

# TOWN BOARD INFORMATION



## COMMUNITY DEVELOPMENT DEPARTMENT

<b>Meeting Date:</b>	<b>January 13, 2026</b>
<b>Agenda Title/Subject:</b>	<b>Background information regarding zoning for property known as Revere</b>
<b>Type of Item:</b>	<b>Regular Item</b>
<b>Request:</b>	<b>Informational</b>
<b>Presented by:</b>	<b>Tawn Hillenbrand, Planning Manager</b>

### BACKGROUND:

The following timeline provides an overview of the development review history of the parcel of land. This timeline was developed from a review of Town records for the subject property which has been referred to by several names over the course of the last 25 years, including Smith Addition, Berthoud Parkway Plaza, Parkway Plaza, and most recently, Revere. To the best of Staff's knowledge, this is a complete and accurate history of the property:

- **June 2000:** Property was Annexed to the Town and zoned to T-Transitional as part of the Smith Addition Annexation with the intent of creating a mixed-use development.
- **November 2003:** Minor Subdivision approval to create two total lots. The subject property is Lot 1 of the Smith Subdivision. Lot 2 is located on the east side of Hwy 287 and is what is now Westside Crossing.
- **May 2006:** Approval of an Overall Development Plan (ODP) and Rezone to PUD for a mixed-use development.
- **August 2007:** Approval of an amendment to the ODP resulting in the change of the lot layout.
  - o Commercial component: 518,000sf total with an approved Floor Area Ratio (FAR) = 0.31
  - o Residential component: 100 dwelling units max, requiring further approval by the Board; 14 DU/AC max.
  - o Permitted uses table provided on ODP, included retail uses, commercial uses, Institutional/Civic/Public uses, and residential. Residential uses are multi-family, townhomes, condominiums.
- **August 2008:** Approval of a Preliminary Plat and Preliminary Development Plan.
  - o 518,000sf of commercial, retail, office and entertainment uses
- **June 2010:** Approval of a Final Plat and Final Development Plan
  - o Approved plan included 20 commercial, office and retail lots
  - o Residential component removed per direction of the Town
- **May 11, 2011:** Status memo written by the Town's Planner (Tim Katers) states the Town Board "took action to approve the Berthoud Parkway Plaza Final Plat and Final Development Plan. In order to proceed with recordation of the Final Plat and acceptance of the Final Development Plan" specific items needed to be completed, including, corrections to a few documents, completion of the Development

Agreement, submittal of final mylars signed and ready for recordation, and final development plan mylars.

- **January 29, 2014:** Parkway Plaza status memo written by the Town's Planner (Tim Katers) states that "the Town Board took action to approve the Final Plat and FDP for the property. There were a number of tasks that needed to be completed in order to finalize and record the actions by the Town Board in 2010. **Those actions were never completed by the property owner and the final plat for this property is not recorded, nor is the final development plan signed.**" Those actions included providing final signed mylars, final development plan mylars, complete Development Agreement, and possible corrections to construction drawings.

Because the Final Plat and Final Development Plan (FDP) were never finalized and recorded with Larimer County, the approval was never completed. The 20 lots proposed with the Final Plat were never legally created which is consistent with Larimer County Records. Larimer County records indicate that the last platting or subdivision action to take place for the subject property was the Minor Subdivision completed in 2003, as referenced in the timeline provided earlier in this report. Because the final documents were never recorded, the approval became null-and-void, at the latest, upon expiration of the vesting of property right, to the extent any were granted.

#### **UPDATE/NEXT STEPS:**

Should the Town Board decide to rescind Ordinance 1363 rezoning the Revere property from PUD to SR – Suburban Residential and SC – Suburban Commercial, the current zoning will continue to be PUD – Planned Unit Development.

The property owner could pursue land use approval for any of the uses permitted under the 2007 PUD/ODP, including retail uses, commercial uses, institutional/civic/public uses, and residential uses. Per the approved PUD and ODP the following would apply:

- Commercial component:
  - not to exceed 518,000sf total
  - Floor Area Ratio (FAR) = 0.31
- Residential component:
  - Not to exceed 100 dwelling units
  - 14 dwelling units per acre
  - Required additional approval by the Town Board

\*See excerpt on the next page taken from the approved PUD/ODP showing allowed uses by type (retail, commercial, residential).

PERMITTED USES TABLE:
<p><b>Retail Uses Including:</b></p> <ul style="list-style-type: none"> <li>• Retail (General Goods and Services Maximum 70,000 S.F. under one roof)</li> <li>• Boutique Retail Shops (less than 6,000 SF/Shop)</li> <li>• Convenience Stores</li> <li>• Gas Stations</li> </ul> <p><b>Commercial Uses Including:</b></p> <ul style="list-style-type: none"> <li>• Banks with Drive-thru Facilities</li> <li>• Minor Automobile Sales and Repair</li> <li>• Bed and Breakfast Establishment</li> <li>• Car Washes</li> <li>• Child Care Centers</li> <li>• Open-Air Farmers Markets/Seasonal Sales</li> <li>• Dog Day Care Facilities</li> <li>• Dry Cleaners/Laundries</li> <li>• Food Catering or Small Food Product Preparation</li> <li>• Health and Membership Clubs</li> <li>• Limited Indoor Recreation Establishments</li> <li>• Medical Clinics</li> <li>• Personal Services Shops</li> <li>• Print Shops</li> <li>• Professional Offices</li> <li>• Small Animal Veterinarian Hospitals</li> <li>• Exhibit Halls</li> <li>• Conference / Convention Centers</li> <li>• Bars, Pubs, Billiard Halls and Taverns</li> <li>• Restaurants with or without drive through facilities</li> <li>• Night Clubs</li> <li>• Movie Theaters</li> </ul> <p><b>Institutional/Civic/Public</b></p> <ul style="list-style-type: none"> <li>• Community Facilities</li> <li>• Public/Civil/Government Administrative Office and Service Facilities</li> <li>• Parks, Recreation Facilities and Other Open Spaces</li> <li>• Places of Worship or Assembly Public/Civic/Gov't</li> <li>• Schools</li> <li>• Transit Facilities (without repair and storage)</li> </ul> <p><b>Miscellaneous Nonresidential Uses:</b></p> <ul style="list-style-type: none"> <li>• Open Space</li> <li>• Storm Water Detention</li> <li>• Above Ground Utilities</li> <li>• Parking Lots</li> </ul> <p><b>Residential Uses (Requires future approval by the Board):</b></p> <ul style="list-style-type: none"> <li>• Multi-Family</li> <li>• Townhomes</li> <li>• Condominiums</li> </ul>

Source: Revere Mixed Use PUD Overall Development Plan approved August 21, 2007

#### **FISCAL IMPACT AND FUND SOURCE:**

There is no negative impact to the Town in consideration of this background information regarding zoning for the Revere property.