

Planning Commission Agenda

Regular Meeting

Tuesday August 22, 2023 at 1:15 p.m.

City Council Chambers-City Center South

1001 11th Ave, Greeley, CO 80631

Zoom Webinar Link:

<https://greeleygov.zoom.us/j/84366072217>

NOTICE:

Planning Commission meetings are held on the 2nd and 4th Tuesdays of each month. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in-person meeting in Council Chambers.

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Watch Meetings:



Meetings are open to the public and can be attended in person by anyone.



Meetings are livestreamed on YouTube at youtube.com/CityofGreeley

Comment in Real Time:



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Submit Written Comments:



Email comments about any item on the agenda to cd_admin_team@greeleygov.com



Written comments can be mailed or dropped off at the Planning office at 1100 10th Street, Greeley, CO 80631. Written comments received prior to or during the meeting will be read into the record in real time.

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Planning Commission

August 22, 2023 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 the August 8, 2023 Planning Commission Meeting Minutes
5. Wake Annexation and Establishment of Zoning
 - a. Public hearing for a proposal to annex Wake Annexation Number 1, a parcel totaling 61.613 acres. (ANX2022-0008; Wake Annexation).
 - b. Public hearing for a proposal to annex Wake Annexation Number 2, a parcel totaling 45.409 acres. (ANX2022-0009; Wake Annexation).
 - c. Public hearing for a proposal to annex Wake Annexation Number 3, a parcel totaling 13.075 acres. (ANX2022-0010; Wake Annexation)
 - d. A public hearing for the Establishment of Zoning of 120.097 acres of newly annexed land to Holding Agriculture (HA).
6. A Public Hearing to consider a Planned Unit Development (PUD) request to rezone approximately 4.23 acres located directly north of 7025 8th Street from R-H (Residential High Density) to PUD (Planned Unit Development). (Project: PUD2023-0001).
7. Staff Report
8. Adjournment

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
August 8, 2023

1. Call to Order

Chair Yeater called the meeting to order at 1:15 PM.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Louisa Andersen
Commissioner Erik Briscoe
Commissioner Jeff Carlson
Commissioner Larry Modlin

ABSENT

Commissioner Brian Franzen
Commissioner Christian Schulte

3. Approval of Agenda

There were no corrections or additions to the agenda. The agenda was approved as presented.

4. Approval of July 25, 2023, Minutes

Commissioner Andersen moved to approve the minutes dated July 25, 2023, with one edit to an error in the vote count on item number 6. Commissioner Briscoe seconded the motion. Motion carried 5-0. (Commissioner Schulte and Commissioner Franzen absent)

5. A Public Hearing to consider a request for approval of a Use by Special Review on 13.67 acres of property to allow for Oil and Gas Well Pad Facility in the Planned Unit Development Zoning District located at the southwest corner of County Road 17 and County Road 56. Approximately 1 mile south of US HWY 34" (USR2023-0004).

Chair Yeater asked if anyone in attendance would like to see the presentation, seeing none he continued with questions for Staff. Chair Yeater began by asking what the municipal code allows for setbacks for a facility such as the one proposed in this request. Darrell Gesick (Interim Chief Planner) responded, typical setbacks are 150 feet from rights of way and/or trails, 200 feet from buildings/structures and additional setbacks could be 350 feet or 500 feet for some land use types such as Assembly Uses (church or education facility). Chair Yeater asked if that would mean that a future housing development or commercial use would require a 300-foot setback. Mr. Gesick replied that unless it included some type of Assembly Use it would most likely require a 200-foot setback.

Chair Yeater invited the applicant to speak if they wished.

Tracy Colling on behalf of Kerr-McGee Oil and Gas Onshore LP, 1099 18th Street Denver Colorado. She shared that the comment about 2000 feet is a state requirement and is not really a setback, but it is a designation, if there are any residential building units within 2000 feet of a facility you have to protect them with measures for example, installing sound walls or propose other possible locations suitable for development. It is a requirement from the State, not local government to ensure that that these facilities are protecting the use on these locations. Chair Yeater clarified that once the project has been completed, what would the setback requirement be and would it prohibit other growth or future development around the site. Ms. Colling replied that there is (2) separate types of setbacks for different process on active sites, one is for drilling and preparing the well and one is for when the well is in production, she indicated that once the well is in production the setback is set by local government, in Greeley it would be the setbacks discussed earlier. For instance, the Del Antero project would have those setbacks built into their PUD.

With no further questions for the applicant, Chair Yeater opened the Public Hearing at 1:22 p.m.

Harlen Hankins, 27001 WCR 17, Greeley, Colorado. This is right across from the proposed request is located. His family has been there for over 5 generations, he has been there for 77 years. He shared oil has been good to him and he is not against oil at all. He is concerned about where the proposed well site is going to be drilled in relation to the 2000-foot state requirement because the applicant has 800 acres that they could locate this, and they are choosing to position the site near his home and property instead of further away than the 200-foot local setback. He is also having concerns about the access points to the proposed well site, he indicated that the city should consider adding a turn lane on Road 17 as it is an arterial street it is very busy and getting worse every day. He thinks that a right only turn lane should be considered. The truck traffic is already busy on the roadway, and he is concerned that if they do not add a right only turn lane trucks will be backed up all the way to Highway 34 waiting to turn.

Without further public comment, the Public Hearing closed at 1:26 p.m.

Chair Yeater asked the applicant if they would like to speak. Tracy Colling on behalf of Kerr-McGee Oil and Gas Onshore LP, 1099 18th Street Denver Colorado, came to the podium and addressed Mr. Hankins concerns related to traffic. She shared that a traffic memo was submitted with the application, and it identified the different levels of service throughout this project. She shared Oil and Gas projects have short timeline for the construction phase when they drill and complete. After that time, it gets relatively quiet because they pipe all the oil and gas off location, and they do not have the additional truck trips. If the commission reviews the traffic memo you will see that it includes the truck traffic and the level of service required for the site and it does not trigger any kind of permanent improvement adding turn lanes. The construction phase is projected to be about 18 months in duration with a 6-month time frame following the completion of the construction phase that truck traffic increases, but it is the heaviest during that 6-month period and none of that traffic exceeds the service level for the impacted roads.

Chair Yeater turned the item back to the commission for action. Commissioner Andersen motioned, Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for an oil and gas operation that consists of 10 oil and gas wellheads and associated production facility equipment on 3.81 acres (permanent) of the 13.67 acre site, in the PUD (Planned Unit Development) Zone District is consistent with the Development Code criteria of Section 24-206 (Items 1 through 8) and the proposed oil and gas operations will meet the provisions contained in Section 24-1102, Oil and Gas; and therefore, approve the Use by Special Review. Commissioner Carlson seconded the motion.

Motion carried, 5-0 (Commissioner Schulte and Commissioner Franzen absent)

6. A Public Hearing to consider a request for approval of a Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 (USR2022-0017).

Chair Yeater asked if anyone in attendance would like to see the presentation, seeing none he continued with questions for Staff, there were none. Chair Yeater asked if the applicant would like to speak. The applicant, Kyle Sundman on behalf of Pivot Energy, 1601 Wewata Street, Denver came to the podium and stated that he had no comments unless the commission had any questions. Commissioner Modlin asked if this proposal would be designed in a way that the ground can be used for raising crops. Mr. Sundman responded that his company tries to graze these sites with sheep and livestock. This is an airport site, and they will have to do that within FAA regulations. Some sites that are wider and they do design them with enough space to accommodate for farm equipment. At a minimum they will seed the site with low growth, generally a native, prairie mix. Commission Andersen asked if reflection would be an issue with airplane operations since they would be facing south, and the runway is to the south. Mr. Sundman responded that his team has completed robust studies utilizing innovative tools to determine that this will not create an issue. These studies included a yearlong "Focused Environmental Assessment" that was done with the airport and the regional offices of the FAA to determine if there would be any issues with air traffic or operations if the project was developed in the proposed location. There were not any further questions for the applicant.

Chair Yeater opened the Public Hearing at 1:32 p.m.

Constance Wood, 21878 County Road 62, Greeley. Her property is located just to the east of the solar fields. Her home is located on the northwest corner of her property about 20 feet from the access road to the solar field, and this will impact the noise in her home greatly. Last year a solar site was built a half mile to the northwest of her home, and they could hear jack hammering at 7 a.m. in the morning when the poles were being installed. She assumes this project will be exponentially louder as it will be 20 feet from her home rather than half a mile. She shared that she raises livestock and has a hobby farm. She is concerned because all her livestock is on the west end of her property and that the noise and commotion will impact her animals. She wanted to know the plan of how the property will be accessed since it is over 30 acres and if the applicant could use the west side of that property as access it would help them. She is also concerned because the other solar farm near them is so overgrown that the solar panels are not visible, although she is not certain if this is the same company or not. She also has pictures that she took this week of the weeds. She is concerned that this could create a breeding ground for wildlife such as racoons and it would cause further impact to her farm. Both her and a neighbor to the east have water rights on their properties as well. The ditch that feeds their properties go through the proposed solar site and she would like to ensure that it continues to flow, weed mitigation is important and with the fencing installed they may not be able to access the ditch for maintenance. The other concern that there are 3 cottonwood trees on the property that appear to be about 100 years old, a hawk family comes every year, and she would like to make sure that their habitat is safe.

With no further public comment, Chair Yeater asked if the applicant would like to speak. Kyle Sundman on behalf of Pivot Energy, 1601 Wewata Street, Denver began with confirming that the access that the project would use would be on the west side of the property due to the sand creek that runs through the property. In reference to the concerns about weeds, Mr. Sundman shared the solar property to the north is not a property his company owns. Practically weeds do need to be

maintained around the panels to ensure they are operating at full capacity. If they are surrounded by weeds, they will not produce the energy they need them to produce. His company has operations and maintenance teams that are contracted by local companies, grazers and weed mitigation plans to keep the sites in good condition during construction and in the future as well. Regarding the ditch, they will not have any impact on the ditch. They will utilize maintenance teams to ensure that it is good working conditions and there is not an impact on water flow to the adjacent properties. He does understand the concerns on the noise during construction. His company is happy to work with the neighbors during construction to ensure that there is a commitment on scheduling, ensuring that activities are not started early in the morning or even a stipend to stay off site temporarily. The construction phase is a month or two and the bulk of the noise creating construction is generally a much shorter period than that.

With no further comments, Chair Yeater closed the public hearing at 1:39 p.m. and turned it back to the commission for action. Commissioner Briscoe motioned, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and therefore approves the Use by Special Review. Commissioner Modlin seconded the motion.

Motion carried, 5-0 (Commissioner Schulte and Commissioner Franzen absent)

7. Staff Report

Caleb Jackson, Planner III, shared that Brian McBroom (Community Development Director) and Don Threewitt (Chief Planner, Interim Community Development Director) were absent from the meeting because they were at a conference focused on Brownfields and that there was not a staff report for this meeting.

8. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 1:41 PM.

Justin Yeater, Chair

Don Threewitt, Interim Community Development Director



Planning Commission Agenda Summary

August 22, 2023

Key Staff Contact: Douglas May, Planner III

Title:

Wake Annexation Number 1

Summary:

Public hearing for a proposal to annex Wake Annexation Number 1, a parcel totaling 61.613 acres. (ANX2022-0008; Wake Annexation).

Recommended Action:

A motion that, based on the project summary and analysis, the Planning Commission finds that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e); and that the proposed Wake Annexation Number 1, File number ANX2022-0008, meets State statutory requirements; and, therefore, Planning Commission recommends approval of the annexation to the City Council.

Attachments:

1. Wake Annexation Planning Commission Staff Report
2. Vicinity Map
3. Annexation Plat No. 1
4. Annexation Petition
5. Site Analysis Map
6. Annexation Impact Report
7. Land Use Guidance Map
8. Staff Presentation

PLANNING COMMISSION SUMMARY

ITEM: Wake Annexation

PROJECT: Wake Annexation Nos. 1 -3

CASE NO: ANX2022-0008
ANX2022-0009
ANX2022-0010

LOCATION: East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street

APPLICANT: Richmark Real Estate Partners, LLC

CASE PLANNER: Doug May, Planner III

PLANNING COMMISSION HEARING DATE: August 22, 2023

PLANNING COMMISSION FUNCTION: To review the proposed annexations for compliance with Section 24-214 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

Richmark Real Estate Partners, LLC petitions to annex a total of 120.097 acres of land to the City of Greeley. The properties are located in proximity to N. 6th Avenue, F Street and Highway 85, east of the Cache la Poudre River.

A. REQUEST

Richmark Real Estate Partners, LLC is requesting approval to annex Richmark-owned properties, known as the Wake Annexations Nos. 1-3. The annexations include: Wake Annexation No. 1 consisting of 61.613 acres, Wake Annexation No. 2 consisting of 45.409 acres, and Wake Annexation No. 3 consisting of 13.075 acres for total combined area of 120.097 acres (see Attachment E).

B. STAFF RECOMMENDATION

Approval

C. LOCATION

N. 6th Avenue, F Street, and including a portion of Highway 85 bypass that bisects Wake

Annexation 1; parcels located East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street.

Current Zoning: I-3 (Industrial – County) and R-1 (Residential – County)

Proposed Zoning: H-A (Holding Agriculture – City)

Abutting Zoning: North: I-3 (Industrial - County); Northeast: R-1 (Residential – County)
 South: I-3 (Industrial - County)
 East: R-1 (Residential - County)
 West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)

Site Conditions: The site is mostly undeveloped; the majority of the site is within the Cache la Poudre River floodplain, with the northern portion of Wake Annexation 1 in the floodway and most of Wake Annexation 3 in the floodway. A small portion of the western boundary of Wake 3 abuts the river. All three Wake Annexations include multiple oil and gas wellheads, tanks, burners and separators.

Lot Size: 120.097 Acres

Contiguity:	1 st Annexation	Required	16.7%
		Provided	27%
	2 nd Annexation	Required	16.7%
		Provided	18%
	3 rd Annexation	Required	16.7%
		Provided	22%

Abutting Land Uses: North: Industrial
 South: Agriculture/Vacant
 East: Agriculture, Residential and Vacant
 West: Industrial

D. BACKGROUND

The property owner has petitioned the City to annex a total of 120.097 acres of unincorporated property, including a portion of the right of way for the Highway 85 Bypass, in a total of three annexations. The first annexation, Wake Annexation No. 1, consists of two parcels and the portion of Highway 85 Bypass right of way between said parcels, and is 61.613 acres. The second annexation, Wake Annexation No. 2, consists of one parcel and is 45.409 acres. The third annexation, Wake Annexation No. 3, consists of one parcel and is 13.075 acres. Each annexation contains oil and gas facilities. Eaton Draw runs through the north portion of Annexation No. 1 and along a portion of the west boundary of Annexation No. 1. The parcels are located within the Long-Range Expected Growth Area and are designated as Natural uses, including parklands and open space. All three annexations are within the floodplain, with No. 1 and No. 3 also in the floodway.

The applicant requests the annexation be zoned Holding – Agriculture (H-A), in accordance with Section 24-214 of the Development Code. Following approval of the annexations, the establishment of zoning will be considered as a separate hearing item and must, per state statutes, take place within 90 days of the annexation.

Colorado Revised Statutes §31-12-104 and §31-12-105 establish the legal requirements for annexation, and include: (1) not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley; (2) a community of interest exists between the territory proposed to be annexed and the City of Greeley; (3) the territory sought to be annexed is urban or will be urbanized in the near future and; (4) the territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley. The City Attorney's Office has determined the proposal meets the statutory requirements to be considered for annexation (see Attachment F), and City Council adopted a resolution on August 8, 2023, making a finding to this effect, scheduling the introduction of the ordinance concerning the annexation for September 5, 2023, and the final reading on September 19, 2023.

Due to the state contiguity requirements, the applications are a combination of three stand-alone annexations, which constitute a serial annexation. The first Annexation, if approved, would provide contiguity for the second Annexation, and so on.

E. APPROVAL CRITERIA

The Commission shall consider comments from review agencies and offices, the staff recommendation, citizen comments, and the following criteria (found in Section 24-214 of the Greeley Development Code) in taking action to recommend approval, denial, or to table the annexation for future consideration:

1. The proposed annexation is in conformance with the Comprehensive Plan.

The following Imagine Greeley: The City of Greeley Comprehensive Plan, policies apply to

this request:

Growth Framework – Annexation Consideration

The following will be considered when evaluating annexation proposals:

1. The proposed annexation meets state requirements for annexations.
2. The proposed annexation meets the requirements for annexations set forth in the Greeley Municipal Code.
3. The proposed annexation is in conformance with the Imagine Greeley Comprehensive Plan.
4. The proposed annexation promotes a geographic balance of land uses.
5. The proposed annexation increases the City's supply of developable employment land or other future land use requirements.
6. Adequate services are or will be available to support the development expected to result from the proposed annexation.
7. The proposed annexation provides for a continuous and rational municipal boundary, and at least one-sixth of the annexation's perimeter is contiguous with the city's current boundary.
8. The area is urban or will be urbanized in the near future. However, annexation of undeveloped land is appropriate if another community goal is achieved, such as procurement of open land for a community separator, for open space, or for the conservation of farmland.

Comprehensive Plan Policies & Objectives:

GC-1.5 Annexations: When considering a proposed annexation, the City should find persuasive evidence that the inclusion of the property into the City's jurisdiction meets the goals and objectives of the Comprehensive Plan, and that the property can be developed in a manner that will be a positive addition to the City, improve the quality of Greeley's neighborhoods, and can be provided with municipal services.

Staff Comment: The subject properties are primarily undeveloped except for oil and gas facilities in each annexation. It is anticipated that this area will develop as open space and outdoor recreation.

The site is within the Long-Range Expected Growth Area (LREGA) and the Land Use Guidance Map identifies this area for natural uses, including park lands and open space. The LREGA includes those lands anticipated to accommodate the City of Greeley's urban development typically beyond a five (5) year time frame. This typically means that full urban services are

not currently available to the site. The properties can be fully serviced if needed in the future.

Because the subject properties are primarily located in the floodplain and include the riparian Eaton Draw and it is in the area demarcated for natural uses on the Land Use Guidance Map, the property can provide buffering between the river and the area to the east of Highway 85 bypass. It will also provide for the area to the east to be annexed in the future and would buffer industrial uses from the downtown area, as depicted on the Land Use Guidance Map.

This request complies with this criterion.

2. The proposed annexation promotes geographical balance of the City's land use pattern.

Staff Comment: The proposed annexations provide growth in the northeast part of Greeley, which has not grown as much as the western portion of Greeley. It provides balance to the City's growth and land use pattern.

This request complies with this criterion.

3. Adequate services are, or will be, available to support the development expected to result from the proposed annexation.

Staff Comment: If annexed, the subject site would be served by the Greeley Fire Department and the City of Greeley Police Department. The site would be served by Weld School District 6, but it will not add students to the district as no residential use is contemplated at this time.

Currently no City-level utilities are needed at the site. The extension of services is not required for this annexation.

This request complies with this criterion.

4. The proposed annexation provides for a continual and rational boundary.

Staff Comment: As proposed, all three annexations would exceed the State’s one-sixth contiguity requirements. The combined contiguity of the three annexations is 23%, based on approval of annexation No.1, which has 27% contiguity, which would be required for annexation of No. 2 (18% contiguity), which would be required for annexation of No. 3 (22% contiguity). These properties inclusion would also help provide a continual and rational boundary by adding an area of unincorporated land within the Long Range Expected Growth Area.

This request complies with this criterion.

5. The proposed annexation is needed to accommodate future land use requirements.

Staff Comment: There are no current plans to develop the property at this time, and it would continue to be utilized for oil and gas development and natural open space. Future development would need to meet the City’s Development Code, Imagine Greeley Comprehensive Plan and Adequate Public Facilities requirements.

The establishment of Holding – Agriculture (H-A) zoning is being considered as a separate request following successful annexations.

This request complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The Weld County Board of County Commissioners approved a Site Specific Development Plan for the western parcel of Wake Annexation No. 1 for a major facility for a public utility transmission line through the Use by Special Review process in June 2014 (Recording number 4023037).

2. HAZARDS

The Eaton Draw runs through the western parcel of Annexation No. 1. Most of the site is within the FEMA designated floodplain with portions in the floodway. Flooding hazards may exist from time to time. The site also contains multiple oil and gas wells and associated equipment.

3. WILDLIFE

The site is partially located in areas of highly sensitive and moderately sensitive areas of ecological significance. An ecological report will be required at the time of any proposed development.

4. FLOODPLAIN

The Poudre River flows along and directly through this site; portions of the site are within the floodway, the 100-year floodplain and the 500-year floodplain.

5. DRAINAGE AND EROSION

The site is slightly developed with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through the Site Plan Review application and the subsequent permitting processes.

6. TRANSPORTATION

The site is located East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street.

H. SERVICES

Because the site is currently being used for oil and gas development, future development of the site is limited in the next 15 to 20 years, following completion of oil and gas operations and reclamation of the site. It is anticipated to be left as open space or developed for natural uses.

1. WATER

There is an existing 12-inch water line located in N 6th Avenue adjacent to the west of the subject site. Annexation No. 1, No. 2, and No. 3 are shown on the Adequate Public Facilities Map as being “near an 8” or larger water line,” excepting the smaller parcel of No. 1 that is east of Highway 85 bypass.

2. SANITATION

The nearest sewer line is located less than 300’ west of the subject site. The Adequate Public Facilities Map for Sewer shows Annexation No. 3 “near an 8” or larger sewer line.” Following annexation of No. 1 and then No. 2, annexation of No. 2 would be contiguous to an area “near an 8” or larger sewer line, and No. 1 would then be contiguous to an area contiguous to an area “near an 8” or larger sewer line.” The portion of Annexation No. 1 located east of Highway 85 bypass is within a half mile of an area “near an 8” or larger sewer line.”

3. EMERGENCY SERVICES

The subject site is currently served by the Eaton Fire Protection District and the Western Hills Fire Protection District. With the successful annexations, the applicant would withdraw the property from those Fire Protection Districts. The City of Greeley Fire Department would take over fire services for the site once annexed.

The closest fire station, Fire Station #1 (1155 10th Avenue), is approximately 2 miles away. The City of Greeley Police Department would also serve this area with the completion of the annexations.

4. PARKS/OPEN SPACES

The site is approximately 2.2 miles from Island Grove Regional Park and includes Eaton Draw riparian corridor.

5. SCHOOLS

The subject site is within the Greeley School District 6 boundary.

I. NEIGHBORHOOD IMPACTS

1. VISUAL

The site contains oil and gas development equipment at the time of review for annexation. No known new visual impacts would be created by the annexation. Potential impacts would be reviewed at time of development.

2. NOISE

The site contains oil and gas development equipment at the time of review for annexation. Staff does not anticipate that the proposed annexation would create any significant increase in noise.

H. NOTIFICATION:

Mailed notice is not required, per the Development Code effective as of October 1, 2021. However, as a courtesy a mailed notice was sent on July 28, 2023 to 72 surrounding properties within 1000 feet of the subject property. The applicant posted signs in three locations on the property on August 3, 2023. As of August 10, 2023, no comments or concerns have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION:

There are three separate annexation applications for the Wake Annexations. Therefore, the Planning Commission will need to consider and vote individually on each of the below applications, in the order listed below.

Recommended motion for:

1. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #1, File number ANX2022-0008, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.
2. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #2, File number ANX2022-0009, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.
3. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #3, File number ANX2022-0010, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.

J. ATTACHMENTS:

Attachment A-	Vicinity Map
Attachment B-	Annexation Plats Nos. 1-3
Attachment C-	Annexation Petitions
Attachment D-	Site Analysis Map
Attachment E-	Annexation Impact Report
Attachment F-	Land Use Guidance Map

ANX2022-0008, ANX2022-0009, ANX2022-0010, ZON2023-0001



WAKE ANNEXATION NO. 1 TO THE CITY OF GREELEY

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH,
RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008

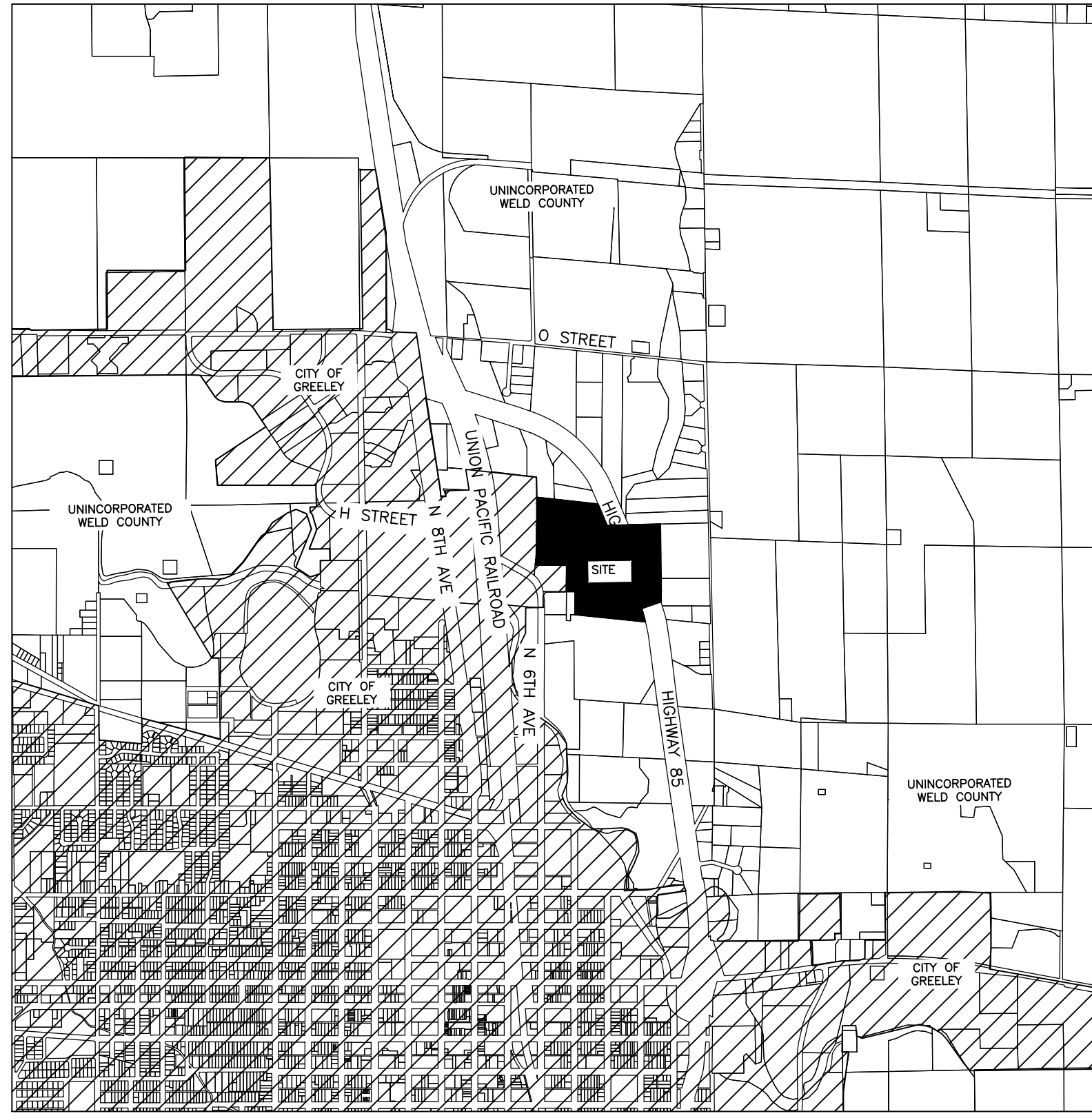
ANNEXATION TABLE:

TOTAL ANNEXATION BOUNDARY PERIMETER: 7359.70 LINEAR FEET
LENGTH CONTIGUOUS TO EXISTING CITY OF GREELEY BOUNDARY: 1,933.85 LINEAR FEET
TOTAL ALLOWABLE PERIMETER (CONTIGUOUS x 6): 11,603.10 LINEAR FEET
MINIMUM ONE-SIXTH (1/6) OF TOTAL ANNEXATION PERIMETER: 1226.62 LINEAR FEET

AS SHOWN ABOVE, THE ANNEXATION PERIMETER CONTIGUOUS TO CITY OF GREELEY BOUNDARY EXCEEDS THE MINIMUM REQUIRED 1/6 CONTIGUITY. THEREFORE, WAKE ANNEXATION #1 IS IN COMPLIANCE WITH THE STATE CONTIGUITY REQUIREMENT.

LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT LOT LINE
- ANNEXATION/GREELEY TOWN LIMITS
- CONTIGUOUS PERIMETER
- SECTION LINE
- RIGHT OF WAY
- FOUND PROPERTY CORNER
- SECTION CORNER, AS DESCRIBED
- PER RECORD
- CALCULATED PER RECORD
- PER CDOT ROW MAP



SCALE: 1"=2000
U.S. SURVEY FEET
VICINITY MAP
1"=2000'

WAKE ANNEXATION NO. 1 PERIMETER DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, SOUTHEAST QUARTER, AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID SOUTH LINE N84° 54' 03"W A DISTANCE OF 1386.38 FEET;
THENCE N89° 20' 24"W A DISTANCE OF 129.00 FEET;
THENCE N8° 22' 34"E A DISTANCE OF 400.00 FEET ON THE EAST LINE OF THE THERMO COGENERATION PLANT ANNEXATION RECORDED AT REC. #2467353;

THENCE N89° 47' 22"W A DISTANCE OF 477.15 FEET ON THE NORTH LINE OF SAID THERMO COGENERATION PLANT ANNEXATION;
THENCE N5° 03' 53"E A DISTANCE OF 53.58 FEET ON THE EAST LINE OF THE MONFORT LAMB PLANT ANNEXATION RECORDED AT REC. #2181908;

THENCE N2° 35' 05"E A DISTANCE OF 203.34 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;
THENCE N1° 02' 25"E A DISTANCE OF 422.15 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N84° 15' 54"E A DISTANCE OF 33.45 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;
THENCE N1° 00' 20"W A DISTANCE OF 344.18 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 18' 04"E A DISTANCE OF 909.75 FEET TO THE SOUTHWEST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;
THENCE N67° 42' 53"E A DISTANCE OF 299.44 FEET TO THE NORTHEAST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE ON SAID NORTHEAST RIGHT OF WAY S23°10'17"E A DISTANCE OF 475.25 FEET;
THENCE N88° 44' 10"E A DISTANCE OF 479.74 FEET;
THENCE S1° 08' 17"E A DISTANCE OF 821.58 FEET;
THENCE S0° 04' 41"W A DISTANCE OF 358.82 FEET TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE 268.77 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 268.77 FEET, THE ARC OF SAID CURVE HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 5°12'33" AND BEING SUB-TENDED BY A CHORD WHICH BEARS S14° 57' 22"E A DISTANCE OF 268.68 FEET TO THE POINT OF BEGINNING.

SAID WAKE ANNEXATION NO. 1 HAS A PERIMETER OF 7,359.70 FEET, AND AN AREA OF 2,683,882 SQUARE FEET, 61.613 ACRES, MORE OR LESS.

OWNERS: RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY
BY: TYLER RICHARDSON
AUTHORIZED AGENT

THE FOREGOING ANNEXATION PLAT WAS ACKNOWLEDGED BEFORE ME BY
TYLER RICHARDSON AS AUTHORIZED AGENT OF RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY.

ON THIS ____ DAY OF _____, 20____.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

GENERAL NOTES:

- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ALL EASEMENTS AND RIGHT-OF-WAYS ARE REFERENCED FROM: FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NUMBER NCS-1148067-CO, WITH AN EFFECTIVE DATE OF SEPTEMBER 19, 2022 AT 5:00 P.M..
- BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 3/4" ALUMINUM CAP STAMPED 33200, 2012 AND THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

ACCEPTANCE:

THIS ANNEXATION MAP WAS ACCEPTED BY THE CITY OF GREELEY, WELD COUNTY, COLORADO AND THE TERRITORY THEREIN DESIGNATED AND MADE A PART OF THE CITY OF GREELEY, AND INCLUDED WITHIN THE LIMITS AND JURISDICTION THEREON THIS ____ DAY OF _____, 2023.

ATTEST: CITY CLERK MAYOR

CERTIFICATE OF APPROVAL BY ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER OR THEIR DESIGNEE:

APPROVED THIS ____ DAY OF _____, 2023, BY THE ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER OR THEIR DESIGNEE OF THE CITY OF GREELEY, COLORADO.

ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER

COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 2023, BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF GREELEY, COLORADO.

COMMUNITY DEVELOPMENT DIRECTOR

LAND SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT OF WAKE ANNEXATION NO. 1 IS BASED UPON A FIELD SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF COLORADO, AND THAT AT LEAST 1/6 OF THE PERIMETER OF THE ABOVE-DESCRIBED PROPERTY IS CONTIGUOUS TO THE CURRENT BOUNDARY OF THE CITY OF GREELEY, COLORADO

LAINE A. LANDAU, COLORADO PLS 31159
LAMP RYNEARSON
LAINE.LANDAU@LAMPRYNEARSON.COM
DATE OF SIGNATURE:

LAMP
RYNEARSON

LAMPRYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498
FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342
KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

WAKE ANNEXATION NO. 1
A PORTION OF THE SOUTHWEST, SOUTHEAST, AND NORTHEAST QUARTER
SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO

811

Know what's below.
Call before you dig.

REVISIONS
08/09/2022 REMOVED OVERLAPPING TEXT
10/17/2022 REVISED PER CITY COMMENTS
12/13/2022 REVISED PER CITY COMMENTS
03/28/2023 BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
08/04/2022
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

PETITION FOR ANNEXATION

Wake Annexation No. 1, No. 2 and No. 3

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF GREELEY,
COLORADO:

The undersigned, in accordance with Title 31, Article 12, Chapters 101 et. seq., Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Greeley for annexation to the City of Greeley of the territory described herein and described and shown on the map designated, "Wake Annexation No. 1, No. 2, and No. 3" The applicable number of said map (at least four) are submitted herewith and by this reference are incorporated herein. The description of the territory hereby petitioned for annexation to the City of Greeley is set forth in Exhibit A attached hereto and incorporated herein by reference.

In support of this petition, the Petitioner(s) allege(s) that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Greeley.
2. The requirements of Section 31-12-104 and 31-12-105 of the Colorado Revised Statutes exist or have been met in that:
 - A. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley.
 - B. A community of interest exists between the territory proposed to be annexed and the City of Greeley.
 - C. The territory sought to be annexed is urban or will be urbanized in the near future.
 - D. The territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley.
3. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has/have been divided into separate parts or parcels of real estate without the written consent of the land owner or land owners thereof, except and unless where such tracts or parcels are already separated by a dedicated street, road, or other public way.
4. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon have an assessed

valuation in excess of \$200,000 for ad valorem tax purposes for the year next preceding the filing of the written petition for annexation, has/have been included within the territory proposed to be annexed without the written consent of the land owner or land owners.

5. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Greeley was held within the twelve months preceding the filing of this petition.
6. The territory proposed to be annexed does not include any area included in another annexation proceeding involving a city other than the City of Greeley.
7. The territory proposed to be annexed is not presently a part of any incorporated city, city and county, or town.
8. The property owned by each petitioner is described on each separate signature sheet and, when needed, described more fully in the exhibits attached hereto and incorporated herein by reference.
9. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the land owners and owning more than fifty percent (50%) of the property, excluding public streets and alleys, and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.

Accompanying this petition are the original and four copies of an annexation plat map containing the following information:

- A. A written legal description of the boundaries of the area proposed to be annexed.
- B. A map showing the boundary of the area proposed to be annexed.
- C. Within the annexation boundary map, an identification of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks. Also within the boundary map, identification of any special districts the area proposed to be annexed may be part of.
- D. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

- E. A surveyor's certificate prepared by a registered land surveyor that attests to the preparation of the map and certifies at least one-sixth (1/6) contiguity to the City of Greeley.
- F. Acceptance block describing the acceptance action of the City of Greeley in form and substance as provided in Appendix A of the Subdivision Regulations of the City of Greeley and providing for the effective date and City Clerk and Mayor attest signatures.
10. Except as otherwise provided, no part of the territory sought to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will become effective.
11. As an expressed condition of annexation, land owner(s) consent(s) to inclusion into the Northern Colorado Water Conservancy District and the municipal subdistrict pursuant to Section 37-45-136 (3.6) C.R.S. Land owner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, land owner's (s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of land owner's(s') lands. Land owner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Land owner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.

THEREFORE, the undersigned respectfully petition(s) and requests the City Council of the City of Greeley, to approve annexation of the territory described and referred to in Exhibit A to the City of Greeley in accordance with and pursuant to the statutes of the State of Colorado.

Land Owner(s) Name(s) and Signature(s)

Mailing Address

Date of

Signing

Richmark Real Estate Partners LLC

5200 W. 20th St.
Greeley, CO 80634

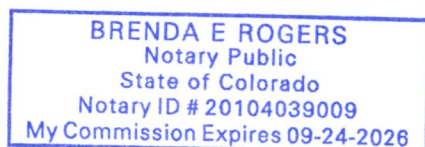
04/03/23



Subscribed and sworn to before me this 3 day of April, 2023 by
Logan Richardson

Witness my hand and official seal.

My commission expires: 09/24/2026




Notary Public

Land Owned

See Exhibit A

If necessary, attach separate sheet.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO

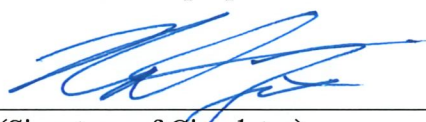
)

) ss.

COUNTY OF WELD

)

Nathan Zierer being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

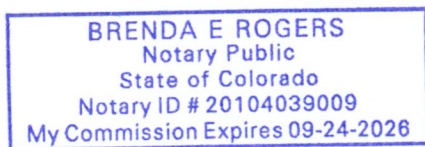


(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 3 day of April, 2023, by Nathan Zierer.

Witness my hand and official seal.

My commission expires: 09/24/2024




Notary Public

EXHIBIT "A"
(LEGAL DESCRIPTIONS)

WAKE ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, SOUTHEAST QUARTER, AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON SAID SOUTH LINE N84° 54' 03"W A DISTANCE OF 1386.38 FEET;

THENCE N0° 16' 24"E A DISTANCE OF 297.11 FEET;

THENCE N89° 20' 24"W A DISTANCE OF 129.00 FEET;

THENCE N0° 22' 34"E A DISTANCE OF 400.00 FEET ON THE EAST LINE OF THE THERMO COGENERATION PLANT ANNEXATION RECORDED AT REC. #2467353;

THENCE N89° 47' 22"W A DISTANCE OF 477.15 FEET ON THE NORTH LINE OF SAID THERMO COGENERATION PLANT ANNEXATION;

THENCE N5° 03' 53"E A DISTANCE OF 53.58 FEET ON THE EAST LINE OF THE MONFORT LAMB PLANT ANNEXATION RECORDED AT REC. #2181908;

THENCE N2° 35' 05"E A DISTANCE OF 203.34 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N1° 02' 25"E A DISTANCE OF 422.15 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 15' 54"E A DISTANCE OF 33.45 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N1° 00' 20"W A DISTANCE OF 344.18 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 18' 04"E A DISTANCE OF 909.75 FEET TO THE SOUTHWEST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE N67° 42' 53"E A DISTANCE OF 299.44 FEET TO THE NORTHEAST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE ON SAID NORTHEAST RIGHT OF WAY S23°10'17"E A DISTANCE OF 475.25 FEET;

THENCE N88° 44' 10"E A DISTANCE OF 479.74 FEET;

THENCE S1° 08' 17"E A DISTANCE OF 821.58 FEET;

THENCE S0° 04' 41"W A DISTANCE OF 358.82 FEET TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE 268.77 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 268.77 FEET, THE ARC OF SAID CURVE HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 5°12'33" AND BEING SUB-TENDED BY A CHORD WHICH BEARS S14° 57' 22"E A DISTANCE OF 268.68 FEET TO THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 1 HAS A PERIMETER OF 7,359.70 FEET, AND AN AREA OF 2,683,882 SQUARE FEET, 61.613 ACRES, MORE OR LESS.

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 ¼" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 080332400004 and 080332000023 and the Highway 85 right of way between said parcels.

WAKE ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE 129.43 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 2°30'31", AND BEING SUB-TENDED BY A CHORD WHICH BEARS S11° 05' 51"E A DISTANCE OF 129.42 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S8° 40' 39"E A DISTANCE OF 205.17 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S7° 59' 19"E A DISTANCE OF 501.43 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S82°01'00"W A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S07°57'00"E A DISTANCE OF 56.42 FEET;

THENCE SOUTH 82°03'00"W A DISTANCE OF 300.00 FEET TO THE SOUTHWEST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE S31° 15' 29"W A DISTANCE OF 413.37 FEET;

THENCE N85° 53' 03"W A DISTANCE OF 972.88 FEET;

THENCE N0° 54' 24"W A DISTANCE OF 887.47 FEET;

THENCE S87°32' 12"W A DISTANCE OF 540.87 FEET TO THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE N0°13' 55"E A DISTANCE OF 515.08 FEET;

THENCE S84°54'03"E A DISTANCE OF 60.48 FEET TO THE EAST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE EAST RIGHT OF WAY OF 6TH AVENUE S01°35'54"E A DISTANCE OF 92.52 FEET;

THENCE S89° 42' 47"E A DISTANCE OF 337.76 FEET;

THENCE S0° 04' 42"W A DISTANCE OF 89.22 FEET;

THENCE S87° 54' 00"E A DISTANCE OF 63.86 FEET;

THENCE N0° 18' 26"E A DISTANCE OF 91.18 FEET;

THENCE S89° 49' 03"E A DISTANCE OF 64.95 FEET;'

THENCE N0° 16' 24"E A DISTANCE OF 52.85 FEET TO THE SOUTH LINE OF WAKE ANNEXATION NO. 1;

THENCE S84° 54' 03"E A DISTANCE OF 1386.38 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 1 TO THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 2 HAS A PERIMETER OF 6,771.34 FEET, AND AN AREA OF 1,978,028 SQUARE FEET, 45.409 ACRES, MORE OR LESS.

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 ¼" ALUMINUM CAP STAMPED 33200,

2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 080332400005 and the Highway 85 right of way and 6th Avenue apparent right of way adjacent to said parcels.

WAKE ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE S85° 53' 03"E A DISTANCE OF 580.28 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 S85° 53' 03"E A DISTANCE OF 681.64 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 2;

THENCE S1° 47' 37"W A DISTANCE OF 823.29 FEET;

THENCE N87° 00' 29"W A DISTANCE OF 849.06 FEET;

THENCE N0° 01' 14"W A DISTANCE OF 80.11 FEET ON AN EAST LINE OF THE CITY OF GREELEY;

THENCE S87° 02' 25"E A DISTANCE OF 194.90 FEET;

THENCE N0° 03' 45"W A DISTANCE OF 757.45 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEING THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 3 HAS A PERIMETER OF 3,386.45 FEET, AND AN AREA OF 569,539 SQUARE FEET, 13.075 ACRES, MORE OR LESS.

BASIS OF BEARINGS

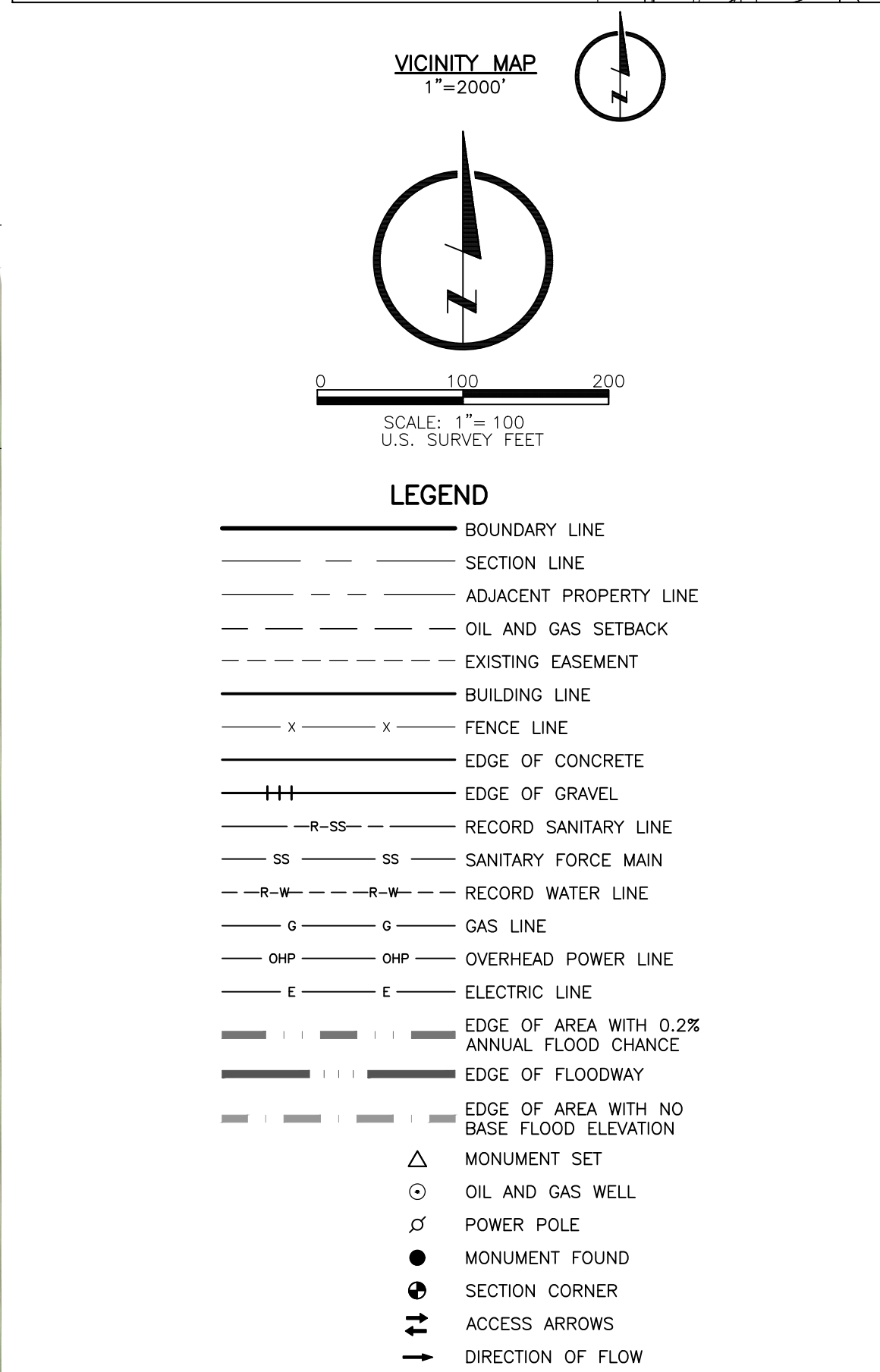
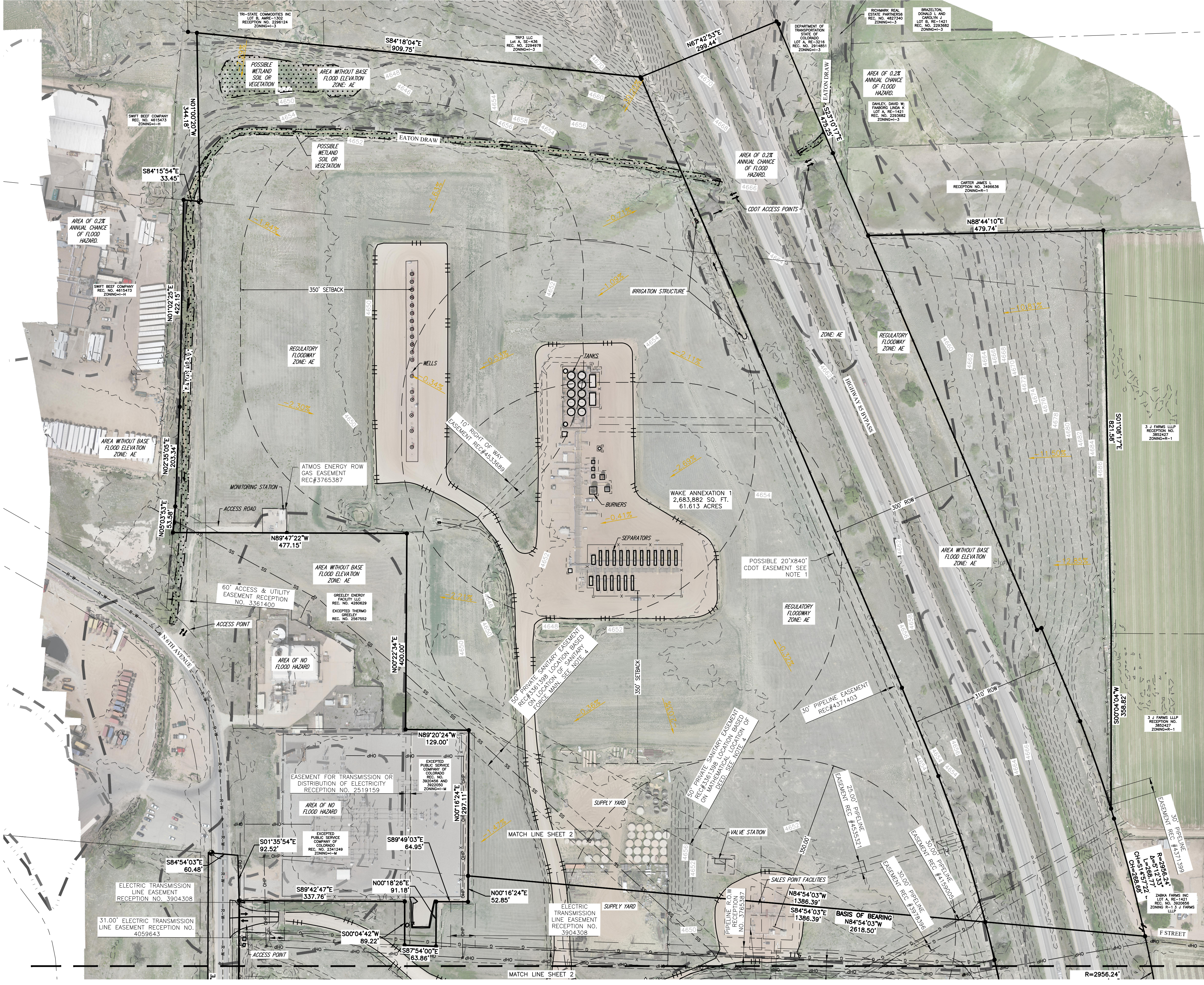
THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS S85° 53' 03"E FOR 2619.21 FEET BETWEEN THE NORTH QUARTER CORNER OF SAID SECTION 5 MONUMENTED WITH A 3 ¼" ALUMINUM CAP STAMPED PLS 28259 IN A MONUMENT BOX AND THE NORTHEAST CORNER OF SAID SECTION 5 MONUMENTED WITH A 2 1/2" ALUMINUM CAP STAMPED LS 17500 IN A MONUMENT BOX WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 096105102006

SITE ANALYSIS MAP

WAKE ANNEXATIONS NO. 1, 2 AND 3 TO THE CITY OF GREELEY

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65
WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008, ANX2022-0009, ANX2022-0010



- NOTES:
- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
 - BASIS OF BEARING: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 1/2" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
 - THIS DRAWING INCLUDES OBSERVED EVIDENCE OF VISIBLE SERVICES AND UTILITIES. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE FAILURE TO SHOW ANY BURIED SERVICE AND/OR UTILITY LINES EVEN THOUGH THEY MAY EXIST. CONTACT "ONE CALL" (811) PRIOR TO ANY EXCAVATION ON THIS SITE.
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 - THE SUBJECT PROPERTY IS LOCATED IN ZONE A, REGULATORY FLOODWAY, ZONE AE, AN AREA WITH A BASE FLOOD ELEVATION, AND SHADED ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE FLOOD HAZARD, AND UN-SHADED ZONE X, AREA OF MINIMAL FLOOD HAZARD, BASED ON THE FEMA FLOOD MAP 08123C1533E EFFECTIVE 01/20/2016, AND EFFECTED BY LOMR 15-08-0573P EFFECTIVE 07/14/2016. FLOOD INFORMATION IS SUBJECT TO CHANGE.
 - AERIAL IMAGE WAS TAKEN ON 06/10/2022 BY DRONE AND IS GEO-REFERENCED TO THE SITE.
 - CONTOURS SHOWN AT 2' INTERVALS WERE DERIVED FROM DRONE DATA.
 - THE AREA OF THE OIL AND GAS OPERATIONS SETBACKS WITHIN COMBINED ANNEXATION PROPERTY IS 3,137,720 SQUARE FEET, 72.032 ACRES MORE OR LESS.

LAMP
RYNEARSON

LAMP RYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498

FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342

KANSAS CITY, MISSOURI
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SITE ANALYSIS
MAP

RICHMARK WAKE
GREELEY, COLORADO

811

Know what's below.
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REVISIONS

LAL/JAC 10/17/2022 REV PER CITY COMMENTS

LAL 11/23/2022 REV PER CITY COMMENTS

LAL 12/13/2022 REV PER CITY COMMENTS

LAL 03/28/2023 BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK

DATE
08/04/2022

PROJECT NUMBER
0222030

BOOK AND PAGE

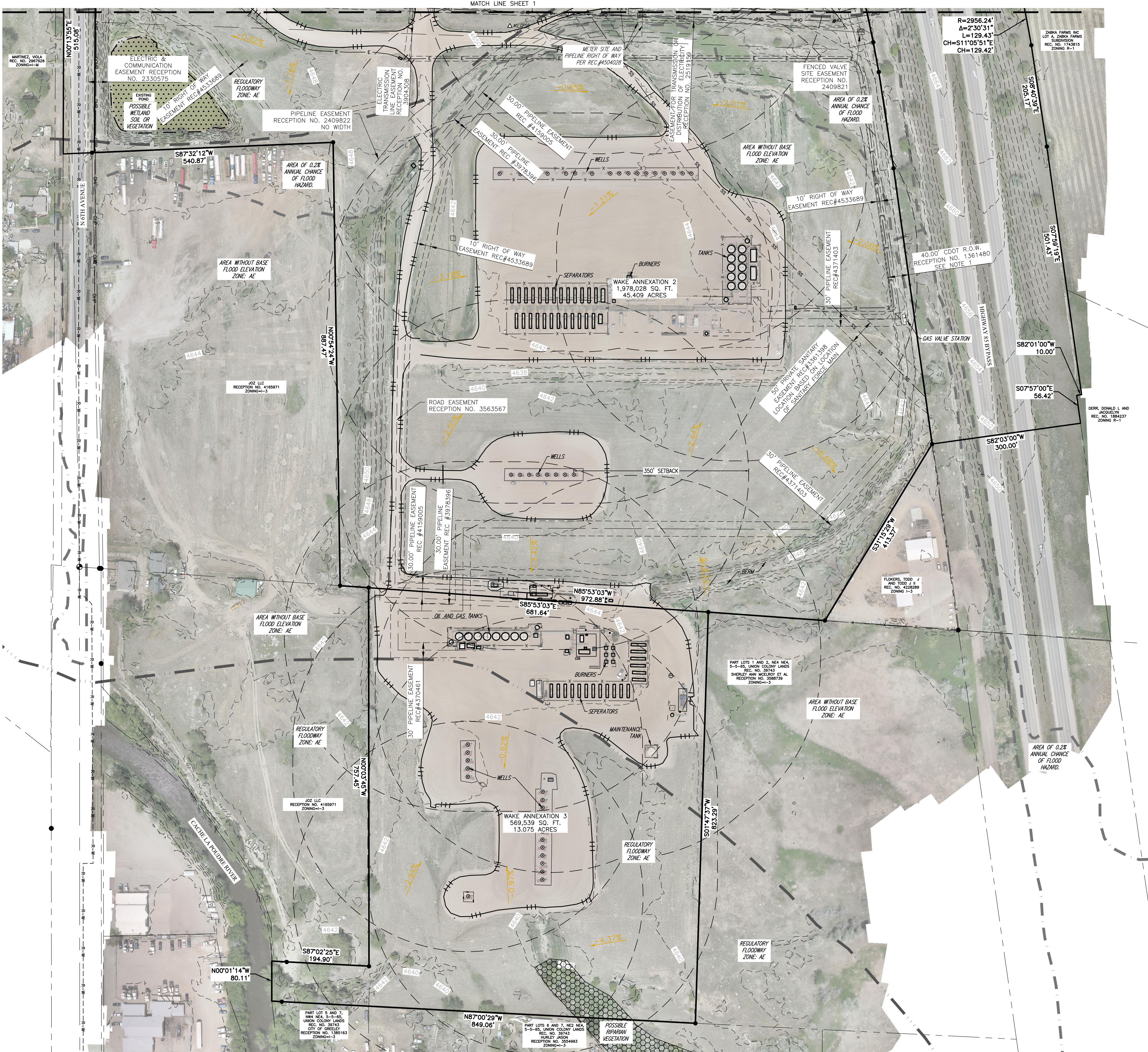
SHEET

1 OF 2

WAKE ANNEXATIONS NO. 1, 2 AND 3 TO THE CITY OF GREELEY

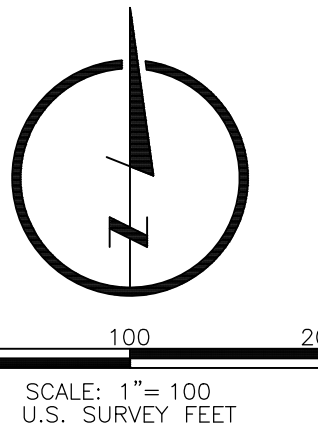
LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008, ANX2022-0009, ANX2022-0010

SITE ANALYSIS MAP



VICINITY MAP

1"=2000'



LEGEND

- BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- OIL AND GAS SETBACK
- EXISTING EASEMENT
- BUILDING LINE
- FENCE LINE
- EDGE OF CONCRETE
- EDGE OF GRAVEL
- RECORD SANITARY LINE
- SANITARY FORCE MAIN
- RECORD WATER LINE
- GAS LINE
- OVERHEAD POWER LINE
- ELECTRIC LINE
- EDGE OF AREA WITH 0.2% ANNUAL FLOOD CHANCE
- EDGE OF FLOODWAY
- EDGE OF AREA WITH NO BASE FLOOD ELEVATION
- MONUMENT SET
- OIL AND GAS WELL
- POWER POLE
- MONUMENT FOUND
- SECTION CORNER
- ACCESS ARROWS
- DIRECTION OF FLOOD

NOTES:

- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
- BASIS OF BEARING: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 1/4" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
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STIE ANALYSIS
MAP

RICHMARK WAKE
GREELEY, COLORADO



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10/17/2022 LAL/JAC REV PER CITY COMMENTS
11/23/2022 LAL REV PER CITY COMMENTS
12/13/2022 LAL REVISE PER CITY COMMENTS
03/27/2023 LAL BOUNDARY REVISION

DESIGNER / DRAFTER

LAINE LANDAU/JOSH CROAK

DATE

08/04/2022

PROJECT NUMBER

0222030

BOOK AND PAGE

SHEET

2 OF 2

ANNEXATION IMPACT REPORT

Wake Annexation Nos. 1-3

PROPERTY OWNERS	Richmark Real Estate Partners LLC
LOCATION	East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street
SIZE IN ACRES	120.097 Acres
CONTIGUITY	ANX2022-0008 Wake No. 1 - 27% ANX2022-0009 Wake No. 2 – 18% ANX2022-0010 Wake No. 3 – 22% Wake Combined – 23%
MINIMUM REQUIRED CONTIGUITY	16.67%
EXISTING USES	Vacant land and oil and gas wellheads with associated equipment
SURROUNDING LAND USES	North: Industrial South: Agriculture/Vacant East: Agriculture, Residential and Vacant West: Industrial
CURRENT ZONING	I-3 (Industrial – County) and R-1 (Residential – County)
SURROUNDING ZONING:	North: I-3 (Industrial - County) Northeast: R-1 (Residential – County) South: I-3 (Industrial - County) East: R-1 (Residential - County) West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)
AVAILABLE UTILITIES	City of Greeley Water, City of Greeley Sewer, telecommunications, gas, and electric extensions would be needed at the time utility services are needed.
TAXING DISTRICTS & MILL LEVIES	
<u>Taxing District</u>	<u>Mill Levy</u>
Aims Community College	6.307
High Plains Library District	3.181
Northern Colorado Water	1.000
Greeley School District No. 6	50.399
Weld County	15.038
Western Hills Fire Protection District	5.910

INTENDED/PROPOSED USES

The applicant, Richmark Real Estate Partners, is requesting to annex approximately 108.018 acres of unincorporated property to the City of Greeley (see Exhibits A & B). The intended use is to continue the existing oil and gas development for the next approximately 15-20 years. No further plans for the site are proposed at the time of annexation, but the Land Use Guidance Map indicates natural uses for the site, so it is likely to remain open space following completion of the oil and gas development.

Following the annexation, the establishment of zoning for Holding – Agriculture (H-A) zoning will be completed at the April 4th Council meeting. The property must be zoned within 90 days of annexation. The zoning request will be evaluated during that process.

COMPREHENSIVE PLAN

The property is entirely within the City of Greeley's Long-Range Expected Growth Area (LREGA) and complies with City of Greeley Comprehensive Plan policies. Portions of the annexation are in the floodway, 100-year floodplain and 500-year floodplain.

ANALYSIS

The proposed annexations have 23% combined contiguity with existing municipal limits which meets the State of Colorado one-sixth (16.67%) contiguity standard regarding annexations.

The annexations provide growth in the northeast part of Greeley, which has not grown as much as the western portion of Greeley. It provides balance to the City's growth and land use pattern.

The annexations would be consistent with present growth patterns and Comprehensive Plan policies. There is evidence that this site shares a common interest with the City's future. The requirements of State statutes and City of Greeley guidelines for annexation appear to have been met by this requested annexation.

Since the site is currently used for oil and gas development, there should be zero additional students coming to School District 6 as a result of these annexations.

ATTACHMENTS:

Exhibit A - Vicinity Map

Exhibit B - Annexation Plats

Exhibit C - Site Analysis Map

Exhibit D - Legal Descriptions



-  Multi-Modal Corridor
-  Special Multi-Modal Corridor Landscaping
-  Poudre River Greenway

- 
- Potential Fire Station Locations

- Airport Area
- Higher Education Hubs
- Employment, Industrial, and Commercial Areas
- North Annexation Area
- Mixed Use High Intensity
- Urban Reserve

-  Bluffs
-  Community Separator
-  Entryway Character Corridor
-  Riparian Land
-  City Owned Natural Areas

-  Town of Kersey

-  Rural
-  Suburban
-  Legacy Urban
-  Mixed Use
-  Downtown



Date of Preparation 12/1/17

Wake Annexation and Establishment of Zoning ANX2022-0008, ANX2022-0009, ANX2022-0010, ZON2023-0001

**Community Development – Planning
8/22/2023**



Request & Background

Annexation

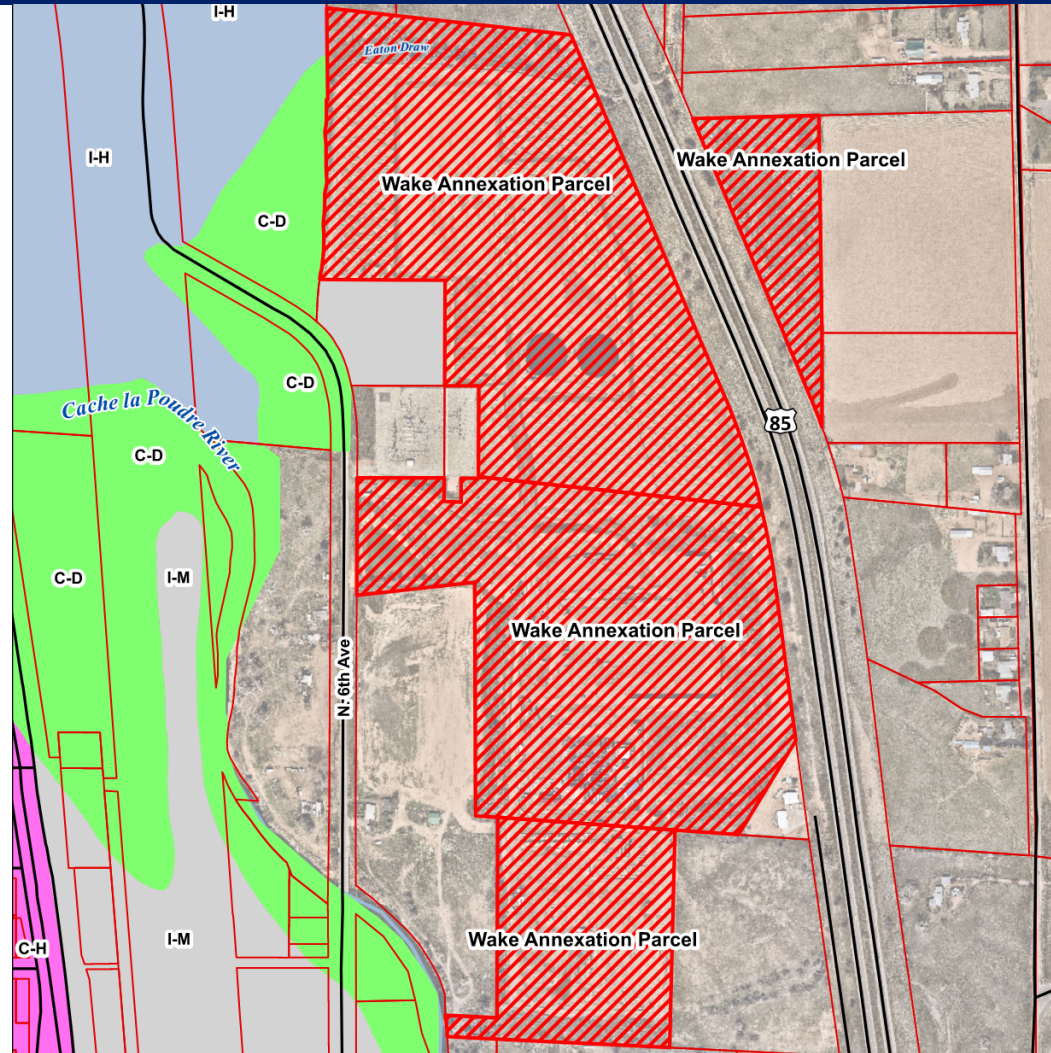
- Request:
 - Serial annexation of 3 pieces totaling 120.097 acres (permitted: C.R.S. 31-12-104(1)(a); 105(1)(e))
- Colorado Revised Statutes §31-12-104 and §31-12-105:
 - not less than one-sixth ($1/6$) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley;
 - a community of interest exists between the territory proposed to be annexed and the City of Greeley;
 - the territory sought to be annexed is urban or will be urbanized in the near future and;
 - the territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley.
- City Attorney's Office has determined the proposal meets the statutory requirements
- City Council adopted a resolution August 15, 2023

Request & Background

Establishment of Zoning

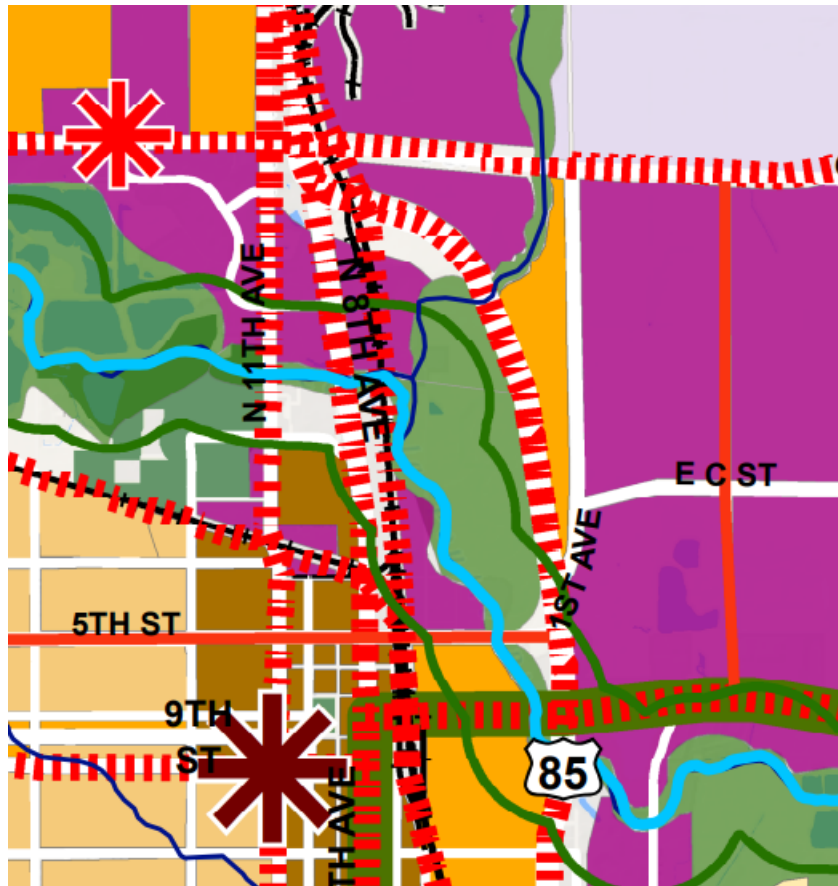
- Request:
 - Establish H-A (Holding Agriculture) Zone District (File No. ZON2023-0001)
- Background
 - Per state statutes, establishment of zoning must take place within 90 days of the annexation.
 - Located inside the Long-Range Expected Growth Area (LREGA)
 - The H-A zone district is generally intended to hold undeveloped and agricultural land

Location



Annexation Considerations

Greeley Comprehensive Plan



OPEN LANDS & NATURAL AREAS

-  Bluffs
-  Community Separator
-  Entryway Character Corridor
-  Riparian Land
-  City Owned Natural Areas

- Open Lands and Natural Areas
 - Contains areas not suitable for areas suitable for urban development, such as floodplains
- Comprehensive Cache la Poudre Greenway Guide recommends acquisition of riparian land along the Poudre River

Annexation Considerations

Approval Criteria

- Annexation Criteria – 24-214.b. (a–e) Five Criteria Used to Evaluate Annexation applications
- The proposed Annexation is consistent with the criteria as outlined in your Summary

Notification

- 72 notice letters
- Signs posted in three locations on the property
- No emails or phone calls received

Recommendation

- Community Development recommends approval

Establishment of Zoning Considerations

Approval Criteria

- Rezone Criteria – 24-204
Nine Criteria Used to Evaluate Rezoning applications
- The proposed Rezoning is consistent with the criteria as outlined in your Summary

Notification

- 72 notice letters
- Signs posted in three locations on the property
- No emails or phone calls received

Recommendation

- Community Development recommends approval

Annexation Recommended Motions



1. Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Annexation #1, File number ANX2022-0008 meets the required Development Code criteria of Section 24-214.b.2.(a–e); and recommend approval of the Wake Annexation #1 to the City Council.
2. Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Annexation #2, File number ANX2022-0009 meets the required Development Code criteria of Section 24-214.b.2.(a–e); and recommend approval of the Wake Annexation #2 to the City Council.
3. Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Annexation #3, File number ANX2022-0010 meets the required Development Code criteria of Section 24-214.b.2.(a–e); and recommend approval of the Wake Annexation #3 to the City Council.

Establishment of Zoning Recommended Motion



Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Establishment of Zoning, File number ZON2023-0001 meets the required Development Code criteria of Section 24-204.b.(1-9); and recommend approval of the Wake Establishment of Zoning to the City Council.



Planning Commission Agenda Summary

August 22, 2023

Key Staff Contact: Douglas May, Planner III

Title:

Wake Annexation Number 2

Summary:

Public hearing for a proposal to annex Wake Annexation Number 2, a parcel totaling 45.409 acres. (ANX2022-0009; Wake Annexation).

Recommended Action:

A motion that, based on the project summary and analysis, the Planning Commission finds that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e); and that the proposed Wake Annexation Number 2, File number ANX2022-009, meets State statutory requirements; and, therefore, Planning Commission recommends approval of the annexation to the City Council.

Attachments:

1. Wake Annexation Planning Commission Staff Report
2. Vicinity Map
3. Annexation Plat No. 2
4. Annexation Petition
5. Site Analysis Map
6. Annexation Impact Report
7. Land Use Guidance Map

PLANNING COMMISSION SUMMARY

ITEM: Wake Annexation

PROJECT: Wake Annexation Nos. 1 -3

CASE NO: ANX2022-0008
ANX2022-0009
ANX2022-0010

LOCATION: East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street

APPLICANT: Richmark Real Estate Partners, LLC

CASE PLANNER: Doug May, Planner III

PLANNING COMMISSION HEARING DATE: August 22, 2023

PLANNING COMMISSION FUNCTION: To review the proposed annexations for compliance with Section 24-214 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

Richmark Real Estate Partners, LLC petitions to annex a total of 120.097 acres of land to the City of Greeley. The properties are located in proximity to N. 6th Avenue, F Street and Highway 85, east of the Cache la Poudre River.

A. REQUEST

Richmark Real Estate Partners, LLC is requesting approval to annex Richmark-owned properties, known as the Wake Annexations Nos. 1-3. The annexations include: Wake Annexation No. 1 consisting of 61.613 acres, Wake Annexation No. 2 consisting of 45.409 acres, and Wake Annexation No. 3 consisting of 13.075 acres for total combined area of 120.097 acres (see Attachment E).

B. STAFF RECOMMENDATION

Approval

C. LOCATION

N. 6th Avenue, F Street, and including a portion of Highway 85 bypass that bisects Wake

Annexation 1; parcels located East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street.

Current Zoning: I-3 (Industrial – County) and R-1 (Residential – County)

Proposed Zoning: H-A (Holding Agriculture – City)

Abutting Zoning: North: I-3 (Industrial - County); Northeast: R-1 (Residential – County)
 South: I-3 (Industrial - County)
 East: R-1 (Residential - County)
 West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)

Site Conditions: The site is mostly undeveloped; the majority of the site is within the Cache la Poudre River floodplain, with the northern portion of Wake Annexation 1 in the floodway and most of Wake Annexation 3 in the floodway. A small portion of the western boundary of Wake 3 abuts the river. All three Wake Annexations include multiple oil and gas wellheads, tanks, burners and separators.

Lot Size: 120.097 Acres

Contiguity:	1 st Annexation	Required	16.7%
		Provided	27%
	2 nd Annexation	Required	16.7%
		Provided	18%
	3 rd Annexation	Required	16.7%
		Provided	22%

Abutting Land Uses: North: Industrial
 South: Agriculture/Vacant
 East: Agriculture, Residential and Vacant
 West: Industrial

D. BACKGROUND

The property owner has petitioned the City to annex a total of 120.097 acres of unincorporated property, including a portion of the right of way for the Highway 85 Bypass, in a total of three annexations. The first annexation, Wake Annexation No. 1, consists of two parcels and the portion of Highway 85 Bypass right of way between said parcels, and is 61.613 acres. The second annexation, Wake Annexation No. 2, consists of one parcel and is 45.409 acres. The third annexation, Wake Annexation No. 3, consists of one parcel and is 13.075 acres. Each annexation contains oil and gas facilities. Eaton Draw runs through the north portion of Annexation No. 1 and along a portion of the west boundary of Annexation No. 1. The parcels are located within the Long-Range Expected Growth Area and are designated as Natural uses, including parklands and open space. All three annexations are within the floodplain, with No. 1 and No. 3 also in the floodway.

The applicant requests the annexation be zoned Holding – Agriculture (H-A), in accordance with Section 24-214 of the Development Code. Following approval of the annexations, the establishment of zoning will be considered as a separate hearing item and must, per state statutes, take place within 90 days of the annexation.

Colorado Revised Statutes §31-12-104 and §31-12-105 establish the legal requirements for annexation, and include: (1) not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley; (2) a community of interest exists between the territory proposed to be annexed and the City of Greeley; (3) the territory sought to be annexed is urban or will be urbanized in the near future and; (4) the territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley. The City Attorney's Office has determined the proposal meets the statutory requirements to be considered for annexation (see Attachment F), and City Council adopted a resolution on August 8, 2023, making a finding to this effect, scheduling the introduction of the ordinance concerning the annexation for September 5, 2023, and the final reading on September 19, 2023.

Due to the state contiguity requirements, the applications are a combination of three stand-alone annexations, which constitute a serial annexation. The first Annexation, if approved, would provide contiguity for the second Annexation, and so on.

E. APPROVAL CRITERIA

The Commission shall consider comments from review agencies and offices, the staff recommendation, citizen comments, and the following criteria (found in Section 24-214 of the Greeley Development Code) in taking action to recommend approval, denial, or to table the annexation for future consideration:

1. The proposed annexation is in conformance with the Comprehensive Plan.

The following Imagine Greeley: The City of Greeley Comprehensive Plan, policies apply to

this request:

Growth Framework – Annexation Consideration

The following will be considered when evaluating annexation proposals:

1. The proposed annexation meets state requirements for annexations.
2. The proposed annexation meets the requirements for annexations set forth in the Greeley Municipal Code.
3. The proposed annexation is in conformance with the Imagine Greeley Comprehensive Plan.
4. The proposed annexation promotes a geographic balance of land uses.
5. The proposed annexation increases the City's supply of developable employment land or other future land use requirements.
6. Adequate services are or will be available to support the development expected to result from the proposed annexation.
7. The proposed annexation provides for a continuous and rational municipal boundary, and at least one-sixth of the annexation's perimeter is contiguous with the city's current boundary.
8. The area is urban or will be urbanized in the near future. However, annexation of undeveloped land is appropriate if another community goal is achieved, such as procurement of open land for a community separator, for open space, or for the conservation of farmland.

Comprehensive Plan Policies & Objectives:

GC-1.5 Annexations: When considering a proposed annexation, the City should find persuasive evidence that the inclusion of the property into the City's jurisdiction meets the goals and objectives of the Comprehensive Plan, and that the property can be developed in a manner that will be a positive addition to the City, improve the quality of Greeley's neighborhoods, and can be provided with municipal services.

Staff Comment: The subject properties are primarily undeveloped except for oil and gas facilities in each annexation. It is anticipated that this area will develop as open space and outdoor recreation.

The site is within the Long-Range Expected Growth Area (LREGA) and the Land Use Guidance Map identifies this area for natural uses, including park lands and open space. The LREGA includes those lands anticipated to accommodate the City of Greeley's urban development typically beyond a five (5) year time frame. This typically means that full urban services are

not currently available to the site. The properties can be fully serviced if needed in the future.

Because the subject properties are primarily located in the floodplain and include the riparian Eaton Draw and it is in the area demarcated for natural uses on the Land Use Guidance Map, the property can provide buffering between the river and the area to the east of Highway 85 bypass. It will also provide for the area to the east to be annexed in the future and would buffer industrial uses from the downtown area, as depicted on the Land Use Guidance Map.

This request complies with this criterion.

2. The proposed annexation promotes geographical balance of the City's land use pattern.

Staff Comment: The proposed annexations provide growth in the northeast part of Greeley, which has not grown as much as the western portion of Greeley. It provides balance to the City's growth and land use pattern.

This request complies with this criterion.

3. Adequate services are, or will be, available to support the development expected to result from the proposed annexation.

Staff Comment: If annexed, the subject site would be served by the Greeley Fire Department and the City of Greeley Police Department. The site would be served by Weld School District 6, but it will not add students to the district as no residential use is contemplated at this time.

Currently no City-level utilities are needed at the site. The extension of services is not required for this annexation.

This request complies with this criterion.

4. The proposed annexation provides for a continual and rational boundary.

Staff Comment: As proposed, all three annexations would exceed the State’s one-sixth contiguity requirements. The combined contiguity of the three annexations is 23%, based on approval of annexation No.1, which has 27% contiguity, which would be required for annexation of No. 2 (18% contiguity), which would be required for annexation of No. 3 (22% contiguity). These properties inclusion would also help provide a continual and rational boundary by adding an area of unincorporated land within the Long Range Expected Growth Area.

This request complies with this criterion.

5. The proposed annexation is needed to accommodate future land use requirements.

Staff Comment: There are no current plans to develop the property at this time, and it would continue to be utilized for oil and gas development and natural open space. Future development would need to meet the City’s Development Code, Imagine Greeley Comprehensive Plan and Adequate Public Facilities requirements.

The establishment of Holding – Agriculture (H-A) zoning is being considered as a separate request following successful annexations.

This request complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The Weld County Board of County Commissioners approved a Site Specific Development Plan for the western parcel of Wake Annexation No. 1 for a major facility for a public utility transmission line through the Use by Special Review process in June 2014 (Recording number 4023037).

2. HAZARDS

The Eaton Draw runs through the western parcel of Annexation No. 1. Most of the site is within the FEMA designated floodplain with portions in the floodway. Flooding hazards may exist from time to time. The site also contains multiple oil and gas wells and associated equipment.

3. WILDLIFE

The site is partially located in areas of highly sensitive and moderately sensitive areas of ecological significance. An ecological report will be required at the time of any proposed development.

4. FLOODPLAIN

The Poudre River flows along and directly through this site; portions of the site are within the floodway, the 100-year floodplain and the 500-year floodplain.

5. DRAINAGE AND EROSION

The site is slightly developed with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through the Site Plan Review application and the subsequent permitting processes.

6. TRANSPORTATION

The site is located East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street.

H. SERVICES

Because the site is currently being used for oil and gas development, future development of the site is limited in the next 15 to 20 years, following completion of oil and gas operations and reclamation of the site. It is anticipated to be left as open space or developed for natural uses.

1. WATER

There is an existing 12-inch water line located in N 6th Avenue adjacent to the west of the subject site. Annexation No. 1, No. 2, and No. 3 are shown on the Adequate Public Facilities Map as being “near an 8” or larger water line,” excepting the smaller parcel of No. 1 that is east of Highway 85 bypass.

2. SANITATION

The nearest sewer line is located less than 300’ west of the subject site. The Adequate Public Facilities Map for Sewer shows Annexation No. 3 “near an 8” or larger sewer line.” Following annexation of No. 1 and then No. 2, annexation of No. 2 would be contiguous to an area “near an 8” or larger sewer line, and No. 1 would then be contiguous to an area contiguous to an area “near an 8” or larger sewer line.” The portion of Annexation No. 1 located east of Highway 85 bypass is within a half mile of an area “near an 8” or larger sewer line.”

3. EMERGENCY SERVICES

The subject site is currently served by the Eaton Fire Protection District and the Western Hills Fire Protection District. With the successful annexations, the applicant would withdraw the property from those Fire Protection Districts. The City of Greeley Fire Department would take over fire services for the site once annexed.

The closest fire station, Fire Station #1 (1155 10th Avenue), is approximately 2 miles away. The City of Greeley Police Department would also serve this area with the completion of the annexations.

4. PARKS/OPEN SPACES

The site is approximately 2.2 miles from Island Grove Regional Park and includes Eaton Draw riparian corridor.

5. SCHOOLS

The subject site is within the Greeley School District 6 boundary.

I. NEIGHBORHOOD IMPACTS

1. VISUAL

The site contains oil and gas development equipment at the time of review for annexation. No known new visual impacts would be created by the annexation. Potential impacts would be reviewed at time of development.

2. NOISE

The site contains oil and gas development equipment at the time of review for annexation. Staff does not anticipate that the proposed annexation would create any significant increase in noise.

H. NOTIFICATION:

Mailed notice is not required, per the Development Code effective as of October 1, 2021. However, as a courtesy a mailed notice was sent on July 28, 2023 to 72 surrounding properties within 1000 feet of the subject property. The applicant posted signs in three locations on the property on August 3, 2023. As of August 10, 2023, no comments or concerns have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION:

There are three separate annexation applications for the Wake Annexations. Therefore, the Planning Commission will need to consider and vote individually on each of the below applications, in the order listed below.

Recommended motion for:

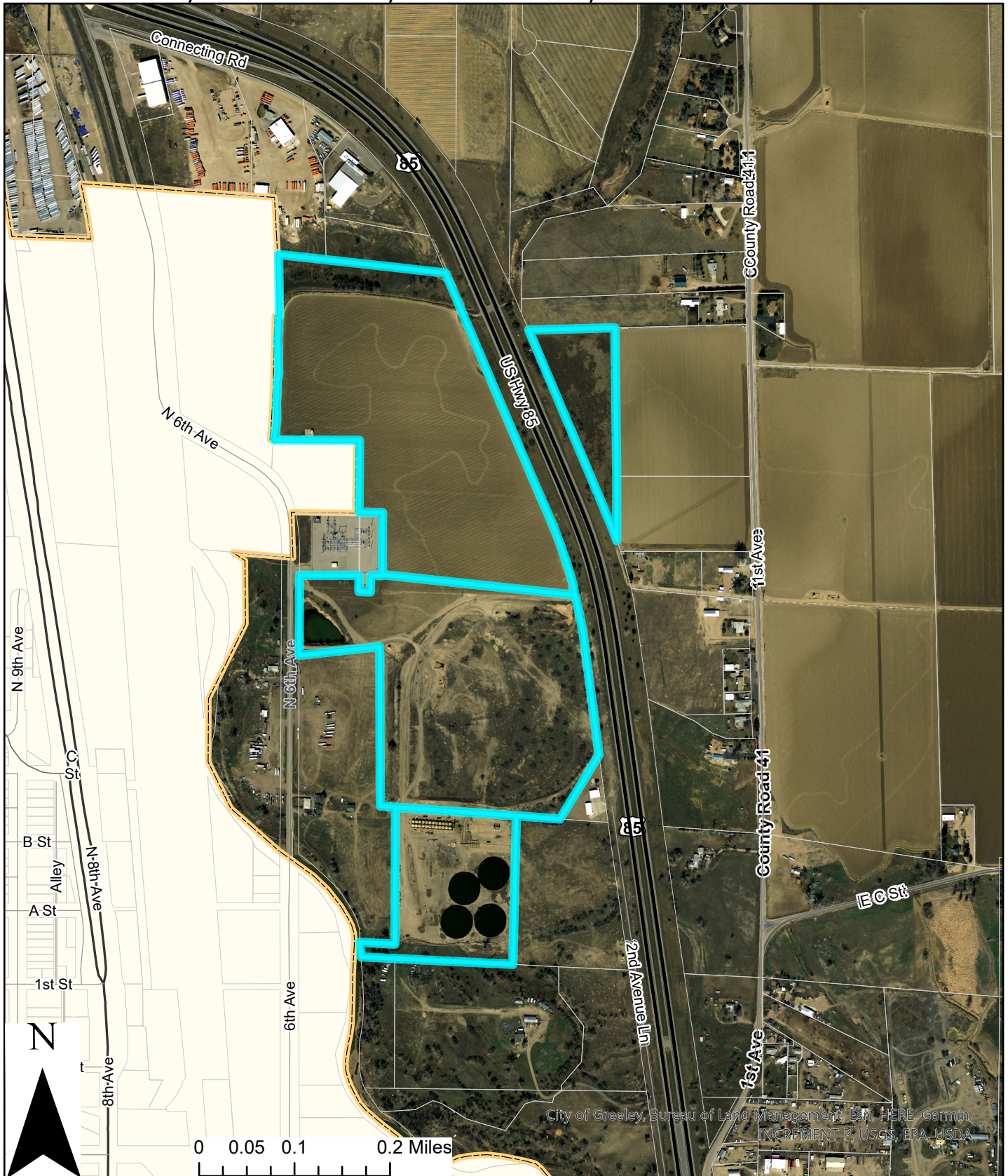
1. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #1, File number ANX2022-0008, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.
2. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #2, File number ANX2022-0009, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.
3. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #3, File number ANX2022-0010, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.

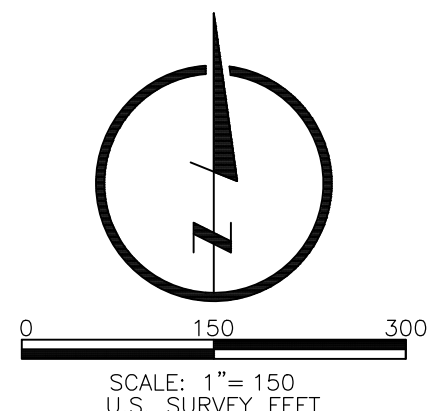
J. ATTACHMENTS:

Attachment A-	Vicinity Map
Attachment B-	Annexation Plats Nos. 1-3
Attachment C-	Annexation Petitions
Attachment D-	Site Analysis Map
Attachment E-	Annexation Impact Report
Attachment F-	Land Use Guidance Map

Wake Annexation and Zoning Vicinity Map

ANX2022-0008, ANX2022-0009, ANX2022-0010, ZON2023-0001





WAKE ANNEXATION NO. 2 TO THE CITY OF GREELEY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
ANX2022-0009

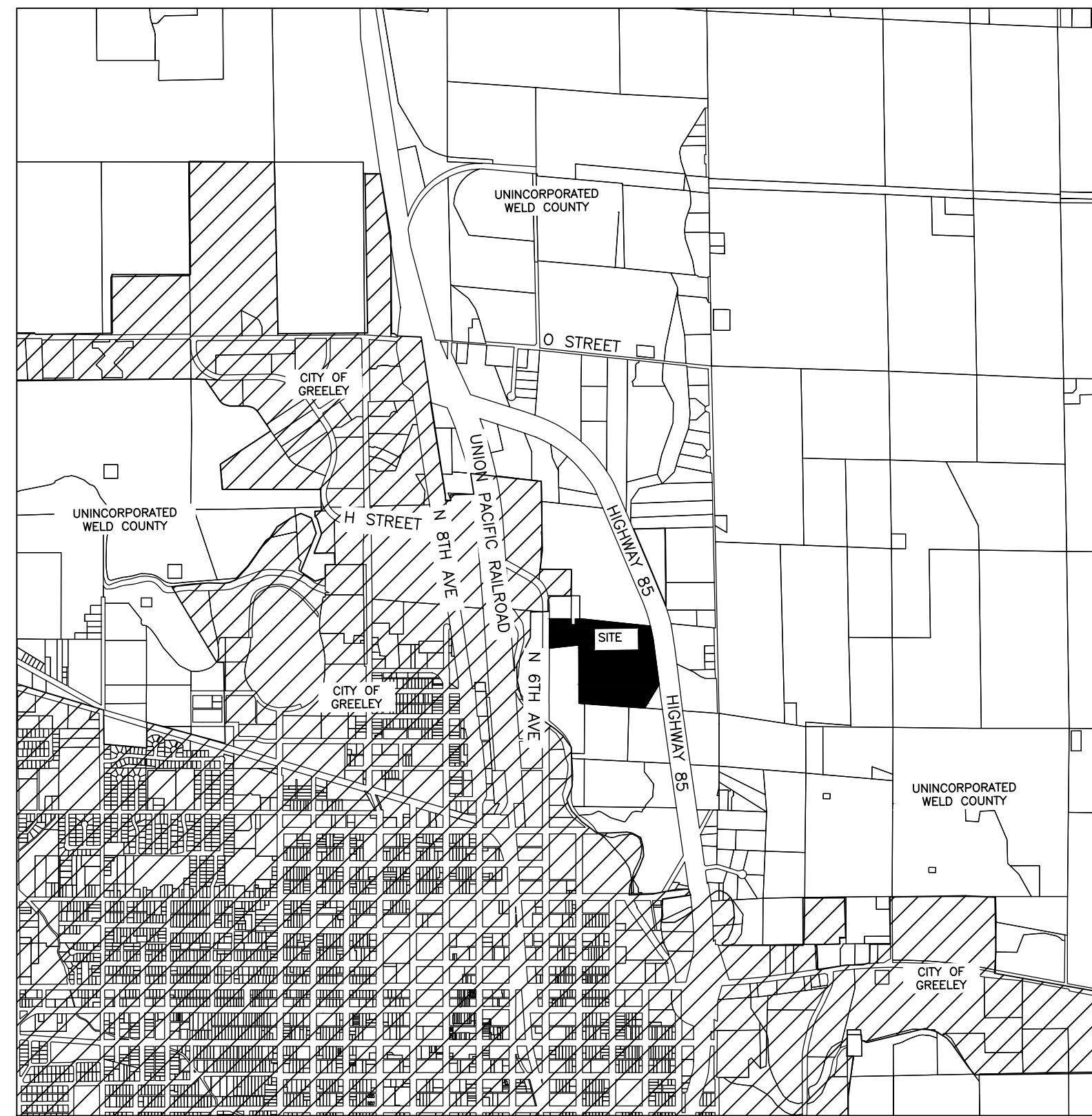
ANNEXATION TABLE:

TOTAL ANNEXATION BOUNDARY PERIMETER:	6771.34	LINEAR FEET
CONTIGUOUS LENGTH TO EXISTING CITY OF GREELEY BOUNDARY:	1386.38	LINEAR FEET
TOTAL ALLOWABLE PERIMETER (CONTIGUOUS x 6):	8318.28	LINEAR FEET
MINIMUM ONE-SIXTH (1/6) OF TOTAL ANNEXATION PERIMETER:	1128.56	LINEAR FEET

AS SHOWN ABOVE, THE ANNEXATION PERIMETER CONTIGUOUS TO CITY OF GREELEY BOUNDARY EXCEEDS THE MINIMUM REQUIRED 1/6 CONTIGUITY. THEREFORE, WAKE ANNEXATION #2 IS IN COMPLIANCE WITH THE STATE CONTIGUITY REQUIREMENT.

LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT LOT LINE
- ANNEXATION/GREELEY TOWN LIMITS
- CONTIGUOUS PERIMETER
- SECTION LINE
- RIGHT OF WAY
- FOUND PROPERTY CORNER
- SECTION CORNER, AS DESCRIBED
- (R) PER RECORD
- (C) CALCULATED PER RECORD
- (R-CDOT) PER CDOT ROW MAP



VICINITY MAP
1"=2000'

WAKE ANNEXATION NO. 2 PERIMETER DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS, SAID POINT BEING THE POINT OF BEGINNING;
THENCE 129.43 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 2°30'31", AND BEING SUB-TENDED BY A CHORD WHICH BEARS S11° 05' 51"E A DISTANCE OF 129.42 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S8° 40' 39"E A DISTANCE OF 205.17 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S7° 59' 19"E A DISTANCE OF 501.43 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S82°01'00"W A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S07°57'00"E A DISTANCE OF 56.42 FEET;

THENCE SOUTH 82°03'00"W A DISTANCE OF 300.00 FEET TO THE SOUTHWEST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE S31° 15' 29"W A DISTANCE OF 413.37 FEET;

THENCE N85° 53' 03"W A DISTANCE OF 972.88 FEET;

THENCE N0° 54' 24"W A DISTANCE OF 887.47 FEET;

THENCE S87°32' 12"W A DISTANCE OF 540.87 FEET TO THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE N0°13' 55"E A DISTANCE OF 515.08 FEET;

THENCE S84°54'03"E A DISTANCE OF 60.48 FEET TO THE EAST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE EAST RIGHT OF WAY OF 6TH AVENUE S01°35'54"E A DISTANCE OF 92.52 FEET;

THENCE S89° 42' 47"E A DISTANCE OF 337.76 FEET;

THENCE S0° 04' 42"W A DISTANCE OF 89.22 FEET;

THENCE S87° 54' 00"E A DISTANCE OF 63.86 FEET;

THENCE N0° 18' 26"E A DISTANCE OF 91.18 FEET;

THENCE S89° 49' 03"E A DISTANCE OF 64.95 FEET;

THENCE N0° 16' 24"E A DISTANCE OF 52.85 FEET TO THE SOUTH LINE OF WAKE ANNEXATION NO. 1;

THENCE S84° 54' 03"E A DISTANCE OF 1386.38 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 1 TO THE POINT OF BEGINNING.

SAID WAKE ANNEXATION NO. 2 HAS A PERIMETER OF 6,771.34 FEET, AND AN AREA OF 1,978,028 SQUARE FEET, 45.409 ACRES, MORE OR LESS.

OWNERS: RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: TYLER RICHARDSON
AUTHORIZED AGENT

STATE OF COLORADO)
COUNTY OF WELD)

THE FOREGOING ANNEXATION PLAT WAS ACKNOWLEDGED BEFORE ME BY

TYLER RICHARDSON AS AUTHORIZED AGENT OF RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY.

ON THIS ____ DAY OF _____, 20____.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

GENERAL NOTES:

- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ALL EASEMENTS AND RIGHT-OF-WAYS ARE REFERENCED FROM: FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NUMBER NCS-1109108-CO, WITH AN EFFECTIVE DATE OF JANUARY 25, 2022 AT 5:00 P.M. AND STEWART TITLE GUARANTY COMPANY, ORDER NUMBER 1723690, WITH AN EFFECTIVE DATE OF JUNE 2, 2022 AT 8:00 A.M.
- BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 1/4" ALUMINUM CAP STAMPED 33200, 2012 AND THE CENTER SOUTH SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

ACCEPTANCE:

THIS ANNEXATION MAP WAS ACCEPTED BY THE CITY OF GREELEY, WELD COUNTY, COLORADO AND THE TERRITORY THEREIN DESIGNATED AND MADE A PART OF THE CITY OF GREELEY, AND INCLUDED WITHIN THE LIMITS AND JURISDICTION THEREON THIS _____ DAY OF _____, 2023.

ATTEST: CITY CLERK _____ MAYOR _____

CERTIFICATE OF APPROVAL BY ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER OR THEIR DESIGNEE:

APPROVED THIS ____ DAY OF _____, 2023, BY THE ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER OR THEIR DESIGNEE OF THE CITY OF GREELEY, COLORADO.

ENGINEERING DEVELOPMENT REVIEW
AND CIVIL INSPECTIONS MANAGER

COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 2023, BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF GREELEY, COLORADO.

COMMUNITY DEVELOPMENT DIRECTOR

LAND SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT OF WAKE ANNEXATION NO. 2 IS BASED UPON A FIELD SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF COLORADO, AND THAT AT LEAST 1/6 OF THE PERIMETER OF THE ABOVE-DESCRIBED PROPERTY IS CONTIGUOUS TO THE CURRENT BOUNDARY OF THE CITY OF GREELEY, COLORADO

LAINE A. LANDAU, COLORADO PLS 31159
LAMP RYNEARSON
LAINE.LANDAU@LAMPRYNEARSON.COM
DATE OF SIGNATURE:

LAMP
RYNEARSON

LAMPRYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498
FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342
KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

WAKE ANNEXATION NO. 2
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO



Know what's below.
Call before you dig.

REVISIONS
08/09/2022 REMOVE OVERLAPPING TEXT
10/17/2022 REVISE PER CITY COMMENTS
12/13/2022 REVISED PER CITY COMMENTS
03/28/2023 BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
08/04/2022
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

1 OF 1

PETITION FOR ANNEXATION

Wake Annexation No. 1, No. 2 and No. 3

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF GREELEY,
COLORADO:

The undersigned, in accordance with Title 31, Article 12, Chapters 101 et. seq., Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Greeley for annexation to the City of Greeley of the territory described herein and described and shown on the map designated, "Wake Annexation No. 1, No. 2, and No. 3" The applicable number of said map (at least four) are submitted herewith and by this reference are incorporated herein. The description of the territory hereby petitioned for annexation to the City of Greeley is set forth in Exhibit A attached hereto and incorporated herein by reference.

In support of this petition, the Petitioner(s) allege(s) that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Greeley.
2. The requirements of Section 31-12-104 and 31-12-105 of the Colorado Revised Statutes exist or have been met in that:
 - A. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley.
 - B. A community of interest exists between the territory proposed to be annexed and the City of Greeley.
 - C. The territory sought to be annexed is urban or will be urbanized in the near future.
 - D. The territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley.
3. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has/have been divided into separate parts or parcels of real estate without the written consent of the land owner or land owners thereof, except and unless where such tracts or parcels are already separated by a dedicated street, road, or other public way.
4. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon have an assessed

valuation in excess of \$200,000 for ad valorem tax purposes for the year next preceding the filing of the written petition for annexation, has/have been included within the territory proposed to be annexed without the written consent of the land owner or land owners.

5. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Greeley was held within the twelve months preceding the filing of this petition.
6. The territory proposed to be annexed does not include any area included in another annexation proceeding involving a city other than the City of Greeley.
7. The territory proposed to be annexed is not presently a part of any incorporated city, city and county, or town.
8. The property owned by each petitioner is described on each separate signature sheet and, when needed, described more fully in the exhibits attached hereto and incorporated herein by reference.
9. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the land owners and owning more than fifty percent (50%) of the property, excluding public streets and alleys, and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.

Accompanying this petition are the original and four copies of an annexation plat map containing the following information:

- A. A written legal description of the boundaries of the area proposed to be annexed.
- B. A map showing the boundary of the area proposed to be annexed.
- C. Within the annexation boundary map, an identification of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks. Also within the boundary map, identification of any special districts the area proposed to be annexed may be part of.
- D. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

- E. A surveyor's certificate prepared by a registered land surveyor that attests to the preparation of the map and certifies at least one-sixth (1/6) contiguity to the City of Greeley.
- F. Acceptance block describing the acceptance action of the City of Greeley in form and substance as provided in Appendix A of the Subdivision Regulations of the City of Greeley and providing for the effective date and City Clerk and Mayor attest signatures.
10. Except as otherwise provided, no part of the territory sought to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will become effective.
11. As an expressed condition of annexation, land owner(s) consent(s) to inclusion into the Northern Colorado Water Conservancy District and the municipal subdistrict pursuant to Section 37-45-136 (3.6) C.R.S. Land owner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, land owner's (s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of land owner's(s') lands. Land owner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Land owner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.

THEREFORE, the undersigned respectfully petition(s) and requests the City Council of the City of Greeley, to approve annexation of the territory described and referred to in Exhibit A to the City of Greeley in accordance with and pursuant to the statutes of the State of Colorado.

Land Owner(s) Name(s) and Signature(s)

Mailing Address

Date of

Signing

Richmark Real Estate Partners LLC

5200 W. 20th St.
Greeley, CO 80634

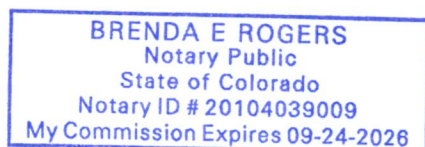
04/03/23



Subscribed and sworn to before me this 3 day of April, 2023 by
Logan Richardson

Witness my hand and official seal.

My commission expires: 09/24/2026




Notary Public

Land Owned

See Exhibit A

If necessary, attach separate sheet.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO

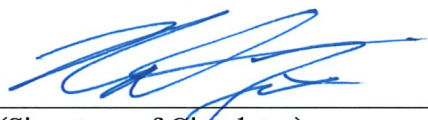
)

) ss.

COUNTY OF WELD

)

Nathan Zierer being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

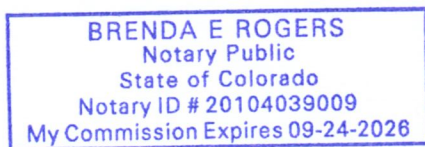


(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 3 day of April, 2023, by Nathan Zierer.

Witness my hand and official seal.

My commission expires: 09/24/2024




Notary Public

EXHIBIT "A"
(LEGAL DESCRIPTIONS)

WAKE ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, SOUTHEAST QUARTER, AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON SAID SOUTH LINE N84° 54' 03"W A DISTANCE OF 1386.38 FEET;

THENCE N0° 16' 24"E A DISTANCE OF 297.11 FEET;

THENCE N89° 20' 24"W A DISTANCE OF 129.00 FEET;

THENCE N0° 22' 34"E A DISTANCE OF 400.00 FEET ON THE EAST LINE OF THE THERMO COGENERATION PLANT ANNEXATION RECORDED AT REC. #2467353;

THENCE N89° 47' 22"W A DISTANCE OF 477.15 FEET ON THE NORTH LINE OF SAID THERMO COGENERATION PLANT ANNEXATION;

THENCE N5° 03' 53"E A DISTANCE OF 53.58 FEET ON THE EAST LINE OF THE MONFORT LAMB PLANT ANNEXATION RECORDED AT REC. #2181908;

THENCE N2° 35' 05"E A DISTANCE OF 203.34 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N1° 02' 25"E A DISTANCE OF 422.15 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 15' 54"E A DISTANCE OF 33.45 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N1° 00' 20"W A DISTANCE OF 344.18 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 18' 04"E A DISTANCE OF 909.75 FEET TO THE SOUTHWEST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE N67° 42' 53"E A DISTANCE OF 299.44 FEET TO THE NORTHEAST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE ON SAID NORTHEAST RIGHT OF WAY S23°10'17"E A DISTANCE OF 475.25 FEET;

THENCE N88° 44' 10"E A DISTANCE OF 479.74 FEET;

THENCE S1° 08' 17"E A DISTANCE OF 821.58 FEET;

THENCE S0° 04' 41"W A DISTANCE OF 358.82 FEET TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE 268.77 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 268.77 FEET, THE ARC OF SAID CURVE HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 5°12'33" AND BEING SUB-TENDED BY A CHORD WHICH BEARS S14° 57' 22"E A DISTANCE OF 268.68 FEET TO THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 1 HAS A PERIMETER OF 7,359.70 FEET, AND AN AREA OF 2,683,882 SQUARE FEET, 61.613 ACRES, MORE OR LESS.

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 ¼" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 080332400004 and 080332000023 and the Highway 85 right of way between said parcels.

WAKE ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE 129.43 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 2°30'31", AND BEING SUB-TENDED BY A CHORD WHICH BEARS S11° 05' 51"E A DISTANCE OF 129.42 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S8° 40' 39"E A DISTANCE OF 205.17 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S7° 59' 19"E A DISTANCE OF 501.43 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S82°01'00"W A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S07°57'00"E A DISTANCE OF 56.42 FEET;

THENCE SOUTH 82°03'00"W A DISTANCE OF 300.00 FEET TO THE SOUTHWEST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE S31° 15' 29"W A DISTANCE OF 413.37 FEET;

THENCE N85° 53' 03"W A DISTANCE OF 972.88 FEET;

THENCE N0° 54' 24"W A DISTANCE OF 887.47 FEET;

THENCE S87°32' 12"W A DISTANCE OF 540.87 FEET TO THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE N0°13' 55"E A DISTANCE OF 515.08 FEET;

THENCE S84°54'03"E A DISTANCE OF 60.48 FEET TO THE EAST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE EAST RIGHT OF WAY OF 6TH AVENUE S01°35'54"E A DISTANCE OF 92.52 FEET;

THENCE S89° 42' 47"E A DISTANCE OF 337.76 FEET;

THENCE S0° 04' 42"W A DISTANCE OF 89.22 FEET;

THENCE S87° 54' 00"E A DISTANCE OF 63.86 FEET;

THENCE N0° 18' 26"E A DISTANCE OF 91.18 FEET;

THENCE S89° 49' 03"E A DISTANCE OF 64.95 FEET;'

THENCE N0° 16' 24"E A DISTANCE OF 52.85 FEET TO THE SOUTH LINE OF WAKE ANNEXATION NO. 1;

THENCE S84° 54' 03"E A DISTANCE OF 1386.38 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 1 TO THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 2 HAS A PERIMETER OF 6,771.34 FEET, AND AN AREA OF 1,978,028 SQUARE FEET, 45.409 ACRES, MORE OR LESS.

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 ¼" ALUMINUM CAP STAMPED 33200,

2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 080332400005 and the Highway 85 right of way and 6th Avenue apparent right of way adjacent to said parcels.

WAKE ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE S85° 53' 03"E A DISTANCE OF 580.28 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 S85° 53' 03"E A DISTANCE OF 681.64 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 2;

THENCE S1° 47' 37"W A DISTANCE OF 823.29 FEET;

THENCE N87° 00' 29"W A DISTANCE OF 849.06 FEET;

THENCE N0° 01' 14"W A DISTANCE OF 80.11 FEET ON AN EAST LINE OF THE CITY OF GREELEY;

THENCE S87° 02' 25"E A DISTANCE OF 194.90 FEET;

THENCE N0° 03' 45"W A DISTANCE OF 757.45 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEING THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 3 HAS A PERIMETER OF 3,386.45 FEET, AND AN AREA OF 569,539 SQUARE FEET, 13.075 ACRES, MORE OR LESS.

BASIS OF BEARINGS

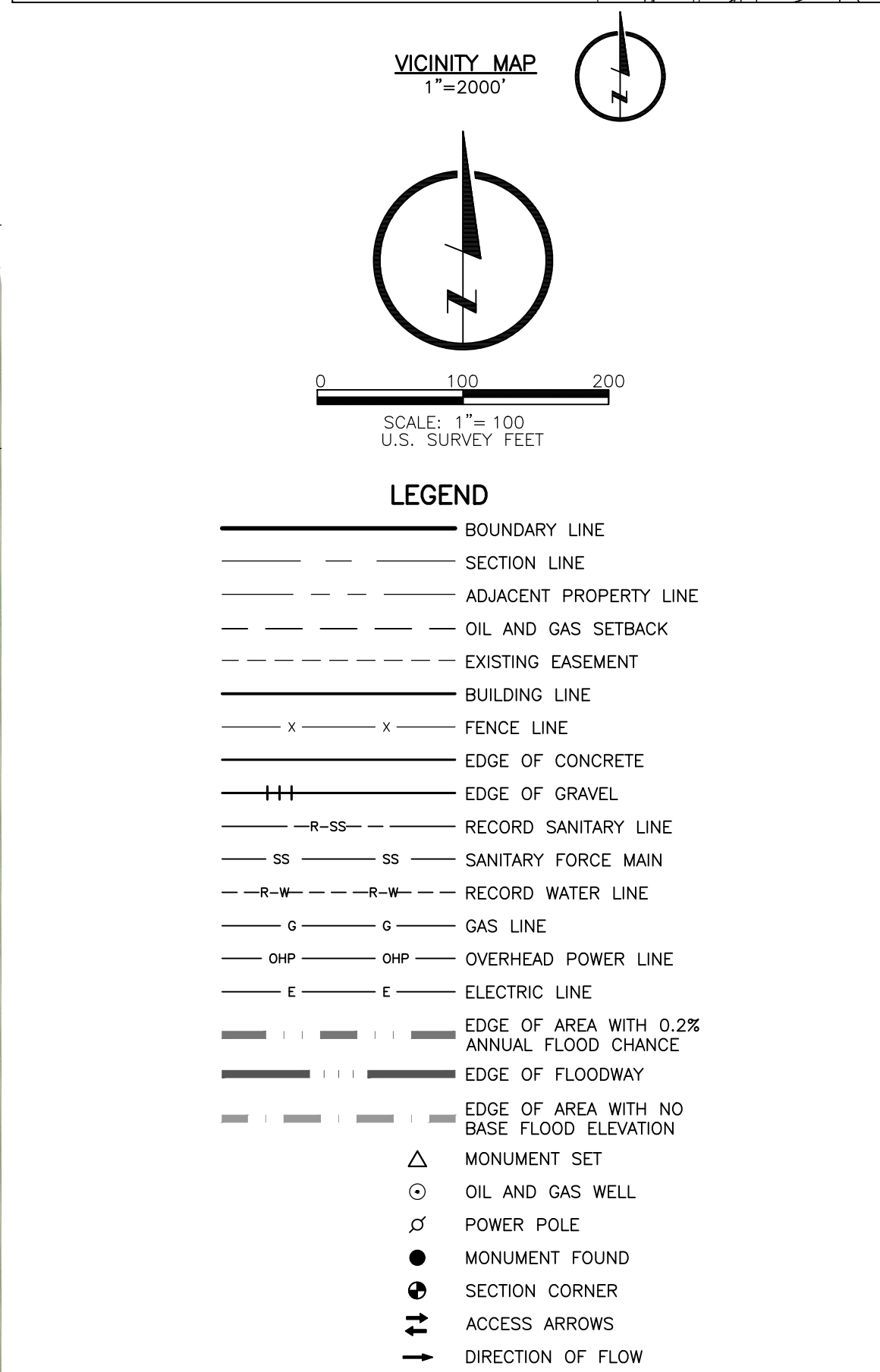
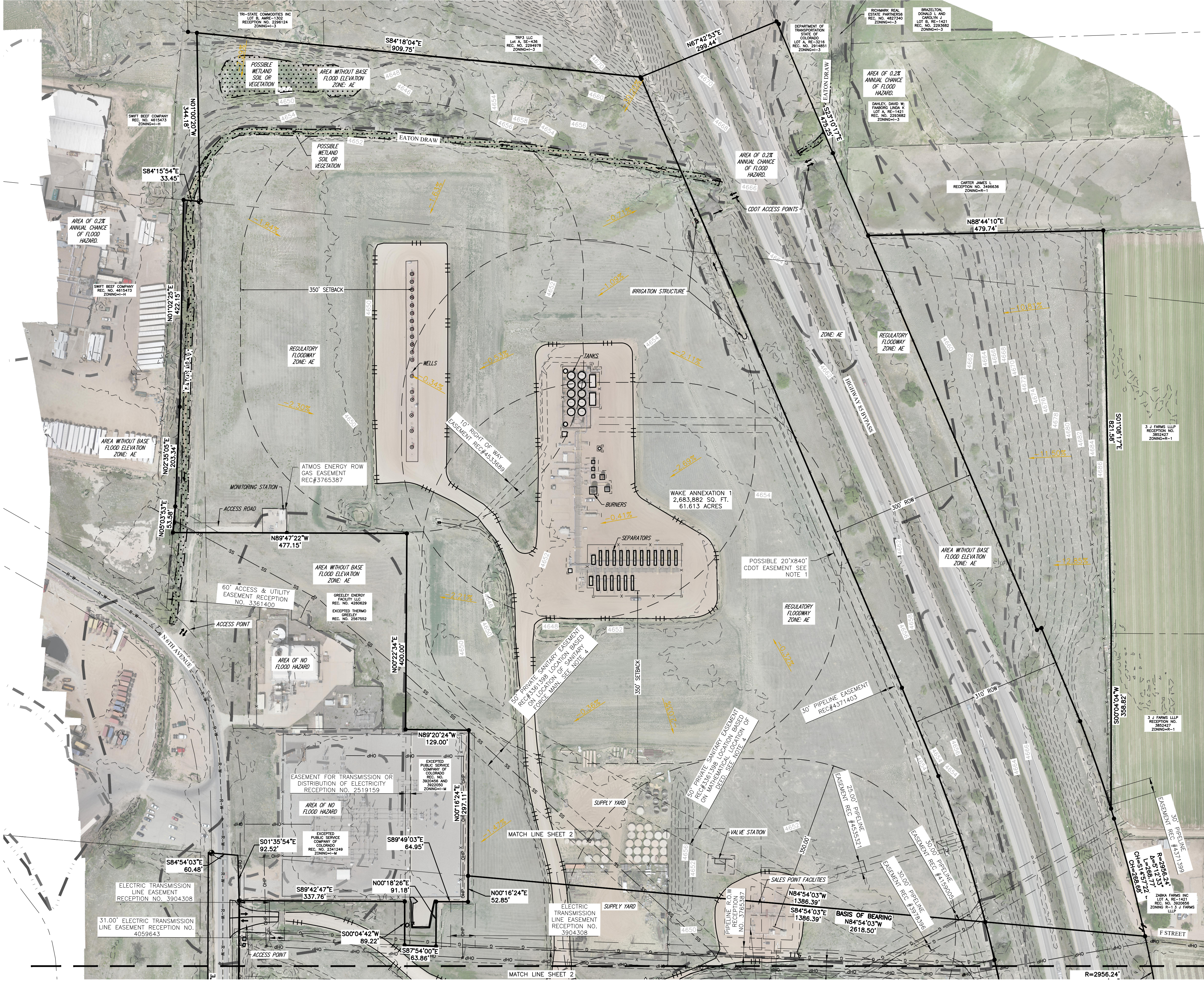
THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS S85° 53' 03"E FOR 2619.21 FEET BETWEEN THE NORTH QUARTER CORNER OF SAID SECTION 5 MONUMENTED WITH A 3 ¼" ALUMINUM CAP STAMPED PLS 28259 IN A MONUMENT BOX AND THE NORTHEAST CORNER OF SAID SECTION 5 MONUMENTED WITH A 2 1/2" ALUMINUM CAP STAMPED LS 17500 IN A MONUMENT BOX WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 096105102006

SITE ANALYSIS MAP

WAKE ANNEXATIONS NO. 1, 2 AND 3 TO THE CITY OF GREELEY

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65
WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008, ANX2022-0009, ANX2022-0010



- NOTES:
- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
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 - THIS DRAWING INCLUDES OBSERVED EVIDENCE OF VISIBLE SERVICES AND UTILITIES. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE FAILURE TO SHOW ANY BURIED SERVICE AND/OR UTILITY LINES EVEN THOUGH THEY MAY EXIST. CONTACT "ONE CALL" (811) PRIOR TO ANY EXCAVATION ON THIS SITE.
 - THE PRIVATE SANITARY FORCE MAIN SHOWN DOES NOT FALL WITHIN THE MATHEMATICAL POSITION DESCRIBED IN RECEPTION NO. 3361398. THE LOCATION OF THE SANITARY FORCE MAIN AND RELATED PRIVATE EASEMENT IS ASSUMED TO BE A STRAIGHT LINE BETWEEN LIMITED POTHOLE LOCATIONS EXCAVATED AS SUPPLEMENTED BY "WITCHING" THE LINE.
 - BENCHMARK: LAMP RYNEARSON CONTROL POINT #94 - 5/8" REBAR WITH A 1 1/4" ORANGE PLASTIC CAP STAMPED "CONTROL POINT" ELEVATION: 4649.44' ELEVATION DERIVED FROM TRIMBLE VRS NETWORK (NAV888)
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 - CONTOURS SHOWN AT 2' INTERVALS WERE DERIVED FROM DRONE DATA.
 - THE AREA OF THE OIL AND GAS OPERATIONS SETBACKS WITHIN COMBINED ANNEXATION PROPERTY IS 3,137,720 SQUARE FEET, 72.032 ACRES MORE OR LESS.

LAMP
RYNEARSON

LAMP RYNEARSON.COM

OMAHA, NEBRASKA
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FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342

KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

SITE ANALYSIS
MAP

RICHMARK WAKE
GREELEY, COLORADO

811

Know what's below.
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REVISIONS

LAL/JAC 10/17/2022 REV PER CITY COMMENTS

LAL 11/23/2022 REV PER CITY COMMENTS

LAL 12/13/2022 REV PER CITY COMMENTS

LAL 03/28/2023 BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK

DATE
08/04/2022

PROJECT NUMBER
0222030

BOOK AND PAGE

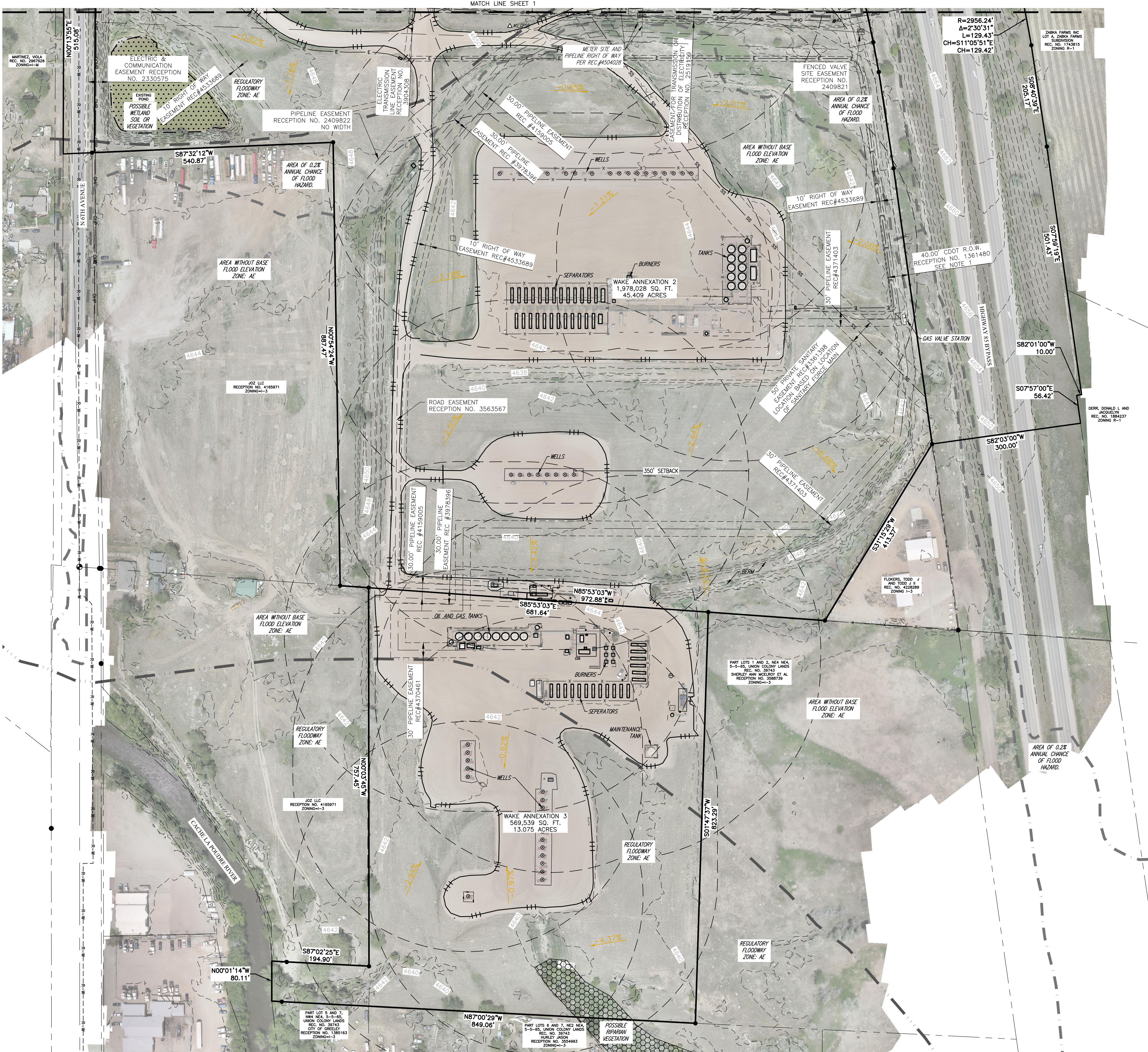
SHEET

1 OF 2

WAKE ANNEXATIONS NO. 1, 2 AND 3 TO THE CITY OF GREELEY

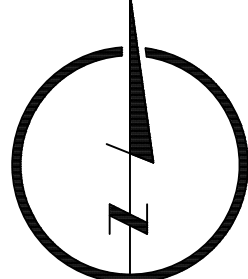
LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ANX2022--0008, ANX2022--0009, ANX2022--0010

SITE ANALYSIS MAP



VICINITY MAP

1"=2000'



0 100 200
SCALE: 1"=100
U.S. SURVEY FEET

LEGEND

- BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- OIL AND GAS SETBACK
- EXISTING EASEMENT
- BUILDING LINE
- FENCE LINE
- EDGE OF CONCRETE
- EDGE OF GRAVEL
- RECORD SANITARY LINE
- SANITARY FORCE MAIN
- RECORD WATER LINE
- GAS LINE
- OVERHEAD POWER LINE
- ELECTRIC LINE
- EDGE OF AREA WITH 0.2% ANNUAL FLOOD CHANCE
- EDGE OF FLOODWAY
- EDGE OF AREA WITH NO BASE FLOOD ELEVATION
- MONUMENT SET
- OIL AND GAS WELL
- POWER POLE
- MONUMENT FOUND
- SECTION CORNER
- ACCESS ARROWS
- DIRECTION OF FLOW

NOTES:

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STIE ANALYSIS
MAP

RICHMARK WAKE
GREELEY, COLORADO



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REVISIONS
10/17/2022 LAL/JAC REV PER CITY COMMENTS
11/23/2022 LAL REV PER CITY COMMENTS
12/13/2022 LAL REVISE PER CITY COMMENTS
03/27/2023 LAL BOUNDARY REVISION

DESIGNER / DRAFTER

LAINE LANDAU/JOSH CROAK

DATE

08/04/2022

PROJECT NUMBER

0222030

BOOK AND PAGE

SHEET

2 OF 2

ANNEXATION IMPACT REPORT

Wake Annexation Nos. 1-3

PROPERTY OWNERS	Richmark Real Estate Partners LLC
LOCATION	East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street
SIZE IN ACRES	120.097 Acres
CONTIGUITY	ANX2022-0008 Wake No. 1 - 27% ANX2022-0009 Wake No. 2 – 18% ANX2022-0010 Wake No. 3 – 22% Wake Combined – 23%
MINIMUM REQUIRED CONTIGUITY	16.67%
EXISTING USES	Vacant land and oil and gas wellheads with associated equipment
SURROUNDING LAND USES	North: Industrial South: Agriculture/Vacant East: Agriculture, Residential and Vacant West: Industrial
CURRENT ZONING	I-3 (Industrial – County) and R-1 (Residential – County)
SURROUNDING ZONING:	North: I-3 (Industrial - County) Northeast: R-1 (Residential – County) South: I-3 (Industrial - County) East: R-1 (Residential - County) West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)
AVAILABLE UTILITIES	City of Greeley Water, City of Greeley Sewer, telecommunications, gas, and electric extensions would be needed at the time utility services are needed.

TAXING DISTRICTS & MILL LEVIES

<u>Taxing District</u>	<u>Mill Levy</u>
Aims Community College	6.307
High Plains Library District	3.181
Northern Colorado Water	1.000
Greeley School District No. 6	50.399
Weld County	15.038
Western Hills Fire Protection District	5.910

INTENDED/PROPOSED USES

The applicant, Richmark Real Estate Partners, is requesting to annex approximately 108.018 acres of unincorporated property to the City of Greeley (see Exhibits A & B). The intended use is to continue the existing oil and gas development for the next approximately 15-20 years. No further plans for the site are proposed at the time of annexation, but the Land Use Guidance Map indicates natural uses for the site, so it is likely to remain open space following completion of the oil and gas development.

Following the annexation, the establishment of zoning for Holding – Agriculture (H-A) zoning will be completed at the April 4th Council meeting. The property must be zoned within 90 days of annexation. The zoning request will be evaluated during that process.

COMPREHENSIVE PLAN

The property is entirely within the City of Greeley's Long-Range Expected Growth Area (LREGA) and complies with City of Greeley Comprehensive Plan policies. Portions of the annexation are in the floodway, 100-year floodplain and 500-year floodplain.

ANALYSIS

The proposed annexations have 23% combined contiguity with existing municipal limits which meets the State of Colorado one-sixth (16.67%) contiguity standard regarding annexations.

The annexations provide growth in the northeast part of Greeley, which has not grown as much as the western portion of Greeley. It provides balance to the City's growth and land use pattern.

The annexations would be consistent with present growth patterns and Comprehensive Plan policies. There is evidence that this site shares a common interest with the City's future. The requirements of State statutes and City of Greeley guidelines for annexation appear to have been met by this requested annexation.

Since the site is currently used for oil and gas development, there should be zero additional students coming to School District 6 as a result of these annexations.

ATTACHMENTS:

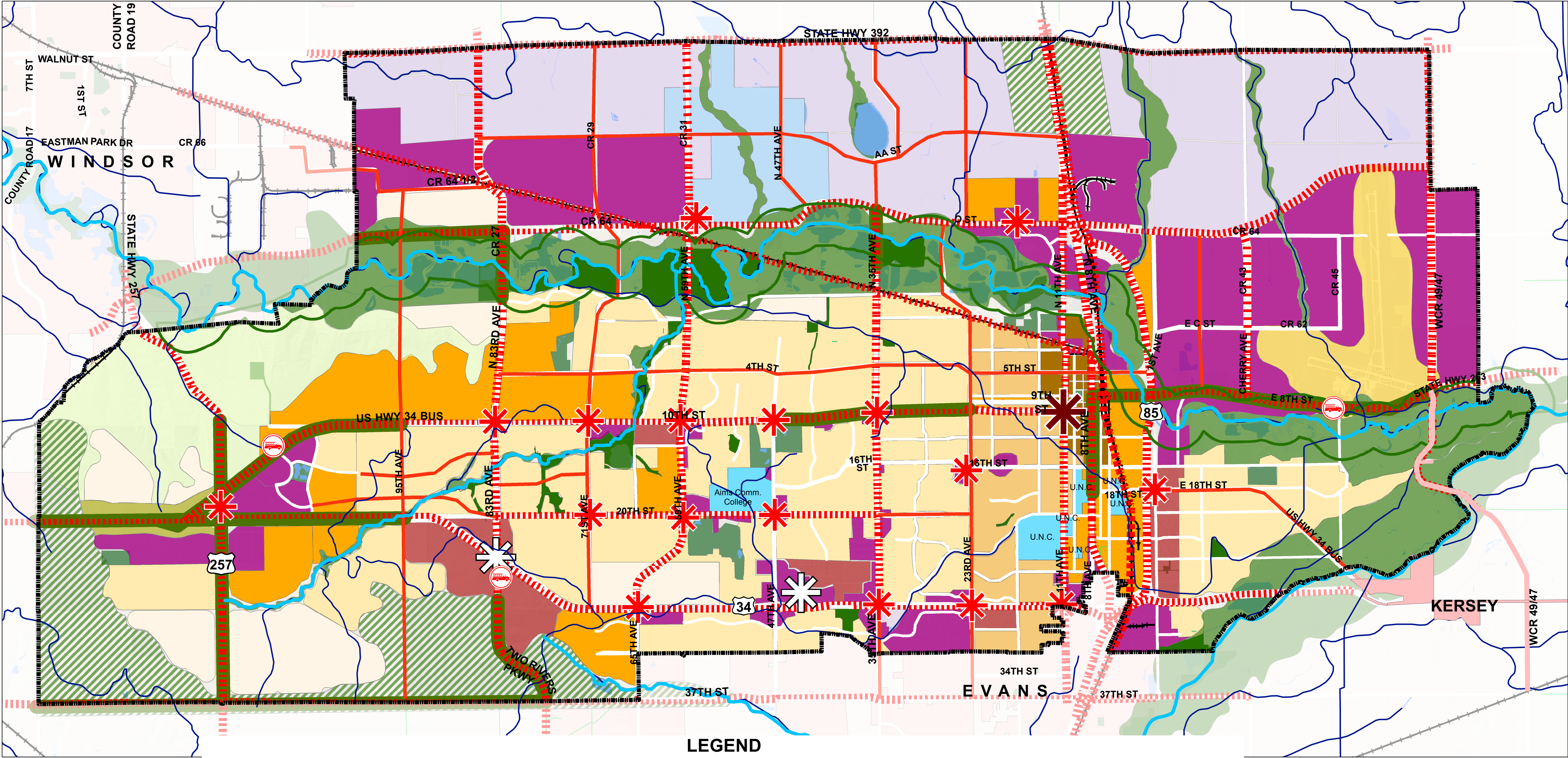
Exhibit A - Vicinity Map

Exhibit B - Annexation Plats

Exhibit C - Site Analysis Map

Exhibit D - Legal Descriptions

LAND USE GUIDANCE MAP

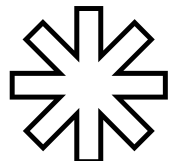


LEGEND

CENTERS



Downtown Center

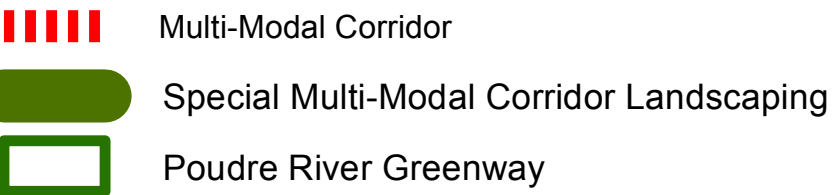


Regional Center



Neighborhood Center

CORRIDORS

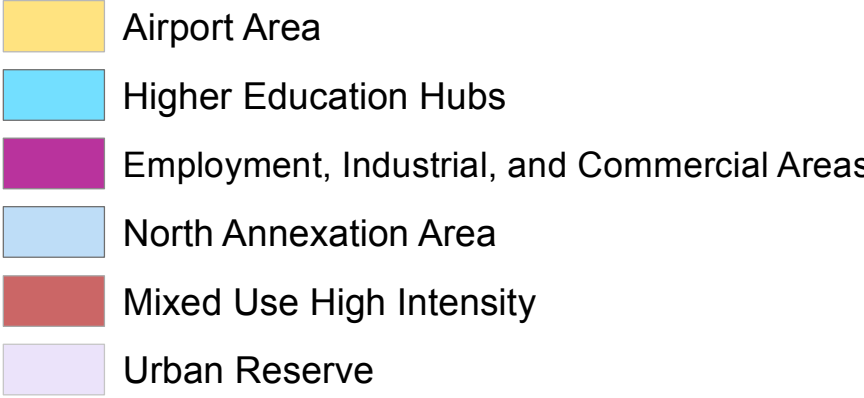


SPECIAL RECOMENDATIONS

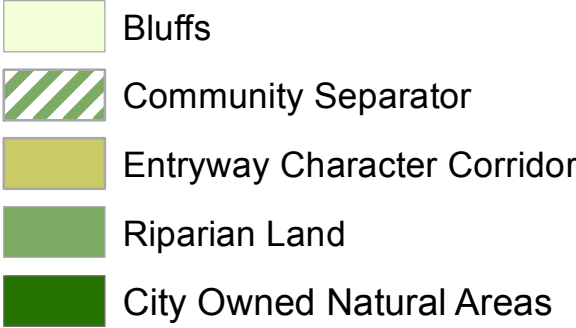


Potential Fire Station Locations

AREAS



OPEN LANDS & NATURAL AREAS

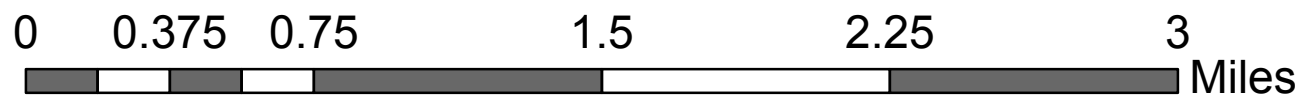
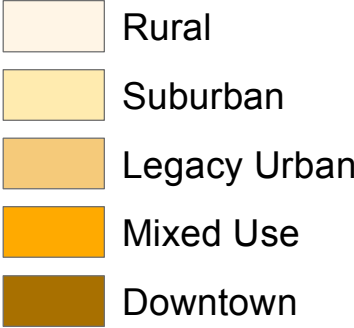


Town of Kersey



Town of Kersey

NEIGHBORHOODS



N



Date of Preparation 12/1/17



Planning Commission Agenda Summary

August 22, 2023

Key Staff Contact: Douglas May, Planner III

Title:

Wake Annexation Number 3

Summary:

Public hearing for a proposal to annex Wake Annexation Number 3, a parcel totaling 13.075 acres. (ANX2022-0010; Wake Annexation)

Recommended Action:

A motion that, based on the project summary and analysis, the Planning Commission finds that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e); and that the proposed Wake Annexation Number 3, File number ANX2022-0010, meets State statutory requirements; and, therefore, Planning Commission recommends approval of the annexation to the City Council.

Attachments:

1. Wake Annexation Planning Commission Staff Report
2. Vicinity Map
3. Annexation Plat No. 3
4. Annexation Petition
5. Site Analysis Map
6. Annexation Impact Report
7. landuseguidancemapfinal

PLANNING COMMISSION SUMMARY

ITEM: Wake Annexation

PROJECT: Wake Annexation Nos. 1 -3

CASE NO: ANX2022-0008
ANX2022-0009
ANX2022-0010

LOCATION: East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street

APPLICANT: Richmark Real Estate Partners, LLC

CASE PLANNER: Doug May, Planner III

PLANNING COMMISSION HEARING DATE: August 22, 2023

PLANNING COMMISSION FUNCTION: To review the proposed annexations for compliance with Section 24-214 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

Richmark Real Estate Partners, LLC petitions to annex a total of 120.097 acres of land to the City of Greeley. The properties are located in proximity to N. 6th Avenue, F Street and Highway 85, east of the Cache la Poudre River.

A. REQUEST

Richmark Real Estate Partners, LLC is requesting approval to annex Richmark-owned properties, known as the Wake Annexations Nos. 1-3. The annexations include: Wake Annexation No. 1 consisting of 61.613 acres, Wake Annexation No. 2 consisting of 45.409 acres, and Wake Annexation No. 3 consisting of 13.075 acres for total combined area of 120.097 acres (see Attachment E).

B. STAFF RECOMMENDATION

Approval

C. LOCATION

N. 6th Avenue, F Street, and including a portion of Highway 85 bypass that bisects Wake

Annexation 1; parcels located East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street.

Current Zoning: I-3 (Industrial – County) and R-1 (Residential – County)

Proposed Zoning: H-A (Holding Agriculture – City)

Abutting Zoning: North: I-3 (Industrial - County); Northeast: R-1 (Residential – County)
 South: I-3 (Industrial - County)
 East: R-1 (Residential - County)
 West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)

Site Conditions: The site is mostly undeveloped; the majority of the site is within the Cache la Poudre River floodplain, with the northern portion of Wake Annexation 1 in the floodway and most of Wake Annexation 3 in the floodway. A small portion of the western boundary of Wake 3 abuts the river. All three Wake Annexations include multiple oil and gas wellheads, tanks, burners and separators.

Lot Size: 120.097 Acres

Contiguity:	1 st Annexation	Required	16.7%
		Provided	27%
	2 nd Annexation	Required	16.7%
		Provided	18%
	3 rd Annexation	Required	16.7%
		Provided	22%

Abutting Land Uses: North: Industrial
 South: Agriculture/Vacant
 East: Agriculture, Residential and Vacant
 West: Industrial

D. BACKGROUND

The property owner has petitioned the City to annex a total of 120.097 acres of unincorporated property, including a portion of the right of way for the Highway 85 Bypass, in a total of three annexations. The first annexation, Wake Annexation No. 1, consists of two parcels and the portion of Highway 85 Bypass right of way between said parcels, and is 61.613 acres. The second annexation, Wake Annexation No. 2, consists of one parcel and is 45.409 acres. The third annexation, Wake Annexation No. 3, consists of one parcel and is 13.075 acres. Each annexation contains oil and gas facilities. Eaton Draw runs through the north portion of Annexation No. 1 and along a portion of the west boundary of Annexation No. 1. The parcels are located within the Long-Range Expected Growth Area and are designated as Natural uses, including parklands and open space. All three annexations are within the floodplain, with No. 1 and No. 3 also in the floodway.

The applicant requests the annexation be zoned Holding – Agriculture (H-A), in accordance with Section 24-214 of the Development Code. Following approval of the annexations, the establishment of zoning will be considered as a separate hearing item and must, per state statutes, take place within 90 days of the annexation.

Colorado Revised Statutes §31-12-104 and §31-12-105 establish the legal requirements for annexation, and include: (1) not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley; (2) a community of interest exists between the territory proposed to be annexed and the City of Greeley; (3) the territory sought to be annexed is urban or will be urbanized in the near future and; (4) the territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley. The City Attorney's Office has determined the proposal meets the statutory requirements to be considered for annexation (see Attachment F), and City Council adopted a resolution on August 8, 2023, making a finding to this effect, scheduling the introduction of the ordinance concerning the annexation for September 5, 2023, and the final reading on September 19, 2023.

Due to the state contiguity requirements, the applications are a combination of three stand-alone annexations, which constitute a serial annexation. The first Annexation, if approved, would provide contiguity for the second Annexation, and so on.

E. APPROVAL CRITERIA

The Commission shall consider comments from review agencies and offices, the staff recommendation, citizen comments, and the following criteria (found in Section 24-214 of the Greeley Development Code) in taking action to recommend approval, denial, or to table the annexation for future consideration:

1. The proposed annexation is in conformance with the Comprehensive Plan.

The following Imagine Greeley: The City of Greeley Comprehensive Plan, policies apply to

this request:

Growth Framework – Annexation Consideration

The following will be considered when evaluating annexation proposals:

1. The proposed annexation meets state requirements for annexations.
2. The proposed annexation meets the requirements for annexations set forth in the Greeley Municipal Code.
3. The proposed annexation is in conformance with the Imagine Greeley Comprehensive Plan.
4. The proposed annexation promotes a geographic balance of land uses.
5. The proposed annexation increases the City's supply of developable employment land or other future land use requirements.
6. Adequate services are or will be available to support the development expected to result from the proposed annexation.
7. The proposed annexation provides for a continuous and rational municipal boundary, and at least one-sixth of the annexation's perimeter is contiguous with the city's current boundary.
8. The area is urban or will be urbanized in the near future. However, annexation of undeveloped land is appropriate if another community goal is achieved, such as procurement of open land for a community separator, for open space, or for the conservation of farmland.

Comprehensive Plan Policies & Objectives:

GC-1.5 Annexations: When considering a proposed annexation, the City should find persuasive evidence that the inclusion of the property into the City's jurisdiction meets the goals and objectives of the Comprehensive Plan, and that the property can be developed in a manner that will be a positive addition to the City, improve the quality of Greeley's neighborhoods, and can be provided with municipal services.

Staff Comment: The subject properties are primarily undeveloped except for oil and gas facilities in each annexation. It is anticipated that this area will develop as open space and outdoor recreation.

The site is within the Long-Range Expected Growth Area (LREGA) and the Land Use Guidance Map identifies this area for natural uses, including park lands and open space. The LREGA includes those lands anticipated to accommodate the City of Greeley's urban development typically beyond a five (5) year time frame. This typically means that full urban services are

not currently available to the site. The properties can be fully serviced if needed in the future.

Because the subject properties are primarily located in the floodplain and include the riparian Eaton Draw and it is in the area demarcated for natural uses on the Land Use Guidance Map, the property can provide buffering between the river and the area to the east of Highway 85 bypass. It will also provide for the area to the east to be annexed in the future and would buffer industrial uses from the downtown area, as depicted on the Land Use Guidance Map.

This request complies with this criterion.

2. The proposed annexation promotes geographical balance of the City's land use pattern.

Staff Comment: The proposed annexations provide growth in the northeast part of Greeley, which has not grown as much as the western portion of Greeley. It provides balance to the City's growth and land use pattern.

This request complies with this criterion.

3. Adequate services are, or will be, available to support the development expected to result from the proposed annexation.

Staff Comment: If annexed, the subject site would be served by the Greeley Fire Department and the City of Greeley Police Department. The site would be served by Weld School District 6, but it will not add students to the district as no residential use is contemplated at this time.

Currently no City-level utilities are needed at the site. The extension of services is not required for this annexation.

This request complies with this criterion.

4. The proposed annexation provides for a continual and rational boundary.

Staff Comment: As proposed, all three annexations would exceed the State’s one-sixth contiguity requirements. The combined contiguity of the three annexations is 23%, based on approval of annexation No.1, which has 27% contiguity, which would be required for annexation of No. 2 (18% contiguity), which would be required for annexation of No. 3 (22% contiguity). These properties inclusion would also help provide a continual and rational boundary by adding an area of unincorporated land within the Long Range Expected Growth Area.

This request complies with this criterion.

5. The proposed annexation is needed to accommodate future land use requirements.

Staff Comment: There are no current plans to develop the property at this time, and it would continue to be utilized for oil and gas development and natural open space. Future development would need to meet the City’s Development Code, Imagine Greeley Comprehensive Plan and Adequate Public Facilities requirements.

The establishment of Holding – Agriculture (H-A) zoning is being considered as a separate request following successful annexations.

This request complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The Weld County Board of County Commissioners approved a Site Specific Development Plan for the western parcel of Wake Annexation No. 1 for a major facility for a public utility transmission line through the Use by Special Review process in June 2014 (Recording number 4023037).

2. HAZARDS

The Eaton Draw runs through the western parcel of Annexation No. 1. Most of the site is within the FEMA designated floodplain with portions in the floodway. Flooding hazards may exist from time to time. The site also contains multiple oil and gas wells and associated equipment.

3. WILDLIFE

The site is partially located in areas of highly sensitive and moderately sensitive areas of ecological significance. An ecological report will be required at the time of any proposed development.

4. FLOODPLAIN

The Poudre River flows along and directly through this site; portions of the site are within the floodway, the 100-year floodplain and the 500-year floodplain.

5. DRAINAGE AND EROSION

The site is slightly developed with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through the Site Plan Review application and the subsequent permitting processes.

6. TRANSPORTATION

The site is located East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street.

H. SERVICES

Because the site is currently being used for oil and gas development, future development of the site is limited in the next 15 to 20 years, following completion of oil and gas operations and reclamation of the site. It is anticipated to be left as open space or developed for natural uses.

1. WATER

There is an existing 12-inch water line located in N 6th Avenue adjacent to the west of the subject site. Annexation No. 1, No. 2, and No. 3 are shown on the Adequate Public Facilities Map as being “near an 8” or larger water line,” excepting the smaller parcel of No. 1 that is east of Highway 85 bypass.

2. SANITATION

The nearest sewer line is located less than 300’ west of the subject site. The Adequate Public Facilities Map for Sewer shows Annexation No. 3 “near an 8” or larger sewer line.” Following annexation of No. 1 and then No. 2, annexation of No. 2 would be contiguous to an area “near an 8” or larger sewer line, and No. 1 would then be contiguous to an area contiguous to an area “near an 8” or larger sewer line.” The portion of Annexation No. 1 located east of Highway 85 bypass is within a half mile of an area “near an 8” or larger sewer line.”

3. EMERGENCY SERVICES

The subject site is currently served by the Eaton Fire Protection District and the Western Hills Fire Protection District. With the successful annexations, the applicant would withdraw the property from those Fire Protection Districts. The City of Greeley Fire Department would take over fire services for the site once annexed.

The closest fire station, Fire Station #1 (1155 10th Avenue), is approximately 2 miles away. The City of Greeley Police Department would also serve this area with the completion of the annexations.

4. PARKS/OPEN SPACES

The site is approximately 2.2 miles from Island Grove Regional Park and includes Eaton Draw riparian corridor.

5. SCHOOLS

The subject site is within the Greeley School District 6 boundary.

I. NEIGHBORHOOD IMPACTS

1. VISUAL

The site contains oil and gas development equipment at the time of review for annexation. No known new visual impacts would be created by the annexation. Potential impacts would be reviewed at time of development.

2. NOISE

The site contains oil and gas development equipment at the time of review for annexation. Staff does not anticipate that the proposed annexation would create any significant increase in noise.

H. NOTIFICATION:

Mailed notice is not required, per the Development Code effective as of October 1, 2021. However, as a courtesy a mailed notice was sent on July 28, 2023 to 72 surrounding properties within 1000 feet of the subject property. The applicant posted signs in three locations on the property on August 3, 2023. As of August 10, 2023, no comments or concerns have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION:

There are three separate annexation applications for the Wake Annexations. Therefore, the Planning Commission will need to consider and vote individually on each of the below applications, in the order listed below.

Recommended motion for:

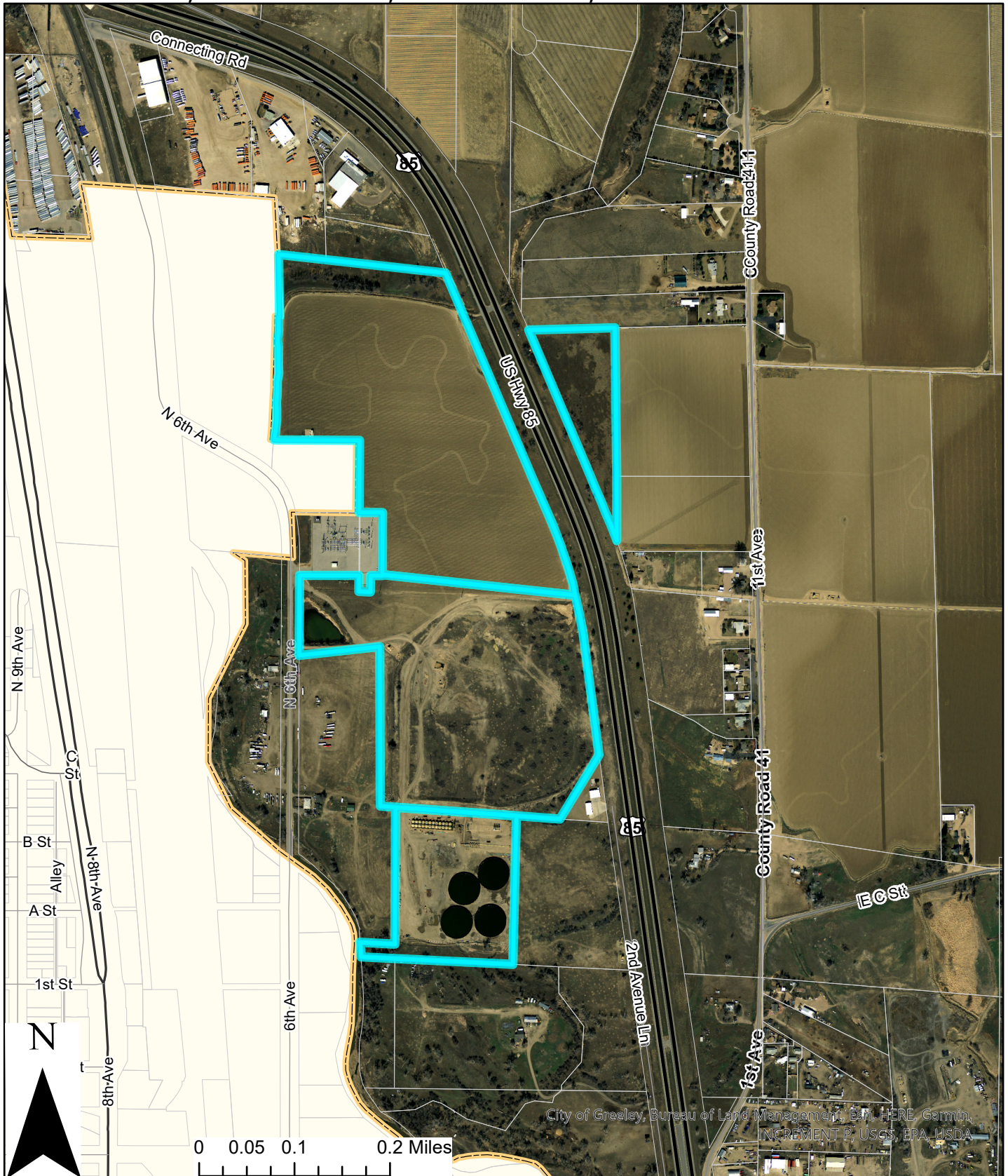
1. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #1, File number ANX2022-0008, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.
2. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #2, File number ANX2022-0009, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.
3. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed Wake Annexation #3, File number ANX2022-0010, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.

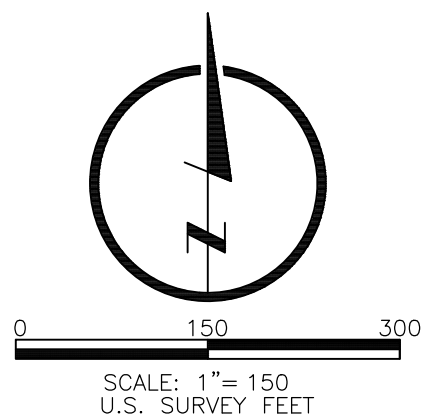
J. ATTACHMENTS:

Attachment A-	Vicinity Map
Attachment B-	Annexation Plats Nos. 1-3
Attachment C-	Annexation Petitions
Attachment D-	Site Analysis Map
Attachment E-	Annexation Impact Report
Attachment F-	Land Use Guidance Map

Wake Annexation and Zoning Vicinity Map

ANX2022-0008, ANX2022-0009, ANX2022-0010, ZON2023-0001





WAKE ANNEXATION NO. 3 TO THE CITY OF GREELEY

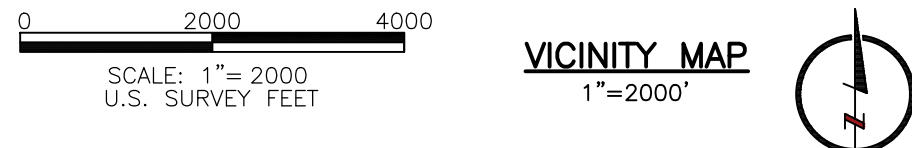
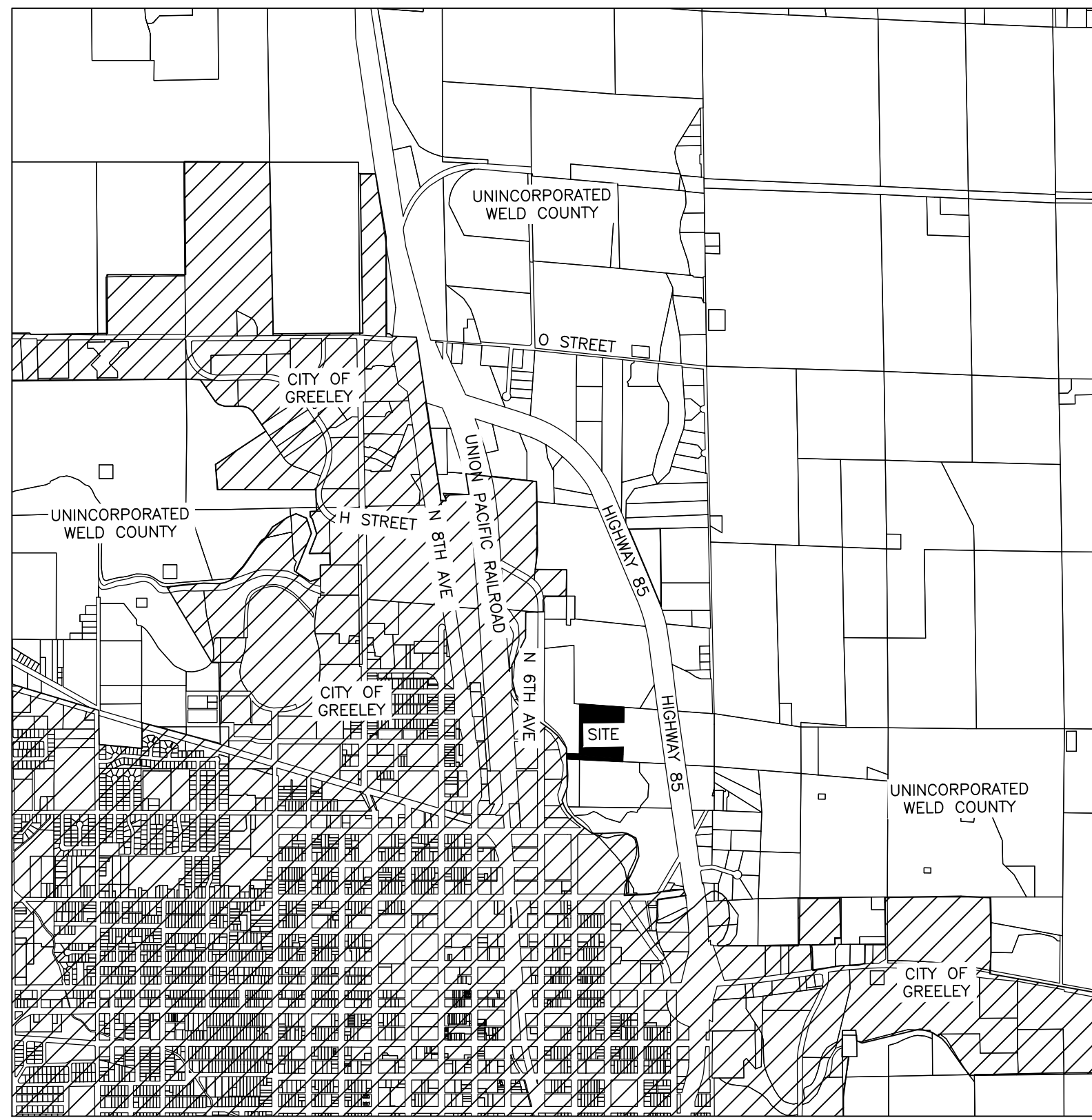
LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
ANX2022-0010

- LEGEND**
- SUBJECT PROPERTY LINE
 - ADJACENT LOT LINE
 - ANNEXATION/GREELEY TOWN LIMITS
 - CONTIGUOUS PERIMETER
 - SECTION LINE
 - RIGHT OF WAY
 - FOUND PROPERTY CORNER
 - SECTION CORNER, AS DESCRIBED
 - PER RECORD
 - CALCULATED PER RECORD
 - PER RECORD - CDOT ROW MAPS

ANNEXATION TABLE:

TOTAL ANNEXATION BOUNDARY PERIMETER:	3386.45	LINEAR FEET
CONTIGUOUS LENGTH TO EXISTING CITY OF GREELEY BOUNDARY:	761.75	LINEAR FEET
TOTAL ALLOWABLE PERIMETER (CONTIGUOUS x 6):	4570.50	LINEAR FEET
MINIMUM ONE-SIXTH (1/6) OF TOTAL ANNEXATION PERIMETER:	564.41	LINEAR FEET

AS SHOWN ABOVE, THE ANNEXATION PERIMETER CONTIGUOUS TO CITY OF GREELEY BOUNDARY EXCEEDS THE MINIMUM REQUIRED 1/6 CONTIGUITY. THEREFORE, WAKE ANNEXATION #3 IS IN COMPLIANCE WITH THE STATE CONTIGUITY REQUIREMENT.



WAKE ANNEXATION NO. 3 PERIMETER DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE S85° 53' 03"E A DISTANCE OF 580.28 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE POINT OF BEGINNING;

THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 S85° 53' 03"E A DISTANCE OF 681.64 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 2;

THENCE S1° 47' 37"W A DISTANCE OF 823.29 FEET;

THENCE N87° 00' 29"W A DISTANCE OF 849.06 FEET;

THENCE N0° 01' 14"W A DISTANCE OF 80.11 FEET ON AN EAST LINE OF THE CITY OF GREELEY;

THENCE S87° 02' 25"E A DISTANCE OF 194.90 FEET;

THENCE N0° 03' 45"W A DISTANCE OF 757.45 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEING THE POINT OF BEGINNING.

SAID WAKE ANNEXATION NO. 3 HAS A PERIMETER OF 3,386.45 FEET, AND AN AREA OF 569,539 SQUARE FEET, 13.075 ACRES, MORE OR LESS.

OWNERS: RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: TYLER RICHARDSON
AUTHORIZED AGENT

STATE OF COLORADO)
COUNTY OF WELD)

THE FOREGOING ANNEXATION PLAT WAS ACKNOWLEDGED BEFORE ME BY

TYLER RICHARDSON AS AUTHORIZED AGENT OF RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY.

ON THIS ____ DAY OF _____, 20____.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

GENERAL NOTES:

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. ALL EASEMENTS AND RIGHT-OF-WAYS ARE REFERENCED FROM: FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NUMBER NCS-1109108-CO, WITH AN EFFECTIVE DATE OF JANUARY 25, 2022 AT 5:00 P.M. AND STEWART TITLE GUARANTY COMPANY, ORDER NUMBER 1723690, WITH AN EFFECTIVE DATE OF JUNE 2, 2022 AT 8:00 A.M.

3. BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS S85° 53' 03"E FOR 2619.21 FEET BETWEEN THE NORTH QUARTER CORNER OF SAID SECTION 5 MONUMENTED WITH A 3' X' ALUMINUM CAP STAMPED PLS 28259 IN A MONUMENT BOX AND THE NORTHEAST CORNER OF SAID SECTION 5 MONUMENTED WITH A 2 1/2" ALUMINUM CAP STAMPED LS 17500 IN A MONUMENT BOX WITH ALL OTHER BEARINGS REFERENCED THERETO.

ACCEPTANCE:

THIS ANNEXATION MAP WAS ACCEPTED BY THE CITY OF GREELEY, WELD COUNTY, COLORADO AND THE TERRITORY THEREIN DESIGNATED AND MADE A PART OF THE CITY OF GREELEY, AND INCLUDED WITHIN THE LIMITS AND JURISDICTION THEREON THIS ____ DAY OF _____, 2023.

ATTEST: CITY CLERK MAYOR

CERTIFICATE OF APPROVAL BY ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER OR THEIR DESIGNEE:

APPROVED THIS ____ DAY OF _____, 2023, BY THE ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER OR THEIR DESIGNEE OF THE CITY OF GREELEY, COLORADO.

ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER

COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 2023, BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF GREELEY, COLORADO.

COMMUNITY DEVELOPMENT DIRECTOR

LAND SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT OF WAKE ANNEXATION NO. 3 IS BASED UPON A FIELD SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF COLORADO, AND THAT AT LEAST 1/6 OF THE PERIMETER OF THE ABOVE-DESCRIBED PROPERTY IS CONTIGUOUS TO THE CURRENT BOUNDARY OF THE CITY OF GREELEY, COLORADO

LAINE A. LANDAU, COLORADO PLS 31159
LAMP RYNEARSON
LAINE.LANDAU@LAMPRYNEARSON.COM
DATE OF SIGNATURE:

LAMP
RYNEARSON

LAMPRYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498
FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342
KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

WAKE ANNEXATION NO. 3
A PORTION OF THE NORTHEAST QUARTER OF SECTION 5
TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO



Know what's below.
Call before you dig.

REVISIONS

08/09/2022	REMOVED OVERLAPPING TEXT
10/17/2022	REVISED PER CITY COMMENTS
12/13/2022	REVISED PER CITY COMMENTS
03/28/2023	BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
08/04/2022
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

PETITION FOR ANNEXATION

Wake Annexation No. 1, No. 2 and No. 3

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF GREELEY,
COLORADO:

The undersigned, in accordance with Title 31, Article 12, Chapters 101 et. seq., Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Greeley for annexation to the City of Greeley of the territory described herein and described and shown on the map designated, "Wake Annexation No. 1, No. 2, and No. 3" The applicable number of said map (at least four) are submitted herewith and by this reference are incorporated herein. The description of the territory hereby petitioned for annexation to the City of Greeley is set forth in Exhibit A attached hereto and incorporated herein by reference.

In support of this petition, the Petitioner(s) allege(s) that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Greeley.
2. The requirements of Section 31-12-104 and 31-12-105 of the Colorado Revised Statutes exist or have been met in that:
 - A. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley.
 - B. A community of interest exists between the territory proposed to be annexed and the City of Greeley.
 - C. The territory sought to be annexed is urban or will be urbanized in the near future.
 - D. The territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley.
3. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has/have been divided into separate parts or parcels of real estate without the written consent of the land owner or land owners thereof, except and unless where such tracts or parcels are already separated by a dedicated street, road, or other public way.
4. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon have an assessed

valuation in excess of \$200,000 for ad valorem tax purposes for the year next preceding the filing of the written petition for annexation, has/have been included within the territory proposed to be annexed without the written consent of the land owner or land owners.

5. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Greeley was held within the twelve months preceding the filing of this petition.
6. The territory proposed to be annexed does not include any area included in another annexation proceeding involving a city other than the City of Greeley.
7. The territory proposed to be annexed is not presently a part of any incorporated city, city and county, or town.
8. The property owned by each petitioner is described on each separate signature sheet and, when needed, described more fully in the exhibits attached hereto and incorporated herein by reference.
9. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the land owners and owning more than fifty percent (50%) of the property, excluding public streets and alleys, and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.

Accompanying this petition are the original and four copies of an annexation plat map containing the following information:

- A. A written legal description of the boundaries of the area proposed to be annexed.
- B. A map showing the boundary of the area proposed to be annexed.
- C. Within the annexation boundary map, an identification of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks. Also within the boundary map, identification of any special districts the area proposed to be annexed may be part of.
- D. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

- E. A surveyor's certificate prepared by a registered land surveyor that attests to the preparation of the map and certifies at least one-sixth (1/6) contiguity to the City of Greeley.
- F. Acceptance block describing the acceptance action of the City of Greeley in form and substance as provided in Appendix A of the Subdivision Regulations of the City of Greeley and providing for the effective date and City Clerk and Mayor attest signatures.
10. Except as otherwise provided, no part of the territory sought to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will become effective.
11. As an expressed condition of annexation, land owner(s) consent(s) to inclusion into the Northern Colorado Water Conservancy District and the municipal subdistrict pursuant to Section 37-45-136 (3.6) C.R.S. Land owner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, land owner's (s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of land owner's(s') lands. Land owner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Land owner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.

THEREFORE, the undersigned respectfully petition(s) and requests the City Council of the City of Greeley, to approve annexation of the territory described and referred to in Exhibit A to the City of Greeley in accordance with and pursuant to the statutes of the State of Colorado.

Land Owner(s) Name(s) and Signature(s)

Mailing Address

Date of

Signing

Richmark Real Estate Partners LLC

5200 W. 20th St.
Greeley, CO 80634

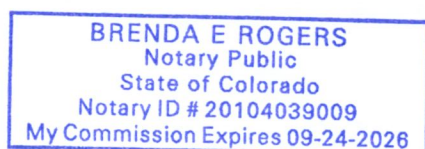
04/03/23



Subscribed and sworn to before me this 3 day of April, 2023 by
Logan Richardson

Witness my hand and official seal.

My commission expires: 09/24/2026




Notary Public

Land Owned

See Exhibit A

If necessary, attach separate sheet.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO

)

) ss.

COUNTY OF WELD

)

Nathan Zierer being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

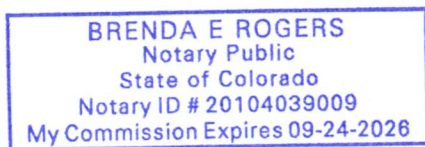


(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 3 day of April, 2023, by Nathan Zierer.

Witness my hand and official seal.

My commission expires: 09/24/2024




Notary Public

EXHIBIT "A"
(LEGAL DESCRIPTIONS)

WAKE ANNEXATION NO. 1

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, SOUTHEAST QUARTER, AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON SAID SOUTH LINE N84° 54' 03"W A DISTANCE OF 1386.38 FEET;

THENCE N0° 16' 24"E A DISTANCE OF 297.11 FEET;

THENCE N89° 20' 24"W A DISTANCE OF 129.00 FEET;

THENCE N0° 22' 34"E A DISTANCE OF 400.00 FEET ON THE EAST LINE OF THE THERMO COGENERATION PLANT ANNEXATION RECORDED AT REC. #2467353;

THENCE N89° 47' 22"W A DISTANCE OF 477.15 FEET ON THE NORTH LINE OF SAID THERMO COGENERATION PLANT ANNEXATION;

THENCE N5° 03' 53"E A DISTANCE OF 53.58 FEET ON THE EAST LINE OF THE MONFORT LAMB PLANT ANNEXATION RECORDED AT REC. #2181908;

THENCE N2° 35' 05"E A DISTANCE OF 203.34 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N1° 02' 25"E A DISTANCE OF 422.15 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 15' 54"E A DISTANCE OF 33.45 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE N1° 00' 20"W A DISTANCE OF 344.18 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;

THENCE S84° 18' 04"E A DISTANCE OF 909.75 FEET TO THE SOUTHWEST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE N67° 42' 53"E A DISTANCE OF 299.44 FEET TO THE NORTHEAST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;

THENCE ON SAID NORTHEAST RIGHT OF WAY S23°10'17"E A DISTANCE OF 475.25 FEET;

THENCE N88° 44' 10"E A DISTANCE OF 479.74 FEET;

THENCE S1° 08' 17"E A DISTANCE OF 821.58 FEET;

THENCE S0° 04' 41"W A DISTANCE OF 358.82 FEET TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE 268.77 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 268.77 FEET, THE ARC OF SAID CURVE HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 5°12'33" AND BEING SUB-TENDED BY A CHORD WHICH BEARS S14° 57' 22"E A DISTANCE OF 268.68 FEET TO THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 1 HAS A PERIMETER OF 7,359.70 FEET, AND AN AREA OF 2,683,882 SQUARE FEET, 61.613 ACRES, MORE OR LESS.

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 ¼" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 080332400004 and 080332000023 and the Highway 85 right of way between said parcels.

WAKE ANNEXATION NO. 2

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE 129.43 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 2°30'31", AND BEING SUB-TENDED BY A CHORD WHICH BEARS S11° 05' 51"E A DISTANCE OF 129.42 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S8° 40' 39"E A DISTANCE OF 205.17 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S7° 59' 19"E A DISTANCE OF 501.43 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S82°01'00"W A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S07°57'00"E A DISTANCE OF 56.42 FEET;

THENCE SOUTH 82°03'00"W A DISTANCE OF 300.00 FEET TO THE SOUTHWEST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE S31° 15' 29"W A DISTANCE OF 413.37 FEET;

THENCE N85° 53' 03"W A DISTANCE OF 972.88 FEET;

THENCE N0° 54' 24"W A DISTANCE OF 887.47 FEET;

THENCE S87°32' 12"W A DISTANCE OF 540.87 FEET TO THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE N0°13' 55"E A DISTANCE OF 515.08 FEET;

THENCE S84°54'03"E A DISTANCE OF 60.48 FEET TO THE EAST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE EAST RIGHT OF WAY OF 6TH AVENUE S01°35'54"E A DISTANCE OF 92.52 FEET;

THENCE S89° 42' 47"E A DISTANCE OF 337.76 FEET;

THENCE S0° 04' 42"W A DISTANCE OF 89.22 FEET;

THENCE S87° 54' 00"E A DISTANCE OF 63.86 FEET;

THENCE N0° 18' 26"E A DISTANCE OF 91.18 FEET;

THENCE S89° 49' 03"E A DISTANCE OF 64.95 FEET;'

THENCE N0° 16' 24"E A DISTANCE OF 52.85 FEET TO THE SOUTH LINE OF WAKE ANNEXATION NO. 1;

THENCE S84° 54' 03"E A DISTANCE OF 1386.38 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 1 TO THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 2 HAS A PERIMETER OF 6,771.34 FEET, AND AN AREA OF 1,978,028 SQUARE FEET, 45.409 ACRES, MORE OR LESS.

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 ¼" ALUMINUM CAP STAMPED 33200,

2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 080332400005 and the Highway 85 right of way and 6th Avenue apparent right of way adjacent to said parcels.

WAKE ANNEXATION NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE S85° 53' 03"E A DISTANCE OF 580.28 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 S85° 53' 03"E A DISTANCE OF 681.64 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 2;

THENCE S1° 47' 37"W A DISTANCE OF 823.29 FEET;

THENCE N87° 00' 29"W A DISTANCE OF 849.06 FEET;

THENCE N0° 01' 14"W A DISTANCE OF 80.11 FEET ON AN EAST LINE OF THE CITY OF GREELEY;

THENCE S87° 02' 25"E A DISTANCE OF 194.90 FEET;

THENCE N0° 03' 45"W A DISTANCE OF 757.45 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEING THE **POINT OF BEGINNING**.

SAID WAKE ANNEXATION NO. 3 HAS A PERIMETER OF 3,386.45 FEET, AND AN AREA OF 569,539 SQUARE FEET, 13.075 ACRES, MORE OR LESS.

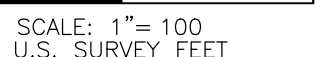
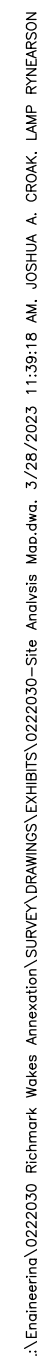
BASIS OF BEARINGS

THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS S85° 53' 03"E FOR 2619.21 FEET BETWEEN THE NORTH QUARTER CORNER OF SAID SECTION 5 MONUMENTED WITH A 3 ¼" ALUMINUM CAP STAMPED PLS 28259 IN A MONUMENT BOX AND THE NORTHEAST CORNER OF SAID SECTION 5 MONUMENTED WITH A 2 1/2" ALUMINUM CAP STAMPED LS 17500 IN A MONUMENT BOX WITH ALL OTHER BEARINGS REFERENCED THERETO.

For reference only: Parcel 096105102006

SITE ANALYSIS MAP

ANX2022-0008, ANX2022-0009, ANX2022-0010



LEGEND

- | | |
|--|--|
| | BOUNDARY LINE |
| | SECTION LINE |
| | ADJACENT PROPERTY LINE |
| | OIL AND GAS SETBACK |
| | EXISTING EASEMENT |
| | BUILDING LINE |
| | FENCE LINE |
| | EDGE OF CONCRETE |
| | EDGE OF GRAVEL |
| | RECORD SANITARY LINE |
| | SANITARY FORCE MAIN |
| | RECORD WATER LINE |
| | GAS LINE |
| | OVERHEAD POWER LINE |
| | ELECTRIC LINE |
| | EDGE OF AREA WITH 0.2% ANNUAL FLOOD CHANCE |
| | EDGE OF FLOODWAY |
| | EDGE OF AREA WITH NO BASE FLOOD ELEVATION |
| | MONUMENT SET |
| | OIL AND GAS WELL |
| | POWER POLE |
| | MONUMENT FOUND |
| | SECTION CORNER |
| | ACCESS ARROWS |
| | DIRECTION OF FLOW |

NOTES:

1. CDOT PLANS FOR PROJECT U006--(222) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORDS. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
2. BASIS OF BEARING: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND A MONUMENTED WITH #5 REBAR AND 3 1/4" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
3. THIS DRAWING INCLUDES OBSERVED EVIDENCE OF VISIBLE SERVICES AND UTILITIES. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE FAILURE TO SHOW THE BURIED SERVICE AND/OR UTILITY LINES EVEN THOUGH THEY MAY EXIST. CONTACT "ONE CALL" (811) PRIOR TO ANY EXCAVATION ON THIS SITE.
4. THE PRIVATE SANITARY FORCE MAIN SHOWN DOES NOT FALL WITHIN THE MATHEMATICAL POSITION DESCRIBED IN RECEPTION NO. 3361398. THE LOCATION OF THE SANITARY FORCE MAIN AND RELATED PRIVATE EASEMENT IS ASSUMED TO BE A STRAIGHT LINE BETWEEN LIMITED POTHOLE LOCATIONS EXCAVATED AS SUPPLEMENTED BY "WITCHING" THE LINE.
5. BENCHMARK: LAMP RYNEARSON CONTROL POINT #94 - 5/8" REBAR WITH A 1 1/4" ORANGE PLASTIC CAP STAMPED "CONTROL POINT"
ELEVATION: 4649.44'
ELEVATION DERIVED FROM TRIMBLE VRS NETWORK (NAVD88)
6. HORIZONTAL DATUM: BASED ON THE NORTH AMERICAN DATUM OF 1983(2011), COLORADO STATE PLANE SYSTEM, NORTH ZONE. PROJECT IS IN MODIFIED STATE PLANE COORDINATES. TO ACHIEVE GRID COORDINATES AND GRID DISTANCES SCALE ENTIRE PROJECT BY 0.999734758 FROM GRID COORDINATE (0,0) AS THE SCALE LOCATION.
7. THE SUBJECT PROPERTY IS LOCATED IN ZONE A, REGULATORY FLOODWAY, ZONE AE, AT AREA WITH A BASE FLOOD ELEVATION, AND SHADED ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE FLOOD HAZARD. ALSO, UNDEGRADED ZONE X, AREA OF MINIMAL FLOOD HAZARD, BASED ON THE FEMA FLOOD MAP 08123C1533E EFFECTIVE 01/20/2016, AND EFFECTED BY LOMR 15-08--0573P EFFECTIVE 07/14/2016. FLOOD INFORMATION IS SUBJECT TO CHANGE.
8. AERIAL IMAGE WAS TAKEN ON 06/10/2022 BY DRONE AND IS GEO-REFERENCED TO THE SITE.
9. CONTOURS SHOWN AT 2' INTERVALS WERE DERIVED FROM DRONE DATA.
10. THE AREA OF THE OIL AND GAS OPERATIONS SETBACKS WITHIN COMBINED ANTIEXPLORATION PROPERTY IS 3,137,270 SQUARE FEET, 72,032 ACRES MORE OR LESS.

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9001 STATE LINE RD., STE. 200 (816)361.0440

SITE ANALYSIS MAP

**RICHMARK WAKE
GREELEY, COLORADO**



REVISIONS

LAL/JAC 10/17/2022 REV PER CITY COMMENT

LAL 11/23/2022 REV PER CITY COMMENTS

LAL 12/13/2022 REV PER CITY COMMENTS

LAL 03/28/2023 BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROA

08/04/2022
PROJECT NUMBER
0222030
BOOK AND PAGE

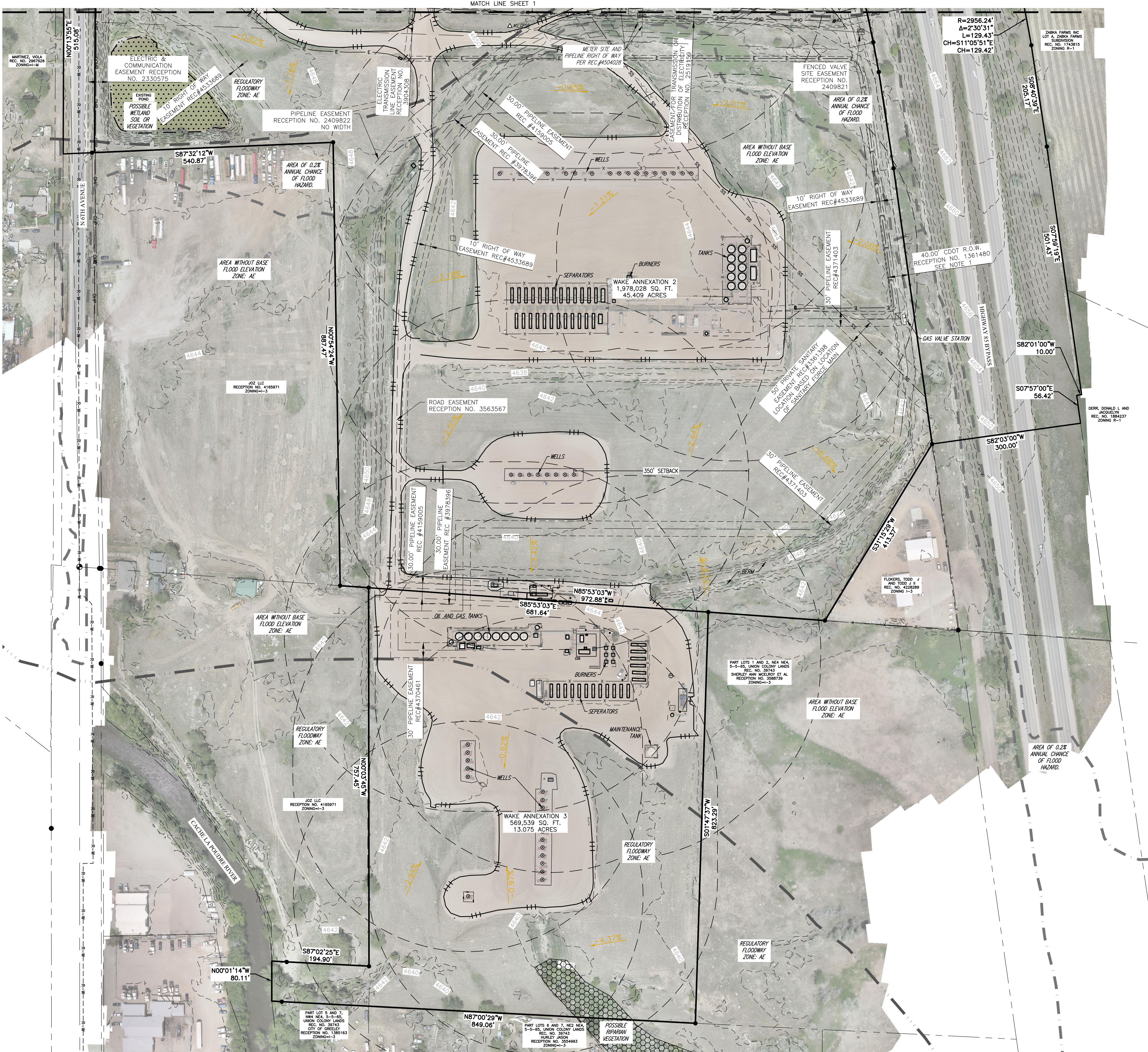
SHEET

1 OF 2

WAKE ANNEXATIONS NO. 1, 2 AND 3 TO THE CITY OF GREELEY

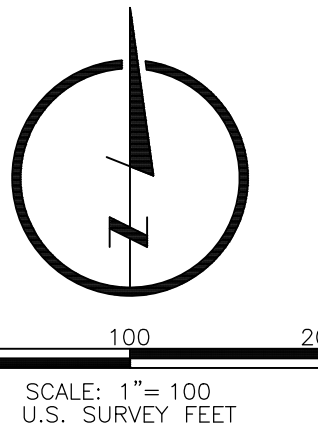
LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008, ANX2022-0009, ANX2022-0010

SITE ANALYSIS MAP



VICINITY MAP

1"=2000'



LEGEND

- BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- OIL AND GAS SETBACK
- EXISTING EASEMENT
- BUILDING LINE
- FENCE LINE
- EDGE OF CONCRETE
- EDGE OF GRAVEL
- RECORD SANITARY LINE
- SANITARY FORCE MAIN
- RECORD WATER LINE
- GAS LINE
- OVERHEAD POWER LINE
- ELECTRIC LINE
- EDGE OF AREA WITH 0.2% ANNUAL FLOOD CHANCE
- EDGE OF FLOODWAY
- EDGE OF AREA WITH NO BASE FLOOD ELEVATION
- MONUMENT SET
- OIL AND GAS WELL
- POWER POLE
- MONUMENT FOUND
- SECTION CORNER
- ACCESS ARROWS
- DIRECTION OF FLOW

NOTES:

- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
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- BENCHMARK: LAMP RYNEARSON CONTROL POINT #94 - 5/8" REBAR WITH A 1 1/4" ORANGE PLASTIC CAP STAMPED "CONTROL POINT" ELEVATION: 4649.44' ELEVATION DERIVED FROM TRIMBLE VRS NETWORK (NAVOD88)
- HORIZONTAL DATUM: BASED ON THE NORTH AMERICAN DATUM OF 1983(2011), COLORADO STATE PLANE SYSTEM, NORTH ZONE. PROJECT IS IN MODIFIED STATE PLANE COORDINATES. TO ACHIEVE GRID COORDINATES AND GRID DISTANCES SCALE ENTIRE PROJECT BY 0.999734758 FROM GRID COORDINATE (0,0) AS THE SCALE LOCATION.
- THE SUBJECT PROPERTY IS LOCATED IN ZONE A, REGULATORY FLOODWAY, ZONE AE, AN AREA WITH A BASE FLOOD ELEVATION, AND SHADED ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE FLOOD HAZARD, AND UN-SHADED ZONE X, AREA OF MINIMAL FLOOD HAZARD, BASED ON THE FEMA FLOOD MAP 081231533E EFFECTIVE 01/20/2016, AND EFFECTED BY LOMR 15-08-0573P EFFECTIVE 07/14/2016. FLOOD INFORMATION IS SUBJECT TO CHANGE.
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- THE AREA OF THE OIL AND GAS OPERATIONS SETBACKS WITHIN COMBINED ANNEXATION PROPERTY IS 3,137,720 SQUARE FEET, 72.032 ACRES MORE OR LESS.

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STIE ANALYSIS
MAP

RICHMARK WAKE
GREELEY, COLORADO



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REVISIONS
10/17/2022 LAL/JAC REV PER CITY COMMENTS
11/23/2022 LAL REV PER CITY COMMENTS
12/13/2022 LAL REVISE PER CITY COMMENTS
03/27/2023 LAL BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
08/04/2022
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

2 OF 2

ANNEXATION IMPACT REPORT

Wake Annexation Nos. 1-3

PROPERTY OWNERS	Richmark Real Estate Partners LLC
LOCATION	East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street
SIZE IN ACRES	120.097 Acres
CONTIGUITY	ANX2022-0008 Wake No. 1 - 27% ANX2022-0009 Wake No. 2 – 18% ANX2022-0010 Wake No. 3 – 22% Wake Combined – 23%
MINIMUM REQUIRED CONTIGUITY	16.67%
EXISTING USES	Vacant land and oil and gas wellheads with associated equipment
SURROUNDING LAND USES	North: Industrial South: Agriculture/Vacant East: Agriculture, Residential and Vacant West: Industrial
CURRENT ZONING	I-3 (Industrial – County) and R-1 (Residential – County)
SURROUNDING ZONING:	North: I-3 (Industrial - County) Northeast: R-1 (Residential – County) South: I-3 (Industrial - County) East: R-1 (Residential - County) West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)
AVAILABLE UTILITIES	City of Greeley Water, City of Greeley Sewer, telecommunications, gas, and electric extensions would be needed at the time utility services are needed.

TAXING DISTRICTS & MILL LEVIES

<u>Taxing District</u>	<u>Mill Levy</u>
Aims Community College	6.307
High Plains Library District	3.181
Northern Colorado Water	1.000
Greeley School District No. 6	50.399
Weld County	15.038
Western Hills Fire Protection District	5.910

INTENDED/PROPOSED USES

The applicant, Richmark Real Estate Partners, is requesting to annex approximately 108.018 acres of unincorporated property to the City of Greeley (see Exhibits A & B). The intended use is to continue the existing oil and gas development for the next approximately 15-20 years. No further plans for the site are proposed at the time of annexation, but the Land Use Guidance Map indicates natural uses for the site, so it is likely to remain open space following completion of the oil and gas development.

Following the annexation, the establishment of zoning for Holding – Agriculture (H-A) zoning will be completed at the April 4th Council meeting. The property must be zoned within 90 days of annexation. The zoning request will be evaluated during that process.

COMPREHENSIVE PLAN

The property is entirely within the City of Greeley's Long-Range Expected Growth Area (LREGA) and complies with City of Greeley Comprehensive Plan policies. Portions of the annexation are in the floodway, 100-year floodplain and 500-year floodplain.

ANALYSIS

The proposed annexations have 23% combined contiguity with existing municipal limits which meets the State of Colorado one-sixth (16.67%) contiguity standard regarding annexations.

The annexations provide growth in the northeast part of Greeley, which has not grown as much as the western portion of Greeley. It provides balance to the City's growth and land use pattern.

The annexations would be consistent with present growth patterns and Comprehensive Plan policies. There is evidence that this site shares a common interest with the City's future. The requirements of State statutes and City of Greeley guidelines for annexation appear to have been met by this requested annexation.

Since the site is currently used for oil and gas development, there should be zero additional students coming to School District 6 as a result of these annexations.

ATTACHMENTS:

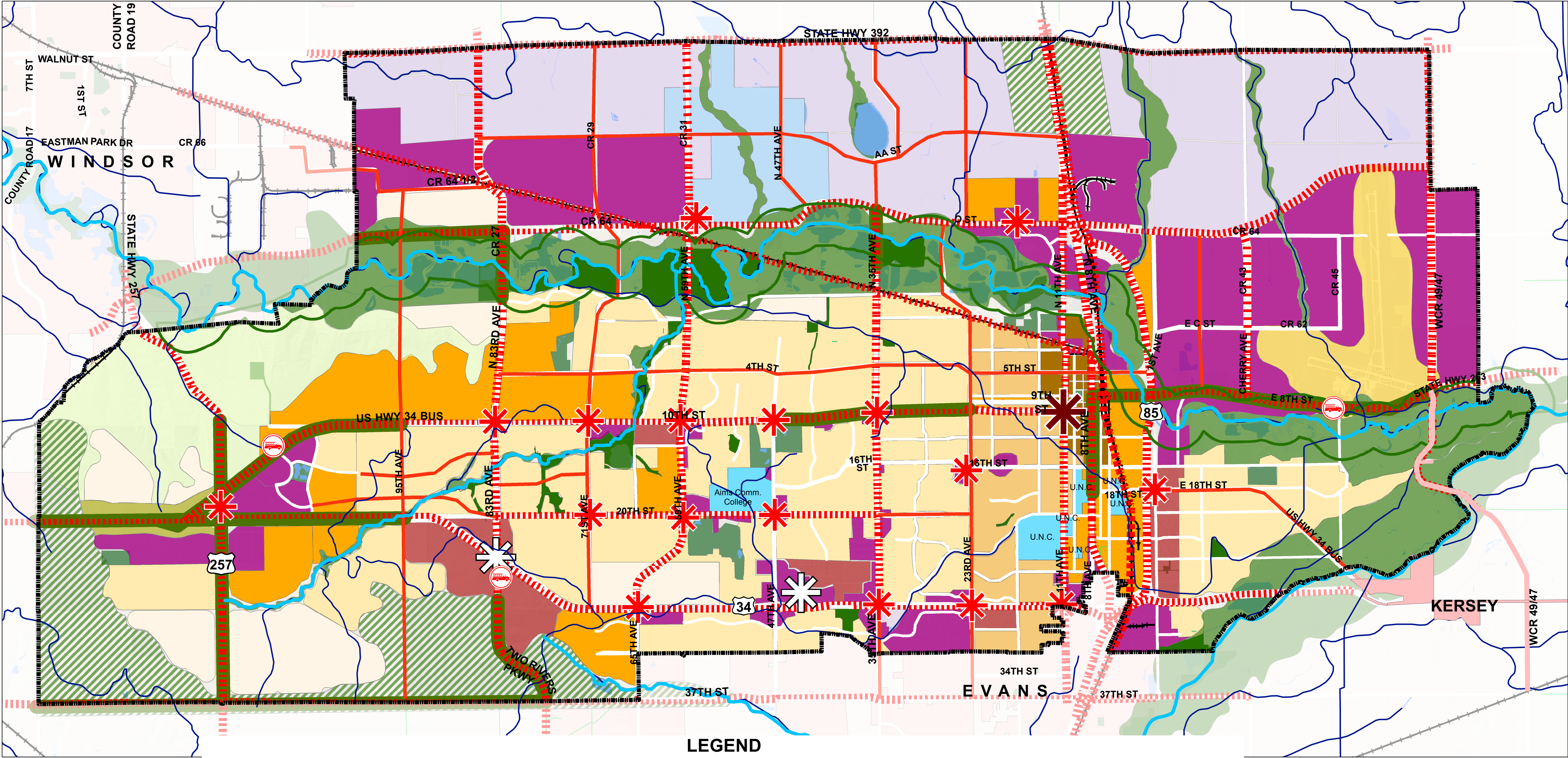
Exhibit A - Vicinity Map

Exhibit B - Annexation Plats

Exhibit C - Site Analysis Map

Exhibit D - Legal Descriptions

LAND USE GUIDANCE MAP



LEGEND

CENTERS

- Downtown Center
- Regional Center
- Neighborhood Center

CORRIDORS

- Multi-Modal Corridor
- Special Multi-Modal Corridor Landscaping
- Poudre River Greenway

SPECIAL RECOMENDATIONS

- Potential Fire Station Locations

AREAS

- Airport Area
- Higher Education Hubs
- Employment, Industrial, and Commercial Areas
- North Annexation Area
- Mixed Use High Intensity
- Urban Reserve

OPEN LANDS & NATURAL AREAS

- Bluffs
- Community Separator
- Entryway Character Corridor
- Riparian Land
- City Owned Natural Areas

Town of Kersey

- Town of Kersey

NEIGHBORHOODS

- Rural
- Suburban
- Legacy Urban
- Mixed Use
- Downtown

N



0 0.375 0.75 1.5 2.25 3 Miles

Date of Preparation 12/1/17



Planning Commission Agenda Summary

August 22, 2023

Key Staff Contact: Douglas May, Planner III

Title:

A public hearing for the Establishment of Zoning

Summary:

A public hearing for the Establishment of Zoning of 120.097 acres of newly annexed land to Holding Agriculture (HA).

Recommended Action:

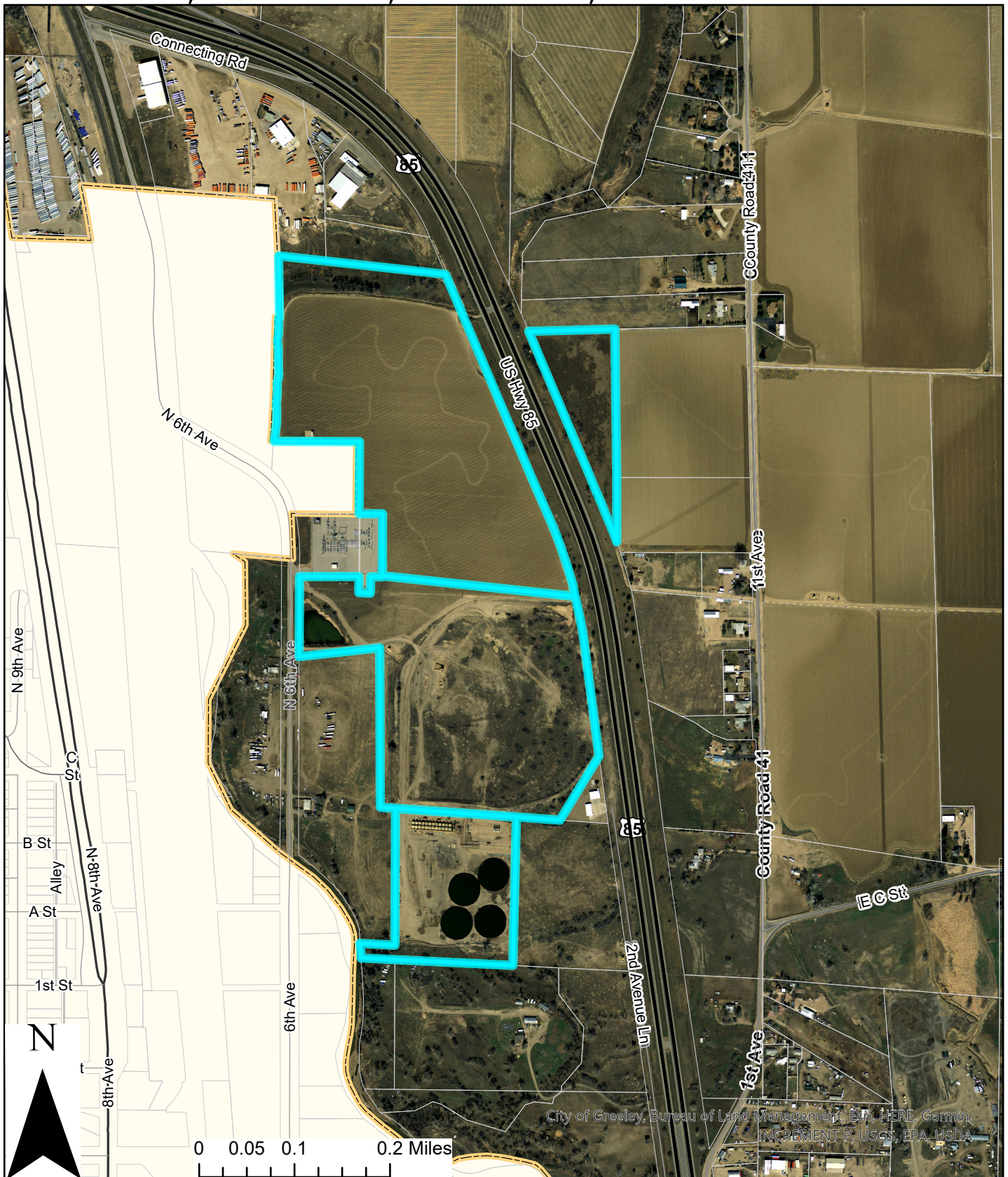
Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Establishment of Zoning, File number ZON2023-0001 meets the required Development Code criteria of Section 24-204.b.(1-9); and recommends approval of the Wake Establishment of Zoning to the City Council.

Attachments:

1. Vicinity Map
2. ZON23-0001-Submittal_1-ZONING PLAT
3. Wake Establishment of Zoning PC staff report

Wake Annexation and Zoning Vicinity Map

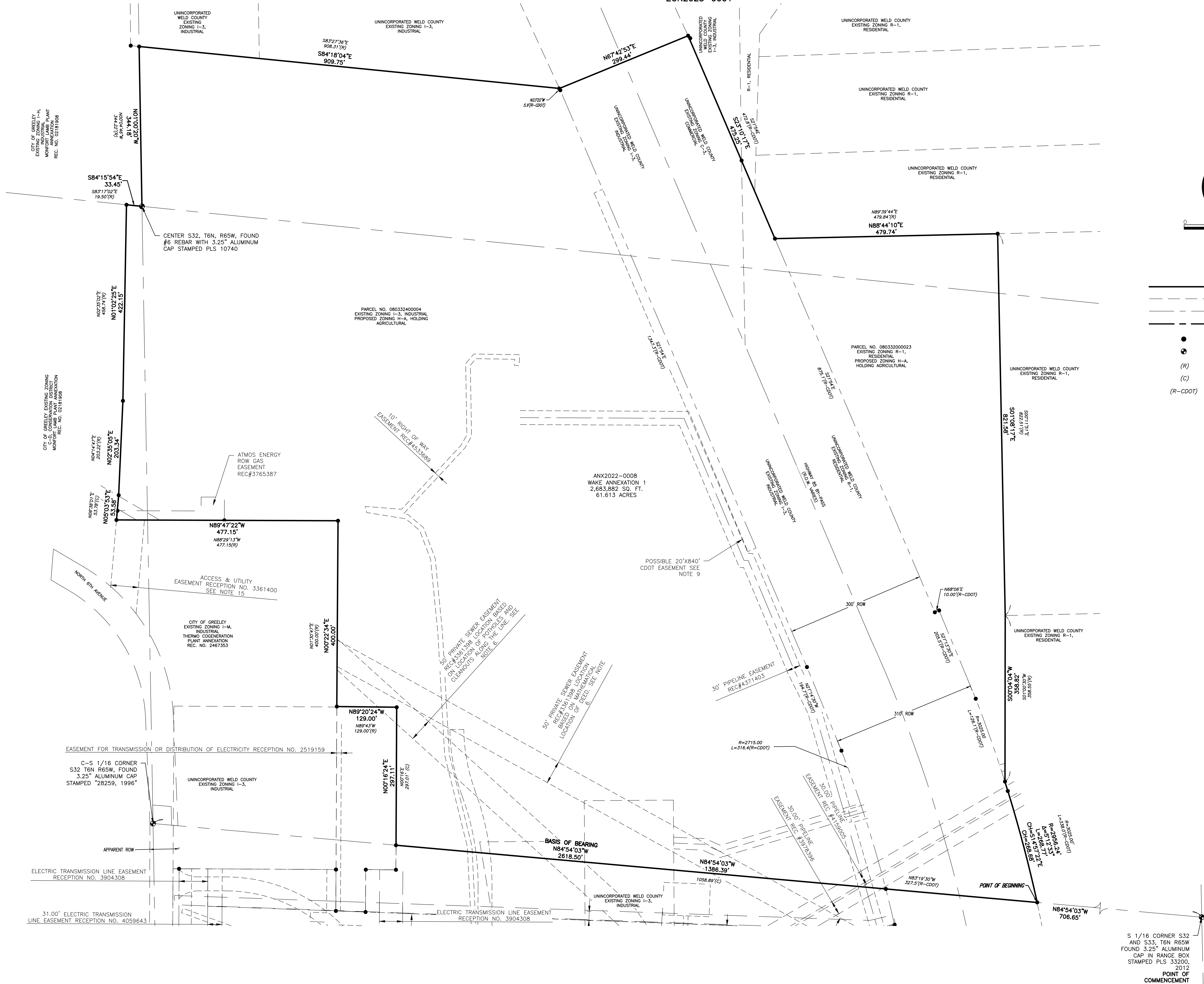
ANX2022-0008, ANX2022-0009, ANX2022-0010, ZON2023-0001



PROPERTY BOUNDARY MAP

WAKE ZONING PLAT

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH,
RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ZON2023-0001

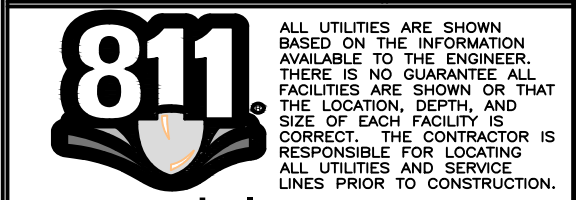


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WAKE ZONING PLAT PROPERTY BOUNDARY MAP
A PORTION OF THE SOUTHWEST, SOUTHEAST, AND NORTHEAST QUARTER
SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO



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DESIGNER / DRAFTER	LAINE LANDAU/JOSH CROAK
DATE	05/24/2023
PROJECT NUMBER	0222030
BOOK AND PAGE	

SHEET
2 OF 6



LEGEND

	SUBJECT PROPERTY LINE
	ADJACENT LOT LINE
	SECTION LINE
	RIGHT OF WAY
	FOUND PROPERTY CORNER
	SECTION CORNER, AS DESCRIBED
<i>(R)</i>	PER RECORD
<i>(C)</i>	CALCULATED PER RECORD
<i>(R-CDOT)</i>	PER CDOT ROW MAP

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9001 STATE LINE RD., STE. 200 (816)361.0444

**RICHMARK WAKE ANNEXATION
GREELEY, COLORADO**



DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
05/24/2023
PROJECT NUMBER
0222030
BOOK AND PAGE

3 OF 6

EXISTING CONDITIONS AND ZONING SUITABILITY MAP

WAKE ZONING PLAT

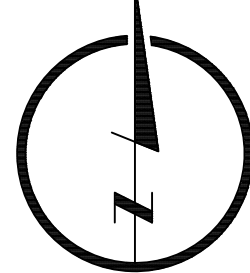
LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH,
RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ZON2023-0001

ZONING SUMMARY		
EXISTING ZONING	PROPOSED ZONING	AREA
WELD I-3	GREELEY H-A	4,950,490 S.F., 113.647
WELD R-1	GREELEY H-A	280,959 S.F., 6.450 ACRES
TOTAL		100%



VICINITY MAP

1"=2000'



SCALE: 1"=100
U.S. SURVEY FEET

LEGEND

---	BOUNDARY LINE
---	SECTION LINE
---	ADJACENT PROPERTY LINE
---	OIL AND GAS SETBACK
---	EXISTING EASEMENT
---	BUILDING LINE
x x	FENCE LINE
---	EDGE OF CONCRETE
---	EDGE OF GRAVEL
R-SS	RECORD SANITARY LINE
SS	SANITARY FORCE MAIN
R-W	RECORD WATER LINE
G	GAS LINE
OHP	OVERHEAD POWER LINE
E	ELECTRIC LINE
---	EDGE OF AREA WITH 0.2% ANNUAL FLOOD CHANGE
---	EDGE OF FLOODWAY
---	EDGE OF AREA WITH NO BASE FLOOD ELEVATION
Δ	MONUMENT SET
○	OIL AND GAS WELL
⊙	POWER POLE
●	MONUMENT FOUND
+	SECTION CORNER
↑	ACCESS ARROWS
↑	DIRECTION OF FLOW

NOTES:

- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
- BASIS OF BEARING: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3 1/2" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
- THIS DRAWING INCLUDES OBSERVED EVIDENCE OF VISIBLE SERVICES AND UTILITIES. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE FAILURE TO SHOW ANY BURIED SERVICE AND/OR UTILITY LINES EVEN THOUGH THEY MAY EXIST. CONTACT "ONE CALL" (811) PRIOR TO ANY EXCAVATION ON THIS SITE.
- THE PRIVATE SANITARY FORCE MAIN SHOWN DOES NOT FALL WITHIN THE MATHEMATICAL POSITION DESCRIBED IN RECEPTION NO. 3361308. THE LOCATION OF THE SANITARY FORCE MAIN AND RELATED PRIVATE EASEMENT IS ASSUMED TO BE A STRAIGHT LINE BETWEEN LIMITED POTHOLE LOCATIONS EXCAVATED AS SUPPLEMENTED BY "WITCHING" THE LINE.
- BENCHMARK: LAMP RYNEARSON CONTROL POINT #94 - 5/8" REBAR WITH A 1 1/4" ORANGE PLASTIC CAP STAMPED "CONTROL POINT" ELEVATION: 4649.44' ELEVATION DERIVED FROM TRIMBLE VRS NETWORK (NAV/D88)
- HORIZONTAL DATUM: BASED ON THE NORTH AMERICAN DATUM OF 1983(2011), COLORADO STATE PLANE SYSTEM, NORTH ZONE. PROJECT IS IN MODIFIED STATE PLANE COORDINATES. TO ACHIEVE GRID COORDINATES AND GRID DISTANCES SCALE ENTIRE PROJECT BY 0.999734758 FROM GRID COORDINATE (0,0) AS THE SCALE LOCATION.
- THE SUBJECT PROPERTY IS LOCATED IN ZONE A, REGULATORY FLOODWAY, ZONE AE, AN AREA WITH A BASE FLOOD ELEVATION, AND SHADED ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE FLOOD HAZARD, AND UN-SHADED ZONE X, AREA OF MINIMAL FLOOD HAZARD, BASED ON THE FEMA FLOOD MAP 08123C1533E EFFECTIVE 01/20/2016, AND EFFECTED BY LOMR 15-08-0573P EFFECTIVE 07/14/2016. FLOOD INFORMATION IS SUBJECT TO CHANGE.
- AERIAL IMAGE WAS TAKEN ON 06/10/2022 BY DRONE AND IS GEO-REFERENCED TO THE SITE.
- CONTOURS SHOWN AT 2' INTERVALS WERE DERIVED FROM DRONE DATA.
- THE AREA OF THE OIL AND GAS OPERATIONS SETBACKS WITHIN COMBINED ANNEXATION PROPERTY IS 3,137,720 SQUARE FEET, 72.032 ACRES MORE OR LESS.

LAMP
RYNEARSON

LAMP RYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498
FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342
KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

EXISTING CONDITIONS AND ZONING SUITABILITY MAP
A PORTION OF THE NORTHEAST QUARTER OF SECTION 5
TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE
GREELEY, COLORADO



Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
05/24/2023
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

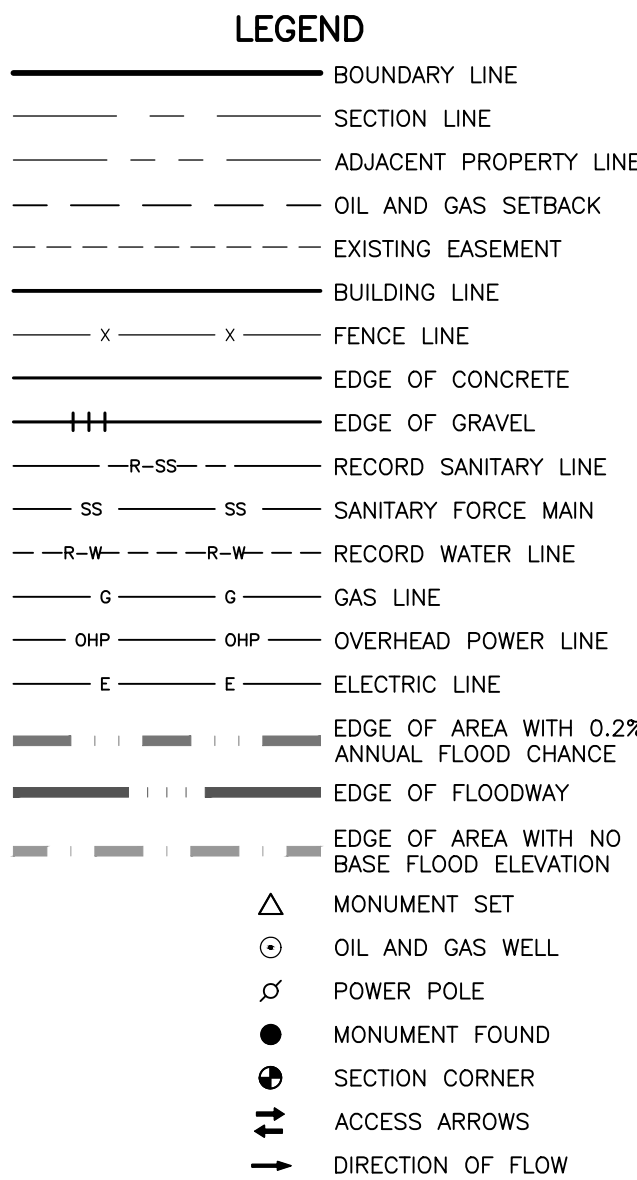
5 OF 6

WAKE ZONING PLAT

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2493

FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)226.0344

KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)361.0444



1. CDOT PLANS FOR PROJECT U006-(122) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SUBSEQUENT HAS BEEN SHOWN HEREIN IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
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**RICHMARK WAKE
GREELEY, COLORADO**



DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROA
DATE
05/24/2023
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

6 OF 6

PLANNING COMMISSION SUMMARY

ITEM: Establishment of Zoning of 120.097 acres of newly annexed land to Holding Agriculture (HA).

FILE NUMBER: ZON2023-0001

PROJECT: Wake Establishment of Zoning

LOCATION: East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street

APPLICANT: Richmark Real Estate Partners, LLC

CASE PLANNER: Doug May, Planner III

PLANNING COMMISSION HEARING DATE: August 22, 2023

PLANNING COMMISSION FUNCTION:

Review the proposed annexation for compliance with Section 24-204 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

Per Sec. 24-201.b.4. annexed areas shall be included in the City's zoning ordinance and map within ninety (90) days after the effective date of the annexation ordinance. As such, this application has been submitted in conjunction with two petitions to annex land to the City. The applicant proposes the establishment of H-A (Holding Agriculture) zoning.

A. REQUEST

The applicant is seeking approval for the Establishment of Zoning to H-A (Holding Agriculture) Zone District for property known as Wake Annexation 1 through 3.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

East of 6th Avenue and West of Highway 85 Bypass (See Attachment A – Vicinity Map).

Current Zoning: Weld County I-3 (Industrial)

Proposed Zoning:	H-A (Holding Agriculture)
Abutting Zoning:	North: I-3 (Industrial - County); Northeast: R-1 (Residential – County) South: I-3 (Industrial - County) East: R-1 (Residential - County) West: C-D (Conservation District – City); I-H, I-M (Industrial – Medium – City) & I-3 (Industrial – County)
Site Conditions:	The site is mostly undeveloped; the majority of the site is within the Cache la Poudre River floodplain, with the northern portion of Wake Annexation 1 in the floodway and most of Wake Annexation 3 in the floodway. A small portion of the western boundary of Wake 3 abuts the river. All three Wake Annexations include multiple oil and gas wellheads, tanks, burners and separators.
Lot Size:	108.018 Acres
Abutting Land Uses:	North: Industrial South: Agriculture/Vacant East: Agriculture, Residential and Vacant West: Industrial

D. BACKGROUND

This establishment of zoning is initiated by the City of Greeley in order to place zoning on recently annexed property in a timely manner, as required by Colorado statute. The property is currently in the process of being annexed into the City of Greeley, with final reading of the annexation ordinance scheduled before City Council on September 19, 2023 (File Nos. ANX2022-0008 – ANX2022-0010). State law requires that zoning be established on all newly annexed parcels within 90 days. The final reading of the ordinance establishing the zoning for this property, as presented herein, is also scheduled before City Council on September 19, 2023.

The subject area, consisting of 120.097 acres, is composed of four parcels and a portion of the Highway 85 Bypass right of way. Each parcel contains oil and gas facilities. Eaton Draw runs through the north portion of Annexation No. 1 and along a portion of the west boundary of Annexation No. 1. The parcels are located within the Long-Range Expected Growth Area and are designated as Natural uses, including

parklands and open space. All three annexations are within the floodplain, with No. 1 and No. 3 also in the floodway.

The applicant is proposing to zone the land to H-A (Holding Agriculture) zone district (see Attachments D). The H-A zone district is generally intended for undeveloped open lands or agricultural land. No specific plans for the site are proposed at the time of annexation, but the Land Use Guidance Map indicates low-density residential uses for the site, so it is likely to eventually develop as such. Water and/or sanitary sewer will be extended to the area to serve any development that occurs there. If the subject site develops in the future, subsequent plans will be required to comply with the City's Development Code and will be required to comply with APFA (Adequate Public Facilities Area) requirements.

E. APPROVAL CRITERIA

Development Code Section 24-204 Rezoning Procedures

The review criteria found in Section 24-204(b) of the Development Code shall be used to evaluate the zoning amendment application.

1. The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.

The site is within the Long-Range Expected Growth Area (LREGA) and the Land Use Guidance Map identifies this area for natural uses, including park lands and open space. The LREGA includes those lands anticipated to accommodate the City of Greeley's urban development typically beyond a five (5) year time frame. This typically means that full urban services are not currently available to the site. The properties can be fully serviced if needed in the future.

Staff Comment: The proposed H-A (Holding Agriculture) zoning district is appropriate for this area. The H-A district has limited land uses, and any development proposal will require a rezone to a district that allows the uses proposed. Additionally, the H-A zone district will allow current oil and gas uses to continue as they are.

The proposal complies with this criterion.

2. The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.

According to the Development Code, the H-A (Holding Agriculture) zoning district is intended for properties that have been annexed to the City and are either being used for agricultural purposes or have little or no immediate development potential. Additionally, due

to the development patterns and inefficiency of providing city services, this area receives only limited infrastructure investment and is therefore used as a “pre-development” district to either preserve open and rural lands and agriculture uses, or hold areas until more coordinated planning for infrastructure, land uses, and design can occur.

Staff Comment: There is currently no development on the subject property, except for oil and gas facilities. Under the proposed H-A zone district, these uses would be permitted to continue. It is anticipated that this area will develop as open space and outdoor recreation, at which time a re-zone to an appropriate zone district would need to occur.

The proposal complies with this criterion.

3. Whether 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 is changing in that it is being annexed into the City of Greeley and per State statute and Greeley Development code requirements, zoning must be established within 90 days on newly annexed land.

The proposal complies with this criterion.

4. Whether the existing zoning been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.

Staff Comment: The subject area is currently I-3 (Industrial) in unincorporated Weld County. However, because the property is proposed to be annexed into the City of Greeley, City zoning must be established as discussed above.

The proposal complies with this criterion.

5. The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.

Staff Comment: The proposed establishment of zoning maintains the current character of the neighborhood. The proposed H-A zone district allows uses primarily limited to agriculture. Any proposed development would require the rezone of the subject area to a zone district that allows for the proposal.

The proposal complies with this criterion.

6. The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.

Staff Comment: The H-A zone district primarily limits permitted uses to agriculture. A proposed development would require a rezone of the property. When water and sanitary sewer service is requested for this region as part of a development proposal, offsite extensions will be required unless other development has already made the extensions. Any proposed development of the subject site would be reviewed for compliance with city standards and improvements to existing infrastructure may be required at that time.

The proposal complies with this criterion.

7. The change will serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.

Staff Comment: As stated above, the area is changing in that it is being annexed into the City of Greeley and per State statute and Greeley Development code requirements, zoning must be established within 90 days on newly annexed land.

The proposal complies with this criterion.

8. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.

Staff Comment: There are no anticipated negative impacts from the proposed establishment of zoning. As previously stated, the proposed H-A zone district's allowed uses are primarily limited to agriculture. A proposed development of the subject site would be reviewed for compliance with city standards and any potential impacts to neighboring properties would be considered at that time.

The proposal complies with this criterion.

9. The recommendations of professional staff or advisory review bodies.

Staff Comment: City staff recommends approval of this establishment of zoning request.

F. ADMINISTRATIVE REVIEW TEAM COMMENTS:

The proposal was reviewed by the Administrative Review Team and all comments have been addressed.

G. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

2. The Weld County Board of County Commissioners approved a Site Specific Development Plan for the western parcel of Wake Annexation No. 1 for a major facility for a public utility transmission line through the Use by Special Review process in June 2014 (Recording number 4023037).

3. HAZARDS

The Eaton Draw runs through the western parcel of Annexation No. 1. Most of the site is within the FEMA designated floodplain with portions in the floodway. Flooding hazards may exist from time to time. The site also contains multiple oil and gas wells and associated equipment.

4. WILDLIFE

The site is partially located in areas of highly sensitive and moderately sensitive areas of ecological significance. However, no new development of the property is proposed.

5. FLOODPLAIN

The Poudre River flows along and directly through this site; portions of the site are within the floodway, the 100-year floodplain and the 500-year floodplain.

6. DRAINAGE AND EROSION

The site is slightly developed with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through the Site Plan Review application and the subsequent permitting processes.

7. TRANSPORTATION

The site is located adjacent to N. 6th Avenue and to Highway 85 bypass.

H. PUBLIC NOTICE AND COMMENT:

Mailed notice is required, per the Development Code effective as of October 1, 2021. Therefore, a mailed notice was sent on July 28, 2023 to 72 surrounding properties within 1,000 feet of the project boundary. The applicant posted signs in three locations on the property on August 3, 2023. As of August 10, 2023, no comments or concerns have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Establishment of Zoning, File number ZON2023-0001 meets the required Development Code criteria of Section 24-204.b.(1-9); and recommend approval of the Wake Establishment of Zoning to the City Council.

J. ATTACHMENTS:

Attachment A – Vicinity Map

Attachment B – Surrounding Zoning Exhibit

Attachment C – Establishment of Zoning Maps

Attachment D – Site Analysis Map

Attachment E – Land Use Guidance Map



Planning Commission Agenda Summary

August 22, 2023

Key Staff Contact: Douglas May, Planner III

Title:

A public hearing for the Establishment of Zoning

Summary:

A public hearing for the Establishment of Zoning of 120.097 acres of newly annexed land to Holding Agriculture (HA).

Recommended Action:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Establishment of Zoning, File number ZON2023-0001 meets the required Development Code criteria of Section 24-204.b.(1-9); and recommend approval of the Wake Establishment of Zoning to the City Council.

Attachments:

1. Wake Establishment of Zoning Planning Commission Staff Report
2. Establishment of Zoning Map
3. Site Analysis Map
4. Land Use Guidance Map

PLANNING COMMISSION SUMMARY

ITEM: Establishment of Zoning of 120.097 acres of newly annexed land to Holding Agriculture (HA).

FILE NUMBER: ZON2023-0001

PROJECT: Wake Establishment of Zoning

LOCATION: East of 6th Avenue, West of Highway 85 Bypass, North of 5th Street

APPLICANT: Richmark Real Estate Partners, LLC

CASE PLANNER: Doug May, Planner III

PLANNING COMMISSION HEARING DATE: August 22, 2023

PLANNING COMMISSION FUNCTION:

Review the proposed annexation for compliance with Section 24-204 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

Per Sec. 24-201.b.4. annexed areas shall be included in the City's zoning ordinance and map within ninety (90) days after the effective date of the annexation ordinance. As such, this application has been submitted in conjunction with two petitions to annex land to the City. The applicant proposes the establishment of H-A (Holding Agriculture) zoning.

A. REQUEST

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B. STAFF RECOMMENDATION

Approval

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9. The recommendations of professional staff or advisory review bodies.

Staff Comment: City staff recommends approval of this establishment of zoning request.

F. ADMINISTRATIVE REVIEW TEAM COMMENTS:

The proposal was reviewed by the Administrative Review Team and all comments have been addressed.

G. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

2. The Weld County Board of County Commissioners approved a Site Specific Development Plan for the western parcel of Wake Annexation No. 1 for a major facility for a public utility transmission line through the Use by Special Review process in June 2014 (Recording number 4023037).

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The site is partially located in areas of highly sensitive and moderately sensitive areas of ecological significance. However, no new development of the property is proposed.

5. FLOODPLAIN

The Poudre River flows along and directly through this site; portions of the site are within the floodway, the 100-year floodplain and the 500-year floodplain.

6. DRAINAGE AND EROSION

The site is slightly developed with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through the Site Plan Review application and the subsequent permitting processes.

7. TRANSPORTATION

The site is located adjacent to N. 6th Avenue and to Highway 85 bypass.

H. PUBLIC NOTICE AND COMMENT:

Mailed notice is required, per the Development Code effective as of October 1, 2021. Therefore, a mailed notice was sent on July 28, 2023 to 72 surrounding properties within 1,000 feet of the project boundary. The applicant posted signs in three locations on the property on August 3, 2023. As of August 10, 2023, no comments or concerns have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Wake Establishment of Zoning, File number ZON2023-0001 meets the required Development Code criteria of Section 24-204.b.(1-9); and recommend approval of the Wake Establishment of Zoning to the City Council.

J. ATTACHMENTS:

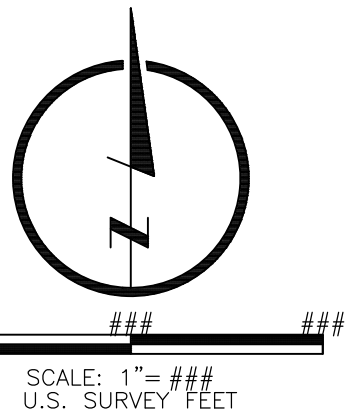
Attachment A – Vicinity Map

Attachment B – Surrounding Zoning Exhibit

Attachment C – Establishment of Zoning Maps

Attachment D – Site Analysis Map

Attachment E – Land Use Guidance Map



LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT LOT LINE
- SECTION LINE
- RIGHT OF WAY
- FOUND PROPERTY CORNER
- SECTION CORNER, AS DESCRIBED
- (R) PER RECORD
- (C) CALCULATED PER RECORD
- (R-CDOT) PER CDOT ROW MAP

COVER SHEET

WAKE ZONING PLAT

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH,
RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ZON2023-0001

WAKE ZONING PERIMETER DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, SOUTHEAST QUARTER, AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE POINT OF BEGINNING;
THENCE CONTINUING ON SAID SOUTH LINE N84° 54' 03"W A DISTANCE OF 1386.38 FEET;
THENCE N0° 16' 24"E A DISTANCE OF 297.11 FEET;
THENCE N89° 20' 24"W A DISTANCE OF 129.00 FEET;
THENCE N0° 22' 34"E A DISTANCE OF 400.00 FEET ON THE EAST LINE OF THE THERMO COGENERATION PLANT ANNEXATION RECORDED AT REC. #2467353;
THENCE N89° 47' 22"W A DISTANCE OF 477.15 FEET ON THE NORTH LINE OF SAID THERMO COGENERATION PLANT ANNEXATION;
THENCE N5° 03' 53"E A DISTANCE OF 53.58 FEET ON THE EAST LINE OF THE MONFORT LAMB PLANT ANNEXATION RECORDED AT REC. #2181908;
THENCE N2° 35' 05"E A DISTANCE OF 203.34 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;
THENCE N1° 02' 25"E A DISTANCE OF 422.15 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;
THENCE S84° 15' 54"E A DISTANCE OF 33.45 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;
THENCE N1° 00' 20"W A DISTANCE OF 344.18 FEET ON THE EAST LINE OF SAID MONFORT LAMB PLANT ANNEXATION;
THENCE S84° 18' 04"E A DISTANCE OF 909.75 FEET TO THE SOUTHWEST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;
THENCE N67° 42' 53"E A DISTANCE OF 299.44 FEET TO THE NORTHEAST RIGHT OF WAY FOR THE HIGHWAY 85 BY-PASS;
THENCE ON SAID NORTHEAST RIGHT OF WAY S23°10'17"E A DISTANCE OF 475.25 FEET;
THENCE N88° 44' 10"E A DISTANCE OF 479.74 FEET;
THENCE S1° 08' 17"E A DISTANCE OF 821.58 FEET;
THENCE S0° 04' 41"W A DISTANCE OF 358.82 FEET TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;
THENCE 268.77 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 5°12'33" AND BEING SUB-TENDED BY A CHORD WHICH BEARS S14° 57' 22"E A DISTANCE OF 268.68 FEET TO THE POINT OF BEGINNING.
SAID PARCEL HAS AN AREA OF 2,683,882 SQUARE FEET, 61.613 ACRES, MORE OR LESS.

AND

COMMENCING AT THE SOUTH 1/16 CORNER BETWEEN SECTIONS 32 AND 33, TOWNSHIP 6 NORTH, RANGE 65 WEST; THENCE N84° 54' 03"W A DISTANCE OF 706.65 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS, SAID POINT BEING THE POINT OF BEGINNING;
THENCE 129.43 FEET ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2956.24 FEET, A CENTRAL ANGLE OF 2°30'31", AND BEING SUB-TENDED BY A CHORD WHICH BEARS S11° 05' 51"E A DISTANCE OF 129.42 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S8° 40' 39"E A DISTANCE OF 205.17 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S7° 59' 19"E A DISTANCE OF 501.43 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S82°01'00"W A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ON SAID NORTHEAST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS S07°57'00"E A DISTANCE OF 56.42 FEET;

THENCE SOUTH 82°03'00"W A DISTANCE OF 300.00 FEET TO THE SOUTHWEST RIGHT OF WAY FOR HIGHWAY 85 BY-PASS;

THENCE S31° 15' 29"W A DISTANCE OF 413.37 FEET;

THENCE N85° 53' 03"W A DISTANCE OF 972.88 FEET;

THENCE N0° 54' 24"W A DISTANCE OF 887.47 FEET;

THENCE S87°32' 12"W A DISTANCE OF 540.87 FEET TO THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE APPARENT WEST RIGHT OF WAY OF 6TH AVENUE N0°13' 55"E A DISTANCE OF 515.08 FEET;

THENCE S84°54'03"E A DISTANCE OF 60.48 FEET TO THE EAST RIGHT OF WAY OF 6TH AVENUE;

THENCE ON THE EAST RIGHT OF WAY OF 6TH AVENUE S01°35'54"E A DISTANCE OF 92.52 FEET;

THENCE S89° 42' 47"E A DISTANCE OF 337.76 FEET;

THENCE S0° 04' 42"W A DISTANCE OF 89.22 FEET;

THENCE S87° 54' 00"E A DISTANCE OF 63.86 FEET;

THENCE N0° 18' 26"E A DISTANCE OF 91.18 FEET;

THENCE S89° 49' 03"E A DISTANCE OF 64.95 FEET;

THENCE N0° 16' 24"E A DISTANCE OF 52.85 FEET TO THE SOUTH LINE OF WAKE ANNEXATION NO. 1;

THENCE S84° 54' 03"E A DISTANCE OF 1386.38 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 1 TO THE POINT OF BEGINNING.

SAID PARCEL HAS AN AREA OF 1,978,028 SQUARE FEET, 45.409 ACRES, MORE OR LESS.
AND

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE S85° 53' 03"E A DISTANCE OF 580.28 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 TO THE POINT OF BEGINNING;

THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 S85° 53' 03"E A DISTANCE OF 681.64 FEET ON THE SOUTH LINE OF WAKE ANNEXATION NO. 2;

THENCE S1° 47' 37"W A DISTANCE OF 823.29 FEET;

THENCE N87° 00' 29"W A DISTANCE OF 849.06 FEET;

THENCE N0° 01' 14"W A DISTANCE OF 80.11 FEET ON AN EAST LINE OF THE CITY OF GREELEY;

THENCE S87° 02' 25"E A DISTANCE OF 194.90 FEET;

THENCE N0° 03' 45"W A DISTANCE OF 757.45 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEING THE POINT OF BEGINNING.

SAID PARCEL HAS AN AREA OF 569,539 SQUARE FEET, 13.075 ACRES, MORE OR LESS.

THE PERIMETER OF THE COMBINED PARCEL HAS AN AREA OF 5,231,449 SQUARE FEET, 120.098 ACRES MORE OR LESS.

CERTIFICATION OF OWNERSHIP

RICHMARK REAL ESTATE PARTNERS, BEING THE SOLE OWNERS IN FEE OF THE ABOVE-DESCRIBED PROPERTY, EXCEPT FOR RIGHTS OF WAY, HEREBY REQUEST THE ABOVE PROPERTY BE ZONED HA - HOLDING AGRICULTURE.

OWNERS: RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY

OWNERS: _____ DATE: _____
TYLER RICHARDSON
AUTHORIZED AGENT

ACKNOWLEDGEMENT:

STATE OF COLORADO)
()SS
COUNTY OF WELD)

THE FOREGOING ZONING PLAT WAS ACKNOWLEDGED BEFORE ME BY TYLER RICHARDSON AS AUTHORIZED AGENT OF RICHMARK REAL ESTATE PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY.

ON THIS _____ DAY OF _____, 20____.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

GENERAL NOTES:

- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ALL EASEMENTS AND RIGHT-OF-WAYS ARE REFERENCED FROM: FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NUMBER NCS-1148067-CO, WITH AN EFFECTIVE DATE OF SEPTEMBER 19, 2022 AT 5:00 P.M..
- BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3" X ALUMINUM CAP STAMPED 33200, 2012 AND THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #6 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
- INTENT: THE INTENT OF THIS DOCUMENT IS TO ZONE THE HEREIN DESCRIBED PROPERTY (WAKE ANNEXATION NO. 1 - ANX2022-0008, WAKE ANNEXATION NO. 2 - ANX2022-0009, AND WAKE ANNEXATION NO. 3 - ANX2022-0010) AS CITY OF GREELEY ZONE HA - HOLDING AGRICULTURE.

REZONING DEVELOPMENT STANDARD NOTES:

- APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
- AT TIME OF SITE DEVELOPMENT ALL EXISTING AND PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND, EXCEPT THOSE FOR ELECTRICAL TRANSMISSION.
- NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE UNLESS THE PROPERTY HAS BEEN PLATTED IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS (CHAPTER 3).
- ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.

PLANNING COMMISSION APPROVAL:

APPROVED BY THE CITY OF GREELEY PLANNING COMMISSION ON THIS ____ DAY OF _____, 2023.

GREELEY PLANNING COMMISSION _____

CITY COUNCIL APPROVAL:

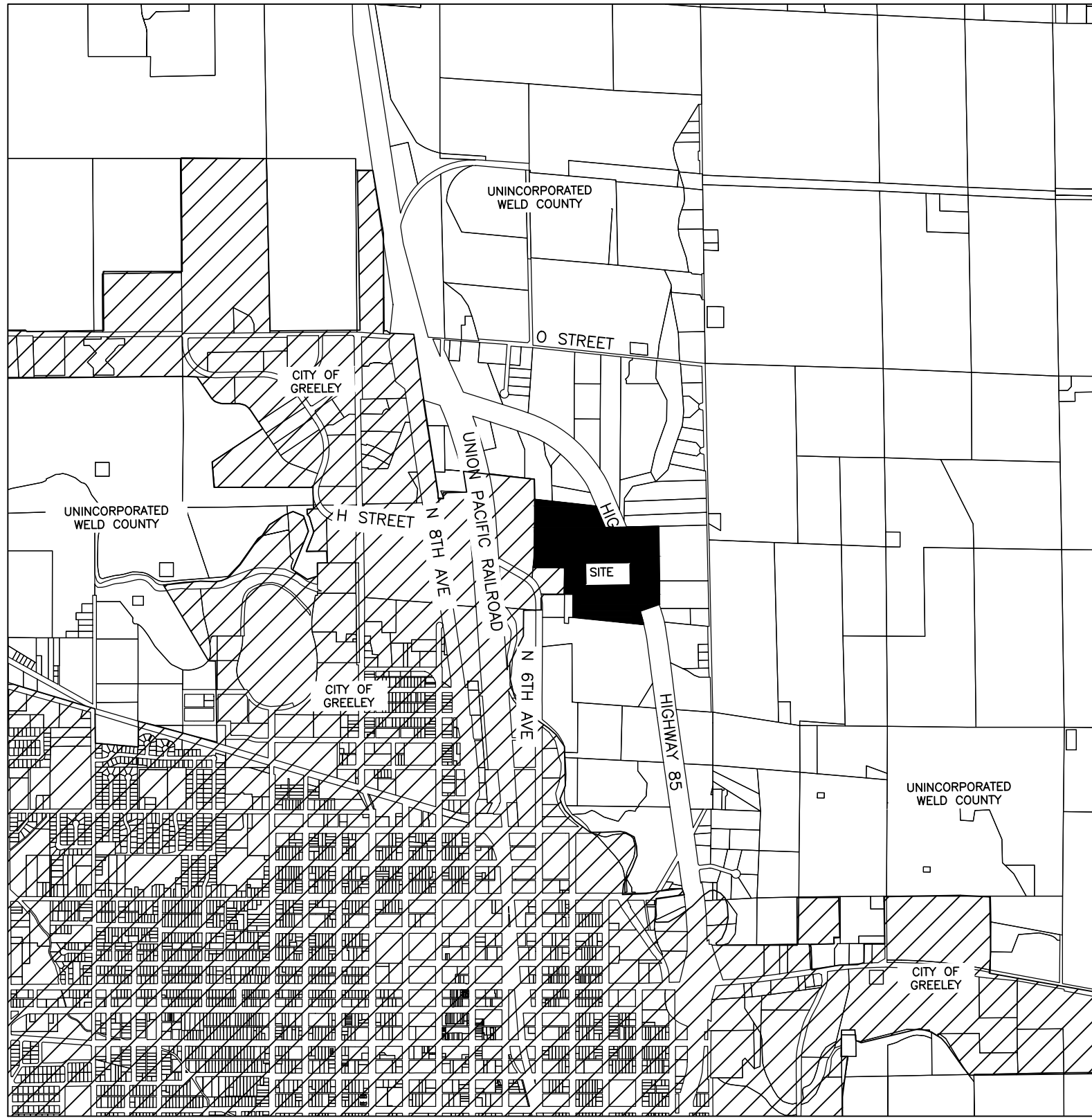
APPROVED BY THE GREELEY CITY COUNCIL ON THIS ____ DAY OF _____, 2023.

GREELEY CITY COUNCIL _____

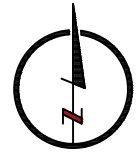
COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 2023, BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF GREELEY, COLORADO.

COMMUNITY DEVELOPMENT DIRECTOR _____



SCALE: 1"=2000
U.S. SURVEY FEET
VICINITY MAP
1"=2000'



APPLICANT & PROPERTY OWNER:

RICHMARK REAL ESTATE PARTNERS LLC
NATHAN ZIERER
5200 W 20TH ST.
GREELEY, CO 80634
PHONE: 970-352-9446

SURVEYOR:

LAMP RYNEARSON
LAINE LANDAU, PLS 31159
4715 INNOVATION DRIVE, SUITE 100
FORT COLLINS, CO 80525
PHONE: 970-226-0342

LAND SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS ZONING PLAT IS BASED UPON A FIELD SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF COLORADO.

LAINE A. LANDAU, COLORADO PLS 31159
LAMP RYNEARSON
LAINE.LANDAU@LAMPRYNEARSON.COM

LAMP
RYNEARSON

LAMPRYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498
FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)226.0342
KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

WAKE ZONING PLAT COVER SHEET
A PORTION OF THE SOUTHWEST, SOUTHEAST, AND NORTHEAST QUARTER
SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO



Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER

LAINE LANDAU/JOSH CROAK

DATE

05/18/2023

PROJECT NUMBER

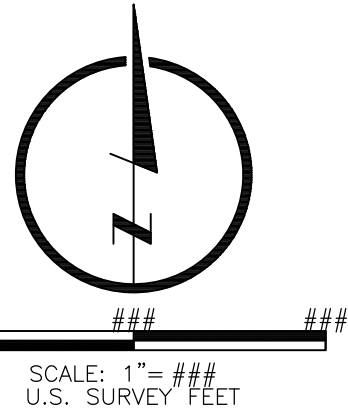
0222030

BOOK AND PAGE

SHEET

PROPERTY BOUNDARY MAP

ZON2023-0001



LEGEND

- | | |
|----------|------------------------------|
| ===== | SUBJECT PROPERTY LINE |
| ----- | ADJACENT LOT LINE |
| ----- | SECTION LINE |
| ===== | RIGHT OF WAY |
| ● | FOUND PROPERTY CORNER |
| ⦿ | SECTION CORNER, AS DESCRIBED |
| (R) | PER RECORD |
| (C) | CALCULATED PER RECORD |
| (R-CDOT) | PER CDOT ROW MAP |

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WAKE ZONING PLAT PROPERTY BOUNDARY MAP
A PORTION OF THE SOUTHWEST, SOUTHEAST, AND NORTHEAST QUARTER
SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

**RICHMARK WAKE ANNEXATION
GREELEY, COLORADO**



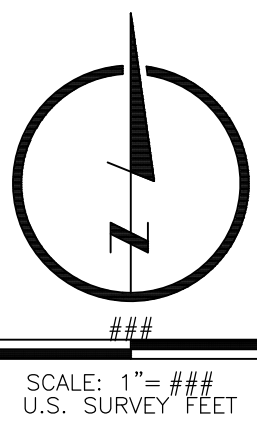
Know what's **below**.
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REVISIONS

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROA
DATE
05/24/2023
PROJECT NUMBER
0222030
BOOK AND PAGE

SHEET

2 OF 6



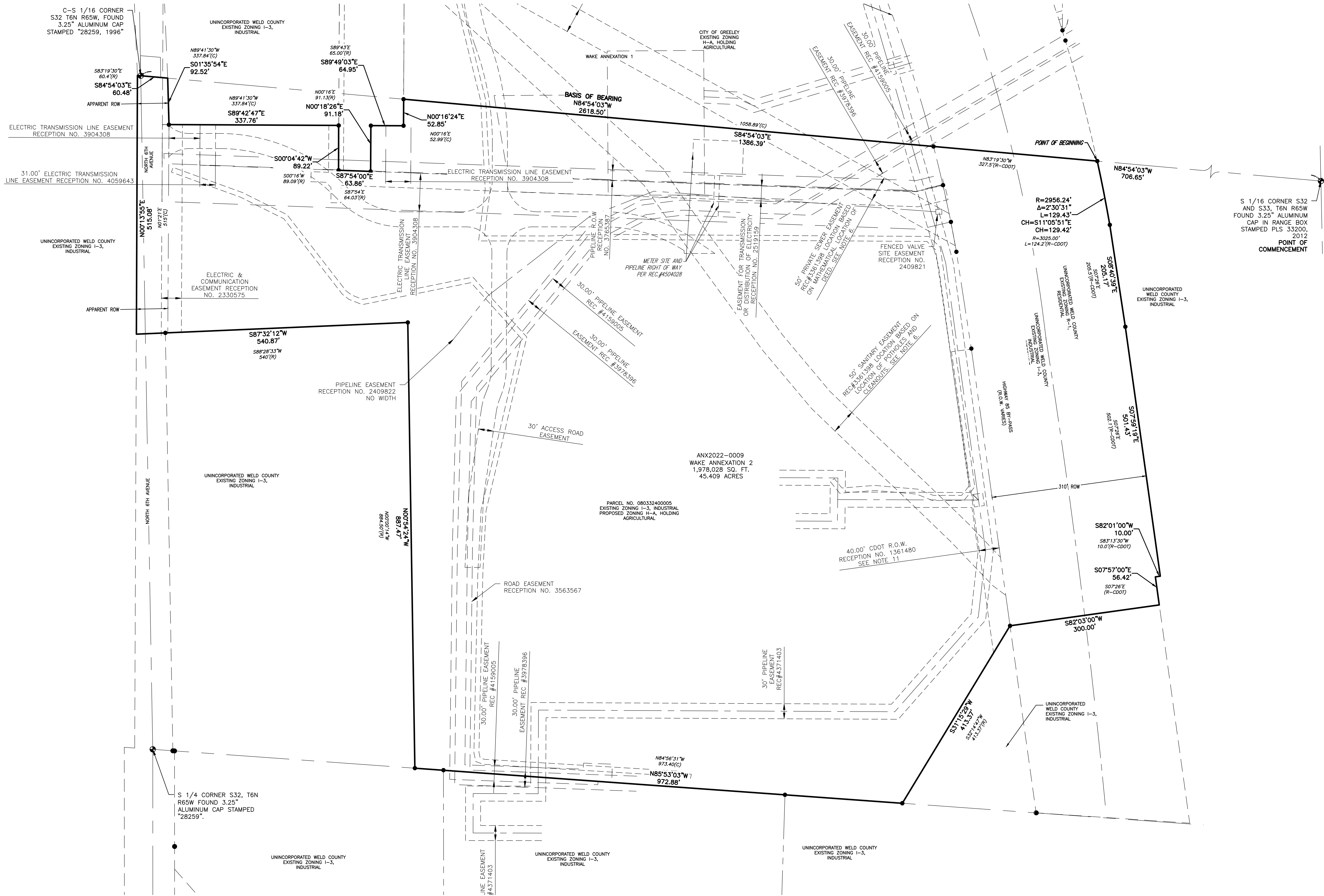
PROPERTY BOUNDARY MAP

WAKE ZONING PLAT

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH,
RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ZON2023-0001

LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT LOT LINE
- SECTION LINE
- RIGHT OF WAY
- FOUND PROPERTY CORNER
- SECTION CORNER, AS DESCRIBED
- PER RECORD
- CALCULATED PER RECORD
- PER CDOT ROW MAP



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9001 STATE LINE RD., STE. 200 (816)351.0440

WAKE ZONING PLAT PROPERTY BOUNDARY MAP
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO

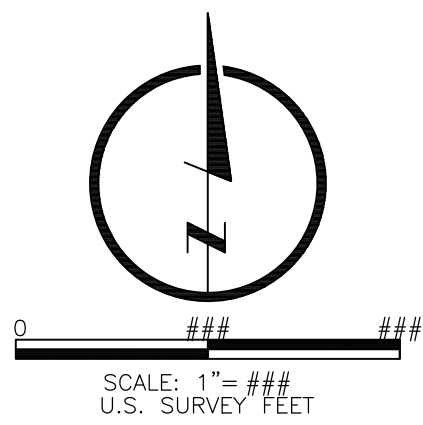


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DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
05/24/2023
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0222030
BOOK AND PAGE

SHEET



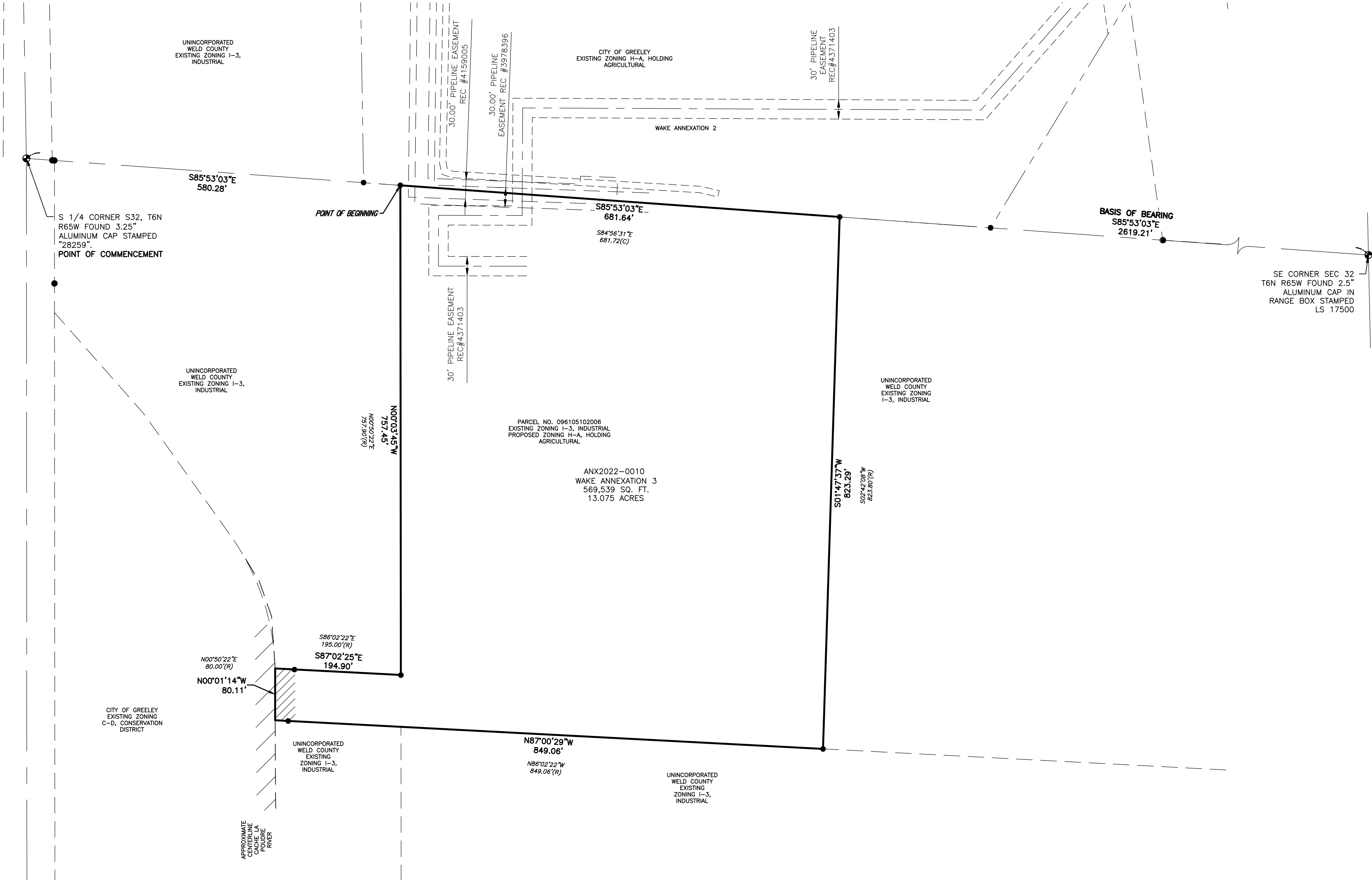
PROPERTY BOUNDARY MAP

WAKE ZONING PLAT

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH,
RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ZON2023-0001

LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT LOT LINE
- SECTION LINE
- RIGHT OF WAY
- FOUND PROPERTY CORNER
- SECTION CORNER, AS DESCRIBED
- (R) PER RECORD
- (C) CALCULATED PER RECORD
- (R-CDOT) PER RECORD - CDOT ROW MAPS



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WAKE ZONING PLAT PROPERTY BOUNDARY MAP
A PORTION OF THE NORTHEAST QUARTER OF SECTION 5
TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE ANNEXATION
GREELEY, COLORADO



ALL UTILITIES ARE SHOWN
BASED ON THE INFORMATION
AVAILABLE TO THE ENGINEER.
THERE IS NO GUARANTEE ALL
UTILITIES ARE SHOWN OR THAT
THE LOCATION, DEPTH, AND
SIZE OF EACH FACILITY IS
CORRECT. THE CONTRACTOR IS
RESPONSIBLE FOR LOCATING
ALL UTILITIES AND SERVICE
LINES PRIOR TO CONSTRUCTION.

REVISIONS

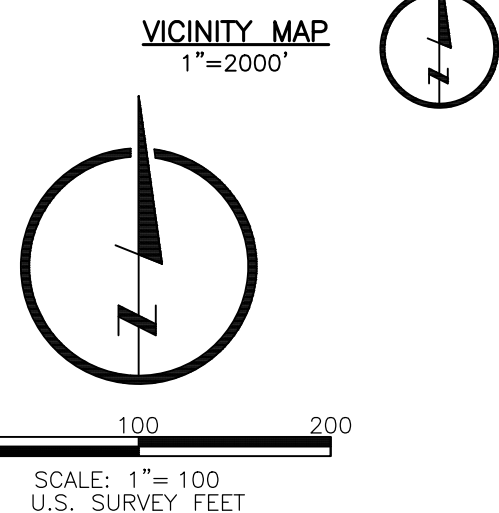
DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK
DATE
05/24/2023
PROJECT NUMBER
0222030
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4 OF 6

EXISTING CONDITIONS AND ZONING SUITABILITY MAP

WAKE ZONING PLAT

The image is a complex engineering site plan for a wastewater treatment facility. It features several large rectangular buildings labeled 'WAKE ANNEXATION 1', 'WAKE ANNEXATION 2', and 'WAKE ANNEXATION 3'. Surrounding these are various circular and rectangular structures labeled 'SEPARATORS', 'BURNERS', 'TANKS', 'WELLS', and 'OIL AND GAS TANKS'. The plan is overlaid with a grid of property lines and easements, many of which are labeled with dimensions and bearings. For example, a '30.00' PIPELINE EASEMENT REC #4159005' is shown multiple times. There are also several 'AREA WITHOUT BASE FLOOD ELEVATION ZONE: AE' and 'REGULATORY FLOODWAY ZONE: AE' labels. The plan includes numerous callouts for specific parcels and their zoning, such as 'PARCEL NO. 080332400005 EXISTING ZONING I-3, INDUSTRIAL PROPOSED ZONING H-A, HOLDING AGRICULTURAL'. The plan also shows topographic features like 'CACHILA VOUDRE RIVER' and 'POSSIBLE RIPARIAN VEGETATION'. The plan is heavily annotated with dimensions, bearings, and elevations, and includes several callouts for specific parcels and their zoning.



- NOTES:

- LAMP
RYNEARSON**

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FORT COLLINS, COLORADO
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KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)361.0444

EXISTING CONDITIONS AND ZONING SUITABILITY MAP

A PORTION OF THE NORTHEAST QUARTER OF SECTION 5

TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,

COUNTY OF WELD, STATE OF COLORADO

RICHMARK WAKE



Know what's **below**.
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REVISION

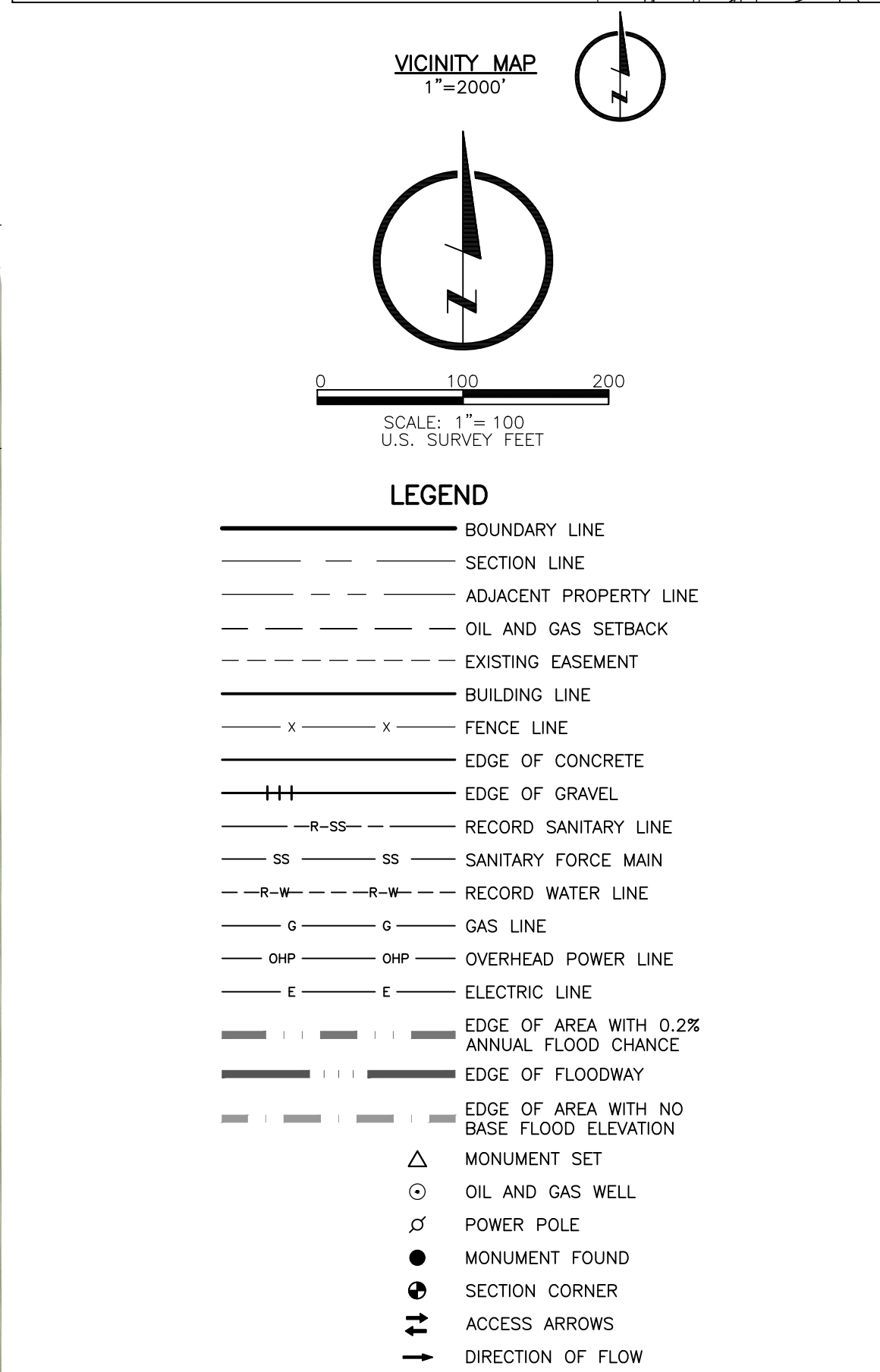
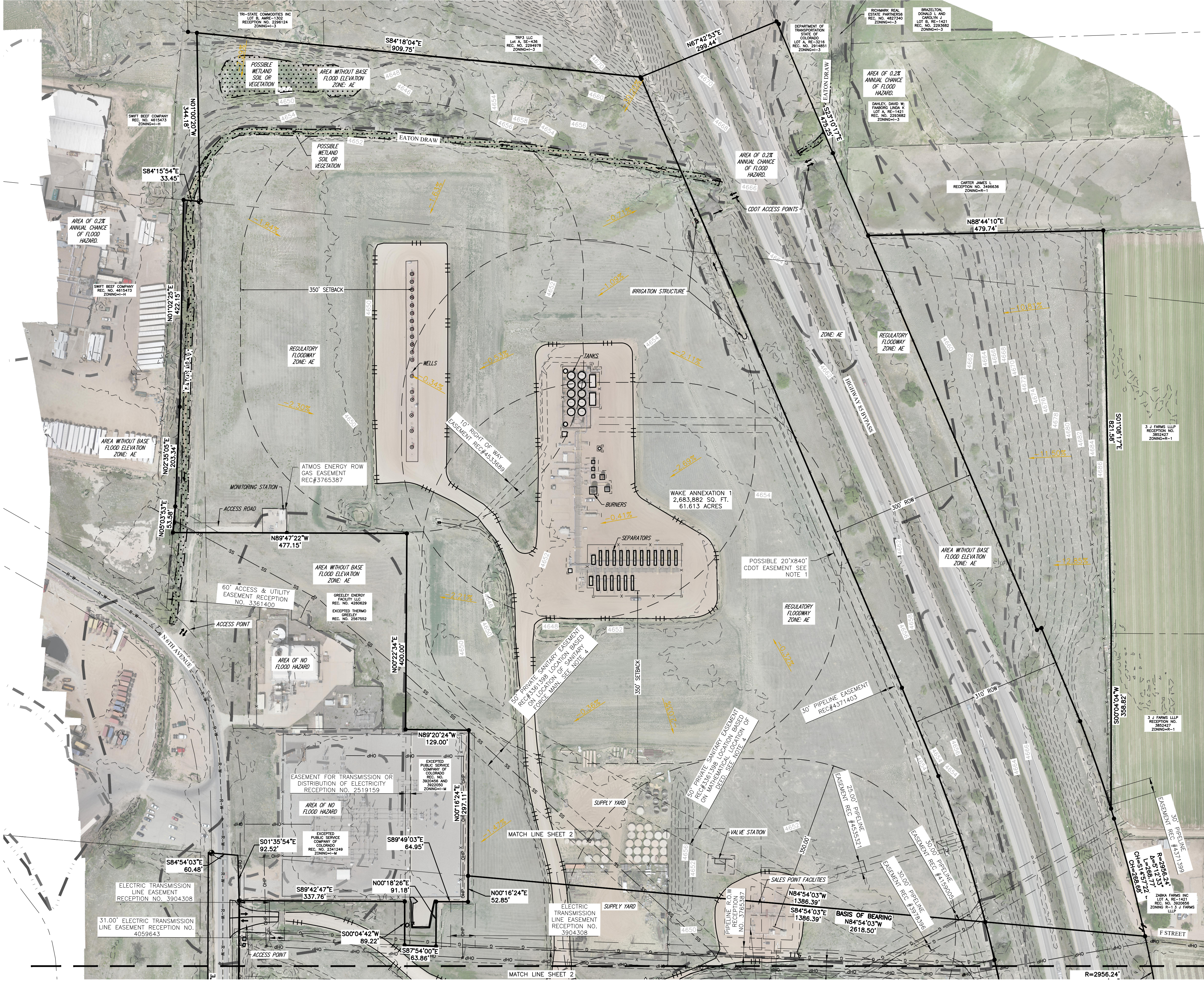
DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROA
DATE
05/24/2023
PROJECT NUMBER
0222030
BOOK AND PAGE

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6 OF 6

WAKE ANNEXATIONS NO. 1, 2 AND 3
TO THE CITY OF GREELEY

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008, ANX2022-0009, ANX2022-0010



- NOTES:
- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
 - BASIS OF BEARING: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
 - THIS DRAWING INCLUDES OBSERVED EVIDENCE OF VISIBLE SERVICES AND UTILITIES. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE FAILURE TO SHOW ANY BURIED SERVICE AND/OR UTILITY LINES EVEN THOUGH THEY MAY EXIST. CONTACT "ONE CALL" (811) PRIOR TO ANY EXCAVATION ON THIS SITE.
 - THE PRIVATE SANITARY FORCE MAIN SHOWN DOES NOT FALL WITHIN THE MATHEMATICAL POSITION DESCRIBED IN RECEPTION NO. 3361398. THE LOCATION OF THE SANITARY FORCE MAIN AND RELATED PRIVATE EASEMENT IS ASSUMED TO BE A STRAIGHT LINE BETWEEN LIMITED POTHOLE LOCATIONS EXCAVATED AS SUPPLEMENTED BY "WITCHING" THE LINE.
 - BENCHMARK: LAMP RYNEARSON CONTROL POINT #94 - 5/8" REBAR WITH A 1 1/4" ORANGE PLASTIC CAP STAMPED "CONTROL POINT" ELEVATION: 4649.44' ELEVATION DERIVED FROM TRIMBLE VRS NETWORK (NAV888)
 - HORIZONTAL DATUM: BASED ON THE NORTH AMERICAN DATUM OF 1983(2011), COLORADO STATE PLANE SYSTEM, NORTH ZONE. PROJECT IS IN MODIFIED STATE PLANE COORDINATES. TO ACHIEVE GRID COORDINATES AND GRID DISTANCES SCALE ENTIRE PROJECT BY 0.999734758 FROM GRID COORDINATE (0,0) AS THE SCALE LOCATION.
 - THE SUBJECT PROPERTY IS LOCATED IN ZONE A, REGULATORY FLOODWAY, ZONE AE, AN AREA WITH A BASE FLOOD ELEVATION, AND SHADED ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE FLOOD HAZARD, AND UN-SHADED ZONE X, AREA OF MINIMAL FLOOD HAZARD, BASED ON THE FEMA FLOOD MAP 08123C1533E EFFECTIVE 01/20/2016, AND EFFECTED BY LOMR 15-08-0573P EFFECTIVE 07/14/2016. FLOOD INFORMATION IS SUBJECT TO CHANGE.
 - AERIAL IMAGE WAS TAKEN ON 06/10/2022 BY DRONE AND IS GEO-REFERENCED TO THE SITE.
 - CONTOURS SHOWN AT 2' INTERVALS WERE DERIVED FROM DRONE DATA.
 - THE AREA OF THE OIL AND GAS OPERATIONS SETBACKS WITHIN COMBINED ANNEXATION PROPERTY IS 3,137,720 SQUARE FEET, 72.032 ACRES MORE OR LESS.

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LAMP RYNEARSON.COM
OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402)496.2498
FORT COLLINS, COLORADO
4715 INNOVATION DR., STE. 100 (970)228.0342
KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816)351.0440

SITE ANALYSIS MAP

**RICHMARK WAKE
GREELEY, COLORADO**

811
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REVISIONS

DATE	DESCRIPTION
10/17/2022	REV PER CITY COMMENTS
11/23/2022	REV PER CITY COMMENTS
12/13/2022	REV PER CITY COMMENTS
03/28/2023	BOUNDARY REVISION

DESIGNER / DRAFTER
LAINE LANDAU/JOSH CROAK

DATE
08/04/2022

PROJECT NUMBER
0222030

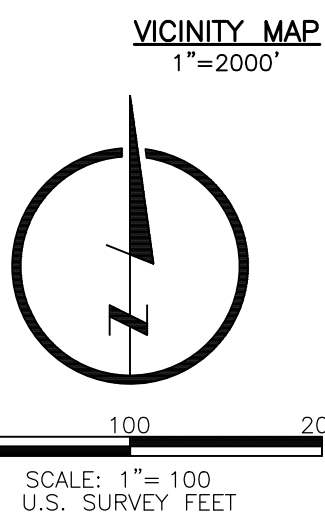
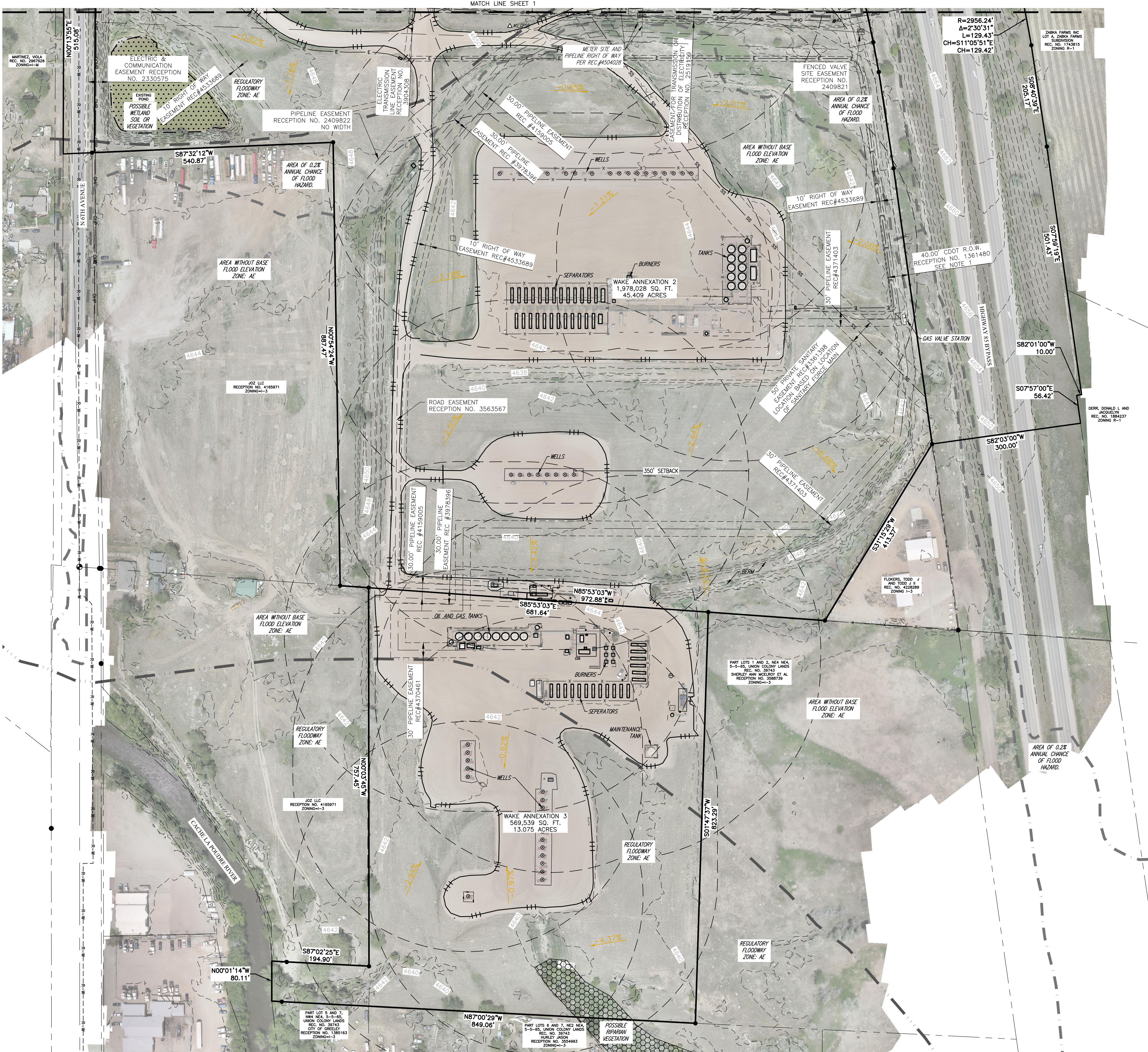
BOOK AND PAGE

SHEET
1 OF 2

WAKE ANNEXATIONS NO. 1, 2 AND 3 TO THE CITY OF GREELEY

LOCATED IN THE SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST, AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
ANX2022-0008, ANX2022-0009, ANX2022-0010

SITE ANALYSIS MAP



- LEGEND**
- BOUNDARY LINE
 - SECTION LINE
 - ADJACENT PROPERTY LINE
 - OIL AND GAS SETBACK
 - EXISTING EASEMENT
 - BUILDING LINE
 - FENCE LINE
 - EDGE OF CONCRETE
 - EDGE OF GRAVEL
 - RECORD SANITARY LINE
 - SANITARY FORCE MAIN
 - RECORD WATER LINE
 - GAS LINE
 - OVERHEAD POWER LINE
 - ELECTRIC LINE
 - EDGE OF AREA WITH 0.2% ANNUAL FLOOD CHANCE
 - EDGE OF FLOODWAY
 - EDGE OF AREA WITH NO BASE FLOOD ELEVATION
 - MONUMENT SET
 - OIL AND GAS WELL
 - POWER POLE
 - MONUMENT FOUND
 - SECTION CORNER
 - ACCESS ARROWS
 - DIRECTION OF FLOW

NOTES:

- CDOT PLANS FOR PROJECT U006-1(22) SHOWS A 40' EASEMENT PARCEL E10A ALONG THE EAST LINE OF SUBJECT PROPERTY. A DOCUMENT WAS NOT FOUND FOR THIS EASEMENT IN THE PUBLIC RECORD. SAID EASEMENT HAS BEEN SHOWN HEREON IN THE LOCATION DEPICTED ON SAID HIGHWAY PLANS.
- BASIS OF BEARING: THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, BEARS NORTH 84° 54' 03" WEST FOR 2618.50 FEET BETWEEN THE SOUTH SIXTEENTH CORNER OF SAID SOUTHEAST QUARTER OF SECTION 32 AND 33 MONUMENTED WITH A #6 REBAR AND 3" ALUMINUM CAP STAMPED 33200, 2012 AND THE SOUTH CENTER SIXTEENTH CORNER OF SAID SECTION 32 MONUMENTED WITH #5 REBAR AND 2" ALUMINUM CAP STAMPED PLS 28259, 1996 WITH ALL OTHER BEARINGS REFERENCED THERETO.
- THIS DRAWING INCLUDES OBSERVED EVIDENCE OF VISIBLE SERVICES AND UTILITIES. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE FAILURE TO SHOW ANY BURIED SERVICE AND/OR UTILITY LINES EVEN THOUGH THEY MAY EXIST. CONTACT "ONE CALL" (811) PRIOR TO ANY EXCAVATION ON THIS SITE.
- THE PRIVATE SANITARY FORCE MAIN SHOWN DOES NOT FALL WITHIN THE MATHEMATICAL POSITION DESCRIBED IN RECEPTION NO. 3361398. THE LOCATION OF THE SANITARY FORCE MAIN AND RELATED PRIVATE EASEMENT IS ASSUMED TO BE A STRAIGHT LINE BETWEEN LIMITED POTHOLE LOCATIONS EXCAVATED AS SUPPLEMENTED BY "WITCHING" THE LINE.
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STIE ANALYSIS
MAP

RICHMARK WAKE
GREELEY, COLORADO



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PROJECT NUMBER

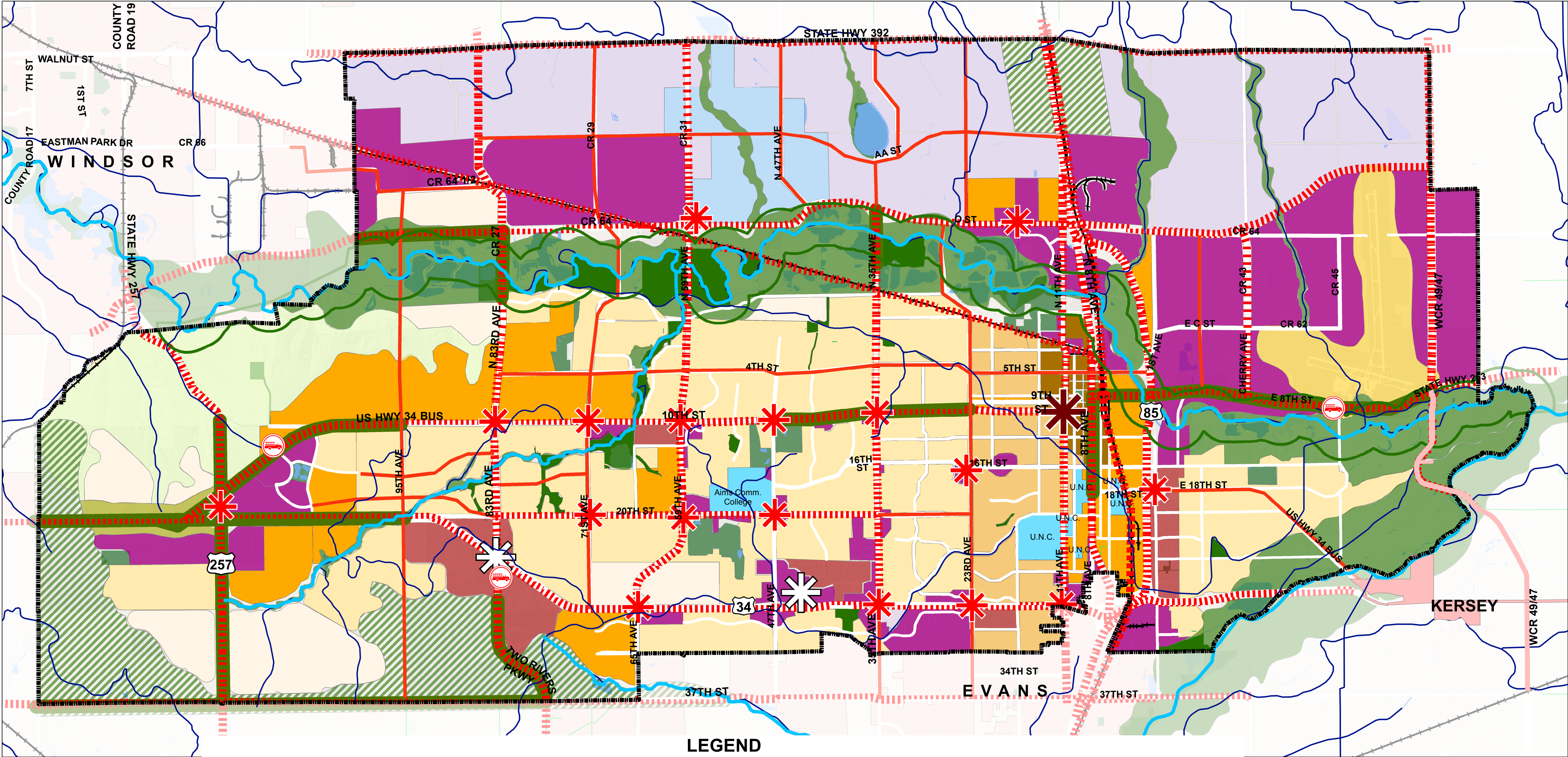
0222030

BOOK AND PAGE

SHEET

2 OF 2

LAND USE GUIDANCE MAP



LEGEND

CENTERS

- Downtown Center
- Regional Center
- Neighborhood Center

CORRIDORS

- Multi-Modal Corridor
- Special Multi-Modal Corridor Landscaping
- Poudre River Greenway

SPECIAL RECOMENDATIONS

- Potential Fire Station Locations

AREAS

- Airport Area
- Higher Education Hubs
- Employment, Industrial, and Commercial Areas
- North Annexation Area
- Mixed Use High Intensity
- Urban Reserve

OPEN LANDS & NATURAL AREAS

- Bluffs
- Community Separator
- Entryway Character Corridor
- Riparian Land
- City Owned Natural Areas

Town of Kersey

- Town of Kersey

NEIGHBORHOODS

- Rural
- Suburban
- Legacy Urban
- Mixed Use
- Downtown

N



0 0.375 0.75 1.5 2.25 3 Miles

Date of Preparation 12/1/17



Planning Commission Agenda Summary

August 22, 2023

Key Staff Contact: Meghan Oren, Planner III

Title:

PUD2023-0001 Boomerang Storage PUD

Summary:

A Public Hearing to consider a Planned Unit Development (PUD) request to rezone approximately 4.23 acres located directly north of 7025 8th Street from R-H (Residential High Density) to PUD (Planned Unit Development). (Project: PUD2023-0001).

Recommended Action:

Planning staff and the Administrative Review Team recommend approval.

Attachments:

1. PUD2023-0001_Boomerang Storage PUD Staff Report_PC FINAL
2. PUD2023-0001_Attachment A - Vicinity Map
3. PUD2023-0001_Attachment B - Project Narrative
4. PUD2023-0001_Attachment C - PUD Plan Set
5. PUD2023-0001_Attachment D - Neighborhood Notification Boundary Map
6. PUD2023-0001_Attachment E - PC Staff Presentation

PLANNING COMMISSION SUMMARY

ITEM: Rezone from R-H (Residential High Density) to PUD (Planned Unit Development)

FILE NUMBER: PUD2023-0001

PROJECT: Boomerang Storage PUD

LOCATION: 7025 8th Street

APPLICANT: Rob Stanley

CASE PLANNER: Meg Oren, Planner III

PLANNING COMMISSION HEARING DATE: August 22, 2023

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 24-205(c) and 24-204(b) of the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request to rezone approximately 4.23 acres located on the parcel directly north of 7025 8th Street from R-H (Residential High Density) to PUD (Planned Unit Development).

A. REQUEST

The applicant proposes rezoning approximately 4.23 acres located on the parcel directly north of 7025 8th Street from R-H (Residential High Density) to PUD (Planned Unit Development).

The PUD would allow all uses listed as permitted and uses listed as Use by Special Review in C-H (Commercial High Intensity), in addition to outdoor RV/boat/vehicle storage. Development is proposed to follow Development Code standards for the C-H (Commercial High Intensity) zoning district to ensure that the site maintains adequate screening, buffering, landscaping, open space, and setbacks. Existing oil and gas wells have been plugged and abandoned. See Attachments A, B, and C for more information.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning

North: R-H (Residential High Density)
South: C-H (Commercial High Intensity)
East: I-L (Industrial Low Intensity)
West: R-L (Residential Low Density)

Abutting Land Uses

North: Detention Pond
South: RV/Boat/Vehicle Storage and Indoor Storage
East: School (West Ridge Academy Charter School)
West: School (Tointon Academy)

Site Characteristics:

The site is currently vacant. There are existing oil and gas wells located on the northern half of the site, however they have been plugged and abandoned. There are no major topographical changes, and the site does not contain any major environmental areas of interest.

D. BACKGROUND

The site was originally a part of the Hewlett-Packard (H-P) Subdivision (S6-11; Recordation No. 38002237) and was established with the H-P Greeley Minor Subdivision – Seventh Replat (SUB2022-0021; Recordation No. 4875646) in January, 2023.

The applicant seeks to expand the existing business from the south of the site to allow for outdoor and indoor storage, which requires rezoning the site.

E. APPROVAL CRITERIA

Rezoning Review Criteria, Section 24-204(b):

- 1. The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.**

Staff Comment: The subject area is identified as a Suburban Neighborhood on the Land Use Guidance Map in the Imagine Greeley Comprehensive Plan. The inclusion of indoor and outdoor storage supports the vision to include non-residential uses in appropriate locations within Suburban Neighborhoods. Additionally, the following comprehensive plan goals support the subject application:

Objective GC-1.2 Form of Growth Encourage a compact urban form over sprawl or leap-frog development.

Objective GC-4.3 Infill Compatibility Promote the use of site design and building architecture that is sympathetic to the surrounding area and enhances the desirable character and form of the neighborhood or area.

The request complies with this criterion.

2. The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.

Staff Comment: The intent of the Planned Unit Development is to provide additional use of the property in ways that are compatible with the area. The proposed land uses provide opportunities for indoor and outdoor storage which are relatively low-impact and low-intensity uses.

The request complies with this criterion.

3. Whether 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 continues to see infill sites developed with a mix of residential and nonresidential uses. Recent development includes educational institutions and a residential neighborhood, Northridge Trails.

The request complies with this criterion.

4. Whether the existing zoning has been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.

Staff Comment: The existing zoning was established in 2015 with the H-P Greeley Subdivision Third Replat (S2-15; Recordation No. 4092418), and significant areas of the site remain undeveloped.

The request complies with this criterion.

5. The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces, and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.

Staff Comment: The proposal is an extension of an established business directly south of the site. The indoor and outdoor storage company is wanting to expand

their operations. Design criteria within the PUD has been proposed to continue within the established parameters of City of Greeley development code.

The request complies with this criterion.

6. The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.

Staff Comment: Existing services are present in the vicinity to support development of the site as proposed.

The request complies with this criterion.

7. The change will serve a community need, provide an amenity, or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.

Staff Comment: The proposed Planned Unit Development would accommodate the community's need for indoor and outdoor storage. The proposed allowed use is not allowed under the existing zoning to this extent. The proposed zoning is more appropriate than the existing zoning to allow development of the site and to serve community needs.

The request complies with this criterion.

8. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.

Staff Comment: The only anticipated negative impact of the proposal would be visual, which will be mitigated by the landscape buffering standards established in the PUD.

The request complies with this criterion.

9. The recommendations of professional staff or advisory review bodies.

Staff Comment: Planning staff and the Administrative Review Team recommend approval.

The request complies with this criterion.

Planned Unit Development Review Criteria, Section 24-205(c):

- 1. The plan reflects greater consistency with or more specificity in implementing the Comprehensive Plan than what could be accomplished under application of general zoning districts and development standards.**

The proposal allows nonresidential uses to be incorporated into the area in a way that achieves greater consistency and more specificity than standard zones would allow. The proposed uses are enumerated, and the proposal does not allow uses that could be incompatible with the area that would be allowed using standard zones.

The request complies with this criterion.

- 2. The benefits from any flexibility in the proposed plan:**
 - (1) promote the general public health, safety and welfare of the community, and in particular, that of the areas immediately near or within the proposed project, and is not strictly to benefit the applicant or a single project;**
 - (2) involves innovative concepts that were not anticipated by the development code; or**
 - (3) apply to a unique or specific context in a manner that allows the project to better meet the intent or design objectives of the base zoning districts and standards.**

The proposed development standards generally follow Development Code standards for C-H (Commercial High Intensity) areas with the inclusion of outdoor RV/boat/vehicle storage.

The request complies with this criterion.

- 3. The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area.**

The request is consistent with planning and design principles and the Comprehensive Plan.

The request complies with this criterion.

- 4. The plan meets all the review criteria for zoning map amendments in Section 24-204.**

The request complies with Section 24-204, Review Criteria for Rezoning as detailed above.

The request complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject site is Lot 1A of H-P Greeley Minor Subdivision 7th Replat, recorded in 2023 (SUB2022-0021; Recordation No. 4875646). No additional land division is proposed at this time.

2. HAZARDS

A portion of the site is within 500 feet of the nearby abandoned and plugged oil and gas operation. Any development of the site must comply with setbacks from oil and gas operations.

3. WILDLIFE

No ecologically sensitive areas have been identified on the site. Colorado Parks and Wildlife did not provide comments impacting the application.

4. FLOODPLAIN

The property is not located within the 100-year floodplain or floodway, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

5. DRAINAGE AND EROSION

Existing drainage facilities serve the site. Drainage and erosion would be further reviewed with future development of the site in concert with a Site Plan Review.

6. TRANSPORTATION

The site has adequate connectivity with an existing access from 71st Avenue. Additional traffic generation is expected to be minimal as there were 50 average daily trips and only four AM and PM trips.

G. SERVICES

1. WATER

Existing water infrastructure is present and adequate to serve the site.

2. SANITATION

Existing sewer infrastructure is present and adequate to serve the site.

4. EMERGENCY SERVICES

Existing emergency services are adequate to serve the site, including Fire Station #7, located approximately one-half mile away.

5. PARKS AND OPEN SPACES

Parkland dedication, or cash-in-lieu, may be required with any future residential subdivision.

6. SCHOOLS

The subject property is located within Greeley-Evans School District 6. Cash-in-lieu for school land dedication may be required with any future residential subdivision.

7. METROPOLITAN DISTRICT

The site is within the City Center West Metro District (MD1-14; Ordinance No. 58), adopted in 2016, and has a Development Concept Master Plan (DCMP). If approved, the PUD development standards will override the DCMP standards.

H. NEIGHBORHOOD IMPACTS

1. VISUAL

Maintaining a generous buffer from existing residential uses is anticipated to adequately address visual impacts.

2. NOISE

Significant noise impacts are not anticipated. Any noise created by future development is regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

Public notices were completed as follows:

- Notice was placed on the City of Greeley's website on August 1, 2023.
- A sign was posted on the property on August 4, 2023.
- Notice was mailed to 108 property owners or current residents within 1,000 feet of the site on August 2, 2023.

No comments have been received.

J. MINERAL ESTATE OWNER NOTIFICATION

The applicant satisfied the mineral owner notification requirements. No feedback from mineral owners has been received.

K. PLANNING COMMISSION RECOMMENDED MOTIONS

Recommended (Approval)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning and Planned Unit Development is in compliance with Sections 24-204(b) and 24-205(c) of the Development Code and therefore recommends City Council approval.

Alternative (Denial)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning and Planned Unit Development is not in compliance with Sections 24-204(b) and 24-205(c) of the Development Code and therefore recommends City Council denial.

ATTACHMENTS

Attachment A – Vicinity Map

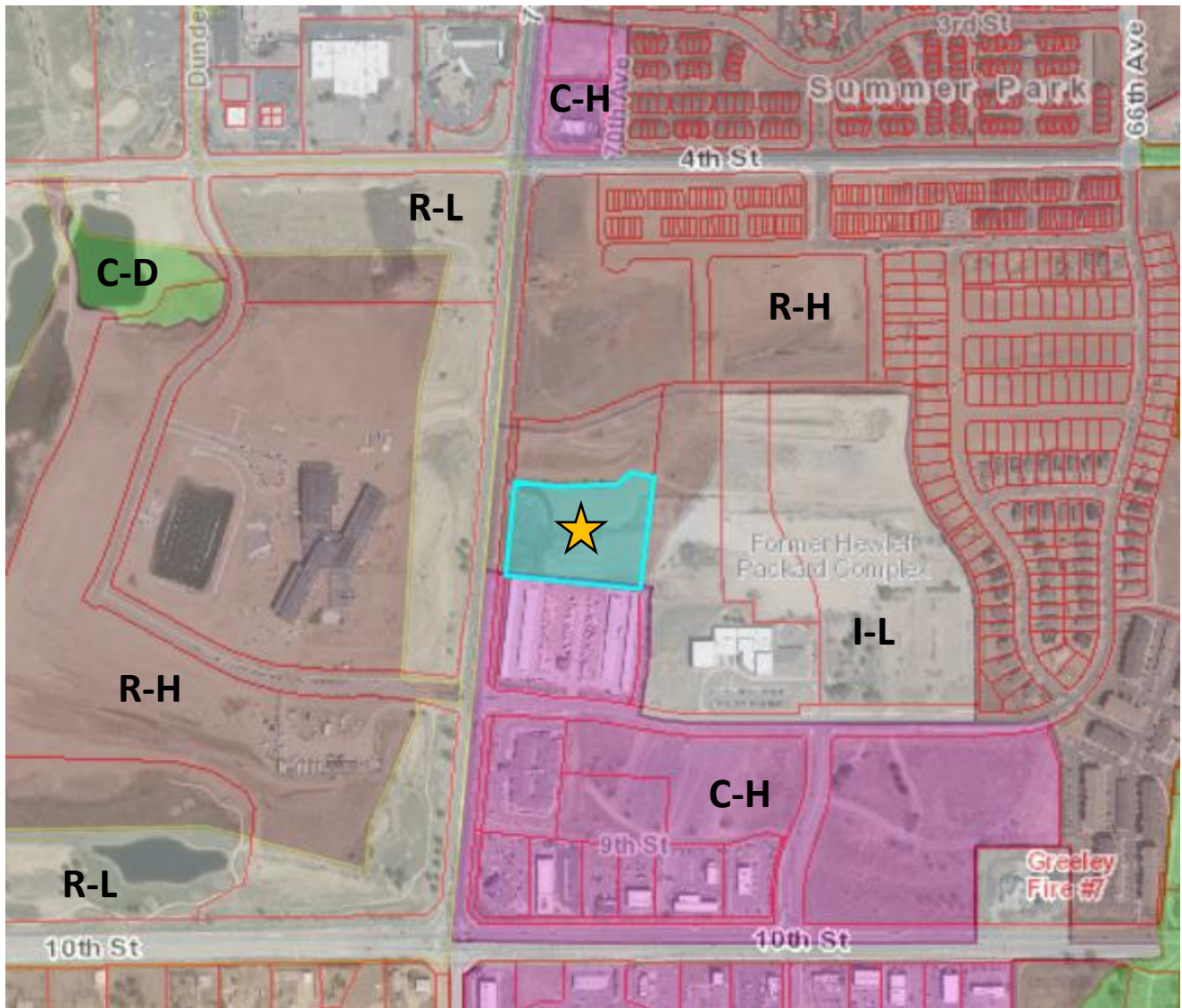
Attachment B – Project Narrative

Attachment C – PUD Plan Set

Attachment D – Neighborhood Notification Boundary Map

Attachment E – Staff Slides

Attachment A – Vicinity Map



Attachment B – Project Narrative

February 18, 2023

Planning & Zoning Department

1100 10th Street - 2nd Floor

Greeley, CO 80631

Re: Boomerang Storage PUD2023-0001 - Project Narrative

1. Project Background

The existing Boomerang Self-Storage business located at 7025 8th Street, is proposing to expand their facility to the northern vacant site legally described as Lot 1A, H-P Greeley Subdivision 5th Replat. The subject property is currently within the R-H (Residential High Density) zone district. The site is roughly 4.23 acres, comprised of a single lot. Oil and gas wells on the site have been plugged and abandoned.

The property owner is requesting to change the zoning for Lot 1A from RH to PUD based on direction received from the City. Lot 1A would provide additional outside storage for Boomerang Self Storage customers to store their boats, trailers, and RV/vehicles.

2. Review Criteria - 24-201

- **Applicant's vision and understanding of the market for the proposed project.** There is a significant market demand for this proposed project. The surrounding area has or is in development or construction of multi-family apartments/townhomes and single-family homes that do not allow RV parking (due to HOA or City of Greeley parking constraints, etc.), or the domicile has insufficient storage for the renter or owners' belongings.
- **Proposed uses.** The proposed use includes Boat/RV storage and self storage buildings. There is no general site layout, conceptual or anticipated design of buildings at this time.
- **How the project will fit in and contribute to the area and further the intent of the existing or proposed zoning district.** The project will be similar to the Boomerang Self Storage parcel to the south (which is zoned CH with a City of Greeley approved USR for outside boats/trailers/RV's storage), see the second bullet point. To the east the parcel is zoned IL.
- **Planning and infrastructure impacts, including timing, phasing, or the need for any technical studies or outside agency coordination and review.** We do not foresee any infrastructure impacts or any technical studies or outside agency coordination and review. We will need the

assistance of the City of Greeley Planning Department with the rezoning and granting of future permits, etc.

- **Any special public information and outreach or specific agency or department reviews are necessary.** We do not foresee the need for any special public information and outreach, or specific agency review is needed.
- **Opportunities to improve designs or coordinate the preliminary concepts with other private or public investments in the area.** None needed.

3. Consistency with the goals, policies, and strategies in the City's Comprehensive Plan.

The City's Comprehensive plan designates the general area as Mixed Use, there are residential land uses existing and under progress surrounding the property. A neighborhood center generally located at the western intersection is also outlined within the Comprehensive plan which are intended to provide commercial amenities that are compatible with residential land uses. The proposed PUD would allow for greater consistency and better implementation of the Comprehensive Plan by allowing the property owner to expand the Boomerang Storage site which is considered to be a less impactful commercial development in terms of noise and traffic, given its adjacency to future residential.

The PUD promotes a healthy, progressive, and competitive local economy. Providing services and products to the local area, one of the goals as set forth in Economic Health & Diversification (ED-1) of the Comprehensive Plan. Additionally, the PUD and proposed land use expand on the City's goal to provide growth and maintain City Form by providing a commercial node at an intersection near future residential subdivisions.

4. Compatibility with Surrounding Area.

Surrounding properties are within the C-H zoning as well as the I-L and R-H zoning. Land uses around the subject property appear to be commercial and public uses such as a school, while property immediately north is vacant. The proposed expansion of the Boomerang storage site is compatible with the surrounding land uses as it lends itself to a lower intensity commercial use on the corner of the 71st Avenue intersection.

- **North:** Property to the north is zoned R-H, future land uses appear to be a residential subdivision. An outlot roughly 3.1 acres is immediately adjacent to the subject PUD site to the north and is zoned R-H. The outlot will provide a buffer between the storage and future residential as it will contain drainage features and landscaping.
- **South:** Property to the south is zoned C-H and contains the existing Boomerang Storage facility, which will remain as-is.
- **East:** Properties to the east are zoned I-L which contain a school and the formerly HP industrial building.
- **West:** Bordering the site on the west is 71st Avenue, further west properties are zoned R-L and R-H. A golf course exists on the west side of 71st Avenue.

5. Review Criteria - 24-205.c

- **The plan reflects greater consistency with or more specificity in implementing the Comprehensive Plan than what could be accomplished under application of general zoning districts and development standards.**

PUD zoning is a more appropriate zone district as the C-H zoning could not accommodate for the storage needs of the site.

- **The benefits from any flexibility in the proposed plan:**

The direction to pursue a PUD zone was recommended by City staff as a means to allow the storage needs. The PUD plan also provides substantial buffering between surrounding future residential land uses which add to the safety and welfare of the community.

- **The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area.**

The PUD is in-line with the Comprehensive plan goals and objectives as it encourages a commercial node at this intersection to potentially serve future residential subdivisions in the immediate area.

- **The plan meets all of the review criteria for zoning map amendments in section 24-204 shown below.**

These have been outlined below.

6. Review Criteria - 24-204.b

- **The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.**

The PUD is compatible with the vision of the Comprehensive Plan for this Mixed Use area and has been determined to be a more appropriate zone district as the C-H zoning could not accommodate for the storage needs of the site.

- **The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.**

The PUD zoning can provide for higher standards that can accommodate a level of compatibility with the surround land uses in terms of buffering and landscaping.

- **Whether 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.**

The area appears to be developing in a manner that is consistent with the Comprehensive Plan, however, recent code amendments led to a change in direction and a suggestion to pursue PUD zoning as a more appropriate option.

- **Whether the existing zoning been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.**

The R-H zone appears to have been established in 2015, however the site has historically been used for Oil and Gas facilities and commercial uses. The area seems to be developing in a manner where the residential land uses are being developed further north and east while this corner is being preserved for commercial uses.

- **The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.**

The proposed PUD will allow for the expansion of the storage facility and will promote a thoughtful transition between the future residential subdivision.

- **The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.**

The ability to provide adequate services has been determined to be feasible for this project.

- **The change will serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.**

The PUD zoning has been determined to be the most appropriate zoning based on the needs of storage uses, the PUD will also allow for a larger buffer between adjacent sites.

- **Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.**

The proposed land use and PUD zoning is appropriate as it is a less intense commercial use and will not cause negative impacts on surrounding land uses given the extensive buffering.

Please feel free to reach out with any questions,

Emily Tarantini

tarantini.emily@gmail.com

303-585-1055

BOOMERANG SELF STORAGE PLANNED UNIT DEVELOPMENT
PUD2023-0001

Lot 1A, H-P Greeley Minor Subdivision–Seventh Replat
Being a replat of Lot 1, HP Greeley Subdivision, Fifth Replat, and being a
Part of Southwest 1/4 of Section 4, Township 5 North, Range 66 W of the 6th P.M.
City of Greeley, County of Weld, State of Colorado
Totaling 4.23 Acres

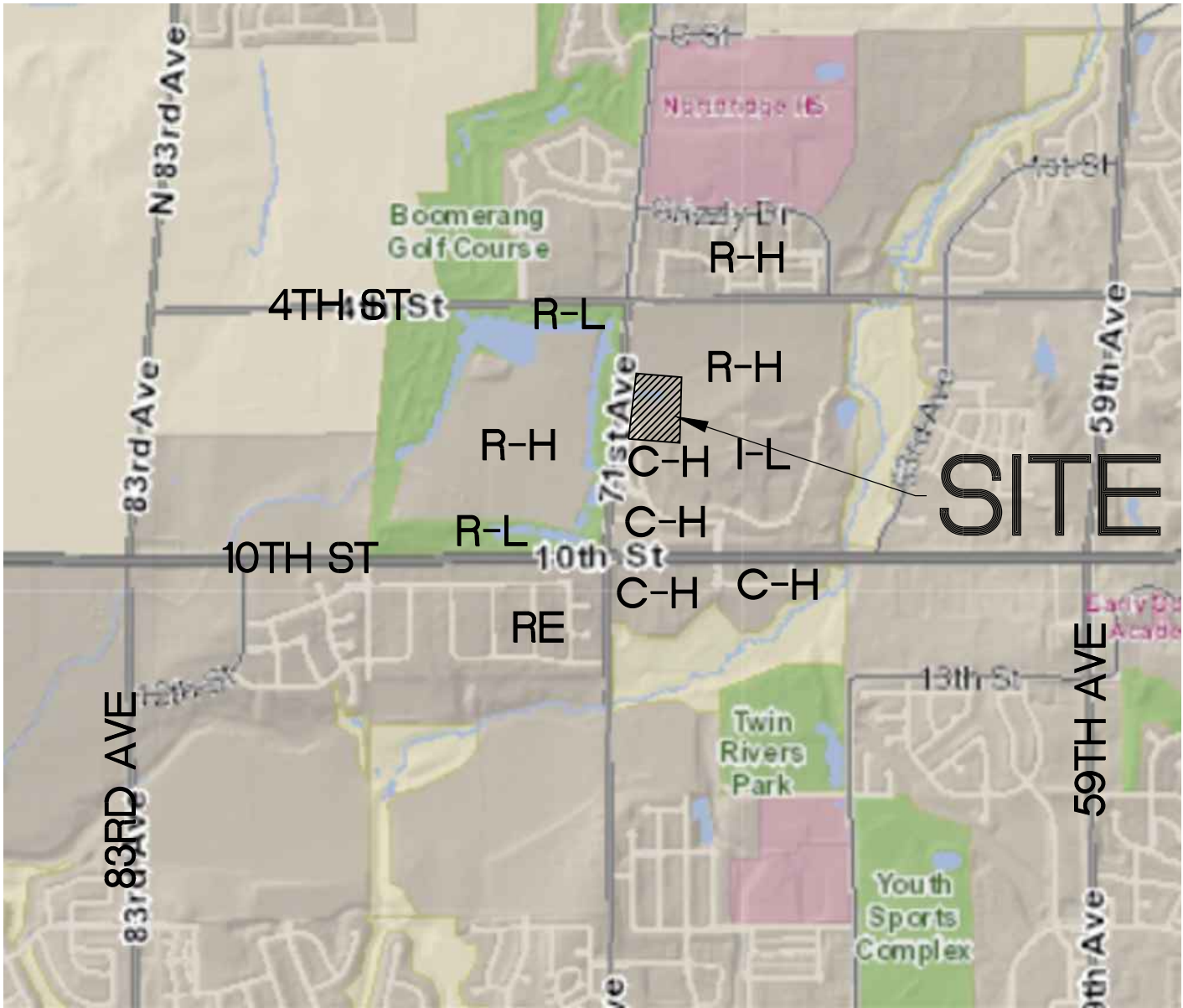
The purpose of the PUD zoning is to allow for the expansion
the Outdoor Storage area. The existing zoning on the property
is Residential **HIGH** Density **RH**

Zoning:

- 1. Development Standards to follow City of Greeley Standards for Commercial High zone district.
- 2. All uses listed as Permitted and Use by Special Review in the C-H (Commercial High Intensity) zoning district, in addition to outdoor RV/boat/vehicle storage, are allowed with a Site Plan Review.

General notes:

- 1. Approval of site construction plans by the City of Greeley shall be required (as applicable) prior to issuance of building permits.
- 2. All existing and proposed utilities shall be installed underground.
- 3. No building permit shall be issued for the construction of a new building or structure unless the property has been platted in accordance with the City's Subdivision Regulations (Chapter 3).
- 4. All elevations shown on these plans are tied to NAVD 88 datum.



Vicinity Map
N.T.S.

SITE SUMMARY			
AREA	USE	ACRES	% OF SITE
Lot 1A	All Permitted and Uses by Special Review in C-H and outdoor RV/boat/vehicle storage	4.23	100%
TOTALS		4.23	100%

INDEX	
C	COVER SHEET
1	EXISTING CONDITIONS MAP
2	MASTER DEVELOPMENT PLAN & GENERAL LAYOUT
3	SUITABILITY MAP
4	BOUNDARY MAP

CERTIFICATE OF OWNERSHIP

BOOMERANG SELF STORAGE LLC (ROB STANLEY Member) being the Owners of the Property described hereon
have planned this Property under the name of HP Lot 1 H-P Greeley Subdivision 5th Replat

1. All conditions, terms, and specifications designated or described on this document shall be binding upon the
Owner(s), their heirs,
successors and/or assigns.

In witness whereof, we have hereunto set our hand and seals this this day of , 20__.

ROB STANLEY

COMMUNITY DEVELOPMENT DIRECTOR:

Approved this day of ,2023, by the Community Development Director of the City of Greeley, Colorado.

Director of Community Development Date

PLANNING COMMISSION APPROVAL:

Approved by the City of Greeley Planning Commission on day of , 20__

PLANNING COMMISSION

CITY COUNCIL APPROVAL:

Approved by the Greeley City Council on day of ,20__

CITY COUNCIL

OWNER

BOOMERANG STORAGE LLC
7025 8th Street
Greeley, CO 80634
970-576-6189

LANDSCAPE ARCHITECT

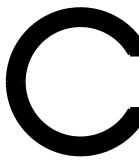
Rob Molloy
980 Norway Maple Drive
Loveland, CO
970-988-5301

DRAWN FOR
BOOMERANG
STORAGE
P.O. BOX 83775
GREELEY CO 80638
PHONE 970-576-6189

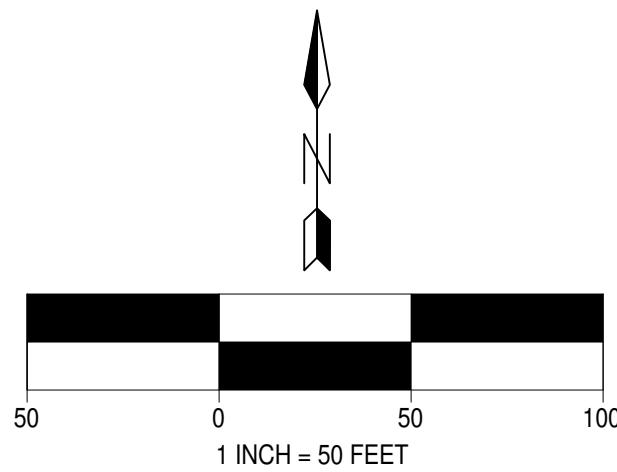
CITY CENTER
WEST LP
400 E 168th Ave STE 500
GLENDALE, CO 80246

WERNERMAN ENGINEERING
AND LAND DEVELOPMENT LLC
P.O. BOX 105
LASALLE CO 80645
PHONE 970-599-2656

DRAWN BY
EJW
CHECKED BY
3/31/2023
DATE
SCALE
PROJECT #
SHEET 1



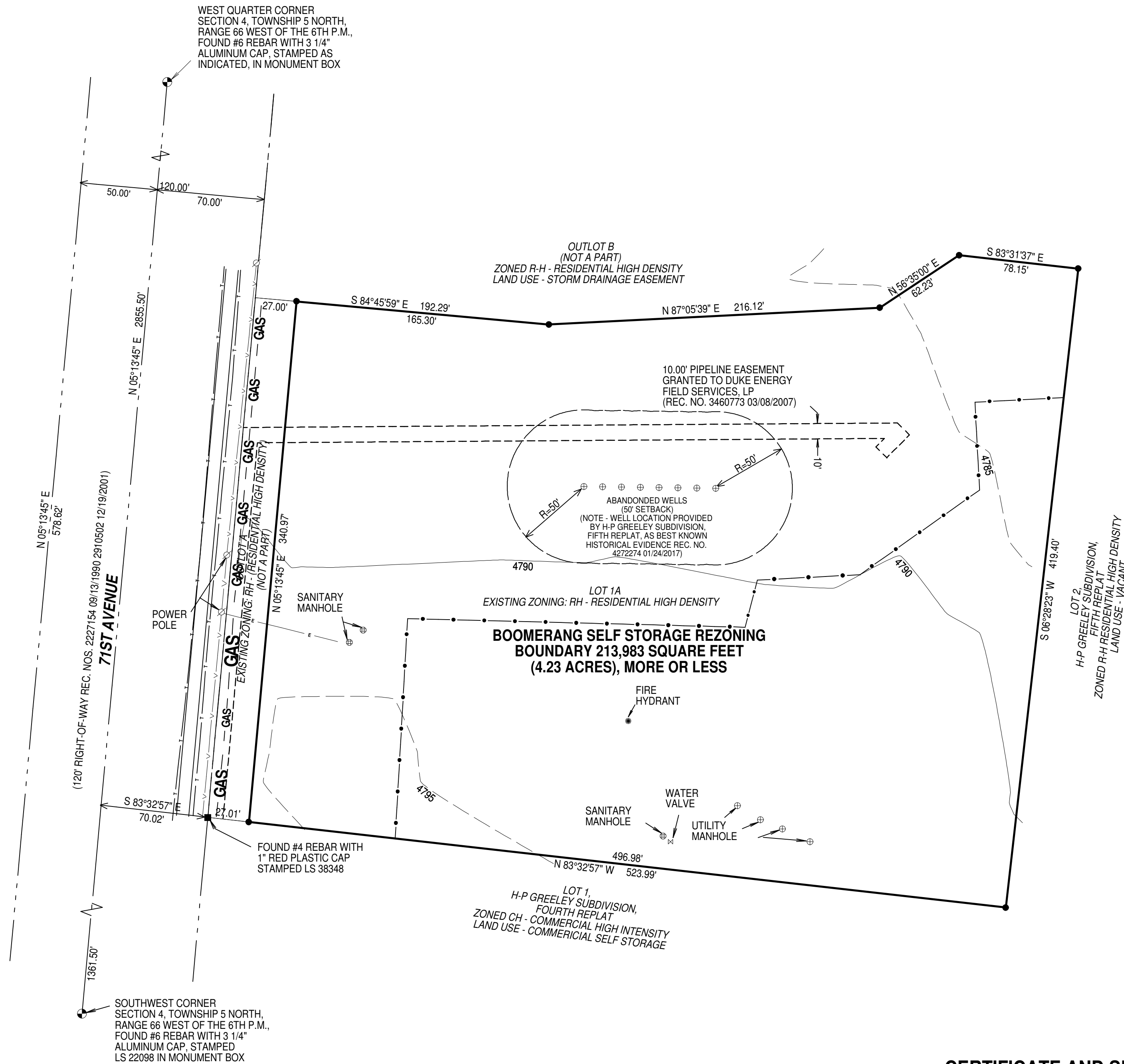
**BOOMERANG SELF STORAGE PLANNED UNIT DEVELOPMENT
EXISTING CONDITIONS AND SITE ANALYSIS MAP
LOT 1A, H-P GREELEY SUBDIVISION - SEVENTH REPLAT
BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
4.23 ACRES
PROJECT FILE NO. PUD2023-0001**



LEGEND

	ALIQUOT CORNER (AS DESCRIBED)
	FOUND MONUMENT (AS DESCRIBED)
	FOUND 24" #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS PLS 38353
	SUBJECT BOUNDARY
	RIGHT-OF-WAY
	EASEMENT
	GAS GAS LINE
	BURIED ELECTRIC
	TELEPHONE/FIBER
	POWER LINE

NOTE: THIS SITE ANALYSIS MAP IS NOT A LAND SURVEY PLAT SHOULD NOT BE
CONSTRUED AS SUCH. THE SOLE PURPOSE OF THIS MAP IS TO DELINEATE THE
PUD REZONE BOUNDARY OF LOT 1A AND OUTLOT A, H-P MINOR SUBDIVISION
SEVENTH REPLAT



**CERTIFICATE AND SEAL OF THE
REGISTERED LAND SURVEYOR**

I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO
HEREBY CERTIFY THAT THIS PUD SITE ANALYSIS MAP WAS PREPARED BY ME, OR UNDER MY
PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF.
BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, I FURTHER CERTIFY THAT THE
MAP COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF
COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS, AND THE CITY OF GREELEY, AND IS NOT A GUARANTY OR
WARRANTY, EITHER EXPRESS OR IMPLIED.

ROBERT D. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #38353

DATE

BOOMERANG SELF STORAGE PLANNED UNIT DEVELOPMENT

PUD2023-0001

Lot 1A, H-P Greeley Minor Subdivision-Seventh Replat
Being a replat of Lot 1, HP Greeley Subdivision, Fifth Replat, and being a
Part of Southwest 1/4 of Section 4, Township 5 North, Range 66 W of the 6th P.M.
City of Greeley, County of Weld, State of Colorado
Totaling 4.23 Acres

SITE SUMMARY			
AREA	USE	ACRES	% OF SITE
Lot 1A	All Permitted and Uses by Special Review in C-H and outdoor RV/boat/vehicle storage	4.23	100%
TOTALS		4.23	100%

Development Standards	
DESCRIPTION	PROPOSED
PLANNING AREA	Lot 1A
Permitted Uses	All Permitted and Uses by Special Review in C-H and outdoor RV/boat/vehicle storage
Uses Not allowed	All uses and allowances not listed as permitted above, per the City of Greeley's Development Code and as amended
Min Lot Area	Per the City of Greeley's C-H Development Standards and as amended
Density	Per the City of Greeley's C-H Development Standards and as amended
Building Coverage	Per the City of Greeley's C-H Development Standards and as amended
Drive, Parking, and Walks	Per the City of Greeley's C-H Development Standards and as amended
Open Space/Landscaping	15% Max
Max Lot Coverage	Per the City of Greeley's C-H Development Standards and as amended
Parking	Per the City of Greeley's C-H Development Standards and as amended
Minimum Setbacks	Per the City of Greeley's C-H Development Standards and as amended
Accessory Structure Setbacks	Per the City of Greeley's C-H Development Standards and as amended
Encroachments	Per the City of Greeley's C-H Development Standards and as amended
Building Height	Per the City of Greeley's C-H Development Standards and as amended
Sign Standards	Per the City of Greeley's C-H Development Standards and as amended
Lighting	Lighting poles not to exceed 27'-6" in height, average foot candles not to exceed 3.1 & overspill limited to 0.5 fc at property line
Other	Gravel surface within the outdoor storage area permitted. Alternative landscape bufferyard to be a part of the Site Plan Review.

Commitments Matrix					
Improvement or Commitment	Plan Preparation & Approval	Construction Timing	Construction Responsibility	Maintenance Responsibility	Ownership
Outlot A	Dedicated with the H-P Greeley Minor Subdivision - 7th Replat	After issuance of Building Permit	CITY CENTER WEST, LP	CITY CENTER WEST, LP SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID PROPERTY, UPON CONVEYANCE OF OUTLOT A TO THE CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT, THE METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID OUTLOT.	CITY CENTER WEST, LP

LEGAL DESCRIPTION

LOT 1A H-P GREELEY MINOR SUBDIVISION - SEVENTH REPLAT, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1A, AND CONSIDERING THE SOUTH LINE OF LOT 1A TO BEAR NORTH 83°32'57" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 05°13'45" EAST ALONG THE WEST LINE OF SAID LOT 1A, A DISTANCE OF 340.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 1A;

THENCE SOUTH 84°45'59" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1A, A DISTANCE OF 165.30 FEET;

THENCE NORTH 87°05'39" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1A, A DISTANCE OF 216.12 FEET;

THENCE NORTH 56°35'00" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1A, A DISTANCE OF 62.23 FEET;

THENCE SOUTH 83°31'37" EAST LONG THE NORTHERLY LINE OF SAID LOT 1A, A DISTANCE OF 78.15 FEET TO THE NORTHEAST CORNER OF SAID LOT 1A;

THENCE SOUTH 06°28'23" WEST ALONG THE EASTERLY LINE OF SAID LOT 1A, A DISTANCE OF 419.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1A;

THENCE NORTH 83°32'57" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 1A, A DISTANCE OF 496.98 TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 4.23 ACRES, MORE OR LESS.

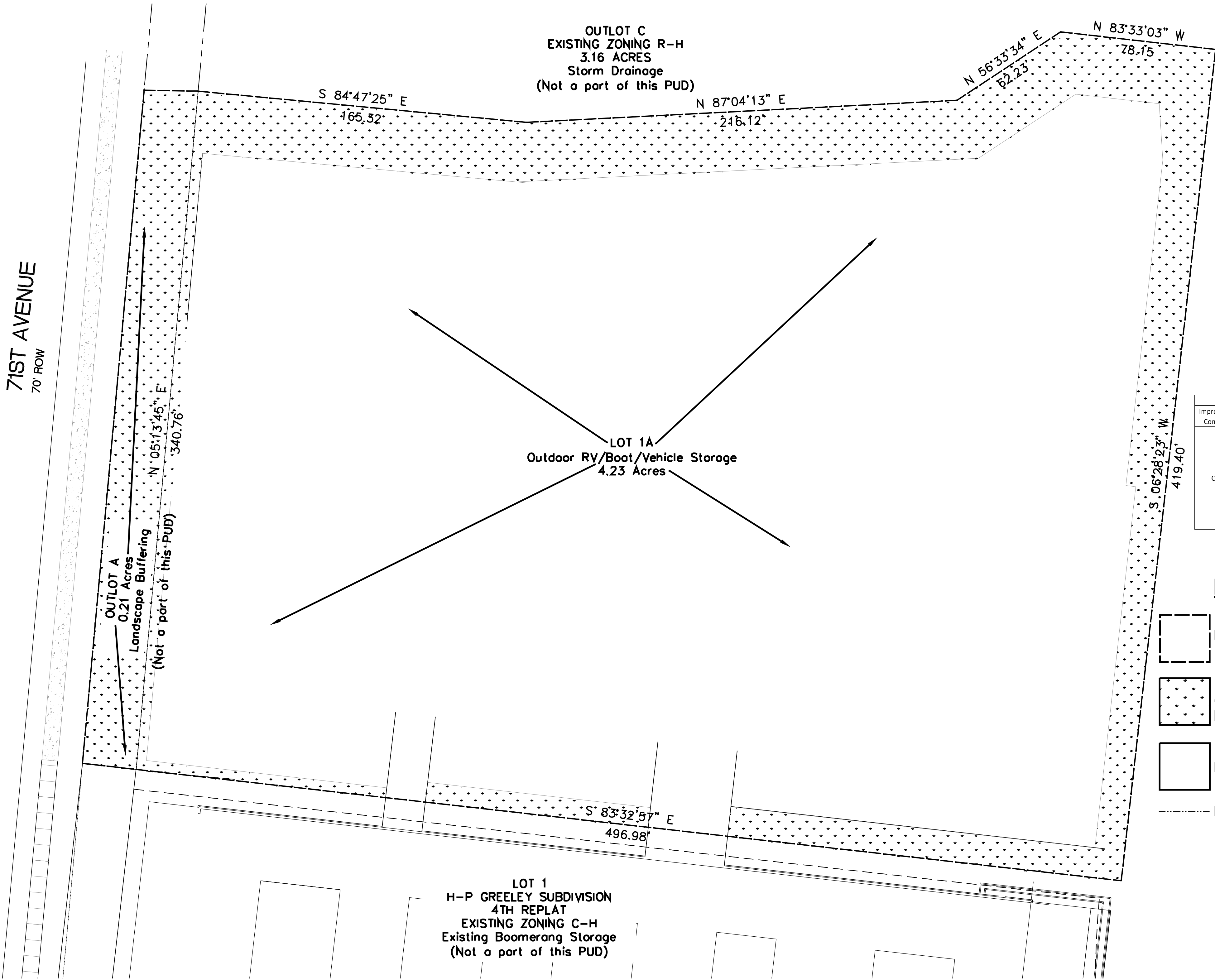
LEGEND

PUD BOUNDARY

OUTLOT A--LANDSCAPE BUFFER

LOT 1A: OUTDOOR STORAGE

PROPERTY LINE



71ST AVENUE
70' ROW

MASTER DEVELOPMENT PLAN & GENERAL LAYOUT

DRAWN FOR
BOOMERANG
STORAGE LLC
P.O. BOX 83775
GREELEY CO 80633
PHONE 970-576-6189

BOOMERANG
STORAGE LLC
7025 6TH ST
GREELEY CO 80634
PHONE 970-576-6189

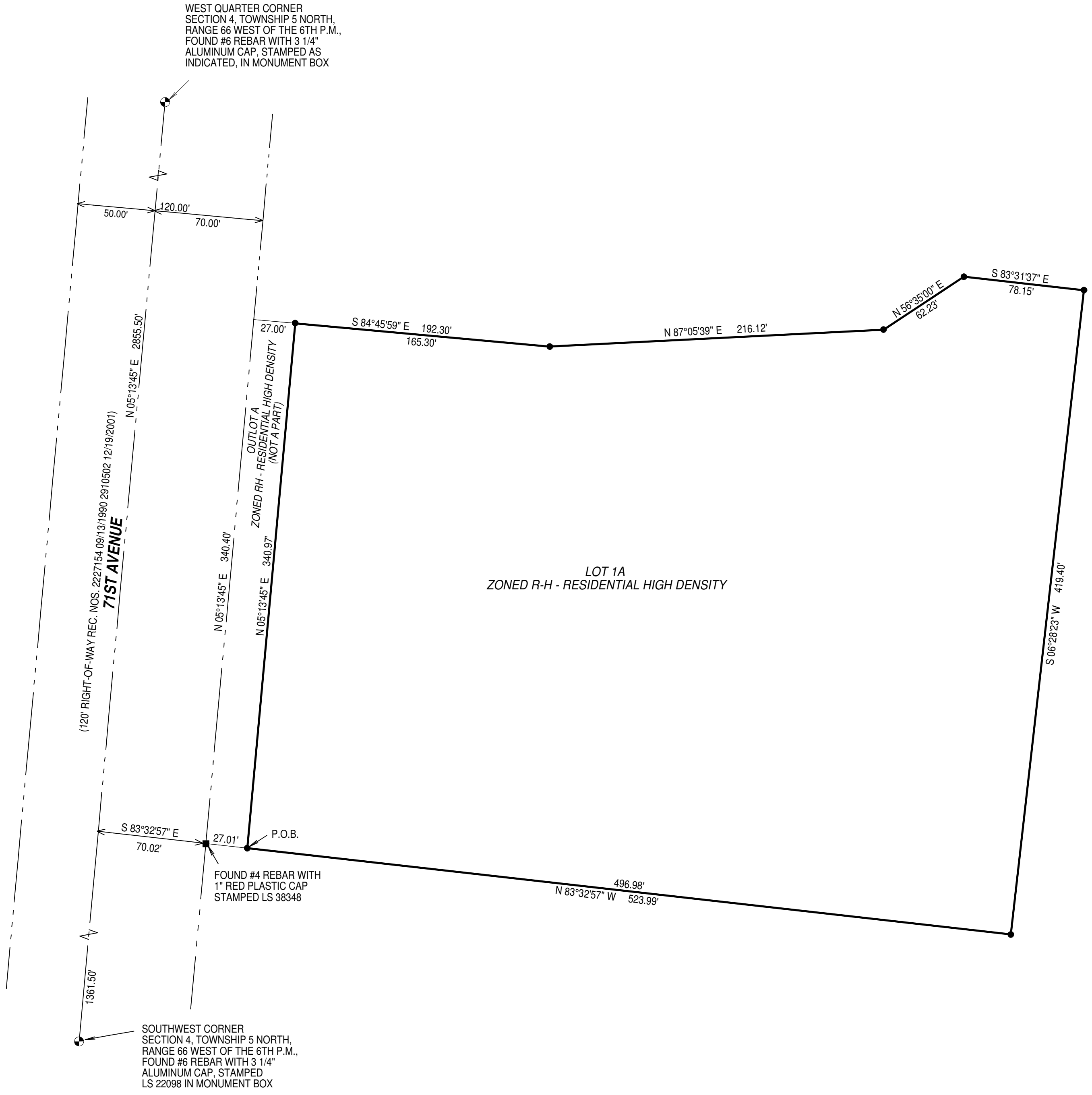
WERNISMAN ENGINEERING
AND LAND DEVELOPMENT LLC
P.O. BOX 105
LASALLE CO 80645
PHONE 970-539-2656

DRAWN
EJW
CHECKED
DATE
3/31/2023
SCALE
1" = 40'
PROJECT #
SHEET
2

**BOOMERANG SELF STORAGE REZONING
ZONING SUITABILITY MAP**
LOT 1A, H-P GREELEY SUBDIVISION - SEVENTH REPLAT
**BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO**
4.23 ACRES
PROJECT FILE NO. PUD2023-0001

LEGEND

- ALIQUOT CORNER (AS DESCRIBED)
- FOUND MONUMENT (AS DESCRIBED)
- FOUND 24" #4 REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS PLS 38353
- SUBJECT BOUNDARY
- RIGHT-OF-WAY
- EASEMENT



LEGAL DESCRIPTION REZONING BOUNDARY

LOT 1A H-P GREELEY MINOR SUBDIVISION - SEVENTH REPLAT, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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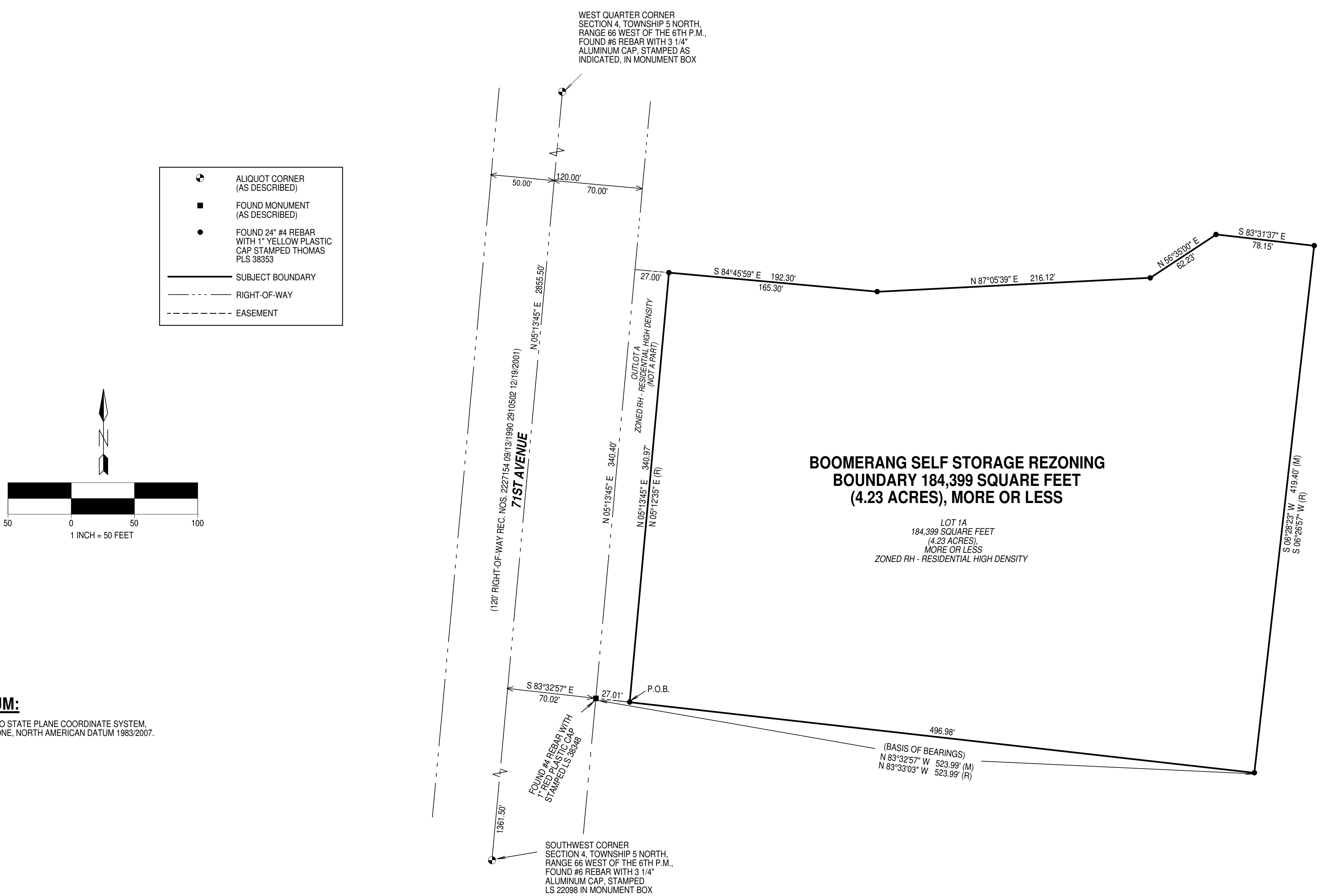
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THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 4.23 ACRES, MORE OR LESS.

ZONING SUMMARY			
EXISTING ZONING: RH	PROPOSED ZONING: PUD	AREA: 213,983 SQ. FT. (4.91 ACRES)	
TOTAL		100%	

**BOOMERANG SELF STORAGE PLANNED UNIT DEVELOPMENT
PROJECT BOUNDARY MAP**
LOT 1A, H-P GREELEY SUBDIVISION - SEVENTH REPLAT
**BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO**
4.23 ACRES
PROJECT FILE NO. PUD2023-0001



LEGAL DESCRIPTION REZONING BOUNDARY

LOT 1A H-P GREELEY MINOR SUBDIVISION - SEVENTH REPLAT, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1A, AND CONSIDERING THE SOUTH LINE OF LOT 1A TO BEAR NORTH 83°32'57" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO:

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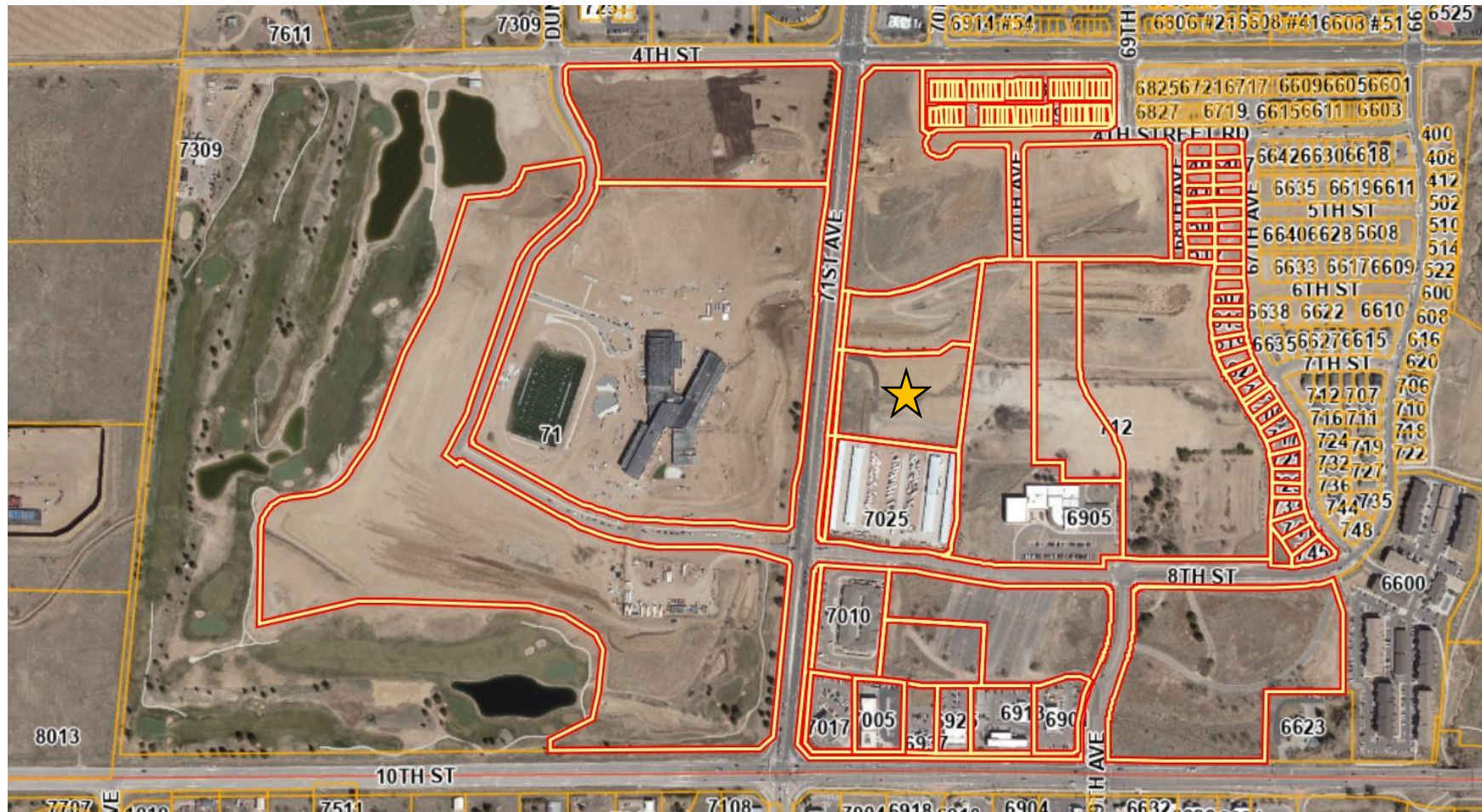
THENCE NORTH 83°32'57" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 1A, A DISTANCE OF 496.98 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 4.23 ACRES, MORE OR LESS.

NOTE:

(M) DENOTES FIELD MEASURED BEARINGS AND DISTANCES
(R) DENOTES RECORDED BEARINGS AND DISTANCES PER THE PLAT
OF H-P GREELEY SUBDIVISION, FIFTH REPLAT, AS RECORDED
JANUARY 24, 2017 AT RECEPTION NO. 4272274, WELD COUNTY
RECORDS.

Attachment D – Neighborhood Notification Boundary Map





Boomerang Storage PUD

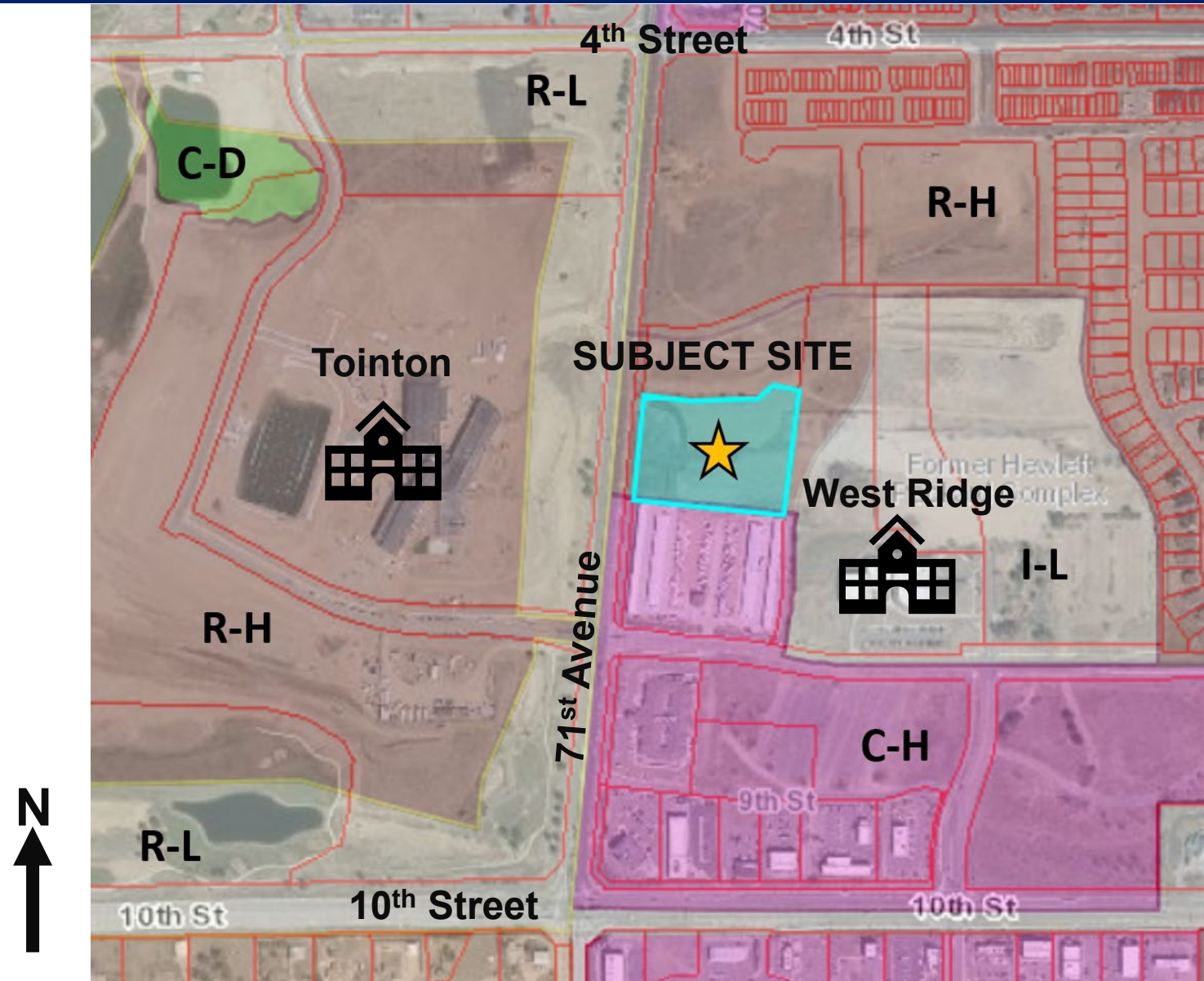
PUD2023-0001

Planning Commission
August 22, 2023
Meg Oren, Planner III

Request & Site Background

- Request:
 - Rezone 4.23 acres from R-H (Residential High Density) to PUD (Planned Unit Development)
- Background:
 - Hewlett-Packard Greeley Subdivision (2011)
 - Established today under H-P Greeley Minor Subdivision – 7th Replat (2023)

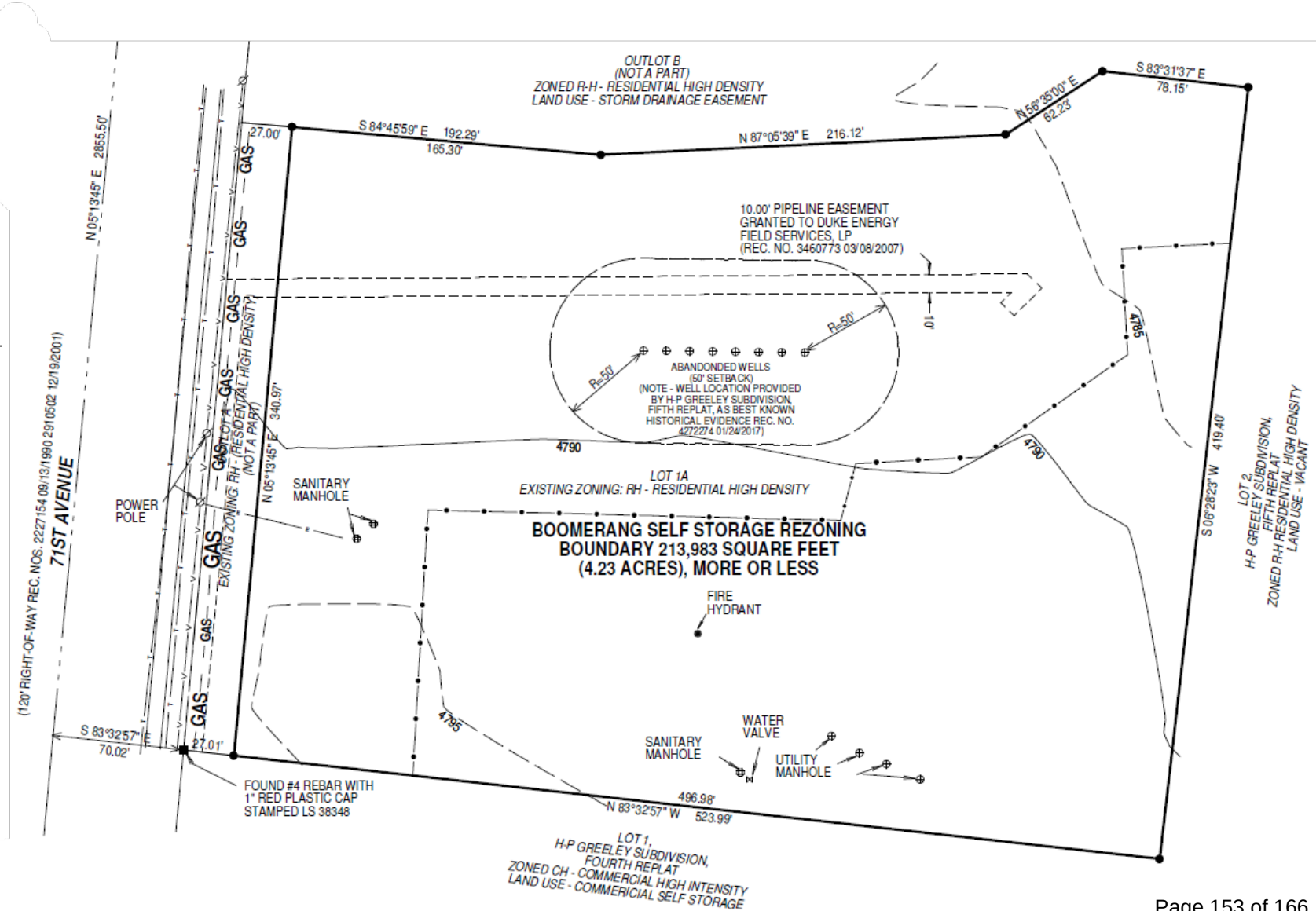
Location



Boomerang Storage PUD

SITE SUMMARY

AREA	USE	ACRES	% OF SITE
Lot 1A	All Permitted and Uses by Special Review in C-H and outdoor RV/boat/vehicle storage	4.23	100%
TOTALS		4.23	100%



Land Uses Comparison

Residential High Density

- Single-family Dwelling
- Multi-family Dwelling
- Mixed-use Dwelling
- Residential Care
- Child Care – Home Occupation
- Lodging/Short-term Rental
- Lodging/Bed & Breakfast

Planned Unit Development - Proposed

- Indoor & Outdoor Storage
 - RV/Boat/Vehicles
- Single-family Dwelling
- Multi-family Dwelling
- Automobile/Gas Station
- Food & Beverage
- Medical
- Recreation – Indoor/Outdoor
- Retail

Considerations

Approval Criteria

- ✓ Rezoning Criteria, 24-204(b)
- ✓ PUD Criteria, 24-205(c)

Notification

- 108 notice letters
- Signs posted on the property
- Web notice
- Mineral notice completed
- No objection/support

Recommendation

- Staff recommends approval of the Planned Unit Development and Rezone.

Recommended Motion



Rezoning Criteria, Section 24-204(b) & PUD Criteria, Section 24-205(c)

- Approval

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from R-H (Residential High Density) Zone District to PUD (Planned Unit Development) **meets** the Development Code criteria, Section 24-204 and Section 24-205 and therefore, recommends **approval** of the Rezone and Planned Unit Development to the City Council.

Alternative Motion



Rezoning Criteria, Section 24-204(b) & PUD Criteria, Section 24-205(c)

- Denial

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from R-H (Residential High Density) Zone District to PUD (Planned Unit Development) **does not meet** the Development Code criteria, Section 24-204 and Section 24-205 and therefore, recommends **denial** of the Rezone and Planned Unit Development to the City Council.

Review Criteria



Rezoning Review Criteria, Section 24-204(b)

- | | |
|----|--|
| 1) | <p>The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.</p> <ul style="list-style-type: none">• <i>Land Use Guidance Map – Suburban Neighborhood.</i>• <i>Objective GC-1.2 Form of Growth, compact urban form over sprawl or leap-frog development.</i>• <i>Objective GC-4.3 Infill Compatibility, compatible site design and building architecture.</i> |
| 2) | <p>The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.</p> <ul style="list-style-type: none">• <i>The intent of the Planned Unit Development is to provide additional use of the property in ways that are compatible with the area. The proposed land uses provide opportunities for indoor and outdoor storage which are relatively low-impact and low-intensity uses.</i> |

Review Criteria



Rezoning Review Criteria, Section 24-204(b)

- | | |
|----|--|
| 3) | Whether 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. |
| | <ul style="list-style-type: none"><i>The area continues to see infill sites developed with a mix of residential and nonresidential uses. Recent development includes educational institutions and a residential neighborhood, Northridge Trails.</i> |
| 4) | Whether the existing zoning has been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity. |
| | <ul style="list-style-type: none"><i>The existing zoning was established in 2015 with the H-P Greeley Subdivision Third Replat (S2-15; Recordation No. 4092418), and significant areas of the site remain undeveloped.</i> |

Review Criteria



Rezoning Review Criteria, Section 24-204(b)

- | | |
|----|--|
| 5) | <p>The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces, and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.</p> |
| | <ul style="list-style-type: none"><i>The proposal is an extension of an established business directly south of the site. The indoor and outdoor storage company is wanting to expand their operations. Design criteria within the PUD has been proposed to continue within the established parameters of City of Greeley development code.</i> |
| 6) | <p>The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.</p> |
| | <ul style="list-style-type: none"><i>Existing services are present in the vicinity to support development of the site as proposed.</i> |

Review Criteria



Rezoning Review Criteria, Section 24-204(b)

- | | |
|----|---|
| 7) | <p>The change will serve a community need, provide an amenity, or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.</p> |
| | <ul style="list-style-type: none"><i>The proposed Planned Unit Development would accommodate the community's need for indoor and outdoor storage. The proposed allowed use is not allowed under the existing zoning to this extent. The proposed zoning is more appropriate than the existing zoning to allow development of the site and to serve community needs.</i> |
| 8) | <p>Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.</p> |
| | <ul style="list-style-type: none"><i>The only anticipated negative impact of the proposal would be visual, which will be mitigated by the landscape buffering standards established in the PUD.</i> |

Review Criteria



Rezoning Review Criteria, Section 24-204(b)

- | | |
|----|---|
| 9) | The recommendations of professional staff or advisory review bodies. |
| | <i>• Staff and Planning Commission recommend approval.</i> |

Planned Unit Development Review Criteria, Section 24-205(c)

- | | |
|----|--|
| 1) | The plan reflects greater consistency with or more specificity in implementing the Comprehensive Plan than what could be accomplished under application of general zoning districts and development standards. |
| | <i>• The proposal allows nonresidential uses to be incorporated into the area in a way that achieves greater consistency and more specificity than standard zones would allow. The proposed uses are enumerated, and the proposal does not allow uses that could be incompatible with the area that would be allowed using standard zones.</i> |

Review Criteria



Planned Unit Development Review Criteria, Section 24-205(c)

- | | |
|----|--|
| 2) | <p>The benefits from any flexibility in the proposed plan:</p> <ul style="list-style-type: none">(1) promote the general public health, safety and welfare of the community, and in particular, that of the areas immediately near or within the proposed project, and is not strictly to benefit the applicant or a single project;(2) involves innovative concepts that were not anticipated by the development code; or(3) apply to a unique or specific context in a manner that allows the project to better meet the intent or design objectives of the base zoning districts and standards. |
| | <ul style="list-style-type: none"><i>The proposed development standards generally follow Development Code standards for C-H (Commercial High Intensity) areas with the inclusion of outdoor RV/boat/vehicle storage.</i> |

Review Criteria



Planned Unit Development Review Criteria, Section 24-205(c)

- | | |
|----|---|
| 3) | The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area. |
| | <i>• The request is consistent with planning and design principles and the Comprehensive Plan.</i> |
| 4) | The plan meets all the review criteria for zoning map amendments in Section 24-204. |
| | <i>• The request complies with Section 24-204, Review Criteria for Rezoning as detailed above.</i> |

Boomerang Storage PUD

Development Standards	
DESCRIPTION	PROPOSED
PLANNING AREA	Lot 1A
Permitted Uses	All Permitted and Uses by Special Review in C-H and outdoor RV/boat/vehicle storage
Uses Not allowed	All uses and allowances not listed as permitted above, per the City of Greeley's Development Code and as amended
Min Lot Area	Per the City of Greeley's C-H Development Standards and as amended
Density	Per the City of Greeley's C-H Development Standards and as amended
Building Coverage	Per the City of Greeley's C-H Development Standards and as amended
Drive, Parking, and Walks	Per the City of Greeley's C-H Development Standards and as amended
Open Space/Landscaping	15% Max
Max Lot Coverage	Per the City of Greeley's C-H Development Standards and as amended
Parking	Per the City of Greeley's C-H Development Standards and as amended
Minimum Setbacks	Per the City of Greeley's C-H Development Standards and as amended
Accessory Structure Setbacks	Per the City of Greeley's C-H Development Standards and as amended
Encroachments	Per the City of Greeley's C-H Development Standards and as amended
Building Height	Per the City of Greeley's C-H Development Standards and as amended
Sign Standards	Per the City of Greeley's C-H Development Standards and as amended
Lighting	Lighting poles not to exceed 27'-6" in height, average foot candles not to exceed 3.1 & overspill limited to 0.5 fc at property line
Other	Gravel surface within the outdoor storage area permitted. Alternative landscape bufferyard to be a part of the Site Plan Review.

Monthly Construction Report

July 2023



Community Development BUILDING INSPECTION

This report is two-sided to conserve our natural resources.

CONSTRUCTION ACTIVITY SUMMARY

July 2023

TOTAL PERMIT ACTIVITY

	<u>No. of Permits</u>	<u>Valuation</u>
New Residential, Commercial, Addition & Remodel, Footing and Foundations and Misc.:	309	\$27,170,445

RESIDENTIAL

	<u>No. of Permits/Buildings</u>	<u>No. Units</u>	<u>Valuation</u>
Single Family Dwelling:	15	15	\$ 6,253,604
Multi-Family (Buildings)	5/6	6	\$ 1,523,638
Remodel and Addition Work:	46	n/a	\$ 1,078,157

COMMERCIAL

	<u>No. of Permits</u>	<u>Valuation</u>
New Commercial Projects:	1	\$ 537,936

Commercial projects valued over \$100,000 are summarized.

- *Construction of a New Cold Storage Hangar, at 681 Buss Avenue, by George Aikens, for a Total Valuation of \$537,936.*



Building Inspection Division Construction Activity Comparative Analysis

		Jul 2023	Jul 2022	YTD 2023	YTD 2022
New Single Family Dwelling Units*	# of Permits # of Units Valuation	15 15 6,253,604	11 11 3,835,619	72 72 28,759,339	302 302 92,477,469
Single Family Footing & Foundation Only	# of Permits Valuation	0	0	1 50,000	13 353,027
New Multi-Family Dwellings Units*	# of Permits # of Buildings # of Units Valuation	5 2 6 1,523,638	8 3 60 10,625,731	44 24 511 82,158,420	76 54 1,116 165,091,102
Multi-Family Footing & Foundation Only	# of Permits Valuation	0	0	7 2,442,307	0
Residential Additions and Remodels	# of Permits Valuation	46 1,078,157	26 792,429	187 5,540,128	213 5,488,381
New Commercial Projects	# of Permits Valuation	1 537,936	2 3,003,264	28 61,783,863	48 82,646,850
Commercial Footing & Foundation Only	# of Permits Valuation	0	0	0	1 154,388
Commercial Additions and Remodels	# of Permits Valuation	9 14,697,037	14 5,412,235	88 58,615,486	96 48,381,006
Miscellaneous Permits	# of Permits Valuation	233 3,080,073	243 3,185,847	1,464 22,121,395	1,448 18,765,319
Mobile Home Permits	# of Permits Valuation	0	30 186,500	6 793,888	43 314,000
TOTALS	# of Permits Valuation	309 27,170,445	334 27,041,625d	1,897 262,264,826	2,240 413,671,542

*Number of units and number of permits will differ due to some multiple unit dwellings being issued under one permit.

ISSUED	JOBSITE	SITE ADDR	PERMITYPE	PERMITSUBTYPE	DESCRIPTION	CONTRACTOR NAME	SITE LOT	NO SITE BLOCK	SITE SUBDIVISION	MODELNUMBER	BLDG	SQFT	BALANCE DUE
BR021-0001	07/26/2021	61.4763230 2100 AVENUE C	ROOFING	REMODEL	Re-roof	B&B BARRINGTON ROOFING	18	1	VIRGINIA HILLS 1ST FLIGHT			0	0
BR021-0010	07/26/2021	61.4763230 2100 AVENUE C	COMMERCIAL EXISTING	REMODEL	Interior Remodel	BR021-0010	18	1	WILSON COMMERCIAL AIRPORT			4,282	0
BR021-0213	07/19/2020	6.0000727 11TH AVENUE	COMMERCIAL EXISTING	REMODEL	Adding a new exterior door to the Pickup Area	CONSTRUCTION INC	1	NONE	SUBURBAN SUB			18	0
BR021-0112	07/26/2021	1.986 10500 70TH ST	COMMERCIAL EXISTING	REMODEL	Remodeling of 10500 70th St	CONSTRUCTION INC	1	NONE	CHAMBERS CROSSING			1,159	0
BR021-0468	07/26/2021	6.0000727 11TH AVENUE	COMMERCIAL EXISTING	TENANT FINISH	Remodeling of 10500 70th St	CONSTRUCTION INC	1	NONE	CHAMBERS CROSSING			1,159	0
BR021-0112	07/26/2021	1.986 10500 70TH ST	COMMERCIAL EXISTING	TENANT FINISH	Remodeling of 10500 70th St	CONSTRUCTION INC	1	NONE	CHAMBERS CROSSING			1,159	0
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BR02													

