
(970) 962-2627 • FAX (970) 962-2908 • TDD (970) 962-2620  
[www.ci.loveland.co.us](http://www.ci.loveland.co.us)

March 11, 2014

Mr. Danny Gryzmala  
A-1 Chipseal Co.  
2001 West 64<sup>th</sup> Lane  
Denver, CO 80221

### RE: NOTICE OF CONTRACT AWARD

Dear Mr. Gryzmala:

On March 6, 2014, with the City of Loveland City Manager Approval, your company was awarded the contract for the City of Loveland 2014 Street Resurfacing Project No. ENSR010- CS (Schedule CS) for an adjusted total contract amount of \$484,000.00. Please prepare two copies of the contract, these need to be completed, signed and returned with the necessary bonds and insurance forms no later than Friday March 28, 2014.

Also, please note that the following requirements need to be met on the Certificate of Insurance:

Form of Insurance for a Combined Single Limit shall be a minimum for Comprehensive General Liability in the amount of \$1,000,000; for Comprehensive Automobile Liability in the amount of \$1,000,000; Worker's Compensation and Employer's Liability shall be the statutory amount of \$500,000; Owner's Protective Liability shall be \$600,000; and Builder's Risk is not applicable for this Project.

The City of Loveland needs to be named as an additional insured for Comprehensive General Liability and for Comprehensive Automobile Liability either in the insured box or as a note elsewhere on the Certificate of Insurance.

The Cancellation Notice shall read: "Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail 30 days written notice to the certificate holder to the left." (Strike out the words 'endeavor to' and 'but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives'.)

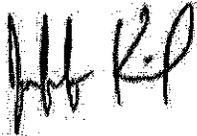
The name and address of Certificate Holder needs to read the City of Loveland/Engineering Division/410 East 5th Street/Loveland, CO 80537/Attn: Jeff Keil.

Mr. Danny Gryzmala  
Page 2  
March 11, 2014

If you have questions in regard to this matter I can be reached at: City of Loveland/Public Works Engineering/410 E. 5<sup>th</sup> Street/Loveland, CO 80537. Phone (970) 962-2538; Fax (970) 962-2908; Email: [Jeff.Keil@cityofloveland.org](mailto:Jeff.Keil@cityofloveland.org)

Congratulations on your successful bid!

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeff Keil". The signature is stylized and somewhat cursive.

Jeff Keil  
Public Works Engineering

cc: Jeff Bailey, Senior Civil Engineer, City of Loveland;  
Cindy Scymanski, Purchasing City of Loveland

Enclosures: City of Loveland Contract and Bond Forms

**CONSTRUCTION CONTRACT**

THIS CONTRACT is made and entered into this 6th day of March 2014, by and between the CITY OF LOVELAND, COLORADO, a home rule municipality ("City"), and A-1 Chipseal Company ("Contractor").

The Contractor, in consideration of the sum to be paid to the Contractor by the City and of the covenants and agreements contained herein and in the contract documents, identified in the general conditions at section 1.0 and incorporated herein by reference, hereby agrees at the Contractor's own proper cost and expense to do all the work and furnish all the materials, tools, labor, and all appliances, machinery, and appurtenances for the construction of the project described as **2014 Street Resurfacing Program, Chip Seal, Project No. ENSR010 - CS** to the extent of the Contractor's bid dated **February 24, 2014** in full compliance with the contract documents.

In consideration of the performance of the work as set forth in the contract documents, the City agrees to pay the Contractor a sum not to exceed **FOUR HUNDRED EIGHTY FOUR THOUSAND AND 00/100 Dollars (\$484,000.00)**, as adjusted in accordance with the contract documents or as otherwise herein provided, and to make such payments in the manner and at the times provided in the contract documents.

Time is the essence of this contract. The Contractor agrees to complete the work within **Eighteen (18)** calendar days from the date of the issuance of the notice to proceed and to accept as full payment hereunder the quantities computed as determined by the contract documents and based on the unit prices set forth in the bid.

In the event that the Contractor fails to complete the work within the time limit set forth in the contract documents, liquidated damages shall be paid at the rate of **One Thousand Two Hundred Dollars (\$1,200)** per day until substantial completion.

IN WITNESS WHEREOF, the parties have executed this contract as of the date first above written.

CITY OF LOVELAND, COLORADO

By: William P. Carroll

Title: City Manager



Maria D. Andrews  
City Clerk

APPROVED AS TO FORM:

Maria Garcia  
Assistant City Attorney

CONTRACTOR

By: Daniel J. Gryzmala

Title: President

Daniel J. Gryzmala





**A-ONE  
CHIPSEAL**



**ROCKY MOUNTAIN  
PAVEMENT**

www.a-1chipseal.com

www.rockymountainpavement.com

Customer  
Loveland, City Of  
410 E. 5th St.  
Loveland, CO 80537-

Attention  
Jeff Keil  
(970) 962-2538  
keilj@ci.loveland.co.us

Date  
**04/10/14**  
Proposal #  
**16244**

Proposal for  
**Loveland Chipseal Program - Various - Loveland**

| Item#                              | Description        | Qty/Unit   | Unit Price  | Total Price  |
|------------------------------------|--------------------|------------|-------------|--------------|
| <b>Option# 1</b>                   |                    |            |             |              |
| 1-<br>409090<br>02                 | 3/8 Inch Chip Seal | 34,870 SY  | \$2.69      | \$93,800.30  |
| 2-<br>409090<br>03                 | 1/4 Inch Chip Seal | 131,339 SY | \$2.55      | \$334,914.45 |
| 3-<br>900001<br>00                 | Pickup Sweeper     | 300 HR     | \$115.00    | \$34,500.00  |
| 4-<br>409091<br>00                 | Misc. Contingency  | 1 EA       | \$20,000.00 | \$20,000.00  |
| Accepted _____ Total for Option# 1 |                    |            |             | \$483,214.75 |

**Additional Charges If Required :**

\*This Proposal is based on one Mobilization.  
\*Additional mobilizations add \$2,000.00 each.

**Notes:**

\*Final billing will be based on actual field measured quantities installed.  
\*Work shall be completed in the same year work was proposed, during the Chipseal season (May thru September)

**Exclusions:**

\*Permits, testing, engineering, surveying, striping, utility adjustments.

**See attached terms and conditions**

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Estimator: John Parks

John Parks  
(720) 540-8288  
jparks@asphaltrepair.com

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized Agent(s)

**Phone: 303.650.9653 Fax: 303.650.9669**  
**2001 West 64th Lane - Denver, CO 80221**

**STREET  
LIST**

| Street Description                              | Average |       | Area (SY)            |
|---|---------|-------|----------------------|
|   | Length  | Width |                      |
| WCR 17 - Pioneer Ridge South end to City Limits | 5400    | 26    | 15,600               |
| WCR 15 - Hwy 60 to WCR 50                       | 5100    | 40    | 22,667               |
| Fox Meadows Drive (Rolling Hills)               | 320     | 30    | 1,067                |
| River Ranch Parkway (Thompson River Ranch)      | 2590    | 40    | 11,511               |
| Briarwood Blvd (Thompson River Ranch)           | 1950    | 35    | 7,583                |
| Thompson Parkway - Hwy 34 to RR Tracks          | 2600    | 70    | 20,222               |
| <b>Sub-Total</b>                                |         |       | 78,650               |
| <b>3/8" Chip Cost per SY</b>                    |         |       | \$2.69               |
| <b>Chip Cost</b>                                |         |       | \$211,569            |
| <b>Sweeping Time</b>                            |         |       | 144 Hrs              |
| <b>Cost Per Hour</b>                            |         |       | \$115                |
| <b>Sweeping Cost</b>                            |         |       | \$16,560             |
| <b>Base Sub-Total</b>                           |         |       | \$228,129            |
| 3% Contingency                                  |         |       | \$6,844              |
| <b>Not-to-exceed Amount</b>                     |         |       | \$234,973            |
|   |         |       | <b>Use \$235,000</b> |



**AGENDA ITEM 9C**

**PROFESSIONAL  
SERVICES  
AGREEMENT**

**(Design Services-SH60 Water Transmission  
Main)**

**(TST Inc. of Denver Consulting Engineers)**

**TOWN COUNCIL AGENDA COMMUNICATION**

**AGENDA DATE:** May 5, 2014

**ITEM NUMBER:** 9C

**SUBJECT:** Consider Professional Services Agreement with TST Inc. of Denver Consulting Engineers for Design Engineering Services for the Replacement of the State Highway 60 12" Water Transmission Main

**ACTION PROPOSED:** Approve Agreement

**PRESENTED BY:** Public Works Director, Town Manager and Attorney

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**AGENDA ITEM DESCRIPTION:** The attached professional services agreement with TST is for design engineering services for replacement of the existing 12" steel water transmission main on State Highway 60 between Colorado Blvd and Telep Ave. While requested to provide a proposal, The Farnsworth Group (TEC) has not submitted one.

A separate contract for a geotechnical consultant will be required. The cost of this work is anticipated to be approximately \$5,000.

According to the agreement, payment by the Town for basic services rendered will be on an hourly plus expense basis per phase, not to exceed the following amounts: (1) Preliminary Design - \$14,700 (2) Final Design - \$14,300 for a total project cost not to exceed \$29,000.

Tom Hellen, Public Works Director, has reviewed the proposed scope of services/costs, and finds them to be reasonable and acceptable.

\*Note: It is anticipated reimbursable costs should not exceed \$1,000 based upon the budget tasks.

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**LEGAL ADVICE:** The former Town Attorney prepared the attached professional services agreement.

**FINANCIAL ADVICE:** According to the Town Treasurer sufficient funds are available for the project.

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**RECOMMENDED ACTION:** Approve professional services agreement.

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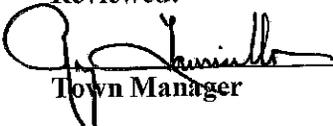
**SUGGESTED MOTIONS:**

**For Approval:** I move to approve the professional services agreement with TST Inc. of Denver Consulting Engineers in an amount not to exceed \$29,000 plus reimbursable costs, and authorize the Mayor to sign the agreement.

**For Denial:** I move to deny approval of the professional services agreement.

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**Reviewed:**

  
Town Manager

# **AGREEMENT**

## **PROFESSIONAL SERVICES AGREEMENT**

**THIS AGREEMENT** entered into this \_\_\_\_ day of May, 2014, by and between THE TOWN OF JOHNSTOWN, COLORADO, hereinafter referred to as "Town," and TST Inc. of Denver, hereinafter referred to as "Consultant."

**WHEREAS**, the Town needs civil engineering services for the design of a new water main along Highway 60 and;

**WHEREAS**, Consultant has the background, expertise, and education to provide such services.

**NOW, THEREFORE**, in consideration of the mutual covenants and stipulations hereinafter set forth, it is agreed as follows:

The Consultant will provide design engineering services, more specifically defined as follows:

1. **Scope of Services**. Consultant shall perform professional services as outlined in the proposal dated April 17, 2014 and attached as Exhibit B.
2. **Term of Agreement**.
  - A. Consultant will proceed with the performance of the services called for in the attached proposal dated April 17, 2014 and attached as Exhibit B, and shall comply with the requirements of Exhibit A.
  - B. In providing these services, Consultant will work directly with the Town Public Works Director and under his direction.
3. **Compensation**. The Town agrees to pay Consultant the fee as outlined on the attached Exhibit B, an amount not to exceed **\$29,000**. Payment for services will be provided to Consultant within thirty (30) days of Consultant's providing a detailed statement to the Town.
4. **General Terms**.
  - A. Consultant agrees to indemnify and hold harmless the Town and its officers, employees and agents from any and all claims, losses, injuries, damages and lawsuits and expenses, including reasonable attorney's fees arising out of or resulting from the negligent acts or omissions of Consultant or its subcontractor in the performance of services as set forth in this Agreement.
  - B. **Modifications**. This Agreement may not be modified, amended, or otherwise altered unless mutually agreed upon in writing by the parties hereto.

C. **Independent Contractor.** Consultant and its employees and agents shall be considered for all purposes of this Agreement to be independent contractors and not employees or agents of the Town, and therefore, benefits such as medical, workers compensation, etc., shall not be available to Consultant.

D. **Non-Appropriation of Funds.** Pursuant to Section 29-1-110, C.R.S., as amended, financial obligations of the Town payable as set forth herein, after the current fiscal year, are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. This Agreement shall be terminated effective January 1 of the first fiscal year for which funds are not appropriated.

E. **Neutrality.** The Consultant assures that it will establish safeguards to prohibit its employees, agents, or servants from using this agreement for any purpose which causes or lends itself to create an appearance of impropriety. Said employees, agents, or servants shall not seek any personal benefits of private gain for themselves, their families, or others.

No member of Town government, whether individual officers or employees, shall be admitted to any personal share, or afforded any pecuniary gain, remuneration, or part of this Agreement or any benefit that may arise therefrom.

F. **Conflicts of Interest.** During the term of this Agreement, the Consultant shall not perform similar services for persons, firms, or entities which have the potential to create a conflict of interest unless this is disclosed to and approved by the Town in writing.

G. **Governing Law.** Unless otherwise agreed in writing, this Agreement and the interpretation thereof shall be governed by the laws of the State of Colorado and Municipal Code of the Town of Johnstown.

H. **Severability.** Should any provision of this Agreement be determined by a court of competent jurisdiction to be unconstitutional or otherwise null and void, it is the intent of the parties hereto that the remaining provisions of this Agreement shall be of full force and effect, unless such determination is so material as to render the main purpose of this Agreement unworkable.

I. **Transfer and Assignment.** The Consultant shall not assign or transfer its interest in this Agreement without the written consent of the Town. Any unauthorized assignment or transfer shall render this Agreement null, void, and of no effect as to the Town.

5. **Insurance**

- A. The Consultant agrees to obtain and maintain, at the Consultant's expense, such insurance as will protect the Consultant from claims under the Workmen's Compensation Act, and such comprehensive general liability insurance and automobile liability insurance as will protect the Consultant from all claims for bodily injury, death, or property damage which may arise from the performance by the Consultant, or by the Consultant's employees, of the Consultant's functions and services required under this Agreement. The amounts of liability insurance shall not be less than \$150,000.00 per person/\$600,000.00 per accident and \$600,000.00 property damage. Consultant shall provide a Certificate of Insurance in accordance with the above requirements upon execution of this contract.
- B. The Consultant shall be responsible for all damages, including all normally foreseeable damages, resulting from negligent errors and omissions of the Consultant.

6. **Termination.** Either party to this Agreement may terminate this Agreement with or without good cause shown by giving the other thirty (30) days notice in writing. Upon delivery of such notice by the Town to the Consultant, and upon expiration of the 30-day period, the Consultant shall discontinue all services in connection with the performance of this Agreement. As soon as practicable after receipt of notice of termination, the Consultant shall submit a statement showing in detail the services performed under this Agreement to the date of termination.

The Town shall then pay the Consultant promptly that proportion of the prescribed charges which the services actually performed under this Agreement bear to the total services called for under this Agreement, less such payments on account of the charges as have been previously made. Copies of all completed or partially completed work prepared under this Agreement shall be delivered to the Town when and if this Agreement is terminated.

7. **Addresses of Notices and Communications.** All notices and communications under this Agreement to be mailed or delivered to Consultant shall be to the following address:

TST Inc. of Denver  
Attn: John Cotton, P.E.  
9222 Teddy Lane  
Lone Tree, CO 80124

All notices and communications pertaining to this Agreement shall be mailed or delivered to the Town at the following address:

Town of Johnstown  
Attn: Town Manager  
P.O. Box 609  
Johnstown, CO 80534



Attachment A

**REQUIRED PROVISIONS FOR CONTRACT FOR SERVICES  
PROHIBITING EMPLOYMENT OF ILLEGAL ALIENS**

Contractor shall not:

1. Knowingly employ or contract with an illegal alien to perform work under this public contract for services; or
2. Enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this public contract for services.

Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services through participation in either the e-verify program or the Department of Labor and Employment program.

Contractor is prohibited from using either the e-verify program or the Department of Labor and Employment program procedures to undertake pre-employment screening of job applicants while the public contract for services is being performed.

If Contractor obtains actual knowledge that a subcontractor performing work under the public contract for services knowingly employs or contracts with an illegal alien, the Contractor shall be required to:

1. Notify the subcontractor and the contracting state agency or political subdivision within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
2. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to subparagraph 1 of this subparagraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days that subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Contractor shall comply with any reasonable request by the Department made in the course of an investigation that the Department of Labor and Employment is undertaking pursuant to the authority established in subsection (5) of Section 8-17.5-102 of the Colorado Revised Statutes.

**IF CONTRACTOR VIOLATES ANY OF THE AFOREMENTIONED REQUIREMENTS, THE TOWN MAY TERMINATE THE CONTRACT FOR BREACH OF CONTRACT. IF THIS CONTRACT IS SO TERMINATED, CONTRACTOR SHALL BE LIABLE FOR ACTUAL AND CONSEQUENTIAL DAMAGES TO THE TOWN OF JOHNSTOWN.**

# ATTACHMENT B

## PROJECT TEAM & SCOPE OF SERVICES

### SCOPE OF SERVICES

The Town intends to construct a 16-Inch transmission main along the south side of Highway 60 from Colorado Boulevard to Telep Avenue to replace an aged 12-Inch steel transmission main. See exhibit included within the attachments.

The following sections provide a detailed description of the preliminary and final design phases for the project. This scope does not include the Construction Service Phase. Each phase and its associated tasks are presented along with the associated fees for each phase.

### PRELIMINARY DESIGN PHASE \$14,700

- Kick-Off Meeting

TTG: Project Manager and Engineer will meet with Town Staff to procure existing plans, photographs, or other documentation of the existing 12-Inch line, and distribution piping in the areas of tie-in. TTG staff will take existing records and scan for design use, and return originals and electronic copies back to Town.

TOWN: Prior to the initial meeting, we ask that Town staff will compile, as possible, existing as-built information of applicable infrastructure within the project limits.

- Topographical Survey & AutoCAD base file work

TTG: TTG will retain PWSI to complete a detailed topographical survey of the southern half of the Highway 60 right-of-way, in order to prepare detailed design documents. Generally the survey will reflect cross sections from the center line of the highway to the southern limit of the right-of-way on 50-foot intervals, picking up any other utility locations, and other topographic information necessary to consider in the design. The survey will provide for expanded acquisition of information within the intersections of Colorado/60 and Telep/60 to account for tie-ins to existing distribution piping. At the completion of the topographical survey, the information will be reflected in an AutoCAD base file for use in the final design.

TOWN: Due to limitations on the design teams ability to request utility locates through the Utility Notification Center of Colorado (UNCC), we ask that the Town request locates such that all utilities can be properly identified in the design process. Currently UNCC has been limiting locates to 1000-foot increments, so this may require several requests to complete.

We request Town arrange for access to and make all provisions for Engineer/Surveyor to enter private property (as required) to perform services. TTG will work closely with the Town to try to schedule utility locates and survey work to avoid destruction of utility locate marks etc.

## PROJECT TEAM & SCOPE OF SERVICES

- Preliminary Design

TTG: We'll establish preliminary drawings to establish the proposed alignment of the proposed 16-inch water line. Preliminary alignment and alternatives will be reviewed in person with the Town. Based on the information contained in the preliminary design documents, submit a revised opinion of probable project costs.

Following the identification of the preferred alignment with Town Staff, TTG will schedule a pre-submittal meeting with CDOT to discuss the proposed alignment design to identify any CDOT requirements of the Utility Permit prior to initiating the final design phase.

TOWN: We ask that applicable staff within the utilities department attend the preliminary design review meeting to provide input to the proposed alignment alternatives. We also ask that a member of the Town Staff attend the pre-submittal meeting with CDOT.

EXCLUSION: Under separate contract retain geotechnical consultant to perform borings and other geotechnical investigations and analyses of areas in which borings of the highway will be necessary to evaluate suitability.

### **FINAL DESIGN PHASE \$14,300**

- Final Design – Plan/Profile & Detail Sheets

TTG: On the basis of accepted preliminary design documents and the revised opinion of probable project costs, prepare for incorporation in the Contract Documents final drawings to show the general scope, extent and character of the work to be furnished and performed by Contractor(s) as well as technical specifications. Provide technical criteria, written descriptions and design data for Town's use in filing applications for permits with or obtaining approvals from CDOT, and assist Town in consultations as appropriate. Present and review final design drawings and specifications in person with Town Staff.

TOWN: Within the attachments to this proposal is included a sample Utility/Special Use Permit Application, Town shall submit the application as the permittee.

EXCLUSION: It is anticipated that with the submittal of the Application will correspond with the selection of a CONTRACTOR for the work. CONTRACTOR will provide for the Traffic Control Plan and Insurance Requirements listed within the Application. This scope of services excludes any work that may be required under Environmental Clearances. There may be required clearances identified in the pre-submittal meeting with CDOT, which can be addressed at that time. In our experience in similar projects detailed environmental clearances have not be required for this type of work.

# PROJECT TEAM & SCOPE OF SERVICES

## JOHNSTOWN, CO - 16" TRANSMISSION MAIN ANTICIPATED PROJECT SCHEDULE

- Final Design – Bidding & Contract Documents

TTG: Using previously contract agreement forms, prepare for review and approval by TOWN, its legal counsel, and other advisors, contract agreement forms, general conditions and supplementary conditions, and bid forms, invitations to bid and instructions to bidders specific to the transmission main project (all of which shall be consistent with the forms and pertinent guide sheets prepared by the Engineers Joint Contract Documents Committee), and assist in the preparation of other related documents.

**BIDDING/NEGOTIATING & CONSTRUCTION SERVICES ARE NOT INCLUDED WITH THIS SCOPE OF WORK, BUT CAN BE ADDRESSED AT ANY TIME IN THE DESIGN PROCESS OR PRIOR TO CONSTRUCTION.**

### COMPENSATION

For services as noted Town shall pay the Engineer for basic services rendered for a lump sum fee as designated for each project phase based on the percent complete. Reimbursable expenses such as mileage, copies, postage etc. should be paid beyond the lump sum fees indicated for each service. It is anticipated reimbursable costs should not exceed \$1000 based on the budget tasks.

### ANTICIPATED SCHEDULE

Based on preliminary discussions it is anticipated final design should be completed in advance of Town's budgetary planning for construction in 2015. The following is our anticipated schedule for the preliminary and final design phases for the project.

| JOHNSTOWN, CO. - 16" TRANSMISSION MAIN ANTICIPATED PROJECT SCHEDULE |      |            |          |      |   |    |    |    |      |    |    |    |        |    |    |    |       |  |   |
|---|------|------------|----------|------|---|----|----|----|------|----|----|----|--------|----|----|----|-------|--|---|
| Task  | Days | Start Date | End Date | June |   |    |    |    | July |    |    |    | August |    |    |    | Notes |  |   |
|   |      |            |          | 2    | 9 | 16 | 23 | 30 | 7    | 14 | 21 | 28 | 4      | 11 | 18 | 25 |       |  |   |
| Kick-off Meeting  | 1    | 06/02/14   | 06/02/14 | ■    |   |    |    |    |      |    |    |    |        |    |    |    |       |  |   |
| Utility Locates & Topographical Survey                              | 14   | 06/03/14   | 06/17/14 | ■    | ■ | ■  | ■  |    |      |    |    |    |        |    |    |    |       |  | May require multiple locate requests    |
| Generate Base Map - Preliminary Design                              | 10   | 06/17/14   | 06/27/14 |      |   | ■  | ■  | ■  |      |    |    |    |        |    |    |    |       |  |   |
| Presubmittal Meeting CDOT   | 1    | 06/27/14   | 06/27/14 |      |   |    |    |    |      |    |    |    |        |    |    |    |       |  |   |
| Geotechnical Investigation (Separate Contract)                      |      |            |          |      |   |    |    |    |      |    |    |    |        |    |    |    |       |  | Concurrent with Final Design Schedule   |
| Final Design (Plan/Profile/Details)                                 | 30   | 07/01/14   | 07/31/14 |      |   |    |    |    | ■    | ■  | ■  | ■  | ■      | ■  | ■  |    |       |  |   |
| Final Design (Specifications-Bidding/Contract Docs)                 | 14   | 07/16/14   | 07/31/14 |      |   |    |    |    |      |    |    |    |        |    |    |    |       |  |   |
| Final Review - Meeting w/Town                                       | 14   | 08/04/14   | 08/18/14 |      |   |    |    |    |      |    |    |    |        |    |    |    |       |  | Allow Town Time for Review of Documents |



**AGENDA ITEM 9D**

**APPROPRIATION  
OF  
ADDITIONAL  
FUNDS  
(Resolution No. 2014-04)**

**TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** May 5, 2014

**ITEM NUMBER:** 9D

**SUBJECT:** Consider Resolution No. 2014-04, A Resolution Appropriating Additional Sums of Money to Defray Expenses and Transfers in Excess of Amounts Budgeted for the Town of Johnstown, Colorado

**ACTION PROPOSED:** Approve Resolution No. 2014-04

**PRESENTED BY:** Town Clerk/Treasurer

---

**AGENDA ITEM DESCRIPTION:** Budgets are a planning tool and with any plan it is difficult to perfectly anticipate the next year's revenue collections or expenditure needs. The Budget Law recognizes the need to amend or change annual budgets. The law defines three bases for budget amendments: the receipt of unanticipated revenues, budgetary transfers or a downward revision of the appropriation (Section 29-1-109, CRS). If necessary, a supplemental appropriation should be adopted within the budget year.

The Council adopted the 2014 budget on December 2, 2013. The Wastewater Enterprise Fund is anticipated to exceed the adopted budget.

The adoption of a supplemental budget and appropriation must be formalized and made official by approval of Resolution No. 2014-04.

---

**LEGAL ADVICE:** N/A

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**FINANCIAL ADVICE:** According to the Town Treasurer, sufficient funds are available in the Wastewater Enterprise Fund unappropriated or unrestricted funds.

---

**RECOMMENDED ACTION:** Approve Resolution No. 2014-04.

---

**SUGGESTED MOTIONS:**

**For Approval:** I move to approve Resolution No. 2014-04, A Resolution Appropriating Additional Sums of Money to Defray Expenses and Transfers in Excess of Amounts Budgeted for the Town of Johnstown, Colorado.

**For Denial:** I move to deny approval of Resolution No. 2014-04, A Resolution Appropriating Additional Sums of Money to Defray Expenses and Transfers in Excess of Amounts Budgeted for the Town of Johnstown, Colorado.

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**Reviewed:**

  
Town Manager

# **RESOLUTION**

**No. 2014-04**

**TOWN OF JOHNSTOWN**

**RESOLUTION NO. 2014-04**

**A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO  
DEFRAY EXPENSES AND TRANSFERS IN EXCESS OF AMOUNTS  
BUDGETED FOR THE TOWN OF JOHNSTOWN, COLORADO**

**WHEREAS**, on December 2, 2013, the Town Council, adopted, by Resolution No. 2013-16 the 2014 Budget, and;

**WHEREAS**, expenditures in the Wastewater Enterprise Fund incurred for capital expenditures, operating expenditures and required transfers were not foreseen at the time of the adoption of the budget, and

**WHEREAS**, money is available in the Wastewater Enterprise Fund and in the form of the unappropriated or unrestricted reserves.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF JOHNSTOWN, COLORADO:**

Section 1. That the 2014 appropriation for the Wastewater Enterprise Fund is hereby increased from \$2,233,000 to \$2,583,000.

Section 2. That estimated expenditures for the Wastewater Enterprise Fund is as follows:

|                            |             |
|----------------------------|-------------|
| Wastewater Enterprise Fund | \$2,583,000 |
|----------------------------|-------------|

PASSED, SIGNED, APPROVED AND ADOPTED at a regular meeting of the Town Council of the Town of Johnstown on this 5th day of May, 2014.

Town of Johnstown, Colorado

ATTEST

Town Clerk/Treasurer

Mayor

