ORDINANCE NO.: 3455
INTRODUCED BY: Zygielbaum

AN ORDINANCE APPROVING THE REZONING OF APPROXIMATELY 20.4 ACRES OF LAND FROM PLANNED DEVELOPMENT - MULTIFAMILY TO PLANNED DEVELOPMENT, AN OVERALL DEVELOPMENT PLAN/CONCEPTUAL SITE PLAN, AND AMENDING THE OFFICIAL ZONING MAP TO ALLOW FOR THE DEVELOPMENT OF PAIRED HOUSING AND A COMMERCIAL LAND USE (HOMESTEAD HILLS).

WHEREAS, Clarke D. Carlson 2012 Trust UND 30% INT is the owner and developer (Owner) of certain real property (Property) within the City of Thornton (City), described in attached Exhibit A; and

WHEREAS, the Owner has submitted to the City an application to rezone approximately 20.4 acres of land as described in Exhibit B, including Planned Development (PD) Standards as described in Exhibit C and approve an Overall Development Plan/Conceptual Site Plan (ODP/CSP) to develop a Single-Family Attached development and a Commercial area; and

WHEREAS, an application has been submitted to rezone the property to PD; and

WHEREAS, the proposed rezoning application is consistent with the goals and desires of the City, provides for orderly growth within the City and provides for a beneficial and efficient use of the Property; and

WHEREAS, the aforesaid rezoning application, Zoning map in Exhibit D, ODP/CSP maps in Exhibit E and all supporting documents are hereby incorporated as if fully set forth herein; and

WHEREAS, the application for rezoning is a matter of public record in the custody of the City Development Department, and is available for public inspection during business hours of the City; and

WHEREAS, on October 10, 2017, the City Council of the City of Thornton conducted a public hearing on said application, pursuant to the procedural and notice requirements of Chapter 18 of the Thornton City Code, and the Council having considered the evidence presented in support of and in opposition to the application, the applicable rezoning, the City’s Comprehensive Plan, and staff recommendations and so having considered the record and given appropriate weight to the evidence.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:
1. That it is found that the Developer and the City have complied with the provisions of Section 18-41 of the Thornton City Code pertaining to zoning applications.

2. That City Council finds that the proposed ODP/CSP and PD Zoning District meets the Thornton City Code criteria in Sections 18-42 and 18-43 as follows:

   a. The proposed PD Zoning District, PD Standards, and ODP/CSP are compatible with present and proposed development in the area and will not have a significant, adverse effect on the surrounding area.

   b. The proposed PD District, PD Standards, and ODP/CSP provides for a creative and innovative design which could not otherwise be achieved under the zoning regulations for the districts listed in Section 18-70(a).

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

   d. The proposed PD Zoning District is consistent with the overall direction, intent, and policies of the City’s Comprehensive Plan. The City of Thornton’s land use and growth coordination policies and goals are to:

      1) Provide for a choice of high-quality housing types for all of Thornton’s residents in appropriate locations throughout the community.

      2) Encourage residential development patterns that are compatible and can be served in a cost effective manner.

      3) Promote the development and maintenance of healthy, viable commercial that serves adjacent residential neighborhoods.

      4) Encourage a mix of compatible, interconnected land uses.

      5) Provide for a balance of high-quality residential growth and neighborhood commercial use that makes Thornton a desirable place to live and work.

   e. The PD Zoning District, PD Standards, and ODP/CSP provides an effective complement to existing neighboring residential areas.

3. The Homestead Hills PD Zoning, PD Standards and ODP/CSP are hereby approved with the following conditions:
a. Approval of the Zoning does not waive any additional requirements of the development as established with the Subdivision Plat, Developer's Agreement, or any Development Permit associated with the Property.

b. At the time of submitting a request for a Minor Development Permit for landscaping, the Owner shall provide a landscape plan that is consistent with the City's water-wise landscape regulations which emphasizes the use of drought-tolerant materials.

c. Prior to the development of the Property, a Subdivision Plat Amendment shall be recorded to create developable lots and grant easements necessary to serve the development.

d. The timing of the public improvements, amenities, and landscaping shall be determined in the Developer's Agreement required for the residential development.

e. The Developer will need to reach an agreement with the School District to mitigate the impact of the development on the School District's school facilities and will need to provide the City with documentation of the agreement reached with the School District prior to Subdivision Plat approval.

f. The Developer shall be responsible for the maintenance of the Regional Trail Corridor adjacent to the northern property line.

4. During subsequent reviews associated with actual development of the site identified in the ODP/CSP, the Development Director may allow for minor adjustments in the final site plan, final landscape plan, and associated final engineering documents. Any changes to the development would be due to actual site conditions, unforeseen technical issues involving infrastructure, and changes to the building product previously identified or described on the ODP/CSP graphic and would need City Council approval.

5. All land use approvals and building permits for the development described herein shall be subject to requirements including, but not limited to, the payment of impact fees and development charges, concurrency management requirements, design standards, moratoriums, building permit limitations, and other land use and development requirements in effect at the time that such proposed development applies for a building permit.

6. The Council finds that the application for the PD Rezoning and amending the Official Zoning Map is hereby approved.
7. The conditions set forth in this ordinance shall run with the land and be binding upon the Owners, Developer, their successors and assigns.

8. This ordinance shall take effect on the date of final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on October 10, 2017.

PASSED AND ADOPTED on second and final reading on October 24, 2017.

CITY OF Thornton, Colorado

Heidi K. Williams, Mayor

ATTEST:

______________________________
Kristen N. Rosenbaum, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK'S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

______________________________
Luis A. Corchado, City Attorney

PUBLICATION:

Posted in six (6) public places after first and second readings.

Published in the Northglenn-Thornton Sentinel after first reading on October 19, 2017, and after second and final reading on November 2, 2017.
EXHIBIT A

Homestead Hills

Legal Description

Lot 1, Block 16 of Homestead Hills Subdivision Filing No. 3, a part of the Southwest quarter of Section 19, Township 1 South, Range 67 West of the 6th P.M., City of Thornton, County of Adams, State of Colorado, Containing 18.74 acres more or less.
HOMESTEAD HILLS ZONING

LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF LOT 1, BLOCK 16, HOMESTEAD HILLS SUBDIVISION FILING NO. 3 PER THE PLAT RECORDED UNDER RECEPTION NO. 20040525000403560 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, TOGETHER WITH A PORTION OF BELLAIRE STREET AND A PORTION OF COLORADO BOULEVARD, ALL SITUATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF THORNTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 19 BEARS NORTH 00°20'58" WEST, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER, NORTH 00°20'58" WEST, A DISTANCE OF 1,060.24 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 00°20'58" WEST, A DISTANCE OF 468.76 FEET TO THE WESTERLY EXTENSION OF THE NORTHERLY BOUNDARY OF SAID LOT 1;

THENCE ALONG SAID WESTERLY EXTENSION AND THE NORTHERLY BOUNDARY OF SAID LOT 1, NORTH 89°39'02" EAST, A DISTANCE OF 1,056.97 FEET TO THE WESTERLY RIGHT-OF-WAY OF BELLAIRE STREET AS SHOWN ON SAID HOMESTEAD HILLS SUBDIVISION FILING NO. 3;

THENCE DEPARTING SAID NORTHERLY BOUNDARY AND SAID WESTERLY RIGHT-OF-WAY, NORTH 74°28'56" EAST, A DISTANCE OF 25.00 FEET TO THE CENTER LINE OF SAID BELLAIRE STREET AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 310.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 74°28'56" EAST;

THENCE ALONG SAID CENTER LINE THE FOLLOWING FIVE (5) COURSES:

1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°23'02", AN ARC LENGTH OF 191.44 FEET;

2. TANGENT TO SAID CURVE, SOUTH 50°54'06" EAST, A DISTANCE OF 238.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 215.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 75°58'47", AN ARC LENGTH OF 285.11 FEET;
4. TANGENT TO SAID CURVE, SOUTH 25°04'41" WEST, A DISTANCE OF 465.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 450.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°18'01", AN ARC LENGTH OF 112.31 FEET;

THENCE DEPARTING SAID CENTER LINE, NON-TANGENT TO SAID CURVE, NORTH 79°13'20" WEST, A DISTANCE OF 30.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND ITS WESTERLY EXTENSION, THE FOLLOWING TWO (2) COURSES:
1. NORTH 45°32'52" WEST, A DISTANCE OF 871.47 FEET;
2. SOUTH 89°39'36" WEST, A DISTANCE OF 542.63 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 20.402 ACRES, (888,694 SQUARE FEET), MORE OR LESS.
Homestead Hills – PD – 1st Amendment

The Villas at Homestead Hills PD Development Standards

February 9, 2017
Revised May 17, 2017.
Revised June 30, 2017
Revised August 25, 2017

Prepared for: Clarke D. Carlson 2012 Trust UND 30% INT
Prepared by: Henry Design Group, Inc.
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>General Provisions</td>
<td>2-6</td>
</tr>
<tr>
<td>2.0</td>
<td>Planning Area Definitions</td>
<td>6-7</td>
</tr>
<tr>
<td>3.0</td>
<td>SFA-Paired Homes (PA-A) Development Standards</td>
<td>7-9</td>
</tr>
<tr>
<td>4.0</td>
<td>Neighborhood Commercial Services Development Standards</td>
<td>10-13</td>
</tr>
<tr>
<td>5.0</td>
<td>Design Standards</td>
<td>13-14</td>
</tr>
<tr>
<td>6.0</td>
<td>Public Land Dedication</td>
<td>15</td>
</tr>
<tr>
<td>7.0</td>
<td>Landscape Requirements</td>
<td>15-17</td>
</tr>
<tr>
<td>8.0</td>
<td>Pedestrian Circulations</td>
<td>17</td>
</tr>
<tr>
<td>9.0</td>
<td>Fencing/Plan and Details</td>
<td>18-19</td>
</tr>
<tr>
<td>10.0</td>
<td>Retaining Walls</td>
<td>20</td>
</tr>
<tr>
<td>11.0</td>
<td>Lighting</td>
<td>20</td>
</tr>
<tr>
<td>12.0</td>
<td>Signage</td>
<td>20</td>
</tr>
<tr>
<td>13.0</td>
<td>Site Furnishings</td>
<td>20</td>
</tr>
<tr>
<td>14.0</td>
<td>Conceptual Site Plan/Overall Development Plan Requirements</td>
<td>20</td>
</tr>
<tr>
<td>15.0</td>
<td>Street Standards</td>
<td>21-22</td>
</tr>
</tbody>
</table>
Section 1.0 General Provisions

1.10 Statement of Intent

The Villas at Homestead Hills is in the northern portion of the City of Thornton generally between Colorado Boulevard and Bellaire Street at the East 138th Avenue alignment. The 18.72-acre site is surrounded by development. Existing single-family homes within the Homestead Hills neighborhood are located to the north and east. The King Soopers anchored commercial center is located to the south. Colorado Boulevard and a mix of uses are located to the west.

The unique positioning of the site provides the opportunity to create a 14.92-acre Single Family Attached-Paired Home neighborhood focused around a central park with active recreational uses, trails and a social gathering place. The 3.82-acre Neighborhood Commercial Services site provides for small-scale commercial development to serve the convenience shopping and office needs of nearby residents. The uses are intended to be complementary to the adjacent King Soopers anchored community commercial center.

1.20 History of Homestead Hills

The 18.74-acre site was originally zoned in 2000 for PD-Multi-family allowing for a total of 324 dwelling units as part of the Homestead Hills PD. Since that time, most of the Homestead Hills PD neighborhood has been developed including all the approved single family detached residential homes, the community park and the commercial corner at 136th Avenue and Colorado Boulevard. However, this site, which was zoned multi-family, has remained vacant.

During the 18 years subsequent to the initial zoning, the owner has actively marketed this site for multi-family and commercial development. Apartments were the most likely potential multi-family use for the site, given the litigious nature associated with condominiums and construction defect laws in Colorado, but all attempts to market to potential apartment developers have been unsuccessful. Over the past few years, interest in developing the property has increased, however, primary interest was from builders looking to develop single family residences (both attached and detached). The decision was made to move forward with paired homes for a variety of reasons but primarily due to financial considerations and the need to provide a transitional buffer use between the existing single family detached to the north and east from the commercial uses to the south.

1.30 Project Goals/Justification

The PD Standards and ODP/CSP provide guidelines for enhancements to justify and establish this Planned Development. The following are provided:
A. General
- Design standards and aesthetic characteristics that ensure high quality development;
- Promote consistency and quality in materials, form and design throughout the neighborhood;
- Provide safe and usable access to the central park and regional trail through good visibility, trail connections and sidewalks

B. Single Family Attached - Paired Homes
- The reduction in dwelling units from the approved multi-family at 18/DUs/acre to paired homes at 6.7 DUs/acre results in far fewer homes than the original zoning and a development which is more compatible with the existing single-family homes in the neighborhood.
- Internal pedestrian connections throughout the site are provided as are connections to the existing trail networks within Homestead Hills. The design provides for safe and usable access to the central park and regional trail through trail connections and sidewalks with good visibility; The park is centrally located where everyone in the community can easily access the amenity.
- Additional amenities are being provided in the central pocket park to further enhance the social and recreational hub of the neighborhood.
- The existing trail corridor will be enhanced with landscaping and seating nodes that would not otherwise be provided. Additionally, a trailhead park is provided at the confluence of the trail and Bellaire Street to welcome public use of the trail system and central park.
- Increased landscape buffers, as well as enhanced quantities and sizing for plant materials are proposed throughout.
- A majority of the proposed homes will face a garden court, park or open space and each home has a usable front porch creating a more social neighborhood intended to foster community interaction.
- The proposed paired homes provide residents with the benefit of home ownership in a low-maintenance, high quality neighborhood. The quality design offers a more modest home size with a variety of energy efficient and water-saving features.
- The paired homes provide an alternative housing product within a predominantly single-family detached area of Thornton.
- The paired homes appeal to a broad range of buyer demographics desiring less maintenance and affordability.
- The proposed single family attached use provides a transition from the existing single-family homes to the north and east of the site to Colorado Boulevard, an arterial street, and the proposed 3.82-acre Neighborhood Commercial Service parcel and the King Soopers Center located to the south along E. 136th Avenue.
- The irregular shaped parcel and the steeply sloping topography better accommodates smaller building footprints that can step with the site grades.
• The City of Thornton has numerous parcels zoned for multi-family residential in locations more appropriate for higher density housing with proximity to transit stops, TOD stations, and major I intersections.

C. Neighborhood Commercial Services

• The commercial area is intended to provide for the development of neighborhood retail commercial and services which are of a suitable scale, use, and bulk and compatible with the surrounding neighborhood and complementary to the adjacent King Soopers-anchored community commercial center.

• The site will meet the need for small-scale commercial development to serve the convenience shopping and office needs of nearby residents. The site is located at the intersection of East 138th Avenue (a collector street) and Colorado Blvd (an arterial street) and is in close proximity to the surrounding residential neighborhoods (both existing and proposed) which will encourage walkability.

• The 3.82-acre commercial site was originally zoned PD-Multi-family. Given the site’s location north of the King Soopers site at E. 138th Avenue and Colorado Boulevard, it is believed that the highest and best use is for neighborhood serving commercial designed in a cohesive and compatible manner.

D. Enhanced Compatibility – Proximity Slope

The Neighborhood Commercial Services (NCS) Planning Area I is located adjacent to the proposed paired homes to the east and existing single family detached homes to the north. A 3:1 proximity slope is proposed and additional setbacks and landscape buffering shall be provided. The intent is to be considerate of the adjacent uses while providing a viable commercial site. The commercial area shall be designed in a manner that is considerate of the privacy for the residents and shall include bulk, scale, building heights, window placement, mechanical equipment placement and noise sources.

Standards have been established to ensure compatibility including:

• A minimum separation between the lot line of the paired homes to the east and the first potential commercial building is 48 feet.

• A minimum building separation from the lot line of the existing single-family homes to the north and the commercial uses of 88 feet,

• An enhanced landscape buffer between PA-A and PA-B is 20 feet wide total with 10 feet (or 18 feet when there is no parking) provided within PA-A and 10 feet provided within PA-B

• The landscape requirements in the buffer area have been increased to 2 tree equivalents per 600 square feet.

• The buffer between PA-B and the existing single family residential on the north includes a detention pond and 40-foot-wide tract with a trail. The detention pond will be landscaped in accordance with City Code, however the existing 40-foot-wide trail corridor will be enhanced with landscaping at a rate of 1.5 tree equivalents per 50 lineal feet.
• Uses proposed in the Neighborhood Commercial Services Planning Area are of very low intensity and are compatible with the surrounding neighborhood. Many of the proposed uses are allowed per a Special Use Permit which require an additional level of review and approval through the City. This will aid in enhancing compatibility between the residential and commercial and service uses.

1.40 Purpose of the PD Standards

The purpose of these development standards is to uphold the community vision and promote consistency and quality throughout all aspects of the neighborhood design. When a specific minimum standard within this document cannot be met an equal or greater design solution may be proposed and presented for review and approval by the City of Thornton.

The PD Standards provide for creative design and a high-quality neighborhood as follows:

• Public streets access Bellaire Street and tie into a private drive loop which provides access to the garage of the homes. The private drives are designed to provide guest parking, landscaping and sidewalks which is similar to standard public streets.
• The private drives in the rear of the home allow for each home to front a landscaped green court, the central park or Bellaire Street.
• Front setbacks are reduced given the relationship of the homes to central park, open space, green courts and the landscape buffer along Bellaire Street which in all cases creates an extension of the front living space.
• All common areas and front yards will be maintained by the HOA creating a well-kept and consistent quality throughout the neighborhood.
• Each home has a patio door accessing the side yard and patio creating outdoor private living space. Variations in the side elevations provide spaces ranging from 8 feet to 10 feet. All side yards are adjacent to a landscape tract along the private drives.

1.50 General Requirements.

A. Administrative Changes. During subsequent reviews associated with actual development of the site identified in The Villas at Homestead Hills ODP/CSP, the Development Director may allow for minor adjustments in the Development Permit, Subdivision Plat and Final Landscape Plan and associated final engineering documents. The changes to the development would be due to actual site conditions, unforeseen technical issues involving infrastructure on the site and changes to the building products previously identified or described.

B. Applicability. All regulations not specified in these Planned Development (PD) Standards for the development shall conform to the requirements for each use or most compatible zoning district; or associated Code requirement, as outlined in the City of Thornton.
Development Code in effect at the time of development. The Development Director may administratively approve a change to these PD Standards if the requested change is determined by the Development Director to be a minor amendment to the PD Standards.

C. Interpretations. Unless otherwise stated, all references to Code sections in these PD standards refer to sections in Chapter 18 of the City of Thornton City Code, as amended.

D. Conflicts. If there are any conflicts with these PD Standards and the City of Thornton Development Code, the most restrictive shall apply. Questions which might arise regarding a condition of development which is omitted from these PD Standards will then fall under the guidelines of the Thornton Development Code for the appropriate land use. Regulations not specified in these PD Standards shall conform to the requirements specified in the appropriate zoning district.

E. Maximum Density. The density permitted in the SFA-Paired homes (Planning Area) or the Neighborhood Commercial Services (Planning Area B) is considered a maximum gross density, which shall apply to the entire Planning Area. The maximum gross density of Planning Area A shall be computed by dividing the total number of dwelling units by the gross area of the site or dwelling units per acre. The maximum gross density for Planning Area B shall be calculated by the total square footage of the commercial buildings divided by the gross area within the Planning Area or floor area ratio (FAR). The Planning Areas are measured to the property line.

F. Prohibited Uses. A use is not allowed if the use is not listed in these PD Standards unless interpreted as an allowed use or similar use being allowed by the Development Director.

G. Limitations on Access. No individual home access or rear yard access is permitted to Bellaire Street. No commercial use is permitted to have direct access to Colorado Boulevard. Access to the perimeter streets shall be as indicated on the ODP/CSP.

Section 2.0 Planning Area Definitions

2.10 Planning Area - A
Single Family Attached - Paired Homes (SFA-P)

A. Planning Area A is intended to provide for the development of Single Family Attached - Paired Homes (Duplex). All homes shall sit on an individual lot and shall have an attached minimum two car garage. Planning Area A also incorporates all common open space areas.

B. Single Family Attached - Paired Homes are defined as an individual home on its own fee simple lot where one side of the lot line is coincident with the party wall between two attached dwellings and the other side is an unattached end unit.
2.20 Planning Area - B

Neighborhood Commercial Services (NCS)

A. Planning Area B is intended to provide for the development of neighborhood retail commercial and services which are in scale and bulk with the surrounding neighborhood and complementary to the adjacent King Soopers anchored community commercial center.

B. Planning Area B is intended to meet the need for small-scale commercial development to serve the convenience shopping and office needs of nearby residents. Planning Area B is located at the intersection of East 138th Avenue a collector street; and Colorado Blvd, an arterial street; and is in close proximity to the surrounding existing and proposed residential neighborhoods.

Section 3.0 Single Family Attached - Paired Homes (PA-A)
Development Standards

3.10 Permitted Uses

<table>
<thead>
<tr>
<th>TABLE OF PERMITTED USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFA - Paired Homes</td>
</tr>
<tr>
<td>Single-family Attached dwellings</td>
</tr>
<tr>
<td>Parks, Open Space and Trails</td>
</tr>
<tr>
<td>Model Home Complexes with parking lots</td>
</tr>
<tr>
<td>Temporary construction trailers, yard or construction office</td>
</tr>
<tr>
<td>Temporary sales trailers/centers</td>
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<tr>
<td>Accessory Uses as permitted in Single-family Attached District of the City of Thornton Development Code.</td>
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</tbody>
</table>

3.20 Lot, Building and Dimensional Standards

The table below lists the density and dimensional standards for Planning Area A. Other regulations of these PD Standards or site-specific conditions may further limit site development.

<table>
<thead>
<tr>
<th>Table of Lot, Building and Dimensional Standards - Planning Area A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Density</td>
</tr>
<tr>
<td>Maximum Building Height</td>
</tr>
<tr>
<td>Maximum number of Dwelling Units</td>
</tr>
<tr>
<td>Dwelling Units per Lot</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
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<tr>
<td>Minimum Lot Frontage</td>
</tr>
</tbody>
</table>
As measured at the front setback on a straight frontage | Minimum Lot frontage at the front setback on a curved frontage | 25 feet
---|---|---
Minimum Lot Depth | 70 feet | ---
Maximum Lot Coverage | 70% | ---
On and Off-street Parking | Off-street parking shall be a minimum of two enclosed spaces in the garage. Guest parking shall be provided at .5 parking spaces per dwelling unit which can be provided in the 18-foot-deep driveways. Private drive on-street guest parking is provided including parallel parking bays and in perpendicular parking spaces along the private drives. No parking is permitted along Bellaire Street. | ---

<table>
<thead>
<tr>
<th>Building Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Area A</td>
</tr>
<tr>
<td>Front measured from Lot Line</td>
</tr>
<tr>
<td>Side</td>
</tr>
<tr>
<td>Corner Side</td>
</tr>
<tr>
<td>Corner side on landscape tract or park</td>
</tr>
</tbody>
</table>
| Rear | a) 18 feet to garage face with parking in driveway  
b) 6.5 feet to face of garage with no parking in driveway |

<table>
<thead>
<tr>
<th>Residential Lot Line Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential lot line to edge of trail easement along the northern property line</td>
</tr>
<tr>
<td>Western Property line adjacent to the Neighborhood Commercial Services</td>
</tr>
<tr>
<td>Southern Property line Adjacent to the Commercial Center</td>
</tr>
</tbody>
</table>

Encroachments
Encroachments of up to two (2) feet are allowed for roof eaves/overhangs, brick ledges, bay/box windows, fireplaces/chimneys, entertainment centers.

Encroachments of up to three (3) feet are allowed for counterforts. Encroachments of up to (3) feet are allowed for window wells.

A ten (10) foot clear zone must always be maintained between the closest points of two structures. Encroachments as stated above may not be closer than ten (10) feet from the adjacent structure except for roof eaves/overhangs which may be closer in accordance with building regulations.

Covered patios and decks, swimming pools, hot tubs, children's play structures and like items may be located within the rear and side yard setback as long as they are no closer than two feet (2) from the side lot line. No structures are permitted within easements. Uncovered patios may encroach into the side yard setback but shall be no closer than two (2) feet to the lot line. Hot tubs and swimming pools and their fencing and enclosures must be permitted through the Building Department.

Encroachments are not permitted within any easement without the consent of the easement holder.

Storage sheds, play houses, etc. are not permitted anywhere in the rear or side setback or in common open space areas and shall be enforced by the HOA.

Stairs from the home to the community sidewalks may encroach on a garden court. Where the home fronts on the central park, the stairs from the home to the community sidewalk may encroach the park to access the walk. Typically, the community sidewalk is offset eight (8) feet from the private lot line, but will vary as needed.

See the following Lot Typical
Section 4.0 Neighborhood Commercial Services (PA-B) Development Standards

4.10 Permitted Uses

<table>
<thead>
<tr>
<th>TABLE OF USES</th>
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<tbody>
<tr>
<td>A use not listed herein shall submit a request to the director including all information necessary for the use in accordance with Sec. 18.39 of the City of Thornton Development Code.</td>
</tr>
</tbody>
</table>

**Prohibited Uses** - The following uses are a prohibited use on this site

- Sexually Oriented businesses
- Medical or recreation marijuana sales or grow facilities

**Permitted Uses**

- 24-hour convenience retail operation (by SUP)
- Assisted living/Retirement housing (by SUP)
- Limited auto repair/Rental/Service (no outdoor storage) (by SUP)
- Bar/Lounge (by SUP)
- Car wash and Auto detailing
- Cultural facilities
- Day Care Centers/Nursery Schools
- Farm market (Seasonal or permanent)
- Financial institutions/banks with and without drive through facilities (Drive-thru by SUP)
- Gasoline service station (by SUP)
- General retail
- General retail food stores less than 10,000 square feet
- General office
- Government and public facilities including but not limited to libraries, courthouses, police and fire stations and offices
- Health club
- Liquor store (by SUP)
- Medical and dental office
- Nursery, gardens shop, plant sale
- Personal services
- Pharmacy
- Places of Worship (By SUP)
- Public and private schools (by SUP)
- Restaurants with and without drive-through (Drive-thru by SUP)
- Veterinarian clinics (by SUP) (Without outside runs)

**Temporary and Accessory Uses**

- Temporary construction yard or construction office
- Temporary sales trailers/centers
- Interim Agricultural uses until construction commences
- Parking as accessory use
4.20 Lot, Building and Dimensional Standards

The table below lists the density and dimensional standards for Planning Area B. Other regulations of these PD Standards or site-specific conditions may further limit site development.

<table>
<thead>
<tr>
<th>Table of Lot, Building and Dimensional Standards: Planning Area B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Floor Area Ratio</strong></td>
</tr>
<tr>
<td><strong>Maximum Building Height</strong></td>
</tr>
<tr>
<td><strong>Parking</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Setbacks: Planning Area B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>From Colorado Boulevard</strong></td>
</tr>
<tr>
<td><strong>From Regional trail easement along northern property line</strong></td>
</tr>
<tr>
<td><strong>Southern Boundary adjacent to EAST 38' Avenue</strong></td>
</tr>
</tbody>
</table>
| **Proximity buffer along Eastern and northern edge** | As measured from private lot line of within PA-A (SFA-P) residential structure to the building in PA-B (NCS) and from the PA-B (NCS) to the existing residential lot line along the northern property line as defined in Section 18-426(b) of the City Code except for the slope which shall be 3:1.  
  
  East: The distance between lot line in PA-A and the first potential structure in PA-B shall be a minimum of 48 feet. The height of the commercial building will determine the actual distance between the residential and commercial structure given the height of the commercial structure cannot penetrate the 3:1 proximity slope.  
  
  North property line: The distance between the existing residential lot line in Homestead Hills and the first structure in PA-B shall be a |
minimum of 88 feet. The height of the commercial building will determine the actual distance between the residential lot line and the commercial structure given the height of the commercial structure cannot penetrate the 3:1 proximity slope.

Additional requirements of the Proximity Buffer are provided in Section 1.3.D above.

4.30 Specific Requirements
A. No access is permitted to Colorado Boulevard from the commercial area
B. A Development Permit shall be submitted to, and approved by, the City of Thornton prior to any development. Grading and drainage development may occur with the appropriate permits in advance of the above stated approvals.
C. Builder/Developer shall provide improvements to the regional trail corridor along the northern property line. The improvements shall include landscaping, benches, trash receptacles and dog waste stations.
Section 5.0 Design Standards

5.10 Subdivision Quality Enhancements
In accordance with Article VIII, Site Plan and Subdivision Design Requirements of the City of Thornton Development Code, Quality Enhancements, The Villas at Homestead Hills shall incorporate the following:

A. Landscaping within the Subdivision exceeds City Code requirements, to be by at least 20 percent (20%).
B. The subdivision provides public recreational facilities in the Pocket Park in excess of what is required by City Code. The recreational facility will be determined at the time of Development Permit and is subject to approval by the City.
C. Builder/Developer will provide improvements to the existing trail corridor including landscaping, benches and trash receptacles. A trail head seating node is proposed in the northeast corner of the site to enhance the trail experience. The trail head will include sandstone benches and sculpture, bike racks, crusher fine trail, and gardens. The trail head area (not included in Public Land Dedication) will be located where visible from Bellaire Street thereby inviting public use of the trail corridor.

5.20 Residential Architecture

A. Design Intent
The design concept of the residential development is intended to target those homeowners desiring a unique place to live, in character, design and quality. Architecture in a classic Colorado style will be the main design strategy using a variety of materials, window placement and design elements on all sides of the homes, providing individual character, yet working as a whole to provide a cohesive community within The Villas and Homestead Hills as a whole. Natural materials and colors will define the architectural palette. Porches, bays, gables and other architectural features will be utilized to unify the Homestead Hills development, while providing a unique character for each home. A variety of elevations, color palettes and masonry materials will be offered to provide diversity in the streetscape.

B. Architectural Enhancements:
In accordance with Article VIII, Site Plan and Subdivision Design Requirements of the City of Thornton Development Code, Quality Enhancements, The Villas at Homestead Hills shall incorporate the following:
1. On lots that are less than 60 feet wide at the front setback line, homes shall be sited in groups of three or four adjacent homes and each such group of homes shall have a front setback that differs at least two (2) feet from the adjacent group of homes.
2. All the homes in a subdivision filing shall have roofs with high profile composition shingles such as slate, shale, dimensional asphalt shingles, etc.

3. The subdivision shall be designed with alley garages or 50 percent of the homes shall be design with rear garages.

4. At least 50 percent of the dwelling units in a subdivision filing shall have a garage door with windows.

5.30 Non-Residential Architecture - Design Intent

A. The design of individual buildings or groups of buildings should employ a variety of design features, such as wall and roof massing, textured surfaces, banding, the creation of shadow lines, varied color palette, window patterns, historical references to nearby commercial and similar residential architectural features to avoid monotony and remain in concert with the existing neighborhood.

B. The facades of building should have articulation and provide features such as textured and patterned surfaces; recesses and reveals, variation in color, window fenestration, roof overhangs, changes in parapet heights, towers, gable projections and like items to avoid monotony.

C. Variations in roof forms and planes should be incorporated into each building elevation.

D. Buildings with flat roofs should be designed to create visual interest by using various parapet heights.

E. Intense colors, high reflective metals and glasses shall not be used.

F. Ornamental metal. Architectural tile and wood should be used only as an accent material.

G. All roof top mechanical equipment and vents greater than eight (8) inches in diameter shall be screened as required by City Code. Colors and materials shall complement the architecture of the building.

H. Diversity of materials is encouraged. A minimum of two (2) materials shall be incorporated into each structure. Primary materials should include brick or thin set brick, cast or synthetic stone, integrally colored concrete masonry units, stucco or synthetic stucco and EIFS.

I. The architecture of the structures within PA-B shall be approved at the time of CSP and Development Permit.
Section 6.0 Public Land Dedication

Single Family Attached – Paired Homes Public Land Dedication requirements

<table>
<thead>
<tr>
<th>Area</th>
<th>Acres Provided</th>
<th>Acres Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pocket Park</td>
<td>2.928 Acres</td>
<td>100 DU’S x 2.86 people per DU / 1000 x 10 =</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.86 Acres</td>
</tr>
<tr>
<td>Total PLD</td>
<td>2.928 Acres</td>
<td></td>
</tr>
</tbody>
</table>

Section 7.0 Landscape Requirements

7.10 General Requirements

A. All public and private improvements shall conform to the provisions in the current City of Thornton “Standards and Specifications” and development Code for the design and construction of these improvements except where alternative to City requirements has been included in these PD Standards.

B. All common area landscaping including common open space, perimeter landscape buffers, parks, detention ponds, common area, parking area landscaping and landscaping along the regional trail shall be maintained by the HOA, commercial owner’s association and/or metropolitan district.

C. Landscape areas shall include a combination of living plant materials including trees, shrubs, annual plants, perennials, vines, grasses, and/or ground cover. Non-living plant materials commonly used in landscaping such as, but not limited to, wood mulch, rock, crusher fines, pebbles, water features and decorative paving, may also be used in Landscape Areas.

D. Primary plant material should be drought tolerant and xeric species shall be used whenever possible and shall meet the City of Thornton’s water-wise landscape principles, Section 18-536.

E. An automatic irrigation system is required for all landscape areas.

7.20 Landscape Buffer Requirements

<table>
<thead>
<tr>
<th>Designated Buffer</th>
<th>Buffer Width</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellaire Street</td>
<td>20 feet</td>
<td>2 TEs / 50 LF</td>
</tr>
<tr>
<td>Colorado Boulevard</td>
<td>25 feet</td>
<td>2 TEs / 50 LF.</td>
</tr>
<tr>
<td>Between PA-A and PA-B</td>
<td>20 feet total</td>
<td>2 TEs /600 SF</td>
</tr>
<tr>
<td></td>
<td>(10 feet Provided by PA-A)</td>
<td></td>
</tr>
</tbody>
</table>
7.30 Plant Material Requirements and Tree Equivalents - where different from Code

A. Shade Trees: 2.5-inch caliper burlapped and bundled
B. Ornamental Trees: 2-inch caliper burlapped and bundled
C. Evergreen Trees: 6-foot height minimum, 25% of evergreen trees must be a minimum of 8 feet in height; 8 feet in height required in enhanced Trail Corridor
D. Ground cover, annuals and vines and perennials: Do not qualify for a TE. No four (4) inch containers or plugs unless approved with Development Permit.
G. One TE is equal to one tree at the minimum size; ten (10) 5-gallon shrubs and grasses; or 20 one (1) gallon grasses or qualifying perennials. Qualifying perennials must be approved at time of Development Permit.

7.40 Trail Head Park - Quality Enhancement
1 TE per 600 square feet

7.50 Private Drives
Private drives shall be landscape at 1.0 TE per 50 linear feet. The ODP/CSP indicates where the landscaping shall occur. The landscaping shall be indicated at the time of Development Permit.

7.60 Single Family Attached - Paired Homes Common Area Landscaping (PA-A)

A. A minimum of 20 percent (20%) of the site area shall be common area open space including buffers, garden courts, landscape areas; not including private lot areas, the existing trail corridor and the PLD pocket park areas. These areas shall be landscaped at a rate of One (1) TE per 600 square feet.
B. The builder shall install the following:
   1. Homes facing a garden court: One (1) TE per lot, at least one of which is a tree; plus, one (1) TE per 600 square feet of garden court (included within the 20% stated above in Item A) shall be provided.
The combined TEs stated above shall be designed including all landscape area from porch to porch excluding no irrigation area within five (5) feet of a foundation. The landscape design is intended to blend the public and private space landscaping together in a cohesive design.

2. Homes facing the park: One and a half (1.5) TEs per lot, at least one of which is a tree; plus, one (1) TE/1,000 square feet for the eight (8) foot separation between the private lot line and community sidewalk shall be provided. The landscape design is intended to blend the public and private space landscaping together in a cohesive design.

3. Homes facing Bellaire Street: One and a half (1.5) TEs per lot, at least one of which is a tree; plus, the one (2) TE per 50 linear feet as required for the Bellaire Street buffer shall be provided. The landscape design is intended to blend the public landscape buffer and the private lot landscaping together in a cohesive design.

4. All common area and front yard landscaping within the Planning Area shall be per the Development Permit.

7.70 Neighborhood Commercial Services - Landscaping (PA-B)

A. All landscaping within the Planning Area shall be in accordance with the City of Thornton Development Code.

B. Back of curb existing landscaping along Colorado Boulevard shall be remain and be supplemented to balance TEs to 2 per 50 lineal feet. The commercial owner’s association or metro district shall be responsible for maintenance of the landscaping from the back of curb to the property line.

Section 8.0 Pedestrian Circulation

Internal sidewalks and trails shall be designed to create an active pedestrian network and incorporated into the development to minimize conflicts and maximize the pedestrian experience. The sidewalks and trails shall connect adjacent public ways and site amenities.

A. All community trails within the central park shall be a minimum of five (5) feet in width.

B. Sidewalks in the garden courts shall be (4) feet in width.

C. Private sidewalks to the individual homes and lots shall be a minimum of (3) feet in width.

D. A five (5) foot wide sidewalk shall connect the residential area to the commercial area to Colorado Boulevard along 138th Avenue.

E. A six (6) foot sidewalk detached six (6) feet from the back of curb shall be provided along Bellaire Street.

F. Sidewalks shall be provided along one side of the private drives where there are no driveways as indicated on the ODP/CSP.
**Section 9.0 Fencing**

**A. Perimeter Fencing:** The final fence design and details shall be determined by the Development Permit; however, the proposed conceptual fencing is as follows:

1. North property line adjacent to the trail corridor has an existing open three rail fence. A break in the fence shall be provided to allow for trail access from The Villas at Homestead Hills to the regional trail and trail head park.
2. Non-Residential area: Fencing to be determined at time of Development Permit.
3. Adjacent to Bellaire Street: No fencing at the front lot line.
4. At the common property line between the residential and commercial area: A six (6) foot high single sided wood picket fence shall be provided. Fencing shall be determined at time of Development Permit.
5. Along the southern property line of PA-A: A six (6) foot high single sided wood picket fence shall be provided.

**B. Internal Fencing:**
The final fence design and details shall be determined by the Development Permit; however, the proposed conceptual fencing as shown on the ODP/CSP Landscape Plan shall be as follows:

1. Lot lines adjacent to open space: Three rail/open rail fence, a maximum of 42 inches in height. A 2" x 4" welded wire mesh is permitted on the lot side of the fence for pet enclosure. Fence shall be installed by builder. Said wire mesh shall be on the lot side of the fence and installed by the builder.
2. New fencing adjacent to the 40-foot wide trail corridor shall match the Homestead Hills Master HOA fence for the corridor.
3. Side or rear lot lines adjacent to a public street or private drive: A six (6) foot high single sided wood picket privacy fence shall be provided.
4. Front and rear yard wing fencing between homes and between garages: A six (6) foot high single sided wood picket privacy fence shall be provided.
5. No fencing is proposed internal to the commercial area except for fencing required for the screening of refuse containers.
6. Fencing shall be used in a consistent manner throughout The Villas at Homestead Hills

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**Diagram:**

- 4x4 post beveled at top
- Fence to be constructed of dimensional cut cedar or Natural color PVC
- 2" x 6" rail
- Top rail 3" below top of post
- 1" between rails typ.
- 3x4 wire mesh grid required for pet enclosure on fencing adjacent to open space and trails.
- Gravel fines toe strip - see section

**Open Picket Fence**

Located next to Parks and Open Space
The Villas at Homestead Hills PD Standards

EXISTING
4' OPEN RAIL FENCE
4' OPEN RAIL FENCE
6' PRIVACY FENCE

PERIMETER FENCE
4" x 4" POST BEVELED AT TOP
2 1" x 4" RAIL
1" x 4" PICKET

DIMENSIONALLY CUT CEDAR POSTS, RAILS AND PICKETS
Section 10.0 Retaining Walls

A. No single retaining wall shall exceed (4) feet in height unless certified by a structural engineer.
B. A minimum separation of four (4) feet is required between multiple retaining wall levels.
C. Retaining walls shall be constructed of materials and colors to maintain consistency with architecture, signage and landscaping.

Section 11.0 Lighting

A. All decorative lighting and interior common area lighting shall be provided in accordance with the City of Thornton Standards for illumination of public areas. All light fixtures will be located and designed such that off-site glare and ambient illumination does not pose a nuisance to the motoring public and adjacent properties.
B. Final lighting design and locations shall be provided at the time of Development Permit.
C. Fixtures shall be uniform throughout the site and shall be in character with the architectural and landscape theme of the development.

Section 12.0 Signage

All signage and entry monumentation shall comply with the requirements of the City of Thornton Sign Ordinance.

Section 13.0 Site Furnishings

A. All site furnishings shall be submitted in conjunction with the Development Permit.
B. Site furnishings shall be uniform throughout the site and shall be in character with the architectural and landscape theme of the development.

Section 14.0 Conceptual Site Plan/Overall Development Plan Requirements

Development of this property shall be in accordance with the attached Conceptual Site Plan/Overall Development Plan. Specific lot, building envelopes and building footprints shall be determined through the Subdivision and Development Permit process.
Section 15.0 Street Standards

A. East 138th Avenue is a public street to be provided in accordance with City of Thornton standards. No vehicular connection is proposed to PA-A.

B. Private access drives and parking lot lanes in PA-B shall be provided in accordance with City of Thornton standards.

C. Private entry street constructed to public street standards will provide access into PA-A from Bellaire Street. The entry street will connect to the private drive loop street which provides access to the rear loaded garages of the homes.

D. The following cross-section for the internal private drives.
PRIVATE DRIVE - INTERNAL
(2) DRIVE LINES

ASH CIRCLE - SOUTH PROPERTY LINE
PARALLEL PARKING AND ATTACHED WALK
NOTES:

1. Standard Flexibility Statement: During the subsequent reviews associated with the actual development of the site identified in the Villas at Homestead Hills CCP/GSP, the Development Director may allow for minor adjustments in the Development Permit, Subdivision Plat, and Final Landscape Plan and associated final engineering documents. The changes to the development would be due to actual site conditions, unforeseen technical issues involving infrastructure on the site and changes to the building products previously identified or described on the CSP graphic and approved by City Council.


3. Access: The principal means of resident access is from Bellaire Street with a secondary access point from Bellaire Street. Commercial access is from Colorado Boulevard.

4. Restoration Standards: Any areas disturbed during construction shall be stabilized and revegetated within one (1) growing season, unless delayed due to governmental restrictions (i.e. drought restrictions).

5. Regional Trail Maintenance: The Villas at Homestead Hills HOA and/or Metro District shall be responsible for the existing regional trail and 40' wide easement along the northern property line.

6. Landscape Maintenance: The Villas at Homestead Hills HOA and/or Metro District shall be responsible for the management and maintenance of all common area landscaping and amenities within the central park, open space tracts, medians, adjacent right-of-ways and arterial median landscaping, ornamental trails, and landscape buffers.

7. Sight Distance Triangles: Per City Code, plant material in sight distance triangles must stay below 30 inches or above 8 feet.

8. Existing Trees: Existing trees will be inventoried for size, species, and health condition and identified for removal, mitigation or preservation at the time of Development Permit.

10. Public Land Dedication (PLD):
   A. Residential
      Required: 100 DU's x 2.66 people per DU / 1000 x 10 = 2.83 Acres
      Proposed: 2.93 Acres
   B. Commercial
      Required: 3.82 acres x 6% = 0.2306 acres (13,311.13 squarefeet)
      x $3.95(squarefoot) = $39,041.81

LEGAL DESCRIPTION
HOMESTEAD HILLS SUBD FILING NO 3 BLK 16 LOT 1

LAND USE TABLE

<table>
<thead>
<tr>
<th>Planning Area</th>
<th>Use</th>
<th>Acres</th>
<th>% of Total</th>
<th>Dwelling Units</th>
<th>Max Height</th>
<th>Required Parking</th>
<th>Proposed Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Single Family Attached - Pared Homes</td>
<td>14.92</td>
<td>60%</td>
<td>100</td>
<td>35'</td>
<td>200</td>
<td>546</td>
</tr>
<tr>
<td>B</td>
<td>Neighborhood Commercial Services</td>
<td>3.82</td>
<td>20%</td>
<td></td>
<td>45'</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>18.74</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

200 garage parking spaces
48 driveway parking spaces
50 guest spaces on private drives
*546 proposed parking spaces
PERIMETER FENCE
DIMENSIONALLY CUTcedAR POSTS, RAILS AND PICKETS

OPEN PICKET FENCE
Located next to Parks and Open Space

4"x4" post beveled at top
Fence to be constructed of dimensional cut cedar or Natural color PVC
2" x 6" rail

Top rail 3" below top of post
11" between rails typ.

2"x4" wire mesh grid required for pet enclosure on fencing adjacent to open space and trails.

gavel fines mow strip - see section