



Administrative Determination

I. Application Information

Application:	Sketch Plat & Sketch Site Development Plan
Project Case Number:	PZ-20-00086, 87
Project Name:	Giuliano 4 th Subdivision – Kum & Go
Applicant Name:	Ryan Halder, Kum & Go
Proposal Summary:	The Giuliano 4 th Subdivision is a proposal to replat Outlot E of the Giuliano 3 rd Subdivision into a buildable lot. The proposal includes the development of a Kum & Go fueling station with canopy and convenience store.

II. Director of Development Services Determination

Approval with Conditions	
<p>The Director of Development Services finds that the Giuliano 4th Subdivision Sketch Plat & the Kum & Go Sketch Site Development Plan comply with Loveland Municipal Code Section 18.17.13.01 Sketch Plat and 18.17.11.01 Sketch Site Development Plan in addition to other relevant provisions of Loveland Municipal Code Title 18. The Director hereby approves Giuliano 4th Subdivision Sketch Plat and Kum & Go Sketch Site Development Plan subject to the conditions of approval in Section III of this Administrative Determination. The Director's decision is based upon review of the following;</p> <ol style="list-style-type: none"> 1. Submitted application materials; 2. City staff's review and recommendation; 4. Written comments provided by the neighborhood; 5. Comments received at the neighborhood meeting, including summary meeting notes; and 5. Applicant's response to neighborhood comments. 	
Director Decision Date:	July 13, 2020
Appeal Deadline:	July 27, 2020 at 4:30 p.m.

III. Conditions of Approval

Transportation	
DRAFT TRANSPORTATION CONDITIONS	
<p>1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).</p> <p>2. The developer agrees to acquire and dedicate, at no cost to the City, any rights-of-way necessary for the required street improvements associated with this development.</p> <p>3. Prior to the issuance of any building permits for the KUM & GO Development, Lot 1 XXX Subdivision, pursuant to the provisions in the Unified Development Code and City Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:</p> <p style="padding-left: 20px;">a) All public improvements as shown on the City approved Public Improvement Construction Plans including accesses, medians on Wilson Ave and public sidewalk improvements on Wilson Ave and Kincaid.</p> <p>4. The intersection of Wilson Avenue and Kincaid is planned to be a channelized T at such time the intersection improvements are warranted by development impacts and traffic conditions.</p>	

IV. Appeal Information

Purpose	The appeal procedures specified in Division 18.14.05 of the Loveland Municipal Code provides an opportunity for affected parties to seek review of a final decision of the Director to ensure that the decision is correct.
Party Status	<p>Appeals may be brought only by the following parties:</p> <ol style="list-style-type: none"> 1. An adjoining property owner; or 2. A property owner who received mailed notice and either attended the neighborhood meeting or provided written comments to the Current Planning Division before the Director's decision.
Initiation of Appeal	An appeal of the Director's decision must be initiated by filing a petition on the form provided by the City and submitting the required fee to the Current Planning Division. The petition must contain all of the information specified in Section 18.14.05.04 of the Loveland Municipal Code.
Threshold Review	<p>Once a petition is filed, the Director will confer with the City Attorney to ensure that the petitioner has party status, as described above, and there is sufficient detail in the petition to put the City on notice as to the legal basis of the appeal.</p> <p>If the Director finds that the petitioner does not have party status or that the petition lacks the required information, the Director will deny the appeal, notify the petitioner, and return the submitted appeal fees.</p> <p>If the Director finds that the petitioner has party status and the petition includes the required level of specificity, the Director will notify the petitioner of the acceptance, place the item on the agenda for the Planning Commission, and notify the petitioner that the petitioner must provide mailed notice as specified in the Loveland Municipal Code.</p>

Standards for Review	The scope of the appellate review is limited to the issues raised in the petition. Issues that are not described or obviously implied by the petition will not be considered. New evidence cannot be introduced on appeal.
Planning Commission Decision	After review of the record and arguments advanced on appeal, the Planning Commission will determine whether the Director's decision was correct based on the applicable Code provisions. The Planning Commission's decision represents the final decision by the City.

V. Director's Approval

Approved this 13TH day of JULY, 2020 by:



Brett Limbaugh, Director of Development Services



July 8, 2020

**RE: Kum & Go – 43rd & Wilson, Loveland
Neighborhood Meeting
Virtual Meeting via Zoom**

**Emily Tarantini, City Planner
Josh Erramouspe, Olsson
Kellie Wisbrock, KGLC
Ryan Halder, KGLC
Neighbors, Attendance list attached**

A meeting was held with City officials, representatives of Kum & Go, and the neighbors to collect input from the neighbors of a store slated for the southwest corner of the intersection between Wilson Avenue & Kincaid Street. Meeting summary:

- Kellie provided information on Kum & Go's history, mission, store offerings, and recent philanthropic activities in the markets that Kum & Go serves
- Ryan then provided a description of the site layout along with building elevations
 - Ryan also presented a colored landscape plan to aid with conversations related to green space
- The neighbors presented a handful of questions, which were fielded by the applicants, engineer, and City. A summary of questions are as follows:
 - The neighbors raised concern with increased crime with the addition of this store. Kellie explained that the store will likely experience crime that is already in place. Kum & Go is not anticipating their store to cause additional crime.
 - The neighbors were concerned about allowing this use, along with proximity to a nearby 7-11. The City and Kum & Go explained that this parcel has been zoned for a commercial use for some time now, and also noted that a King Soopers was slated for this corner in the early 2000's.
 - The neighbors were concerned about store lighting. Kum & Go explained that, while a photometric plan had not yet been developed, a plan would be submitted to the City for review and would demonstrate compliance with City code.
 - The neighbors were concerned about increased noise. The City & Olsson explained that, while a noise study had not yet been developed, Kum & Go would either use results of an existing study or would conduct a separate study to demonstrate compliance with City code.
 - The neighbors were concerned about views from the houses on the west side of the development. Kum & Go presented the landscape plan to show what trees/shrubs were planned for the southwest corner of their lot. While there is a large gap in trees due to the site access in that corner, trees would be planted around the perimeter of the site to soften the edges & mitigate headlight spill.
 - The neighbors were concerned about uses within the remainder of the development, and whether the vacant lots would continue to be maintained. Kum & Go explained that they weren't aware of plans for the vacant land and the seller's representative assured the neighbors that maintenance of the vacant lots would continue.
 - The neighbors were concerned about financial impact on their houses. Kum & Go explained that while they are unable to make any assurances, their stores typically add value to neighborhoods.

Email	Address	City	Zip/Postal C State/Province	Phone
mgoodnight@centurylink.net	3076 Benfold St.	Loveland	80538 CO	19702787660
brucelinafelter@gmail.com	3221 Thorn Cir	Loveland	80538 CO	9705990040
jwaller8800@yahoo.com	3769 fletcher St.	Loveland	80538 CO	8479174015
hannahklong1@gmail.com	3896 Carbondale St	Loveland	80538 CO	9707766551
kellie.wisbrock@kumandgo.com	1459 Grand Ave	Des Moines	50309 IA	6416604811
kellie.wisbrock@kumandgo.com				
schmid508@live.com	3049 Benfold Street	Loveland	80538 CO	970-214-3400
brandicjohnson@gmail.com	4404 Radford Avenue	Loveland	80538 CO	9704022694
mbw3136@gmail.com	3136 Williamsburg St	Loveland	80538 CO	9702183903
jn.glsn@gmail.com	3101 Thorn Circle	Loveland	80538 CO	unlisted
pcnotess@gmail.com	4468 Stethern Dr	Loveland	80538 CO	9702157462
katlord@yahoo.com	4412 Stethern Drive	Loveland	80538 CO	9092134893
dkozphoto@gmail.com	3063, Benfold St	Loveland	80538 CO	518-399-2620
rdwilliams5754@gmail.com	3060 Thorn Circle	Loveland	80538 CO	9702034729
Savinggrey@gmail.com	2568 Mehaffey Drive	Loveland	80538 CO	970-557-1169
ancoga1@gmail.com	4583 Stump Ave	Loveland	80538 CO	7857668584
ancoga1@gmail.com				
Tom.Carrico@KumandGo.com	1459 Grand Avenue	Des Moines	50309 IA	612-237-7297
bobhallissy@gmail.com	2005 Mississippi St	Loveland	80538 CO	757-871-5683



AFFIDAVIT

CERTIFYING THE NOTIFICATION OF SURROUNDING PROPERTY OWNERS
AND POSTING SIGNS ON THE PROPERTY

Project Name: Kum & Go #0696

The undersigned certifies that the names and addresses listed on the attached mailing list represent all of the property owners located within the following radius of the boundaries of the project (check one):

- 75 feet
150 feet (circled)
250 feet
300 feet
500 feet
2,200 feet
Contiguous property owners for right-of-way vacation
Property owners with legal interest in the easement vacation
Property within the PUD project boundary plus 500 feet

The undersigned certifies the following:

- 1. The attached letter was mailed to all of the property owners listed on the mailing list on Thursday, June 18, 2020; and
2. A sign(s) as required by the City was posted on the property on: Monday, June 22, 2020

The undersigned further certifies that the attached letter identifies the correct date of the neighborhood comment period on July 8, 2020 and all notices were in accordance with the public notice provisions in Section 18.14.04 of the Unified Development Code.

JUEL RAE
Signature
JUEL RAE
Printed Name

VALERIE D. RIGHTSSELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID: 20004021004
MY COMMISSION EXPIRES JULY 18, 2020

STATE OF COLORADO)
) ss
COUNTY OF LARIMER)

The foregoing certification was acknowledged before me this 22nd day of June, 2020, by Juel Rae

Witness my hand and official seal. My commission expires July 18, 2020

Valerie D. Rightsell
Notary Public

Attention

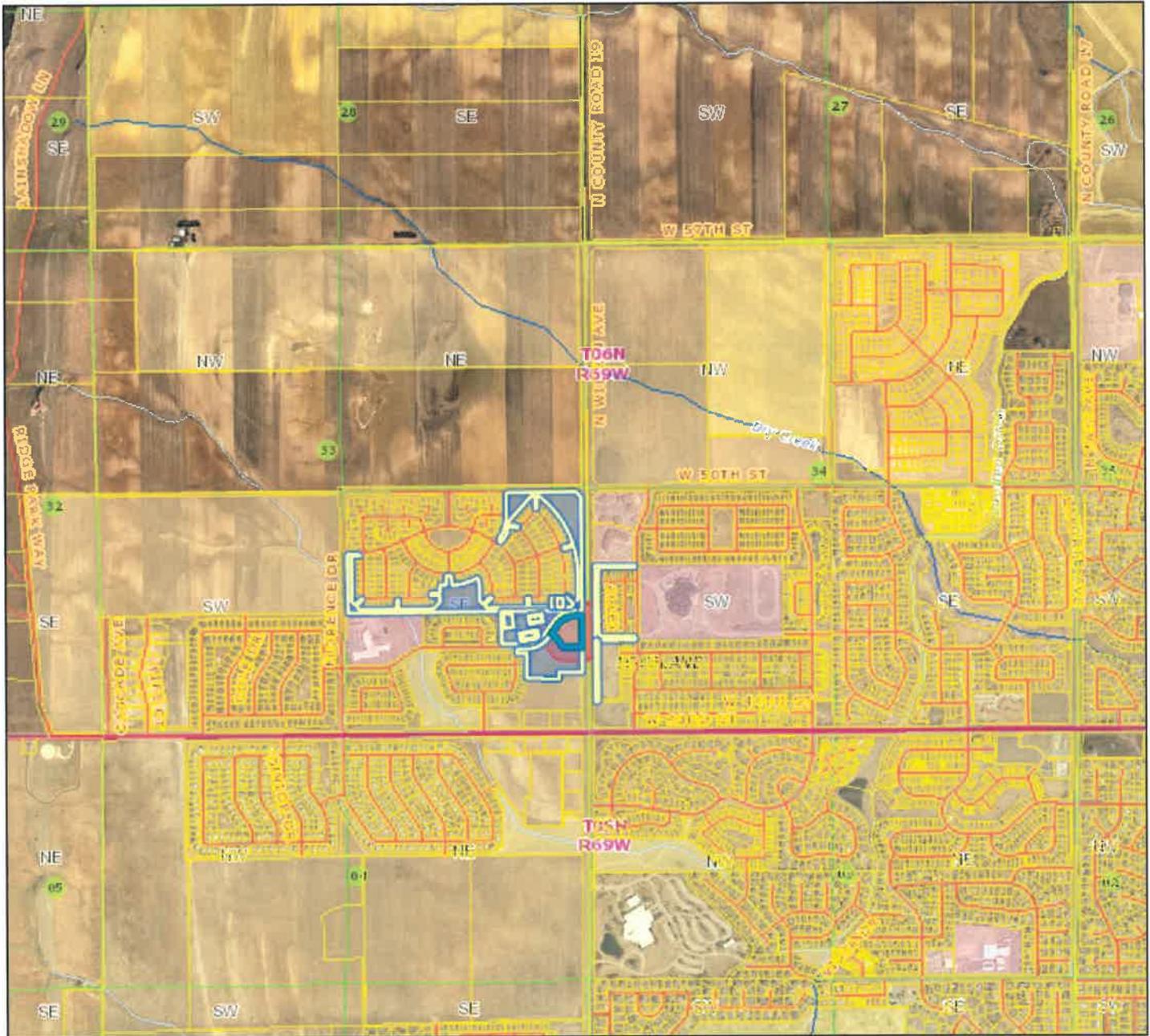
General questions about this or any other Larimer County GIS product, including errors, omissions, corrections and/or updates should be directed to Larimer County Support Central at (970) 498-5000.

This file is formatted to be printed on Avery 5160 mailing labels. If printing labels, be careful not to 'fit to page,' as this will stretch the margins and possibly prevent the labels from lining up with the paper.

Report created from 150 feet around parcel #Drawn on
Tuesday, June 16, 2020 3:43 PM



Larimer County Web Map



Legend

-  Tax Parcels
-  PLSS Township and Range
-  PLSS Sections
-  PLSS Quarter Sections
-  Railroads
-  Rivers and Streams
-  County Boundary
-  Rocky Mountain National Park
-  Incorporated Areas
-  City or Town

Notes

0.2 0 0.2 Miles

Date Prepared: 6/16/2020 3:48:33 PM

Scale
1: 17,970



This map was created by Larimer County GIS using data from multiple sources for informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.

ENCHANTMENT RIDGE CONDOMINIUM
2950 KINCAID DR
LOVELAND, CO 805384962

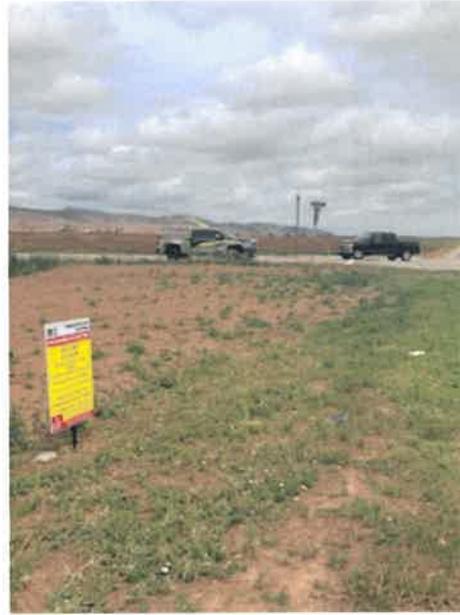
GIULIANO ADDITION LLP
308 COMMERCE DR STE A
FORT COLLINS, CO 805243175

HARVEST GOLD VILLAGE HOMEOWNERS
390 INTERLOCKEN CRESCENT STE 500
BROOMFIELD, CO 800218041

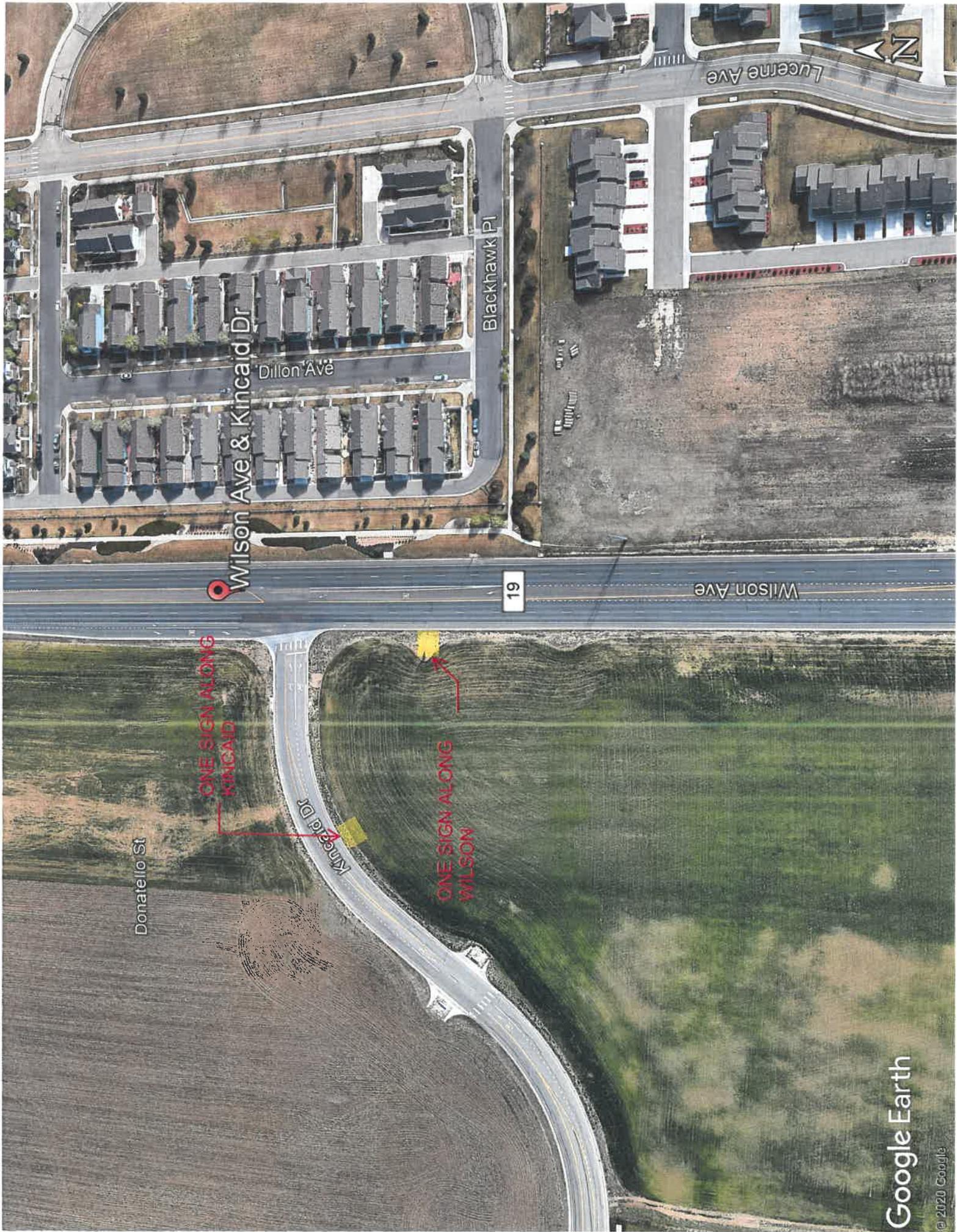
LOVELAND CROSSING INVESTORS LTD
8235 DOUGLAS AVE STE 1300
DALLAS, TX 752256013

PATJAN CONDOS LLC
308 COMMERCE DR STE A
FORT COLLINS, CO 805243175

CITY OF LOVELAND DEVELOPMENT SERVICES DEPT.
ATTN: EMILY TARANTINI
410 E 5TH STREET
LOVELAND, CO 80537



2 SIGNS POSTED - ONE ALONG KINCAID AND ONE ALONG WILSON



ONE SIGN ALONG
KINCAID

ONE SIGN ALONG
WILSON

Donatello St

Wilson Ave & Kincaid Dr

Dillon Ave

Blackhawk Pl

19

Wilson Ave

Lucerne Ave



Neighborhood Meeting Notice Letter

Date: Thursday June 18, 2020

Dear Property Owner:

This is a notice that a neighborhood meeting will be held to discuss the following proposal in your neighborhood:

Application and Meeting Information

Application:	Sketch Plat & Sketch Site Development Plan
Project Case Number:	PZ-20-00086 & PZ-20-00087
Project Name:	Giuliano 4 th Subdivision – Kum & Go
Meeting Date and Time:	July 8, 2020 5:00 pm
Meeting Instructions:	In an effort to prevent the spread of COVID-19 and comply with the Governor's Executive Order for social distancing, the neighborhood meeting for this project will be conducted remotely. Please call the Zoom Webinar phone number listed below to participate in the meeting. If you have questions concerning participation or need additional assistance, please contact the Planning Office at 970-962-2523 prior to the hearing.
To Register for the remote zoom meeting, visit:	www.cityofloveland.org/webinar
To call in, dial:	1 346-248-7799
Applicant Name:	Ryan Halder, Kum & Go, L.C.

Project Description

Summary of Proposed Development:	The Giuliano 4 th Subdivision is a proposal to replat Outlot E of the Giuliano 3 rd Subdivision into a buildable lot. The proposal includes the development of a Kum & Go fueling station with canopy and convenience store.
General Location:	Southwest corner of Kincaid Drive and North Wilson Avenue
Property Address:	2840 Kincaid Drive
Existing Zoning:	PUD (Planned Unit Development)
Legal Description:	OUTLOT E, GIULIANO THIRD SUB LOV



Additional Information:	Additional information on the project is available at CityofLoveland.org/CDA
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Neighborhood Meeting Information

All interested parties may appear remotely and speak regarding the project at the neighborhood meeting and/or file written comments with the Current Planning Division prior to the Director's decision.

Appeal Dates

Director Decision Date:	July 13, 2020
Appeal Deadline:	July 27, 2020 at 4:30pm

Appeal Information

Purpose	The appeal procedures specified in Division 18.14.05 of the Loveland Municipal Code provides an opportunity for affected parties to seek review of a final decision of the Director to ensure that the decision is correct.
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Planning Commission Decision	After review of the record and arguments advanced on appeal, the Planning Commission will determine whether the Director's decision was correct based on the applicable Code provisions. The Planning Commission's decision represents the final decision by the City.

If you have any questions regarding the proposed project, please contact: Ryan Halder, 515-457-6232, Ryan.Halder@kumandgo.com. If you have questions regarding the City process, please contact Emily Tarantini (970)962-2581 Emily.Tarantini@cityofloveland.org

Sincerely,

A handwritten signature in blue ink that reads "Ryan Halder".

Ryan Halder

1459 Grand Avenue
Des Moines, Iowa 50309
P: 515-226-0128
F: 515-223-9873



#0696 - WILSON & KINCAID VICINITY MAP

EXHIBIT	1
PROJECT NO:	019-0839
DRAWN BY:	BK
DATE:	12/13/2019



VICINITY MAP
NOT TO SCALE



