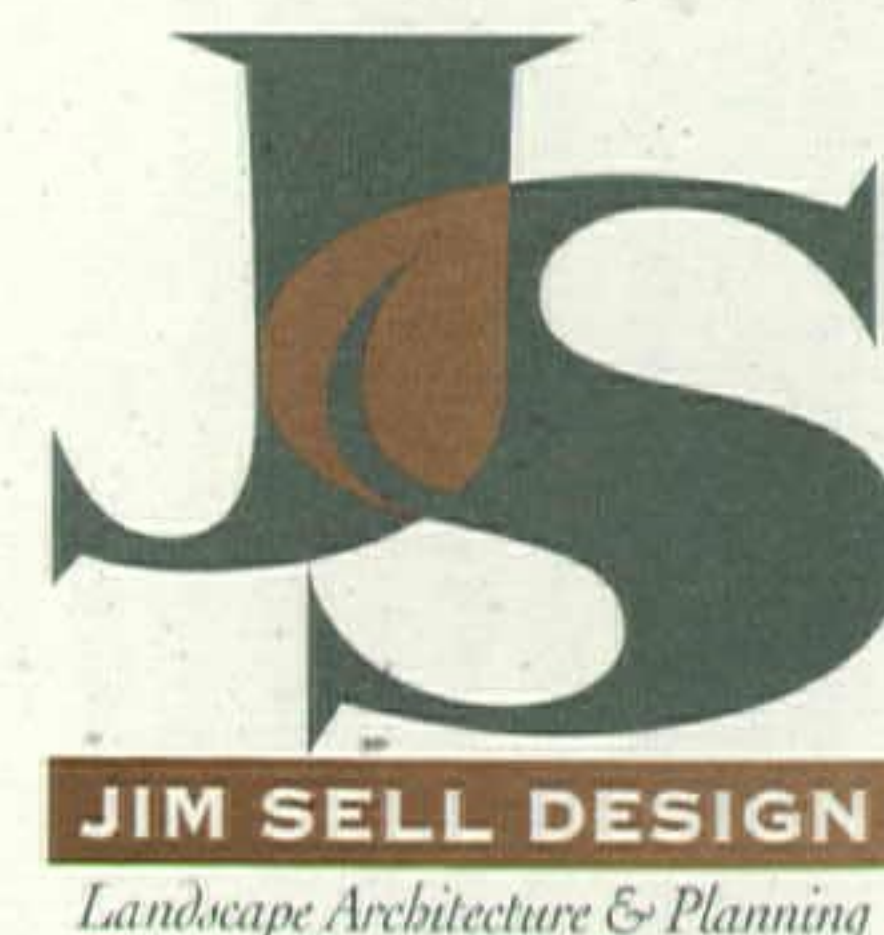


December 4, 2000



Steve Olt
City Planner
City of Fort Collins Current Planning Department
281 North College Avenue
Fort Collins, Colorado 80522-0580

RE: Harmony Ridge PUD, Phase II –Final Staff Redlined Site and Landscape Plans

Dear Steve:

I apologize for the missing redlined Site and Landscape Plans. They came up missing after a major cleaning and remodeling project here in our offices. As requested, this letter is to summarize our memory of the redlined Site and Landscape Plans that were missing from the recent resubmittal on November 22, 2000.

The items redlined as I remembered are as follows:

1. Lot spacing was an issue, the need for space in between clusters of 6 lots along the ridge. *There are 3 open space Tracts in between clusters of lots.*
2. Trail connecting project to Cathy Fromme Prairie trail. *It was determined because of grades that a trail would not be feasible. We have added sidewalk and bike lanes along Fromme Prairie Way.*
3. Revise notes to reflect type of residential housing. *Patio Homes and Duplex lots have been identified.*
4. Add utilities to Landscape Plans. *Utilities have been added to Landscape Plans.*
5. Remove topography lines on Final Site and Landscape Plans. *Topography lines have been removed.*
6. Retaining wall must be shown on Site and Landscape Plans. *Wall is identified on Plans.*
7. Lots 40 and 41 are out of Plat boundary. *A boundary line adjustment will correct this issue.*

Please review this information and should you have any questions, give me a call.

Sincerely,
JIM SELL DESIGN Inc.

L. Vaughn Furness
Director of Community Planning

- (D) **Appeals of Amendment/Abandonment Decisions.** Appeals of decisions for approval, approval with conditions or denial of amendments or abandonments of any approved development plan or site specific development plan shall be filed and processed in accordance with Section 2.2.12 (Step 12).

(Ord. No. 90, 1998, 5/19/98; Ord. No. 228, 1998 §§3, 4, 12/15/98; Ord. No. 99, 1999 §3, 6/15/99; Ord. No. 59, 2000 §5, 6/6/00)

2.2.11 Step 11: Lapse

- (A) **Application Submittals.** An application submitted to the city for the review and approval of a development plan must be diligently pursued and processed by the applicant. Accordingly, the applicant, within ninety (90) days of receipt of written comments and notice to respond from the city on any submittal (or subsequent revision to a submittal) of an application for approval of a development plan, shall file such additional or revised submittal documents as are necessary to address such comments from the city. If the additional submittal information or revised submittal is not filed within said period of time, the development application shall automatically lapse and become null and void. The Director may grant one (1) extension of the foregoing ninety-day requirement, which extension may not exceed thirty (30) days in length. This subsection (A) shall apply to applications which are, or have been, filed pursuant to this Land Use Code and to applications which are, or have been, filed pursuant to the laws of the city for the development of land prior to the adoption of this Land Use Code.
- (B) **Overall Development Plan.** There is no time limit for action on an overall development plan. Because an overall development plan is only conceptual in nature, no vested rights shall ever attach to an overall development plan. The approval of, or completion of work pursuant to, project development plans or final plans for portions of an overall development plan shall not create vested rights for those portions of the overall development plan which have not received such approvals and have not been completed.
- (C) **Project Development Plan and Preliminary Plat.** Within a maximum of three (3) years following the approval of a project development plan, the applicant must proceed by obtaining the Director's approval of a final plan for all or part of the project development plan. If such approval is not timely obtained, the project development plan (or any portion thereof which has not received final approval) shall automatically lapse and