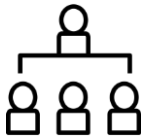


Planning Commission

Regular Meeting

City Council Chambers – City Center South
1001 11th Avenue – Greeley, Colorado
October 26, 2021 – 1:15 p.m.



Regular meetings of the Planning Commission are held **in person** on the 2nd and 4th Tuesdays of each month in the City Council Chambers, 1001 11th Avenue, Greeley, Colorado.



Members of the public may attend and provide comment during public hearings.



Comments may be submitted by US mail or dropped off at the Planning office located at 1100 10th Street, Greeley, CO 80631 or emailed to



cd_admin_team@greeleygov.com. All written comments must be received by 10:00 a.m. on the date of the meeting.

IMPORTANT – PLEASE NOTE

This meeting is scheduled as an **in-person session only**. If COVID, weather, or other conditions beyond the control of the City dictate, the meeting will be conducted virtually and notice will be posted on the City's MuniCode meeting portal by 10:00 a.m. on the date of the meeting (<https://greeley-co.municodemeetings.com/>).

In the event it becomes necessary for a meeting to be held virtually, use the link below to join the meeting. Virtual meetings are also livestreamed on YouTube at <https://www.youtube.com/CityofGreeley>.

<https://greeleygov.zoom.us/j/86939982674?pwd=WGQ0WF15Qm9YZzU4NURhMjBNMWJJOQT09>

For more information about this meeting or to request reasonable accommodations, contact the administrative team at 970-350-9780 or by email at cd_admin_team@greeleygov.com.



Planning Commission

October 26, 2021 at 1:15 PM

1001 11th Avenue, City Center South, Greeley, CO 80631

Agenda

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Approval of September 28, 2021 Minutes
5. Public hearing to consider a request to rezone 1.169 acres, including adjacent right-of-way to roadway centerline, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan), located at 2000 16th Street (Project No. ZON2021-0008)
6. Staff Report
7. Adjournment

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

September 28, 2021

Prior to the Call to Order, Commissioner Romulo nominated Christian Schulte to act as Chair Pro Tem. Commissioner Modlin seconded the motion. Motion carried 5-0.

1. Call to Order

Chair Pro Tem Schulte called the virtual meeting to order at 1:15 p.m.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Commissioner Jeff Carlson
Commissioner Brian Franzen
Commissioner Larry Modlin
Commissioner Chelsie Romulo
Commissioner Christian Schulte

ABSENT

Chair Justin Yeater
Commissioner Erik Briscoe

3. Approval of Agenda

Ms. Safarik advised that there were no additions or corrections to the agenda. Commissioner Romulo moved to approve the agenda as presented. Commissioner Franzen seconded the motion. Motion carried 5-0.

4. Approval of September 14, 2021 Minutes

Commissioner Romulo moved to approve the minutes dated September 14, 2021. Commissioner Franzen seconded the motion. Motion carried 5-0.

EXPEDITED AGENDA

5. Public hearing to consider a request to rezone 25.759 acres of land located at 300 E. 8th Street from I-H (Industrial High Intensity), I-M (Industrial Medium Intensity), C-D (Conservation District) to I-M (Industrial Medium Intensity) (Project No. ZON2021-0001)

Chair Pro Tem Schulte introduced the item and asked whether any member of the Commission or public requested a presentation. Hearing no request for a presentation, the public hearing was opened at 1:21 p.m. There were no emails or members of the virtual audience requesting to speak and the public hearing was closed at 1:21 p.m. Chair Pro Schulte advised that the staff report would be entered into the record.

Commissioner Romulo moved that, based on the application received and the staff report and accompanying attachments, the Planning Commission finds that the proposed rezoning from I-H (Industrial High Intensity), I-M (Industrial Medium Intensity) and C-D (Conservation District) to I-M (Industrial Medium Intensity) zone district meets Development Code Section 24-625(c)(3) a, b, d, e, f, g and h; and, therefore, recommends approval of the rezone to the City Council. Commissioner Franzen seconded the motion. Motion carried 5-0.

END OF EXPEDITED AGENDA

6. Public hearing to consider a request for a Combined Preliminary and Final Planned Unit Development Plan for a 194-lot residential and commercial subdivision located north of US 34, west of 71st Avenue, and east of 83rd Avenue, known as the Westgate First Filing, Westgate Preliminary PUD 2nd Amendment and Final PUD (Project No. PUD2020-0002 and PUD2020-0003)

Mike Garrott addressed the Commission and introduced the item as a request for a combined Preliminary and Final PUD. Mr. Garrott stated that the proposal included 191 single-family lots, one lot for multi-family use, two commercial lots and 12 tracts for parkland dedication, open space, trail, drainage, utilities, landscape buffering and future development. He presented photographs of the site and a map showing the location of the undeveloped site that includes the Boomerang Ditch through the eastern portion of the property. Mr. Garrott presented a layout of the proposed subdivision and pointed out the single-family lots and areas for multi-family and commercial as well as an area designated for a future park and detention pond.

Mr. Garrott reviewed the approval criteria and stated that the proposal meets the criteria found in Development Code Section 24-625 and is in substantial conformance with the approved Preliminary PUD plan. He invited Thomas Gilbert from Engineering Development Review (EDR) to address some of the emailed from citizens.

Mr. Gilbert addressed the Commission and responded to concerns raised by citizens about the proposed 25th Street Road [sic] that runs along the northern boundary. He advised that a Preliminary PUD approved in 2016 allowed for townhomes, condominiums and multi-family use in the area. Mr. Gilbert added 25th Street access was previously accepted by the Planning Commission and City Council. He reported that development of this property does not impose requirements on any adjacent land owners, noting that there will be a half section of 25th Street built to provide connectivity to the multi-family site and to meet City criteria. Mr. Gilbert stated that in the event the property to the north is

developed, the owner would be required to provide adequate connectivity to the surrounding street network or discuss other options with the City at that time.

Mr. Garrott stated that proper notice of the hearing was accomplished. Staff recommended approval of the request. Mr. Garrott noted that there were two separate motions and offered to answer any questions.

Commissioner Modlin observed that a few of the lots seemed to back up closely to Highway 34 Bypass and asked whether any landscaping or buffering would be in place to create a separation between the homes and Highway 34. Mr. Garrott reported that there is a significant setback between the highway and the lots that provides buffering, adding that the plans will be finalized as part of the final landscape plan.

Commissioner Romulo asked for clarification about reference to build out of half of the 25th Street expansion and asked whether it would become a one-lane road with just the south lane. Mr. Garrott advised that it would be a two-lane road, or a half section road, which meets the standards for access.

Commissioner Schulte confirmed that the Commission is voting on both the Preliminary and Final PUD. Mr. Garrott stated that the layout and other factors of the Preliminary and Final PUD are very similar and it made sense to process both of them together. He added that the Code does not require a waiting period between Preliminary and Final PUD approval and that the PUD standards allow for a combined Preliminary and Final PUD. Upon question by Commissioner Romulo about opportunities for public involvement, Mr. Garrott reported that approval by the Commission is contingent upon City Council approving the Preliminary PUD, adding that members of the public will have an opportunity to attend the City Council meeting.

Mr. Garrott presented a landscape plan showing the area along Highway 34 and pointed out a future trail easement and landscape buffering area. Commissioner Modlin stated that he could not discern any berming that might mitigate traffic noise or slow any vehicles that might swerve from the highway onto the site. Mr. Garrott stated that the applicant could further address the question.

Marc Savela, Broe Real Estate Group, 252 Clayton Street, Denver, Colorado, addressed the Commission on behalf of the applicant, WRD4 Greeley Property, LLC. He provided a brief presentation along with a conceptual site plan that was part of an application in December of 2020, pointing out a couple of changes from the previous site plan. In response to Commissioner Modlin's question, Mr. Savela advised that the PUD calls for a minimum 25-foot setback and landscape area and stated that the applicant revised and relocated one of the tracts to push some of the lots a little further from Highway 34. He added that there is a fair amount of grade coming down from Highway 34 to the lots that also provides protection from noise and traffic. Mr. Savela described a revision to the conceptual site plan that relocated the park area toward the east to allow access from single-family, multi-family and future commercial areas.

Commissioner Modlin expressed that landscaping did not seem to provide sufficient buffering from traffic along Highway 34 and asked if there were plans to create berms that might mitigate noise and slow any traffic that might exit the highway. Mr. Savela described the setbacks and buffering detailed on the site plan. Mark Nemger, architect on the project, added that the landscape plan includes a buffer between residential and commercial and requires several trees and shrubs providing intense buffering along that area. Mr. Nemger noted that the corner of the project drops below the highway and that trees will be planted close to the highway to provide screening of homes. Commissioner Franzen suggested that part of the concern expressed by Commissioner Modlin was to include berming for safety. Commissioner Modlin agreed and asked whether trees would provide enough of a buffer for an automobile that might come down the embankment. Mr. Savela pointed out an area within the Highway 34 right-of-way that has a slight elevation before moving down toward the proposed subdivision.

Commissioner Carlson observed that the multi-family portion backs to a detention area and asked the applicant to describe any safety features around the detention pond. Mr. Savela advised that the multi-family project is part of the next item on the agenda and could be addressed during that presentation. He stated that the pond has a trail around it and is currently envisioned as an open tract.

Chair Pro Tem Schulte opened the public hearing at 1:48 p.m.

Jim Ells, 6919 23rd Street, Greeley, addressed the Commission and noted that he also resides part time at the farm located at 2436 71st Avenue just north of the project. Mr. Ells requested confirmation that materials he provided to staff had been forwarded to the Commission. He provided a brief history and stated that he provided a water and sewer easement to Westgate Development in 2015. Mr. Ells stated that the information provided at that time showed single-family development where multi-family is now proposed. Mr. Ells reported a conversation with Planning staff where he was advised that the proposal was to amend density and building heights with no mention of multi-family on the site. He stated that a conversation about 25th Street began several months ago and was not part of the original proposal. Mr. Ells also expressed concerns about safety due to increased traffic at 71st Avenue and Highway 34 and disagreed with the analysis in the traffic report. He asserted and articulated his rights as a property owner and asked the Commission to grant a delay before making a decision.

Cortney Walker, 2430 71st Avenue, addressed the Commission and echoed some of the statements made by Mr. Ells. He also disagreed with the traffic analysis and expressed concerns about increased traffic along 71st Avenue. Mr. Walker asked about plans for pedestrian access along 71st Avenue.

The public hearing was closed at 1:57 p.m.

Chair Pro Tem Schulte invited staff to address the questions and concerns raised during the public hearing. Mr. Gilbert acknowledged the concerns and advised that the plans had been reviewed by the Colorado Department of Transportation (CDOT), the City Traffic Division, and EDR per the City design criteria and specifications. Regarding construction of 25th Street, he advised that there is no requirement to develop the property to the north of the site, adding that if and when development occurs, the owner would be required to meet City design criteria and specifications. Mr. Gilbert stated that 71st Avenue is a minor arterial that would be connected to by a collector road. He reiterated that once the property to the north is developed, discussions with the owner would take place at that time and options would be explored, adding that completion of the road is just one of several possible options.

Mr. Gilbert reported that in the 2016 transportation impact study, Tract F was envisioned as townhomes, condominiums and multi-family, adding that the Preliminary PUD approved in 2020 was accepted by the Commission and City Council. Mr. Gilbert reported that the current plan generates less site traffic than what was estimated in 2016. He also addressed the comments made about traffic on 28th Street, adding that the Traffic Division has made some improvements at 65th Avenue and 28th Street and that CDOT has plans to develop this intersection in the future.

Regarding a statement about current and future plans, Commissioner Romulo asked Mr. Gilbert to separate the two and asked whether anything being considered today obligates Mr. Ells to complete a roadway or perform any other improvements to his property. Mr. Gilbert acknowledged that there is nothing required of Mr. Ells at this time. Commissioner Romulo referenced a one-page document provided as part of the public comment titled "Westgate Preliminary P.U.D." with a handwritten notation at the top that read "Ells Property" and "No Street." She noted that a table on the document includes notations regarding the property owner's dedicated responsibility and road costs and observed that it could have created confusion about an obligation to pay for a portion of the road. Mr. Gilbert stated that he had not seen anything on the plat being proposed today requiring payment from the property owner to the north. Commissioner Romulo asked Mr. Gilbert to confirm that any future development of the property north of the site would be a decision of the property owner and any requirements as part of any future development would be proposed and discussed at that time. Mr. Gilbert stated that was correct.

Addressing comments about adding multi-family to the proposed plan, Commissioner Romulo noted that the same document provided as part of public comment indicates that it is a Final Plat, adding that some confusion may have been created. Mr. Garrott stated that the next agenda item is for approval of a site plan for the multi-family lot, adding that the current item addresses a second amendment to the original PUD approval. He added that zoning is not changing with the current proposal and that the property has always been envisioned to include some level of multi-family. Mr. Garrott stated that he was not aware of plat notes requiring any obligation by Mr. Ells, adding that any obligations would only come into play in the event Mr. Ells developed his property and wanted to use the road for access.

Upon question by Chair Pro Tem Schulte, Mr. Garrott confirmed that there are no condemnation proceedings taking place with respect to the Ells property for roads or other infrastructure. In response to a question about pedestrian traffic along 71st Avenue, Mr. Gilbert reported that the entire frontage of the property along 71st Avenue will have a detached sidewalk that will act as a trail connecting to the Boomerang Ditch Trail.

Mr. Savela addressed the Commission and acknowledged that 71st Avenue and Highway 34 is a tough intersection. He added that part of developing the site includes a \$1 million capital investment on the west side of 71st that will allow for additional turn lanes. Mr. Savela reported that the proposal is projected to generate approximately \$2 million in traffic impact fees that the City could utilize to improve the intersection. He also noted that the developer had previously estimated some potential costs and communicated those to Mr. Ells in the event he decided to develop his property in the future.

Chair Pro Tem Schulte observed that some of the comments and materials provide by Mr. Ells referenced previous conversations with the applicant and confirmed that the Commission is being asked to determine whether the proposal today meets the City's criteria.

Upon question by Commissioner Franzen, Mr. Garrott stated that no easements are in place on the north or south properties regarding 25th Street Road [sic]. He added that there are no setback restrictions on 25th Street Road [sic] for adjacent properties.

Commissioner Romulo asked what might happen if actual traffic patterns exceed the traffic projections. Mr. Gilbert stated that the traffic analysis provides a conservative estimate and that if actual patterns change in the future, the City would look into it. Becky Safarik, Interim Community Development Director, added that even the best plans are based on best estimates and that many factors can cause things to change over time. She stated that the City is ultimately responsible to make sure that roads are safe and travelable and would address issues as necessary.

Commissioner Franzen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Westgate Preliminary PUD, Second Amendment meets the requirements in Development Code Section 24-669; and, therefore, recommends approval to City Council. Commissioner Romulo seconded the motion. Motion carried 5-0.

Commissioner Franzen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Westgate First Filing Final PUD meets the requirements in Development Code Section 24-673; and, therefore, recommends approval to City Council. Commissioner Romulo seconded the motion. Motion carried 5-0.

7. Public hearing to consider a request for a Final Planned Unit Development Plan for the development of a 288-unit multi-family apartment use on approximately 15.74 acres located north of US 34, west of 71st Avenue, and east of 83rd Avenue, known as the Westgate Filing No. 1, Block 9, Lot 1 Final PUD (Project No. PUD2021-0002)

Mr. Garrott addressed the Commission and introduced the item as a request to develop Lot 1, Block 9 of Westgate Final PUD for multi-family use, adding that approval would be contingent upon approval of the previous agenda item by City Council. He presented a map of the site and described the proposed multi-family development. Mr. Garrott also presented a proposed PUD conceptual layout and a site plan that conforms to the conceptual plans. Mr. Garrott described some the amenities that include a clubhouse, fitness center, car care center, pool, two dog parks, grilling areas and bike repair stations located throughout the development. He added that the plan includes 1, 2 and 3 bedroom units that include covered parking areas and provided elevation drawings of the units and clubhouse.

Mr. Garrott described the approval criteria and noted that the proposal is consistent with the approved Preliminary PUD. He advised that notice of the hearing was accomplished and acknowledged the public comments received. Staff recommended approval contingent upon approval by City Council of the Westgate First Filing Preliminary and Final PUD.

Chair Pro Tem Schulte asked to designate the record of proceedings on the prior agenda item as part of this item and requested that discussions during the previous item be included in this item. There was discussion as to whether questions or comments placed in the Q&A or chat become part of the record. Ms. Safarik advised that the only items that become part of the record and go to City Council are those expressed during the public hearing that is opened and closed by the Chair.

Commissioner Romulo acknowledged public comment that included an attachment with the words "Final Plat" on the right hand side and asked staff to clarify the expectations in receiving that with the action being considered today. Mr. Garrott shared the document and stated that it was an older layout of the site from an earlier phase of the development and did not go through the public hearing process with the City. He added that he believed the words "Final Plat" may have been added to the document in error.

Eric Gumm, Development Director with Continental Properties Company, W134 N8675 Executive Parkway, Menomonee Falls, Wisconsin, addressed the Commission and offered to answer questions. Commissioner Romulo asked him to clarify use of the term "Final Plat" on the document provided as part of the public comment. Mr. Gumm indicated that the document predated Continental's involvement and that he had never seen it and was not aware when it might have been prepared or presented. Mr. Savelle addressed the Commission and stated that the document was likely a site plan utilized by a previous builder/developer in approximately 2015-17 but was never officially submitted through the approval process and did not go to the Planning Commission or become a recorded document. He added that it might have

been shared with Mr. Ells at some point during the process, but never moved beyond a preliminary document.

Mr. Gumm provided a brief presentation and described the proposed Authentix Westgate community with 288 units that would include a mix of studios, 1, 2 and 3 bedroom apartments. He presented a site plan and highlighted the area around the detention pond. Mr. Gumm described the amenities and pointed out the sidewalks providing access to the rear of the homes with two connection points to the regional trail. He advised that the main access would be from 27th Street with another connection on 25th Street for emergency vehicle access. Mr. Gumm advised that the Boomerang Ditch would not be disturbed or modified and that any associated water rights would remain. Upon question by Commissioner Modlin, Mr. Gumm advised that there would be a source for non-potable water to irrigate common areas.

Chair Pro Tem Schulte asked for confirmation that the developer had been in contact with the ditch owners and received input that the development will not disturb their water delivery operations. Mr. Gumm stated his understanding that the Boomerang area will be a separate tract outside of their ownership and development. Mr. Savelle added that an agreement with the Boomerang Ditch Company is nearly finalized which will allow relocation of a few of the head gates. He added that an easement document has been presented to the owner of the property to the north about potential relocation of a head gate on his property. Mr. Savelle noted that the agreements contemplated with the previous application must be in final form and executed prior to recordation of the plat.

Chair Pro Tem Schulte opened the public hearing at 2:43 p.m.

Jim Ells addressed the Commission and stated that he has used the lateral ditch that appears to run under apartments 10 and 11 for 25 years and that there is no agreement in place to relocate the ditch. Has stated that the Greeley-Loveland Ditch Co. is responsible only for the head gate and that anything regarding the lateral ditch is his agreement to be processed. He expressed concern about the half construction of the road and stated that it created a safety hazard and did not adhere to street codes. Mr. Ells noted an existing power line and ditch line and felt that the trail should be moved to the south side. He stated that he has no plans to develop his property. Mr. Ells advised that he has been contacted by REA and that he has no plans to move his power line. He expressed safety concerns for emergency vehicles accessing the road.

Sid Martindale, 102 8th Avenue, addressed the Commission and offered to provide his three minutes to Mr. Ells. Chair Pro Tem declined to grant the request.

The public hearing was closed at 2:50 p.m.

Chair Pro Tem Schulte asked staff to address some of the concerns raised by Mr. Ells. With regard to development of the ditch, Mr. Gilbert reported that it is applicable to the previous proposal. Mr. Schulte asked about the lateral ditch referenced by Mr. Ells. Mr. Gilbert suggested that Mr. Savelle could better respond to the question.

Commissioner Romulo noted the comments concerning a “half road” and asked staff to clarify the term and describe its functionality and what it might look like when built. Mr. Gilbert reported that it would operate as a local road that can be expanded into a collector road or can remain a fully functioning two-way road in perpetuity. Upon question by Commissioner Romulo, Mr. Garrott stated that an example of a collector road that might provide clarification for the Commission and the public is 13th Street between 59th and 65th Avenue. Chair Pro Tem Schulte confirmed that the proposal includes a smaller road on the applicant's property until such time that the Ells property is developed, which is not required.

Mr. Gilbert provided further information about the lateral ditch and stated that if a private lateral ditch is on a property that serves one or more additional properties, an obligation of developing the property is to deliver those irrigation waters in the same manner and volume as is historically required unless there is a ditch agreement that changes the requirements. He added that any development agreement does not give a developer the right to cut off water from any laterals.

Chair Pro Tem Schulte addressed a comment that some of the individuals who own ditch shares were not notified of the Planning Commission meeting. He believed that the ditch company would have been notified and that notification would serve as a mechanism to provide notice to shareholders. Mr. Garrott agreed and stated that notice was provided to property owners within 500 feet of the site as well as the Boomerang Lateral Ditch Co.

Commissioner Romulo asked staff to address the citizen comment about moving a power line and asked if any power lines were being moved and what that might entail. Mr. Gilbert reported that there is a cooperative easement between the applicant and the Poudre Valley REA that will be dedicated with this property. Commissioner Romulo asked whether any power lines were being moved. Mr. Savela responded that moving power lines was part of a previous application regarding the widening of 71st Avenue, adding that the applicant will be working with REA to lower the power lines on the western side of 71st Avenue. He believed that Mr. Ells has been contacted by REA to discuss lowering power lines on his property at the same time, but that it is not a requirement. Regarding Mr. Ells' comment about a feeder line, Mr. Savela stated that it pertains to a line that feeds a portion of the property north of the site, and that he anticipated 25th Street could be constructed without impacting the overhead power line.

Commissioner Franzen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Westgate Filing No. 1, Block 9, Lot 1 final PUD is in compliance with the Development Code and is consistent with the Westgate Preliminary PUD, First Amendment; and, therefore, approves the Final PUD with the following condition:

The approval of the Final PUD is contingent upon the City Council's approval of the Westgate First Filing, Preliminary and Final PUD (PUD2020-0002 & PUD2020-0003).

Commissioner Carlson seconded the motion. Motion carried 5-0.

8. Staff Report

Becky Safarik addressed the Commission and asked for feedback about utilization of an expedited agenda. The commissioners present expressed support. Since two members were unable to attend, Ms. Safarik suggested sending a poll of training topics to the commissioners, asking them to rank in order of importance. She advised that the October 12 meeting would be cancelled due to a lack of agenda items and would allow time to send out a poll and create a list of topics for future trainings. There was discussion about hosting another regional conference at a later date. Commissioner Modlin asked that workshop topics include current projects as well as anticipated developments and changes anticipated over the next five to ten years.

Ms. Safarik reported that a few boards have returned to in-person meetings and proposed that the Commission return to meeting in person beginning October 26. She added that staff does not currently have the technology to conduct hybrid meetings. Chair Pro Tem Schulte expressed concern about the COVID case rates in this area and asked that staff diligently track cases over the next couple of weeks as part of any decision to return to in-person meetings. Ms. Safarik advised that the City's Emergency Management Team tracks data and provides weekly updates to the executive team. She will be exploring noticing requirements if an in-person meeting switches to virtual.

9. Adjournment

With no further business before the Commission, Chair Pro Tem Schulte adjourned the meeting at 3:14 p.m.

Christian Schulte, Chair Pro Tem

Becky Safarik, Secretary

From: KARTER ELLS <kells2@greeleyschools.org>

Sent: Monday, September 27, 2021 10:00 PM

To: CD Admin Team <CD_Admin_Team@Greeleygov.com>

Subject: [EXTERNAL] West gate development item 6 and 7 unfairness

Hi my name is Karter Ells, And I a 14 years of age

And I would like to voice my objections to what the city is trying to force on my grandpa and plan on my grandpas Jim's farm (Jim Ells's property to the north of the west gate property), And I want to complain about the road because he has to pay a lot of money just for you guys to put a road there, So for you to put a road there would interfere with a lot of plans we had and I would greatly appreciate it if you moved the road to a different spot off his farm. Also, I feel it is unfair to decide to put a road on his farm if you have not bought that land, Or even got his ok to do that. So I feel it is unfair for him, and me as his grandson.

sincerely, Karter Ells

From: KASH ELLS <kells1@greeleyschools.org>

Sent: Monday, September 27, 2021 9:27 PM

To: CD Admin Team <CD_Admin_Team@Greeleygov.com>

Subject: [EXTERNAL] West Gate Development item 6 and 7, Complaint

Hi my name is Kash Ells and I am 15 years old,

I am concerned about the road you are trying to put on my Grampa jims farm(Jim Ells, north of the west gate property), even if it is in the future he still has to pay for it. I spend a lot of time on that farm helping my grandpa grow crops and helping him with other things, and for you to decide that he needs a road on his farm, which at this time he is not planning on building houses or apartments on his property like the people to the south, I feel is very unfair and possibly illegal without his approval. If you would like to continue with this road I think it would only be fair for you to buy the ground that you need or move it off his property.

From: John Sandoval <bear_bouncer@yahoo.com>
Sent: Monday, September 27, 2021 8:46 PM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] The choices...

I'm writing this because I feel that the city has and is over stepping. They (city) come out here and push the people around like bullies. I live out here and my weeds got a little high out by the street. But yet the city let's the weeds just grow at the corner of Hwy 34 and 65th (like a jungle). Why is that?

Now they want to try and push for a road at 2435 71st Ave. (items 6 and 7 on hearing). Be bullies, that is the property of Jim Ells. Which has owned and farmed that property for 26 + years. Why would it be forced upon him to build a road? Now or in the future. Then from my understanding, to have him pay for it.... What? That does not sound right.

John Sandoval

Hello My name is Jim Ells owner of property north of westgate project 2435 71 ave for past 26 years

Timeline

Aug 5 2015 Signed a agreement for water and sewer easements with Westrange Development across my property to feed their project and development with understanding mostly single family land use ,stated in letter Dec 16 2015 and copy of plat also in filing . After which plans had been on hold for years

Sep 23 2020 Received letter from city (Carol Kuhn) followed up with phone call about letter stated it was for amendment to densities listed in approved planning area and increase the building height for commercial ,Carol stated would be many times to review and attend later , because of this statement and covid and state of my health did not attend meeting of Oct 13 2020 planning ,and also city Council Nov 17 2020.

April 13 2021 Jason Ells Had reached out to me to contract Marc Savela (new planner for westgate project) which westrange had all my contracts from past agreements and follow ups that had been send to me in past about everything as if was progressing. Learned about new plans From Marc about new plans that City greeley wanted Road on my property line (south edge) and They would be age to built with just half road on their property and I would have to pay for half on my property in future , which to say least find very unfair and illegal.

Had been in contact with Tom Gilbert with a email dated May 5 2021 voicing my concerns, so He set up a meeting with other city staff Alison Baxter , Tomas , on Zoom was Brittany Hathaway, Mike Garrett and spent a Hour Discussing issues, and what I felt was a better and safer Alternative with use of 74 ave and to be built sooner to route Traffic away 71 ave and hwy 34 which is very Dangerous .

Reasons to Protest plans and Westgate Approval

Law states . Bundle of Legal Rights of a property Owner upon Purchase of a piece property. These include Possession ,Control ,Exclusion, Derivation of income and Disposition .

It had been stated to me Single family would be built next to me or I would have never sold Utility easements to West Range or Now Westgate Development.

Copy of plans first filing 2015 showed that . Multifamily use devalues my property ,

If A road is to be planned or built on My property, My Property needs to be Purchased or go thru Eminent Domain and at this time Does not meet those Requirements

With Regard to My Water Rights and Easement , That run across westgate property the Last 30 years or more I am requesting at this time To Do NOT remove or Alter or change without my Written approval Per Water Rights and Water Laws .

Respectfully Jim Ells

Owner of property At 2435 71 ave , Greeley Colo 80634

email Jime2435@gmail.com

Phone 970- 534-0280

From: Mark Kiefer <mkiefers@gmail.com>

Sent: Tuesday, September 28, 2021 11:20 AM

To: CD Admin Team <CD_Admin_Team@Greeleygov.com>

Subject: [EXTERNAL] Westgate PUD

Hello Commissioners,

In regards to the Westgate PUD that you are reviewing today, I have the following questions and comments.

Why is the adjacent landowner being asked to contribute to a road that the developer needs to complete this project? How will he get a return on his cost?

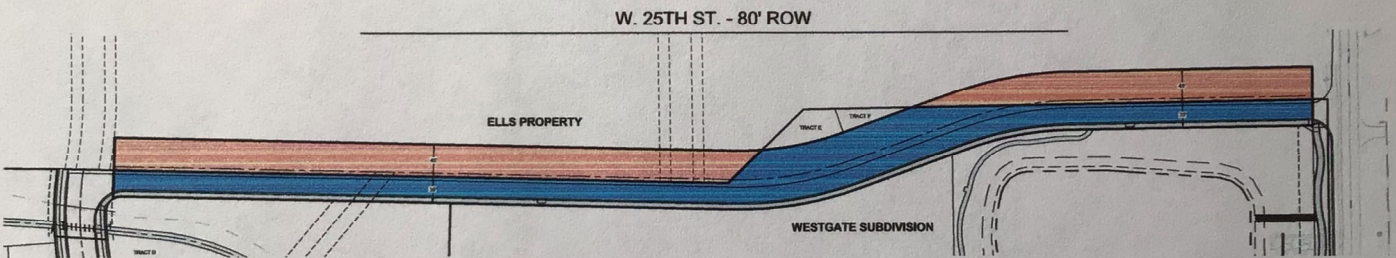
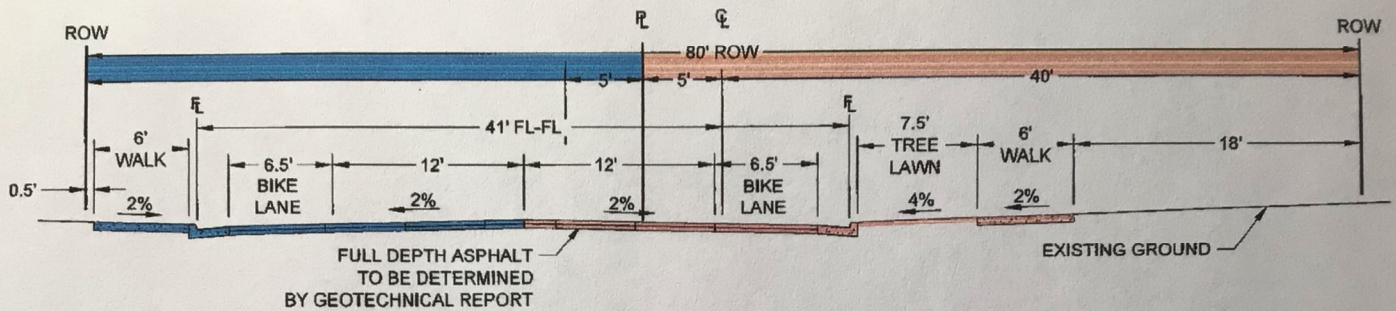
As a resident of Greeley, I object to this plan, because it unfairly puts a burden on a neighbor that does not stand to gain from this development.

Thank you for your consideration.

Mark Kiefer

970-397-7587

Simplify, Amplify



- ROW ON ELLS PROPERTY
- ROW ON WESTGATE PROPERTY

WEST 25TH ST. - 80' ROW			
PROPERTY OWNER	DEDICATED (SF)	RESPONSIBILITY (%)	ROAD COST (\$)*
Westgate	71,546	55%	\$ 611,954
Ells	59,227	45%	\$ 370,148
TOTAL	130,773	100%	\$ 982,102

ELL'S ROAD COST INCLUDE: EARTHWORK, CONCRETE, ASPHALT & LANDSCAPE IN ROW
 WESTGATE COST INCLUDE: GESC, UTILITIES, EARTHWORK, CONCRETE, ASPHALT & LANDSCAPE IN ROW

WESTGATE SUBDIVISION FILING NO. 1

TYPICAL COLLECTOR STREET - ROW ANALYSIS (80'-0" WIDE)

Planning Commission Agenda Summary

October 26, 2021

Key Staff Contact: Brittany Hathaway, Planner III, 970-350-9823

Title:

Public hearing to consider a request to rezone 1.169 acres, including adjacent right-of-way to roadway centerline, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan), located at 2000 16th Street (Project No. ZON2021-0008)

Summary:

The City of Greeley is considering a request to rezone 1.169 acres from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan). The request includes a .952-acre parcel and approximately .217 acres of adjacent 16th Street right-of-way to centerline.

The applicant proposes to develop the property with a drive-thru coffee shop use. While a coffee shop would be permitted, drive-thru uses are restricted in the C-L zone district, thus the request for a rezone. A DCMP is provided to ensure compatibility with the surrounding area (see Attachment F). The DCMP would prohibit high intensity uses otherwise permitted in the C-H zone district in an effort to protect the surrounding area and adjacent residential uses from excess impacts. Future development would be required to comply with City Development Code as indicated on the DCMP.

As this application was submitted in May of 2021, it is processed under the previous Development Code. A minor subdivision application is under review by staff to create a lot from the existing parcel. The applicant has also provided a site plan application which would be reviewed administratively, with final acceptance pending City Council's approval of the rezone request.

Recommended Action:

A motion that based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-L (Commercial Low Intensity) to C H (Commercial High Intensity) with a DCMP (Development Concept Master Plan) meets Development Code Section 24-625(c)(3) a, b, f, and g; and therefore, recommends approval of the rezone to the City Council.

Attachments:

Staff Report

Attachment A – Zoning & Vicinity Maps

Attachment B – Project Narrative

Attachment C – Rezone Boundary Map

Attachment D – Zoning Analysis Map

Attachment E – Zoning Suitability Map

Attachment F – Development Concept Master Plan (DCMP)

Attachment G – Citizen Comments

PLANNING COMMISSION SUMMARY

ITEMS: Rezone property from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan)

FILE NUMBER: ZON2021-0008

PROJECT: 2000 16th Street Rezone

LOCATION: 2000 16th Street

APPLICANT: Michael Drago, Entitlement and Engineering Solutions, Inc. on behalf of GA HC REIT II, Greeley Northern Colorado MOB Portfolio, LLC

CASE PLANNER: Brittany Hathaway, Planner III

PLANNING COMMISSION HEARING DATE: October 26, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-625(c)(3) of the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request to rezone 1.169 acres, including adjacent right-of-way to roadway centerline, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a Development Concept Master Plan.

The subject site is located south of 16th Street, north of 17th Street, west of 18th Avenue, and east of 21st Avenue, addressed 2000 16th Street (see Attachment A).

A. REQUEST

The City of Greeley is considering a request to rezone 1.169 acres from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan). The request includes a .952-acre parcel and approximately .217 acres of adjacent 16th Street right-of-way to centerline.

The applicant proposes to develop the property with a drive-thru coffee shop use. While a coffee shop would be permitted, drive-thru uses are restricted in the C-L zone district, thus the request for a rezone. A DCMP is provided to ensure compatibility with the surrounding area (see Attachment F). The DCMP would prohibit high intensity uses otherwise permitted in the C-H zone district in an effort to protect the surrounding area and adjacent residential uses from excess

impacts. Future development would be required to comply with City Development Code as indicated on the DCMF.

As this application was submitted in May of 2021, it is processed under the previous Development Code. A minor subdivision application is under review by staff to create a lot from the existing parcel. The applicant has also provided a site plan application which would be reviewed administratively, with final acceptance pending City Council's approval of the rezone request.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning/Land Use:

North: C-L (Commercial Low Intensity)

South: C-L (Commercial Low Intensity), R-L (Residential Low Density), and PUD (Planned Unit Development)

East: C-L (Commercial Low Intensity)

West: C-L (Commercial Low Intensity) and R-L (Residential Low Density)

Site Characteristics:

The site is developed with an office building and parking lot.

Surrounding Land Uses:

North: Northern Colorado Medical Center

South: Parking lot and single family residential

East: Medical offices

West: Medical offices and single family residential

D. APPROVAL CRITERIA

Development Code Section 24-625 Rezoning Procedures

This application was submitted prior to October 1, 2021. As such, it was reviewed and would be approved under the 1998 Development Code.

For the purpose of establishing and maintaining sound, stable and desirable development within the City, the rezoning of land is to be discouraged and allowed only under circumstances provided for in this Section [of the Code]. This policy is based on the opinion of the City Council that the City's zoning map is a result of a detailed and comprehensive appraisal of the City's present and future needs regarding land use allocation and other zoning considerations, and, as such, should not be amended unless to correct manifest errors or because of changed or changing conditions in a particular area of the City in general.

The review criteria found in Section 24-625(c)(3) of the Development Code shall be used to evaluate the zoning amendment application.

a) Has the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?

Staff Comment: The area has been established with several medical and office uses, including the Northern Colorado Medical Center campus. Significant change to the area is not currently observed, however demand for office space has decreased in recent years and is demonstrated by vacant office spaces, mainly south of 16th Street.

The property is currently developed with an office building and parking lot, however it has remained vacant for approximately 6-7 years. A rezone would be necessary to encourage redevelopment of the property with a use compatible with the surrounding medical, educational, and office uses.

The subject area on 16th Street is also designated as an “Employment, Industrial, and Commercial Area” on the Land Use Guidance map, which would encourage commercial uses to support the high employment area.

The proposal complies with this criterion.

b) Has the existing zoning been in place for at least fifteen (15) years without substantial development resulting and does the existing zoning appear to be obsolete, given development trends?

Staff Comment: The property was zoned R-4 (Transitional District) in 1966, which was renamed C-1 in 1976. In 1998 the C-1 District was changed to C-L as part of the Development Code update, which the property remains zoned currently.

The rezone would encourage redevelopment of vacant property while the DCMF would ensure compatibility with the surrounding area with minimal potential impacts to the adjacent residential uses.

The proposal complies with this criterion.

c) Are there clerical or technical errors to correct?

Staff Comment: There are no clerical or technical errors to correct.

This criterion is not applicable to this request.

- d) **Are there detrimental environmental impacts, such as flood plains, inadequate drainage, slopes, unstable soils, etc., that may affect future development of this site and which may not have been considered during the original zoning of the property?**

Staff Comment: There are no known impacts.

This criterion is not applicable to this request.

- e) **Is the proposed rezoning necessary in order to provide land for a community related use which was not anticipated at the time of adoption of the City's Comprehensive Plan; or have the policies of the City changed to the extent that a rezoning is warranted?**

Staff Comment: The proposed rezoning is not necessary in order to provide land for a community related use, nor has City policy changed to warrant a community related rezoning.

This criterion is not applicable to this request.

- f) **What is the potential impact of the proposed rezoning upon the immediate neighborhood and the city as a whole (including potential noise and environmental impacts, visual impacts, the provision of City services such as police, fire, water, sewer, and pedestrian systems and parks and recreational facilities)?**

Staff Comment: Any potential noise created by future development would be regulated by the Municipal Code. The appropriate buffering must be provided, which would lessen any potential visual and noise impacts.

City services should not be impacted, since the surrounding area is already served by municipal services such as water and sewer. Police and Fire are also already serving this area.

The area is primarily medical and office in character with residential development at the southwest boundary. The applicant has proposed a DCMP to restrict higher intensity uses and to provide a conceptual drive-thru design to depict site circulation and positioning away from residential properties. While conceptually vehicle and pedestrian traffic would be minimally impacted, it would be analyzed in detail at time of site plan review. It is anticipated that a new pedestrian crossing would also be warranted on 16th Street.

The proposal complies with this criterion.

g) Is there clear and convincing evidence that the proposed rezoning will be consistent with the policies and goals of the City’s Comprehensive Plan and comply with the applicable zoning overlay requirements?

Staff Comment: There are no zoning overlay requirements for the subject property. The request is accompanied with a Development Concept Master Plan.

The following City of Greeley Comprehensive Plan policies apply to this request:

Objective GC-1.2 Form of Growth

Encourage a compact form over sprawl or leap-frog development.

Objective GC-2.2 Jobs/Housing Balance

Support zoning and development patterns that expand opportunities for people who live in Greeley to also work in Greeley (or vice versa).

Objective GC-2.3 Pedestrian and Bicycle-Oriented Development

Encourage a development pattern that encourages walking and bicycling whenever possible - by locating employment, shopping, recreation, entertainment, transit, and other services within a quarter mile of residential areas.

The proposal provides new development in a currently vacant infill site. The proposed location is within a quarter mile of residential areas providing employment and services within walking or biking distance. The Comprehensive Plan also identifies the subject area as “employment, industrial and commercial” on the land use guidance map, to which the proposed zoning and use would comply.

Staff Comment: The proposal complies with this criterion.

h) What is the potential impact of the proposed rezoning upon an approved Zoning Suitability Plan for the property?

Staff Comment: There is no approved Zoning Suitability Plan for this property.

This criterion is not applicable to this request.

E. SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The property is currently a parcel containing a portion of Lot 1 and Lot 13, Block 1 of Montview Heights and a portion of Lot 4, Block 1 of Mont View Park.

A minor subdivision is under review by staff to replat the subject area as Lot 1, Block 1, of the Mont View Commercial Subdivision.

2. TRANSPORTATION

The City's traffic engineer and Engineering Development Review staff have reviewed the traffic impact analysis with the proposed concept plan for the drive-thru coffee use and found that additional traffic to the roadway system would not create a significant impact.

Proposed improvements for potential development would include a pedestrian crossing on 16th Street. No additional improvements were warranted based on projected traffic. Further analysis would be conducted at time of site plan review.

F. SERVICES

1. WATER

Water services are available and can adequately serve the subject property.

2. SANITATION

Sanitation services are available and can adequately serve the subject property.

3. EMERGENCY SERVICES

Emergency services are available and can adequately serve the subject property.

G. NEIGHBORHOOD IMPACTS

1. VISUAL

Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

2. NOISE

Any potential noise created by future development will be regulated by the Municipal Code. Furthermore, the DCMF restricts high intensity commercial uses with required buffering from the existing residential uses to the southwest.

H. PUBLIC NOTICE AND COMMENT

1. NEIGHBORHOOD MEETING

A virtual neighborhood meeting was held on July 7, 2021, for which property owners within 500 feet were notified via USPS. Neighbors in attendance expressed concern for potential increased vehicular and pedestrian traffic on adjacent roadways. The applicant prepared an updated traffic study in response and included a pedestrian crosswalk. Traffic, detailed pedestrian improvements, and potential alternative access would be further analyzed at time of site plan application.

2. PUBLIC NOTICE AND COMMENT

Neighborhood notices for this meeting were mailed to surrounding property owners on October 8, 2021 and a notice was published in the newspaper per Development Code requirements. A sign was also posted on the site on October 12, 2021.

Two written citizen comments have been received at the time of drafting this report and can be found in Attachment G.

I. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) with a DCMP (Development Concept Master Plan) meets Development Code Section 24-625(c)(3) a, b, f, and g; and therefore, recommends approval of the rezone to the City Council.

ATTACHMENTS

Attachment A – Zoning & Vicinity Maps

Attachment B – Project Narrative

Attachment C – Rezone Boundary Map

Attachment D – Zoning Analysis Map

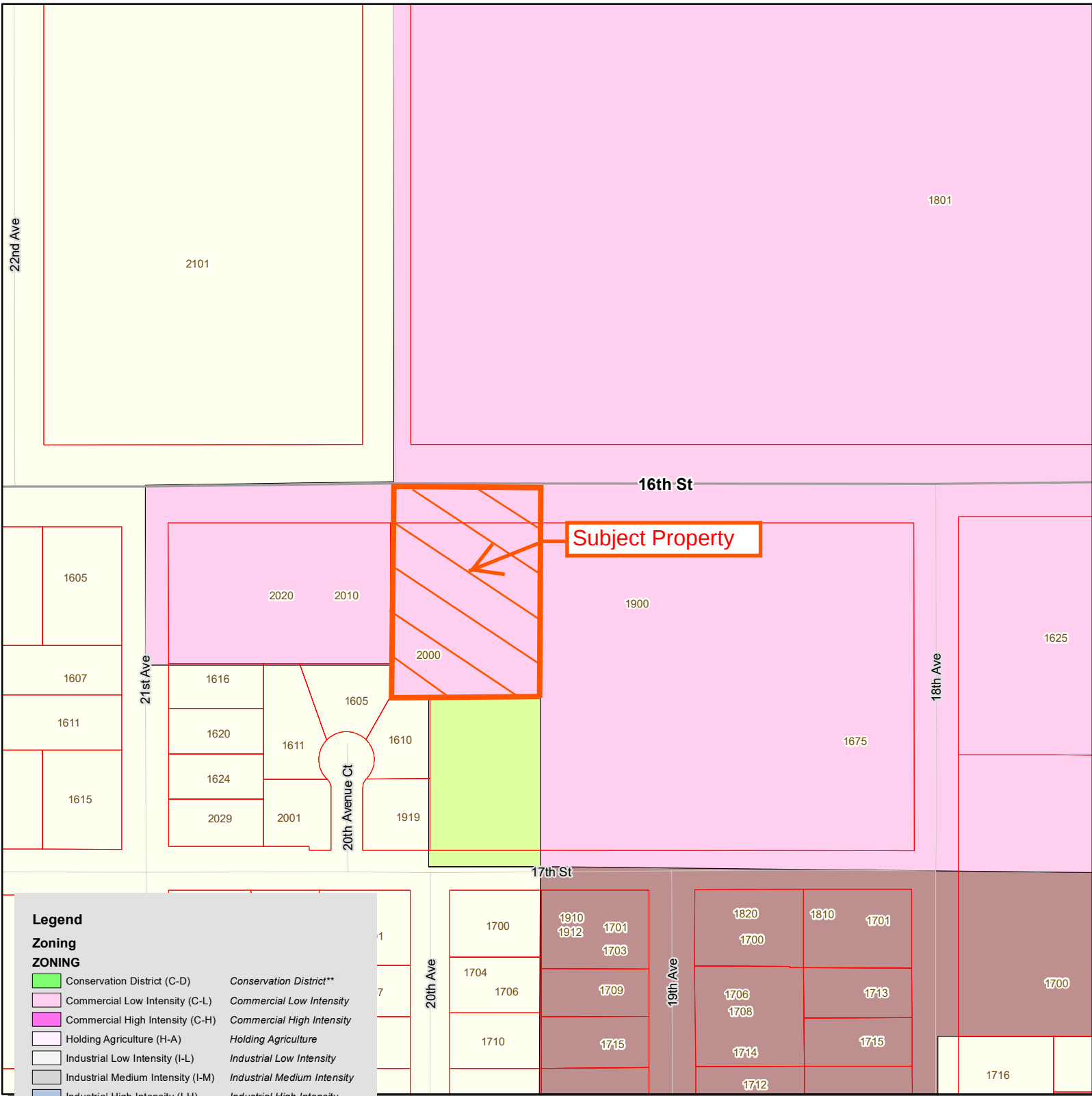
Attachment E – Zoning Suitability Map

Attachment F – Development Concept Master Plan (DCMP)

Attachment G – Citizen Comments

Zoning Map

2000 16th Street Rezone



Legend

Zoning

ZONING	
	Conservation District (C-D) <i>Conservation District**</i>
	Commercial Low Intensity (C-L) <i>Commercial Low Intensity</i>
	Commercial High Intensity (C-H) <i>Commercial High Intensity</i>
	Holding Agriculture (H-A) <i>Holding Agriculture</i>
	Industrial Low Intensity (I-L) <i>Industrial Low Intensity</i>
	Industrial Medium Intensity (I-M) <i>Industrial Medium Intensity</i>
	Industrial High Intensity (I-H) <i>Industrial High Intensity</i>
	Planned Unit Development (PUD) <i>Planned Unit Development</i>
	Residential Estate (R-E) <i>Residential Estate</i>
	Residential Low Density (R-L) <i>Residential Low Density</i>
	Residential Medium Density (R-M) <i>Residential Medium Density</i>
	Residential High Density (R-H) <i>Residential High Density</i>
	Residential Mobile Home (RMH) <i>Residential Mobile Home</i>

ZON2021-0008

0 0.03 0.06 Miles



501 S. Cherry St, Suite 300
 Glendale, CO 80246
 303-572-7997
 ees.us.com

City of Greeley
 Community Development
 1100 10th Street
 Greeley, CO 80631

Re: Rezone Request - Project Narrative
 2000 16TH Street. – 0.95 acre Parcel

To Whom It May Concern,

This project narrative is intended to accompany the rezone request submittal. On behalf of Verdad Real Estate and Construction Services, EES makes this submittal for the potential development of the approximately 0.95 acre Parcel located at 2000 16th Street. The existing zoning surrounding the property currently Commercial Low intensity, where Café and other eating establishments are permitted, but not allowed with a drive thru. Therefore, a request is being made to rezone this area to a Commercial High Intensity to allow for a drive thru. Within the commercial high intensity zone, the drive-thru will be allowed as a “Design Review Use”. Areas adjacent to the site fall within residential-uses.

The owner is currently working with adjacent property owners to propose a cross access easement leading onto 21st Avenue.

Within the comprehensive plan, this parcel is located within a commercial district. Within the comprehensive plan, residents expressed a desire to see a greater mix of uses in existing neighborhoods in order to improve their access to day-to-day services. With replacing an existing vacant building with a café, the residents will gain a daily service close to their existing homes.

The attached Conceptual Site Plan expresses the overall location of the development as well as the location of the parcel abutting both street frontages. The proposed improvements include an approximately 2,225 sf Starbucks with a drive-thru, 2,100 sf patio area, and associated drives, walks, parking, and landscaping. There is an existing shared access on the east site of the project site that will continue to be utilized as a shared access for the future development. A cross access easement will be established within this area to the west for customers of the proposed development to access the public right-of-way within 16th Street. Pedestrian cross access will be directed to the public sidewalk within the ROW of 16th Street.

A neighborhood meeting was held on July 7th to give the public a chance to comment on the potential rezone of the property. At the meeting no major concerns were made by the public for the rezone. Traffic concerns were brought up by a few. The adjacent property owner to the east is currently being worked with to see if a potential cross-access easement could be worked on together to alleviate concerns of the public.

To reduce any noise concerns the residents to the south will have, the order board was placed on the northern side of the property, approximately 200’ away from the residential property. Based on survey information, there is an existing fence on the southern edge of the property which will be utilized to reduce noise further.



501 S. Cherry St, Suite 300
Glendale, CO 80246
303-572-7997
ees.us.com

Respectfully,
Entitlement and Engineering Solutions, Inc.

Michael Drago
Civil Engineer

ZONING BOUNDARY MAP

16TH STREET
(100' PUBLIC ROW,
REC. NO. 134088)

N89°50'00"E
188.99'

50.00'

N00°13'11"W

219.15'

N00°13'11"W

N89°50'00"E
189.08'

REMAINING PORTION
OF LOT 4, BLOCK 1
MONT VIEW PARK
(REC. NO. 1136224)

LOT 13, BLOCK 1
MONTVIEW HEIGHTS
(REC. NO. 1136224)

218.97'

48.94'

S89°46'49"W

140.53'

S89°46'49"W

PORTION OF LOT 1, BLOCK 1
MONTVIEW HEIGHTS
(REC. NO. 1136224)



VICINITY MAP

$$1'' = 1200'$$

_____ SUBJECT BOUNDARY

____ _ _ _ _ RIGHT-OF-WAY

____ _ _ _ _ INNER LOT LINES

A PARCEL OF LAND BEING A PORTION OF LOT 4, MONT VIEW PARK, IN THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, PER THE PLAT RECORDED NOVEMBER 21, 1908 AT RECEPTION NO. 134088 IN THE OFFICE OF THE CLERK AND RECORDER FOR SAID COUNTY, LOT 13, BLOCK 1 AND A PORTION OF LOT 1, BLOCK 1, MONT VIEW HEIGHTS, IN SAID CITY, COUNTY AND STATE, PER THE PLAT RECORDED MAY 6, 1952 AT RECEPTION NO. 1136224 IN THE OFFICE OF THE CLERK AND RECORDER AND THE SOUTHWEST 1/4 OF SECTION 18, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, PER RECEPTION NO. 134088 IN SAID OFFICE OF THE CLERK AND RECORDER, LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, SAID MONT VIEW PARK, FROM WHICH THE NORTH LINE OF SAID LOT 3 BEARS, SOUTH 89°50'00" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING REFERENCED TO SAID NORTH LINE;

THENCE ALONG SAID NORTH LINE, SOUTH 89°50'00" WEST, A DISTANCE OF 469.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF SAID LOT 3, SOUTH 00°19'13" EAST, A DISTANCE OF 218.97 FEET TO THE NORTH LINE OF THE REMAINING PORTION OF LOT 1, BLOCK 1 AND LOT 3, BLOCK 1, SAID MONT VIEW HEIGHTS;

THENCE ALONG SAID NORTH LINE, SOUTH 89°46'49" WEST, A DISTANCE OF 189.47 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, BLOCK 1;

THENCE ALONG THE EAST LINE OF LOT 4 AND LOT 12, BLOCK 1, SAID MONT VIEW HEIGHTS, NORTH 00°12'11" WEST, A DISTANCE OF 269.15 FEET TO THE CENTERLINE OF 16TH STREET, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY OF 65.00 FEET;

THENCE ALONG SAID CENTERLINE, NORTH 89°50'00" EAST, A DISTANCE OF 188.99 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 00°19'13" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF SAID LOT 3 AND THE POINT OF BEGINNING.

CONTAINS 50,914 SQUARE FEET OR 1.169 ACRES, MORE OR LESS

BEARINGS ARE BASED UPON THE NORTH LINE OF LOT 3 AND LOT 4, MONT VIEW PARK, PER THE PLAT RECORDED NOVEMBER 21, 1908 AT RECEPTION NO. 134088 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY OF WELD, STATE OF COLORADO, WHICH BEARS NORTH 89°59'00" EAST BETWEEN THE FOUND MONUMENTS SHOWN HEREON

PROJECT NO:	VER008.01
DESIGNED BY:	MRD
DRAWN BY:	MRD
DATE:	08/25/2021

EX-2



EES
ENTITLEMENT AND
ENGINEERING
SOLUTIONS, INC.

501 S Cherry St, Suite 300
Glendale, CO 80246
303-572-7997 www.ees.us.com



VERDAD™
REAL ESTATE

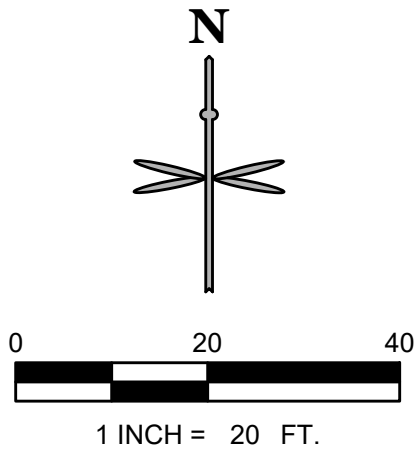
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9/20/2021 4:00 PM P:\VERDAD\CO. GREELEY - 2000 16TH STREET\08 CAD\EXHIBITS\SITE ANALYSIS MAP.DWG

2000 16TH STREET REZONE

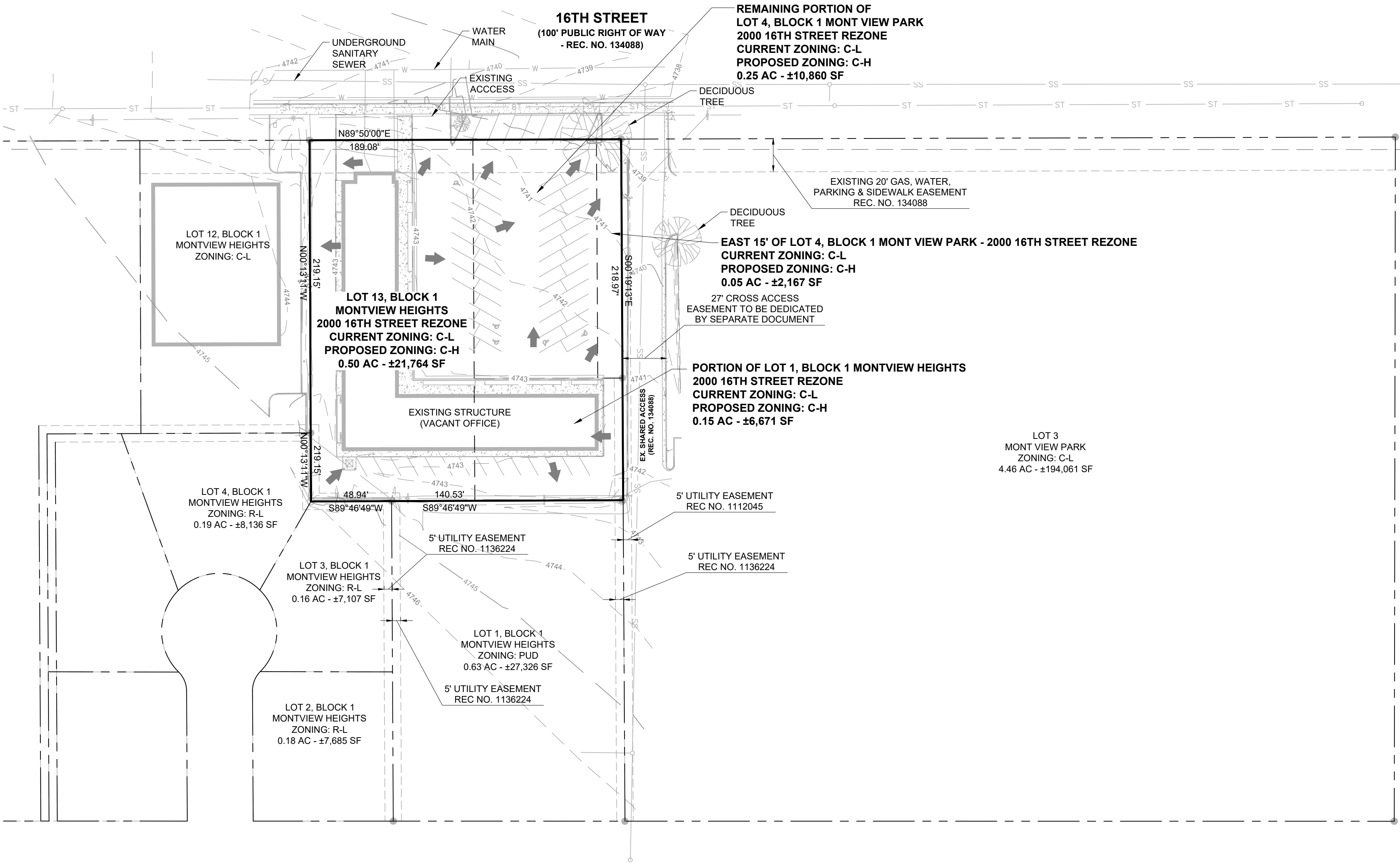
SITE ANALYSIS MAP

A PORTION OF LOT 1 AND LOT 13, BLOCK 1 OF MONTVIEW HEIGHTS, A PORTION OF LOT 4, BLOCK 1, AND THE EASTERN 15' OF LOT 4, BLOCK 1 OF MONT VIEW PARK LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO



SITE ANALYSIS LEGEND

- SUBJECT PROPERTY
- PROPERTY BOUNDARY
- INNER LOT LINE
- EXISTING EASEMENT
- EXISTING CURB & GUTTER
- EXISTING STORM SEWER MANHOLE/INLET
- EXISTING STREET LIGHTING
- EXISTING FIRE HYDRANT
- EXISTING SIGNAGE
- EXISTING DRAINAGE FLOW DIRECTION
- EXISTING SANITARY LINE
- EXISTING STORMWATER LINE
- EXISTING WATER LINE





EES
ENGINEERING AND
ENVIRONMENTAL
SOLUTIONS, INC.

501 S Cherry St, Suite 300
Glendale, CO 80246
303-572-7597 www.ees.us.com



VERDAD
REAL ESTATE

2000 16TH STREET REZONE

ZON2021-008

2000 16TH STREET, GREELEY, COLORADO

SITE ANALYSIS MAP

PROJECT NO: VER008.01

DESIGNED BY: MRD

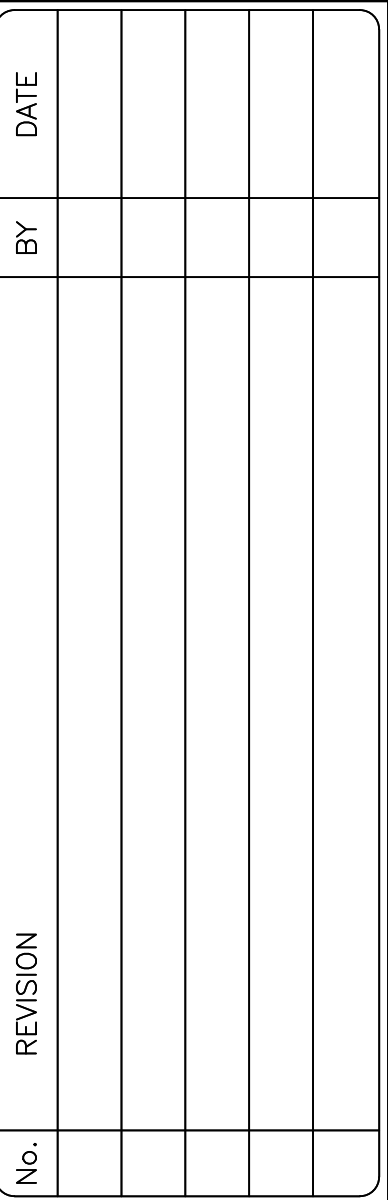
DRAWN BY: MRD

DATE: 03/04/2021

EX-1

9/20/2021 4:03 PM P:\VERDAD\CO, GREELEY - 2000 16TH STREET\08 CAD\EXHIBITS\ZONING SUITABILITY MAP.DWG

	EXISTING STORM SEWER MANHOLE/INLET
	EXISTING SANITARY MANHOLE
	PRELIMINARY PROPOSED DRAINAGE FLOW DIRECTION



2000 16TH STREET REZONE
ZON2021-008
2000 16TH STREET, GREELEY, COLORADO
ZONING SUITABILITY MAP

PROJECT NO:	VER008.01
DESIGNED BY:	MRD
DRAWN BY:	MRD
DATE:	08/24/2021

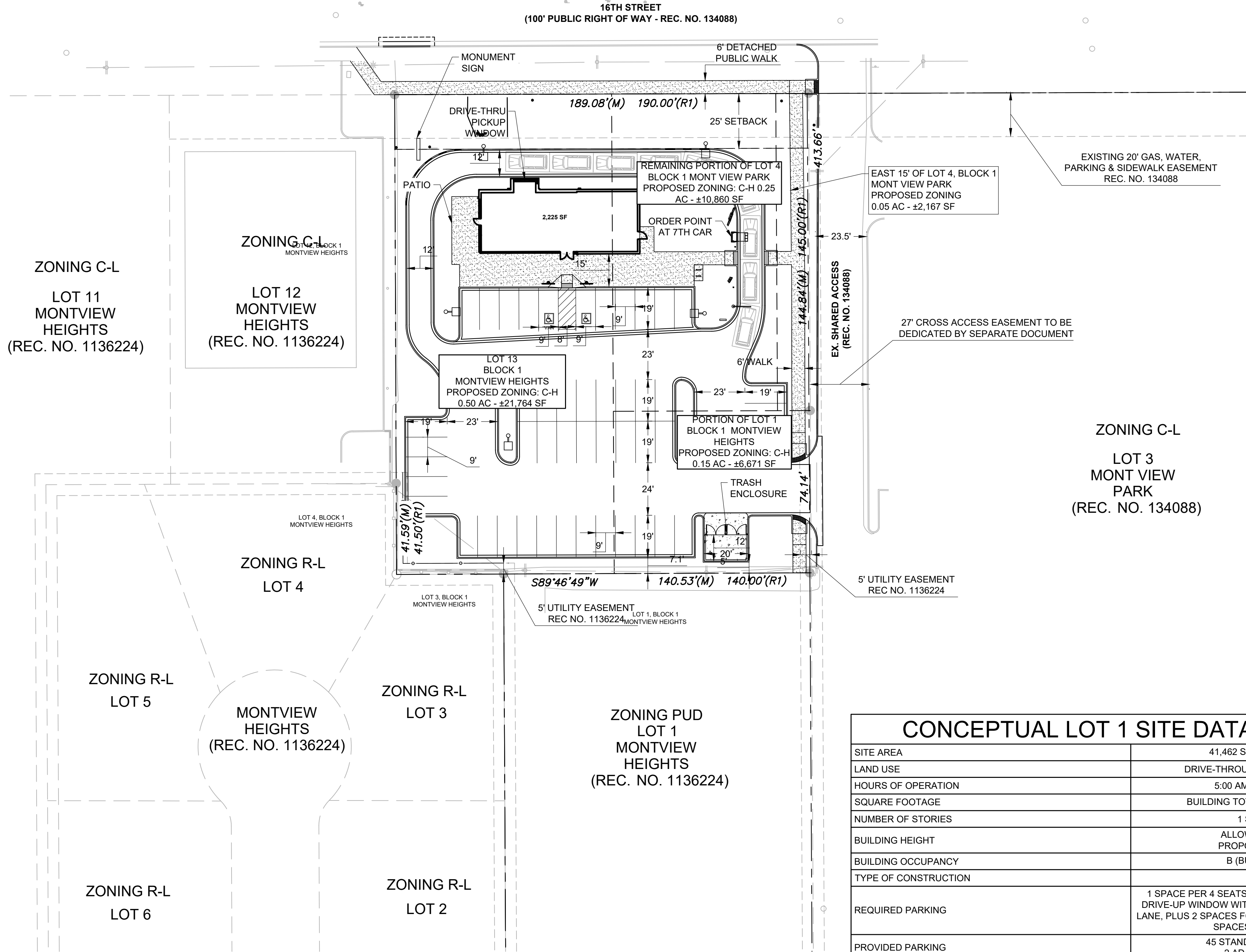
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10/19/2021 2:05 PM P:\VERDAD\CO. GREELEY - 2000 16TH STREET\08 CAD\EXHIBITS\DCMP.DWG

2000 16TH STREET REZONE

DEVELOPMENT CONCEPT MASTER PLAN

A PORTION OF LOT 1 AND LOT 13, BLOCK 1 OF MONTVIEW HEIGHTS, A PORTION OF LOT 4, BLOCK 1, AND THE EASTERN 15' OF LOT 4, BLOCK 1 OF MONT VIEW PARK LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO



DEVELOPMENT CONCEPT MASTER PLAN

C-H ZONE DISTRICT RESTRICTED USES	
Auto repair, sales	
Bars, taverns, lounges	
Brewpubs	
Car and truck wash	
Convenience stores with gas sales	
Emission testing centers	
Exterminating shops	
Food and beverage processing facility (minor)	
Gas Stations and sales	
Kennels	
Pawn shops	
RV and travel trailer parks	
Towing services	

NOISE MITIGATION STANDARDS

NOISE MITIGATION ON SITE ARE TO FOLLOW STATE LAW AND REGULATIONS (C.R.S. TITLE 25, ARTICLE 12) FOR ALL OPERATIONS.

DRIVE-THRU STANDARDS

DRIVE THRU'S ON SITE ARE TO FOLLOW STANDARDS SET FORTH IN THE CITY OF GREELEY'S ZONING CODE - SECTION 24-1164.

BUFFER STANDARDS

BUFFERING IS REQUIRED FOR THE PROPERTIES TO THE SOUTH OF THE PROPOSED LOT. THE SITE WILL FOLLOW LANDSCAPING AND BUFFERING STANDARDS SET FORTH IN CITY OF GREELEY CODE - SECTION 24-1146. DUE TO LOW-INTENSITY ADJACENT SITE USES, THE BUFFERING WILL FOLLOW BUFFER YARD STANDARDS WITHIN TABLE 1146.2 AND SHOWN BELOW.

CONCEPTUAL LOT 1 SITE DATA TABLE	
SITE AREA	41,462 SF - 0.95 ACRE
LAND USE	DRIVE-THROUGH COFFEE SHOP
HOURS OF OPERATION	5:00 AM TO 9:00 PM
SQUARE FOOTAGE	BUILDING TOTAL - 2,225 SQ. FT.
NUMBER OF STORIES	1 STORY
BUILDING HEIGHT	ALLOWED: 40'-0" PROPOSED 20'-4"
BUILDING OCCUPANCY	B (BUSINESS)
TYPE OF CONSTRUCTION	V-B
REQUIRED PARKING	1 SPACE PER 4 SEATS, PLUS 1 SPACE FOR EACH DRIVE-UP WINDOW WITH 5 STACKING SPACES PER LANE, PLUS 2 SPACES FOR EVERY 3 EMPLOYEES - 27 SPACES REQUIRED
PROVIDED PARKING	45 STANDARD SPACES 2 ADA SPACES
CAR STACKING	5 STACKING REQUIRED 9 STACKING SPACES PROVIDED
BICYCLE PARKING	3 SPACES REQUIRED 4 SPACES PROVIDED
AREA OF LANDSCAPING	14,447 / 35%
AREA OF DRIVEWAYS AND PARKING	21,394 / 52%
AREA OF BUILDING COVERAGE	2,225 / 5%
AREA OF SIDEWALK AND PATIO	3,396 / 8%
ZONING	
JURISDICTION	CITY OF GREELEY
EXISTING ZONING	C-L
PROPOSED ZONING	C-H WITH DCMP
AREA COVERAGE	
IMPERVIOUS (SQ. FT. / %)	27,015 / 65%
PERVIOUS / LANDSCAPING (SQ. FT. / %)	14,447 / 35%

NOTE:
SITE PLAN SHOWN IS CONCEPTUAL AND SUBJECT TO MINOR REVISIONS

BUFFER YARD REQUIREMENTS			
PROPOSED USE	ADJACENT SITE USE	BUFFER YARD QUANTITY/WIDTH	EXAMPLE
HIGH-INTENSITY USE	LOW-INTENSITY USE	1 TREE AND 13 SHRUBS FOR EVERY 35 LINEAR FEET; MINIMUM WIDTH: 15 FEET	

PROJECT NO: VER008.01
DESIGNED BY: MRD
DRAWN BY: MRD
DATE: 08/24/2021

EX-4

2000 16TH STREET REZONE
ZON2021-008
2000 16TH STREET, GREELEY, COLORADO
DEVELOPMENT CONCEPT
MASTER PLAN

EES
ENGINEERING AND
ENVIRONMENTAL
SOLUTIONS, INC.
501 S Cherry St, Suite 300
Glendale, CO 80246
303-572-7597 www.ees.us.com

VERDAD
REAL ESTATE

NO.	REVISION	BY	DATE

Caleb Jackson

From: Mueller, Andreas <Andreas.Mueller@unco.edu>
Sent: Thursday, July 1, 2021 1:19 PM
To: michael.drago@ees.us.com; Caleb Jackson
Subject: [EXTERNAL] Proposed Rezone Application, 2000 16th Street, Greeley

Dear Mr Drago and Mr Jackson,

I have just received the neighborhood meeting notice concerning the proposed rezone application for 2000 16th Street. I won't be able to attend the meeting, but wanted to express my full support for the application to rezone. This is a beneficial proposed development.

Sincerely,
Andreas Mueller
1735 17th Avenue, Greeley.

Andreas Mueller, PhD
Professor and Chair of English



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From: Chuck Turner <chktur@gmail.com>
Sent: Friday, September 17, 2021 11:06 AM
To: planning
Subject: [EXTERNAL] 1700 16th street zoning change comments

Hi.

I wanted to let you know that I am opposed to changing the zoning for 1700 16th street to a more commercial friendly zoning class. My house is in that neighborhood and I like that it's a residential, mostly single family area with some medical facilities mixed in.

Allowing that zoning change to allow a Starbucks coffee restaurant with a drive through would give it a really different feel, a run of the mill commercial feel compared to how it is now. It would also mean an increase in traffic in this area. It would mean more air pollution from hundreds of idling cars going through that drive in every day. There are homes bordering that property that would directly be subjected to noise, pollution, and more traffic. And my home is a couple of blocks away. It would affect me too. We have been in a non attainment air quality area with the EPA for years. This would make it worse.

Another thing that makes me object to this zoning change is that it would open the door for a McDonalds or 7-11 with gas pumps to be built there if the Starbucks should close or the property sold to another developer. There is nothing to prevent that if the property were sold.

And if that Starbucks gets built it will draw students from Heath Middle School and Greeley Central High School. Both are within a couple of blocks. Both are on the other side of the street. Lots of jaywalkers going for junky food.

BTW, the developers admitted in a public meeting that they don't really have a good idea how the traffic flow would change in that area. Seems flaky to me.

Charles Turner

1718 17th Ave

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