

Planning Commission Agenda

Regular Meeting

Tuesday May 13, 2025 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/86716812225>

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. Members of the public may participate in Planning Commission meetings in the manner that works best for them.

Watch Meetings:



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

Comment in Real Time:



Join the Zoom webinar (link above). During the public hearing, members of the public may address the Commission.

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 the meeting will be read into the record in real time.



Meeting agendas and minutes are available on the City's meeting portal at [Greeleyco.municodemeetings.com/](https://greeleyco.municodemeetings.com/) For more information about this meeting or to request reasonable accommodations, contact the administrative team at 970-350-9780 or by email at cd_admin_team@greeleygov.com.



Planning Commission

May 13, 2025 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

EXPEDITED AGENDA

The following items are routine in nature, fully described in the accompanying reports, and therefore staff summary presentations will be suspended unless requested by the Commission or member of the public in attendance at the meeting.

4. A public hearing to consider a request by the applicant, Scott Bright, for approval of a USR (Use by Special Review) USR2023-0016 to allow for a childcare/preschool (ABC Child Development Center) at 104 N 16th Avenue, in the R-L (Residential Low Density) zone district.
5. A public hearing to consider a request by the applicant, Ian Skor, Sandbox Solar for approval of a USR (Use by Special Review) USR2024-0007, to allow for a small-scale solar energy facility on approximately 14.41 acres on the northeastern portion of a 132.17 acres parcel. The existing zoning on the 14.41 acres is R-E (Residential Estate) and the remainder of the parcel zoning is zoned (H-A) Holding-Agriculture, located north of County Road 56 and approximately 1,400 feet east of 95th Avenue. A minor subdivision application (case SUB2024-0017) has also been submitted and is being reviewed concurrently. This subdivision would create a new lot specifically for the solar facility.

END OF EXPEDITED AGENDA

6. A public hearing to consider The City of Greeley Three Mile Plan. The Three Mile Plan is a reference document of approved plans and policies describing the infrastructure, land use, and provision of services for areas of potential annexation. Pursuant to state law, the city must have in place a Three Mile Plan that generally describes infrastructure development expectations for the land including the proposed land use (C.R.S. § 31-12-105(1)(e)(I)).
7. A public hearing to consider a Development Code text amendment CU2024-0004, to rename the General Improvement District (GID) zoning overlay to Downtown Overlay District 1, adjust the boundaries to include properties with proximity to 8th Avenue from 11th Street to 17th Street, as well as from 5th Street to 6th Street, and clarify the standards.

8. Staff Report
9. Adjournment



Planning Commission Agenda Summary

May 13, 2025

Key Staff Contact: April Medeiros, Planner I, AICP Candidate

Title:

Case number USR2023-0016, ABC Daycare Use By Special Review

Summary:

The City of Greeley is considering a request by the applicant, Scott Bright, for approval of a USR (Use by Special Review) to allow for a childcare/preschool (ABC Child Development Center) at 104 N 16th Avenue, in the R-L (Residential Low Density) zone district.

Planning Commission Recommended Action:

Approval

Attachments:

- Attachment A- Zoning/Vicinity Map
- Attachment B- Notice Letter and Photo Aerial Map
- Attachment C- Noticing Boundary Map
- Attachment D- Land Use Application
- Attachment E- Project Narrative
- Attachment F- USR Plan Set
- Attachment G- Staff Presentation

PLANNING COMMISSION SUMMARY

ITEM: Use by Special Review (USR) for a Childcare/Preschool (ABC Child Development Center) in the R-L (Residential Low Density) Zone District.

FILE NUMBER: USR2023-0016

PROJECT: ABC Daycare Use by Special Review

LOCATION: 104 N 16th Avenue

APPLICANT: Scott Bright

ASSOCIATED PROJECTS: SUB2024-0007 (includes an Amended Development Agreement) and ALT2025-0002

CASE PLANNER: April Medeiros, Planner I, AICP Candidate

PLANNING COMMISSION HEARING DATE: May 13, 2025

PLANNING COMMISSION FUNCTION:

Review the proposal for compliance with Section 24-206 b.1-8, Use by Special Review, Review Criteria of the City of Greeley Development Code and either approve, approve with conditions, deny, or table the consideration for future consideration.

EXECUTIVE SUMMARY

The City of Greeley is considering a request by the applicant, Scott Bright, for approval of a USR (Use by Special Review) to allow for a childcare/preschool (ABC Child Development Center) at 104 N 16th Avenue, in the R-L (Residential Low Density) zone district.

A. REQUEST

The applicant requests approval of a Use by Special Review application for a childcare/preschool (ABC Child Development Center) in the R-L (Residential Low Density) zone district.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

The subject site, located at 104 N 16th Avenue (Parcel No. 096106135001), is situated at the intersection of Habitat Lane and 16th Avenue.

Current Zoning:

R-L (Residential Low Density)

Abutting Zoning:

North: I-L (Industrial Low Intensity)

South: R-L (Residential Low Density)

East: I-L (Industrial Low Intensity)

West: R-L (Residential Low Density)

Surrounding Land Uses:

North: Railroad, Island Grove Regional Park

South: Single Family Residential

East: Undeveloped

West: Outlot A, Utility and Drainage Easement, Open Space

Site Characteristics:

The subject site is approximately 0.678 acres, or 29,549 square feet located at the intersection of Habitat Lane and 16th Avenue. The property was originally developed as a family resource center for the Habitat North Subdivision and consists of an existing one-story structure with established landscaping and a basketball court.

D. BACKGROUND

The subject site was annexed into the City of Greeley on November 7, 2000 (case no. A:13:00 and rec. no. 2808465) and the establishment of zoning of R-L (Residential Low Density) and R-M (Residential Medium Density) was approved on March 20, 2001 (case no. Z 45:00 and rec. no. 2835107). The subject site is located in the R-L zone district.

The subject site was developed as the Habitat North Subdivision Preliminary Plat (case no. A 35:00 and rec. no. 2835106) which included the development of 61 single-family lots, three outlots (Outlot A- detention and open space, Outlot B- private pocket park, and Outlot C- utility easement), and a Family Resource Center on one of the lots, approved in 2004. The Habitat North Subdivision Final plat case no. is S 32:03.

The existing zone, R-L (Residential Low Density), allows the property owner to request a childcare center/pre-school use via a Use by Special Review land use application. The property owner purchased the subject site in June of 2022 and the current use is vacant. A minor subdivision application for the expansion of lot 1 with an associated amended Development Agreement is being concurrently reviewed. The amended Development Agreement would identify that the new neighborhood feature be a childcare center instead of the previous Family Resource Center. The applicant submitted Alternative Compliance Request ALT2025-0002 for Habitat North Subdivision Neighborhood Feature Alternative Compliance, which was approved by the Community Development Director. This approval allows the childcare center to count as two neighborhood feature points and is associated with reception number 5013660.

E. APPROVAL CRITERIA

Uses by Special Review: Uses by Special Review possess characteristics which require a public hearing to determine if a proposed use has the potential to adversely affect other land uses, transportation systems, public facilities, or the like in the surrounding neighborhood. The Planning Commission may require conditions of approval necessary to eliminate or mitigate, to an acceptable level, any potentially adverse effects of the proposed use.

Section 24-206.b of the Development Code contains eight criteria that are used to evaluate Uses by Special Review:

1. All criteria for site plan review in Section 24-207 are met.

Staff Comment:

The proposed project satisfies the requirements of Section 24-207 of the City of Greeley Development Code. The applicant has addressed all staff comments and included all required materials for the Use by Special Review criteria. Staff is satisfied with the Use by Special Review submitted for the proposed project.

The proposal complies with this criterion

2. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.

Staff Comment:

The property is located in the Residential Low Density zone district and the original approved use of the property was a Family Resource Center for the Habitat North Subdivision. Childcare can be considered compatible in terms of providing a needed service within the community. The requested land use of childcare center is compatible with the Imagine Greeley Comprehensive Plan designation of “Legacy Neighborhood” in that it offers the opportunity for a smaller commercial use that is supportive of the surrounding residential uses. The Comprehensive Plan provides special considerations for the adaptive reuse of existing structures as a means of protecting their unique character and history and the applicant is not proposing a change of the existing structure which may assist in preserving and maintaining the existing character of the neighborhood.

The following Imagine Greeley Comprehensive Plan policies apply to this request:

- **Objective EH-5.1 Education Facilities Integration**

Work with the school districts, community college and university, as well as private schools, area libraries, cultural centers, and community organizations to link services into a seamless system that helps students of all ages maximize achievement and self-fulfillment. Where possible, encourage the co-location and joint use of such facilities to optimize the variety of services and resources available to students and instructors.

- **Objective EH-5.4 Climate of Innovation**

Maintain a climate conducive to new ideas and innovations that will evolve and advance educational performance and achievement and further Greeley's reputation as an educational leader.

- **Objective ED- 3.7 Employee Support**

Encourage businesses to provide employee support services, such as childcare, health clinics, education, and access to other community resources to promote employee well-being and self-sufficiency.

This request complies with the goals and objectives of the Imagine Greeley Comprehensive Plan

The proposal complies with this criterion.

3. **Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.**

Staff Comment:

The proposed project complies with all development code requirements for site development and construction standards. Various city departments and external agencies have reviewed the project proposal and are satisfied with the proposal as it meets all requirements for site design and site construction. With this proposal, the existing structure will not expand. The scope of construction will include development of a fenced-in playground for the childcare center.

The proposal complies with this criterion.

4. **Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and**

other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.

Staff Comment:

The proposed Childcare Center will operate during normal business hours 7am 6pm Monday-Friday and will offer a compatible schedule that supports the needs of residents while also minimizing any potential impacts in the area. The operating characteristics of the proposed project are within normal standards for the site location and abutting properties.

The proposal complies with this criterion.

- 5. The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.**

Staff Comment:

The existing site is physically suitable for the proposed Childcare center use. The site is adjacent to the railroad and Island Grove Regional Park to the north, an undeveloped lot to the east, an open space/utility drainage easement, and a single-family home to the south. The proposed playground will be situated on the northeast corner of the property.

The proposal complies with this criterion

- 6. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.**

Staff Comment:

It is not necessary to make those limitations.

The proposal complies with this criterion.

- 7. The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.**

Staff Comment:

According to Greeley’s Land Use Guidance Map within the Imagine Greeley Comprehensive Plan, the subject area is within the “Legacy Urban Neighborhood”. Amenities such as schools, parks, and religious institutions are encouraged.

The proposal complies with this criterion.

8. The recommendations of professional staff or other technical reviews associated with the application.

Staff Comment:

Staff completed a thorough review of the proposed project and has ensured compliance with the recommendations of all applicable review agencies.

The proposal complies with this criterion

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject lot is apart of the Habitat North Subdivision (case no. A 35:00 and rec. no. 2835106).

2. HAZARDS

Staff is unaware of any potential hazards.

3. WILDLIFE

The subject site is not located in an area identified for moderate or high wildlife impacts. There are no known impacts that would occur to wildlife with the proposed use. The applicant is not proposing to change the existing footprint of the structure.

4. FLOODPLAIN

The subject site does not lie within a FEMA designated special flood hazard area.

5. DRAINAGE AND EROSION

This site will continue to be drain by the existing detention pond. The increased imperviousness is roughly 76 square feet. Total disturbance is well under 1 acre, no water quality improvements are required.

6. TRANSPORTATION

The proposed use is anticipated to generate an additional 153 average daily trips, which is below the 200-trip threshold that would necessitate a traffic study. Therefore, it complies with the City of Greeley Design Criteria and Construction Specifications, and no traffic

study is required.

G. SERVICES

1. WATER

No changes to the potable water service are to occur with the site.

2. SANITATION

No changes to the sanitary sewer service are to occur with the site.

3. EMERGENCY SERVICES

Emergency services are available and can adequately serve the subject property. The subject site is within the City of Greeley's Fire Protection area and served by Fire Station 1.

4. PARKS/OPEN SPACES

No public parks or regional open space areas are proposed as part of this request.

5. SCHOOLS

Schools are not impacted by or proposed with this proposal.

H. NEIGHBORHOOD IMPACTS

1. VISUAL

No adverse visual impacts are anticipated by the proposal. Existing elevation imagery are included with the USR plan set submittal. The landscape plan, also within the USR plan set, details a existing landscaping and proposed 6' cedar fence that is consistent with Code requirements and will sufficiently mitigate any visual impact to surrounding properties and rights-of-way.

2. NOISE

No noise impacts are anticipated with the USR request. Any potential noise created by future development will be regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

Letters regarding the public hearing for the proposed Use by Special Review were mailed on April 11, 2025, to property owners within 500 feet of the site and the entire Habitat North Subdivision. One sign was posted on the site on April 11, 2025. Public notice was also published on the City of Greeley website on April 11, 2025. Staff received no corresponding inquiries to date, April 25, 2025.

J. PLANNING COMMISSION RECOMMENDED MOTION

Recommended (Approval)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a childcare/preschool in the R-L (Residential Low

Density) district is in compliance with the Development Code criteria of Section 24-206 (b) (1-8) and therefore approves the Use by Special Review as submitted.

Alternative (Denial)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a childcare/preschool in the R-L (Residential Low Density) district is not in compliance with the Development Code criteria of Section 24-206 (b) (1-8), and therefore, denies the Use by Special Review as submitted.

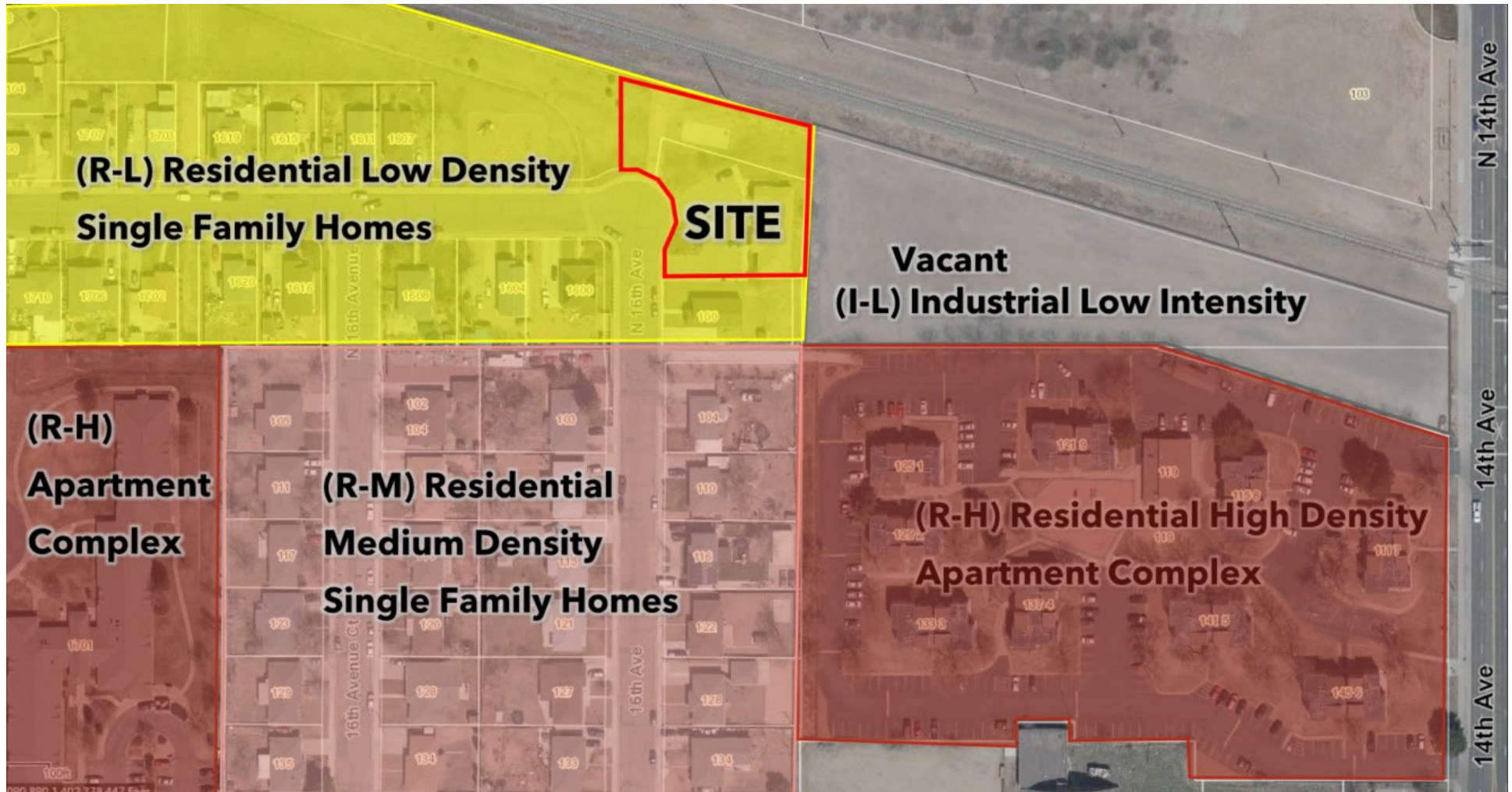
ATTACHMENTS

Attachment A- Zoning/Vicinity Map
Attachment B- Notice Letter and Photo Aerial Map
Attachment C- Noticing Boundary Map
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Zoning & Vicinity Map

USR2023-0016- ABC Use by Special Review
Planning Commission: May 13, 2025





COMMUNITY DEVELOPMENT

PLANNING COMMISSION HEARING

This is a courtesy letter to advise you that a public hearing is scheduled regarding a land use proposal in your area. To ensure that interested parties receive this notification, please notify any tenants and neighbors that you have in the vicinity in case they did not receive this letter. If you own or manage a multi-unit building or mobile/manufactured home park in this vicinity, please post this notice in a visible location for all residents.

Planning Commission Hearing Information

**Planning Commission: May 13, 2025, 1:15 p.m.
City Council Chambers, 1001 11th Avenue, Greeley,
Colorado**

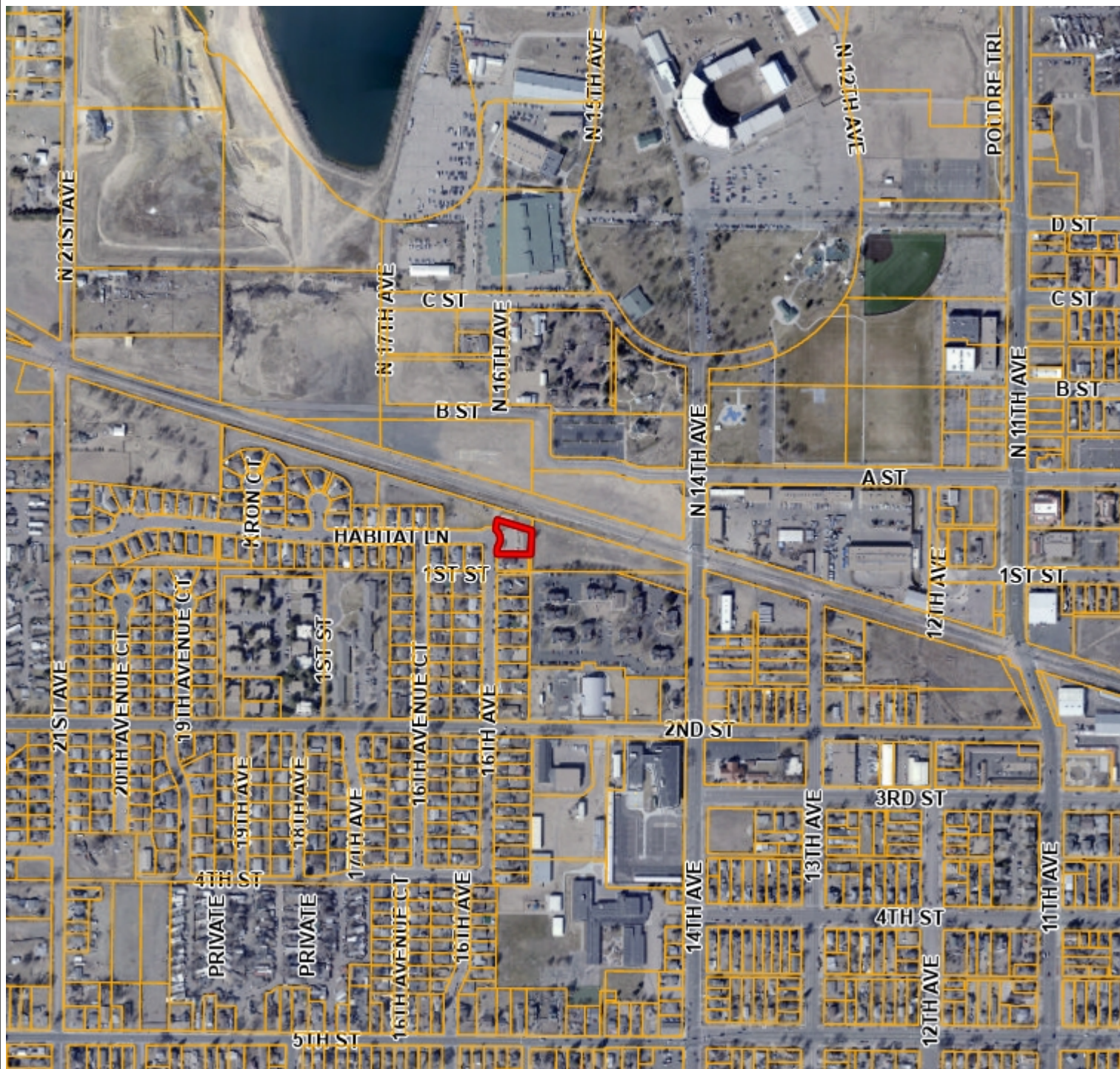
Project Name: ABC Use by Special Review	Case Number: USR2023-0016
Applicant: Scott Bright	Applicant Phone: (303) 304-9349
Property Address: 104 N 16 th Avenue	Property Location: At the intersection of Habitat Ln and North 16 th Avenue
Description: The City of Greeley is considering a Use by Special Review request to develop a child care center /preschool (ABC Child Development Center) in the R-L (Residential Low) zoning district. (See attached Map).	

If you would like to submit written comment to be included with the agenda packet of materials for the Planning Commission, please provide feedback to the Greeley Planning Division, 1100 10th Street, Greeley, Colorado 80631, or to the planner email below, no later than **April 29, 2025**. Correspondence received after this date will be presented at the hearing.

Planner: April Medeiros, AICP Candidate	Email: April.Medeiros@greeleygov.com	Phone: (970) 350-9241
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To download a meeting agenda, visit <https://greeleyco.portal.civicclerk.com/>. For more information about this meeting or to request reasonable accommodations, call 970-350-9780.

Photo Aerial Map



Legend

-  Parcels
 Highway
 County Boundary

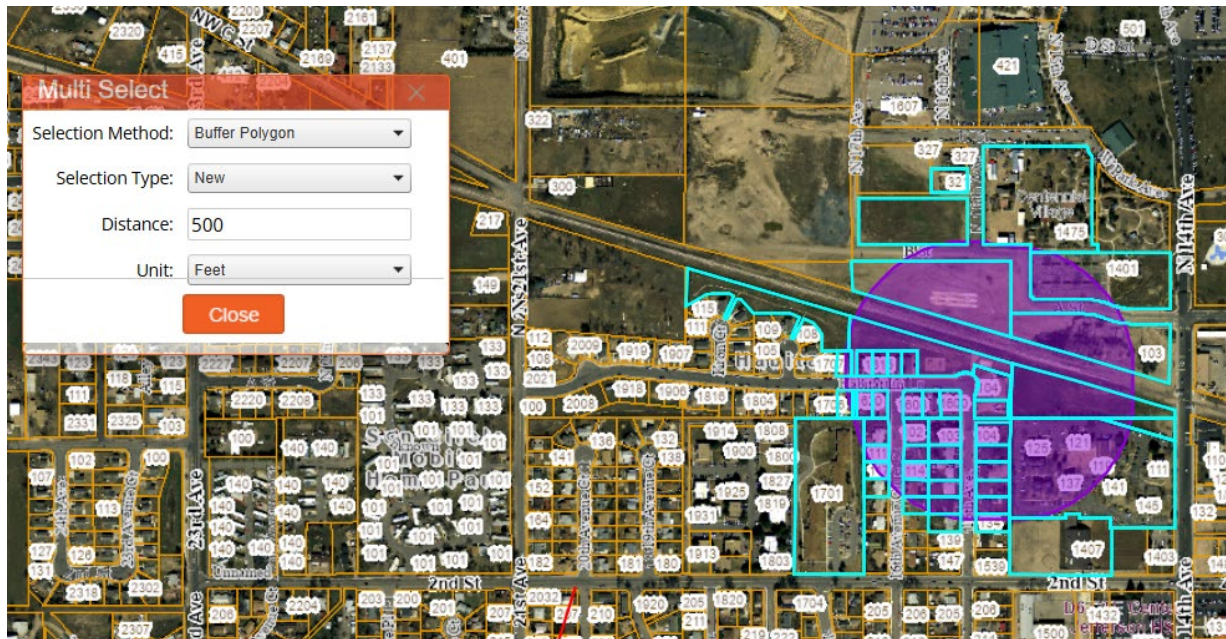
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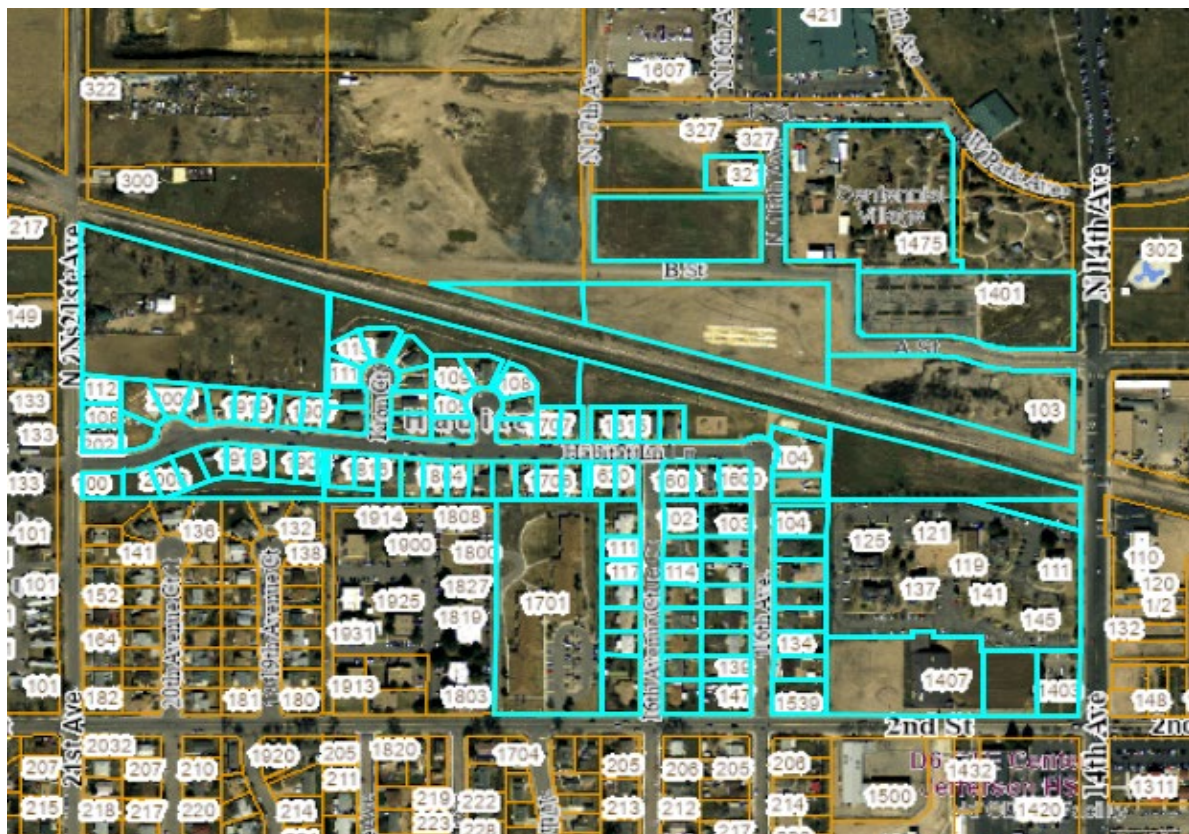
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Noticing Boundary Map- USR2023-0016



The above map shows the noticing requirement per the Section 24-201(f)(3) of the Development Code from the subject site. The map **below** reflects the **actual noticing boundaries** that include the entire Habitat Subdivision, expanding larger than the mailing notice requirement.





Development Application

1100 10th Street Greeley, CO 80631

970-350-9780

www.greeleygov.com

APPLICANT NAME: Scott Bright	ADDRESS: 5000 W 11th St, Greeley 80634 EMAIL: scott@scottbright.net	PHONE: 303-304-9349
OWNER(S) OF RECORD: same	ADDRESS: EMAIL:	PHONE:
OWNER(S) OF RECORD: same	ADDRESS: EMAIL:	PHONE:
POINT OF CONTACT: Planscapes Design Group-Emily Tarantini	ADDRESS: 2912 Ariel Drive, Loveland CO 80537 tarantini.emily@gmail.com EMAIL:	PHONE: 303-585-1055
PARCEL / LOT INFORMATION		
Parcel ID Number	096106135001	
Address or Cross Streets:	104 N 16th Ave, Greeley 80631	
Subdivision Name & Filing No.:	Habitat North Sub	
Related Case Numbers: (PUD, Rezoning, and/or Plat)		
EXISTING		PROPOSED
Zoning:	RL	Same
Project Name:	Habitat office	ABC Infant/Toddler Child Care Center
Site Area (Acres & Square Ft.):	1.38	1.38
Floor Area Ratio (FAR):		
Density (Dwelling Units/Acre):		
Building Square Footage:	2599	2599
PROJECT TYPE		
☐ Annexation	☐ Minor Subdivision	☐ Historic Register Nomination
☐ Appeal	☐ Condominium Plat	☐ Historic Preservation Design Review
☐ Entertainment Establishment	☐ Easement Encroachment	☐ Historic Preservation Financial Incentives
☐ Major Subdivision - Final Plat	☐ Site Plan	☐ Easement Dedication/Vacation
☐ Major Subdivision - Preliminary Plat	☒ Use by Special Review	☐ Metropolitan District
☐ Rezoning	☐ Planned Unit Development	☐ ROW Dedication/Vacation
☐ Variance	☐ Other	
Pre-Application Meeting Date: 10.25.22		
Pre-Application Meeting Number: PAM 2022-0086		
This application must be signed by owner(s) of record or authorized officer, if a corporation. Owner(s) listed must match title work. Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the City of Greeley Development Code and Application Manual. After three (3) months of inactivity, a reminder will be sent to applicants stating that action is required within the next thirty (30) days or the application will be closed due to inactivity. I hereby certify that, to the best of my knowledge, all information supplied with this application is true and accurate and authorize the applicant listed above to process the application on my behalf. Owner's Signature: _____ Date: 7/6/2023		

PLANSCAPES DESIGN GROUP

Land Planning | Landscape Architecture

970-988-5301 | 303-585-1055



Date: October 23, 2024

To:

Planning & Zoning Department

1100 10th Street - 2nd Floor

Greeley, CO 80631

Re: ABC Daycare Use by Special Review

Project Overview: The owner proposes to convert the existing building located at 104 N. 16th Avenue into an infant and toddler daycare center. The building, approximately 4,600 square feet, includes a basement level. Interior renovations will accommodate three classrooms, a reception area, and restrooms, along with two new egress points on the eastern side of the building with a 76 sf landing. The basement is not part of the renovation scope. Exterior changes are limited to landscaping updates, including the replacement of a dead tree and the removal of turf grass in the playground area. No disturbance is proposed.

Lot Enlargement & Outlot A: Following discussions with the city, it was determined that the original development agreement needed to be amended to reflect a new owner of Outlot A and a new neighborhood identify feature. As a result, the Owner chose to enlarge the original lot previously 17,231 square feet to 29,549 square feet, incorporating a portion of Outlot A into the day care project. This expanded area is intended to be developed into a fenced-in playground as an accessory use to the day care center. Additionally, the City expressed concerns regarding the amount of turf on the site, which did not comply with current water conservation codes. To address this issue, the Owner plans to convert a portion of the turf area into a playground with a permeable rubber surface, aligning with the City's requirements while offering a functional and sustainable play area for children.

The Daycare Center as a Neighborhood Identity Feature: The residential subdivision, initially developed by Habitat for Humanity in 2004, was designed with a central community building that served as a key neighborhood identity feature.

Now, a new developer has acquired the lot that housed the original community building and is repurposing it into a day care center. This presents a unique opportunity for the daycare to emerge as the new cornerstone of neighborhood identity, offering significant social, practical, and aesthetic benefits to the residents.

Benefits of the Day Care Center to the Neighborhood

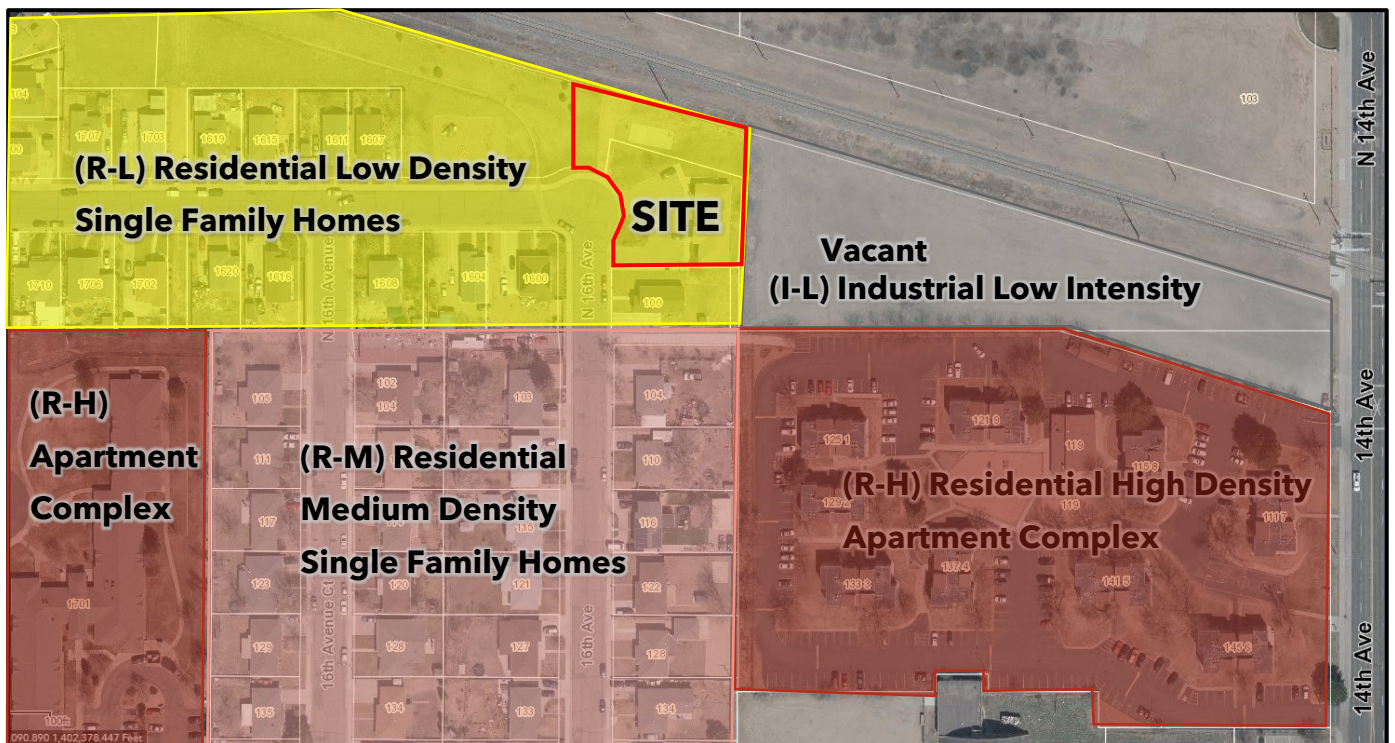
1. **Strengthening Community Bonds:** A day care serves as a natural gathering point for families within the subdivision. It fosters daily interactions among parents, children, and staff, creating a tight-knit community of shared responsibilities and connections. The day care will act as a neighborhood hub where families can engage with one another, building relationships that mirror the community-focused intent of the original development.
2. **Enhanced Convenience for Families:** A day care within the subdivision offers a crucial service to working families, providing a trusted local option for childcare without the need for long commutes. This convenience strengthens the appeal of the neighborhood, particularly for families with young children, making it an attractive place to live and reducing the stress of balancing work and family responsibilities.
3. **Promoting Safety and Security:** By increasing regular foot traffic and visibility in the area, the day care will enhance the overall sense of security within the neighborhood. Parents dropping off and picking up their children create daily activity, fostering a safer, more vibrant atmosphere.
4. **Revitalizing the Community Space:** The transformation of the former vacant community building into a day care ensures that a vital piece of neighborhood infrastructure remains active and purposeful. The building continues to serve a community-oriented role, while the parks and open spaces that remain unchanged will now be maintained by the new developer. This allows the outdoor areas to complement the day care, providing recreational opportunities for children and families alike.

5. **A Modern Neighborhood Identity:** The shift from a community building to a day care center as the neighborhood identity feature represents the evolving needs of the subdivision. As more young families move in or grow, the daycare embodies the future of the community, positioning it as a family-friendly neighborhood where children are cared for and nurtured. This modern identity is more relevant to today's residents, maintaining the spirit of community that Habitat for Humanity envisioned.

Existing Site, Surrounding Zoning, and Land Uses: The building, originally constructed as a Family Resource Center for Habitat for Humanity in 2004, is currently vacant. It is situated within the Habitat North Residential Subdivision, which consists of 61 homes. The surrounding areas include open space, a playground, and a basketball court located in Outlot A, as well as residential homes to the south and a vacant lot to the east.

Surrounding land uses and zoning include:

- (I-L) Industrial Low Intensity to the west
- (R-M) Residential Medium Density to the south and east
- (R-H) Residential High Density to the north



Special Review Criteria:

1. All criteria for site plan review in section 24-207 are met.

Generally:

- (a) **The plan meets all applicable standards or the criteria for any discretionary approvals.** – The proposed site plan is meeting all applicable standards and is currently being reviewed by City staff.
- (b) **The plan does not substantially undermine any goals or objectives of the Comprehensive Plan that are applicable to the area or to the specific project.** -The requested land use of Day Care Center is compatible with the Comprehensive Plan designation of “Legacy Neighborhood” in that it offers the opportunity for a smaller commercial use that is supportive of the surrounding residential uses.
- (c) **The plan does not present any other apparent risks to the public health, safety or welfare of the community.** – The proposed site plan does not present any apparent risks.

Site Design and Engineering:

- (a) **The plan provides safe access and internal circulation considering the site, the block and other surrounding connections, and appropriately balances vehicle, bicycle and pedestrian needs for the context.** – The site layout and circulation is not proposed to change with the Day Care use, the site provides adequate parking and ADA transition with the needed ramps and sidewalk widths.
- (b) **The plan provides or has existing capacity for utilities and other required improvements to serve the proposed development.** – The site does have adequate existing services capable of supporting the new user.
- (c) **The plan provides adequate management of storm water runoff.** – There are no changes proposed to impervious surfaces and will continue to drain as historically done.
- (d) **The plan provides proper grading considering prevailing grades and the relationship to adjacent sites.** – The site grading is existing and no changes are proposed, it has historically proven that grading is adequate.

Landscape and Open Space Design:

- (a) **The plan creates an attractive aesthetic environment and improves relationships to the streetscape or other nearby public, civic or common spaces.** – The site provides landscaping areas along the front entrance of the building along with open spaces surrounding the lot.
- (b) **The plan enhances the environmental and ecological functions of un-built portions of the site, and makes effective use and conservation of water resources.** – The site will continue to use existing irrigation and proposes to preserve existing healthy landscaping.
- (c) **The plan reduces the exposure and adverse impact of more intense activities or components of the site or building on the streetscape and on adjacent properties.**
– It is not estimated that the proposed Day Care Center will cause adverse impacts to the neighborhood.

Building Design:

- (a) **The location, orientation, scale and massing of the building creates appropriate relationships to the streetscape and to adjacent properties.** – The building is oriented towards the street and provides an attractive façade with windows, a covered entrance, stone wainscoting and landscaping.
- (b) **The selection and application of materials will promote proper maintenance and quality appearances over time.** – The existing materials on the building are aesthetically pleasing and have maintained a quality appearance over the years.
- (c) **The location, fixtures and types of building and site lighting promotes creates aesthetic enhancements, promotes safety and security, and accounts for sensitive borders with the right-of-way or adjacent property.** – There are no exterior light poles proposed on the site avoiding any light pollution on adjacent neighbors.
- (d) **The building reinforces the character of the area and reflects a compatible architectural relationship to adjacent buildings. Specifically, if there is any consistency or commonality in the scale, proportion, forms and features, and materials of adjacent buildings, they inform choices on the proposed building.** – The building appears to have been design in harmony with the surrounding residences in terms of massing and materials.

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2. **The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.** – The site is zoned R-L and can be considered compatible in terms of providing a needed service within the community. The habitat subdivision originally provided a Family Resource Center as a neighborhood identity feature, the proposed Day Care can be considered a similar use and service to the neighborhood and is being proposed as a replacement to the family resource center. The Comprehensive Plan designates the area as a “Legacy Urban Neighborhood” in which small commercial uses, like a Day Care are encouraged.
 3. **Any associated site development or construction complies with requirements of this Code, including any conditions or additional requirements identified for the particular use.** – The site plan is currently being reviewed; at this time conditions have not been outlined but will be considered once reviewed.
 4. **Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.** – The proposed Day Care Center will operate during normal business hours 7am-6pm Mon – Fri and will offer a compatible schedule that supports the needs of the residents while also minimizing any potential impacts to the area.
 5. **The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.** – The site does appear to be suitable for the day care center in that it offers adequate parking and areas for the required playground.
 6. **Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.** – Limiting the permit does not seem appropriate or necessary for this proposed use.

-
7. **The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.** – The proposed use is compatible with the Comprehensive Plan and long-term plan for the area, it will further support the goal of the Legacy Urban Neighborhood.
8. **The recommendations of professional staff or other technical reviews associated with the application.** – The site plan is under review by City staff.

Sincerely,

PLANSCAPES DESIGN GROUP
Emily Tarantini

ABC DAYCARE USE BY SPECIAL REVIEW

HABITAT NORTH SUBDIVISION 3RD FILING
BEING A REPLAT OF LOT 1, BLOCK 5, HABITAT NORTH SUBDIVISION
& OUTLOT A, HABITAT NORTH SUBDIVISION SECOND FILING
SITUATE IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5
NORTH, RANGE 65 WEST OF THE 6TH P.M.
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

0.678 Acres (29,549 sf)
USR2023-0016

Proposal to convert an existing office building to an Infant/Toddler Child Care Center located in the R-L zone district. A lot line adjustment is also proposed, enlarging the current lot size to house a larger playground area. The building is roughly 4,600 SF, no exterior changes to the building or site are proposed aside from the addition of a fence and playground area.

NOTE:
Alternative Compliance, ALT2025-0002, has been accepted by the Community Development Director to allow a "daycare" to count as two neighborhood feature points for North Habitat Subdivision, recording number 5013660.



VICINITY MAP
N.T.S.

LEGAL DESCRIPTION

BEING A REPLAT OF LOT 1, BLOCK 5, HABITAT NORTH SUBDIVISION
& OUTLOT A, HABITAT NORTH SUBDIVISION SECOND FILING
SITUATE IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5
NORTH, RANGE 65 WEST OF THE 6TH P.M.
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

STANDARD NOTES

- FAILURE TO OBTAIN A BUILDING PERMIT WITHIN TWELVE (12) MONTHS AFTER THE DATE OF USE BY SPECIAL REVIEW APPROVAL SHALL CAUSE THE UNBUILT PORTION OF THIS USE BY SPECIAL REVIEW TO BE NULL AND VOID, UNLESS AN EXTENSION WAS GRANTED.
- APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
- AN EXPANSION OF THE USE IN FUTURE PHASES, THE APPLICANT SHALL SUBMIT A SEPARATE USE BY SPECIAL REVIEW, WHICH MUST BE APPROVED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- SIGNAGE SHOWN ON THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY. A SEPARATE SIGN PERMIT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
PAGE 3 OF 8 SITE PLAN APPLICATIONS
- ALL EXISTING AND PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
- 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.
- ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.
- ALL REQUIRED APPROVALS AND COPIES OF EXECUTED EASEMENTS, SUCH AS TEMPORARY CONSTRUCTION EASEMENTS, PERMANENT MAINTENANCE EASEMENTS, CROSS ACCESS EASEMENTS, OR CROSS-PARKING EASEMENTS SHALL BE PROVIDED TO THE CITY PRIOR TO APPROVAL OF THE USE BY SPECIAL REVIEW AND THE CIVIL CONSTRUCTION PLANS.
- ALL WORK SHALL CONFORM TO ALL APPLICABLE STATE AND LOCAL CODES, STANDARDS, AND SPECIFICATIONS.

LANDSCAPE ARCHITECT

Robert Molloy, LA 0001064

USE BY SPECIAL REVIEW APPROVAL CERTIFICATE

THE USE BY SPECIAL REVIEW AS DEPICTED HEREON WAS APPROVED BY THE PLANNING COMMISSION ON _____,
2 _____.

- Failure to obtain a building permit for or commence the use as approved within twelve (12) months after approval, or to obtain an extension shall result in the forfeiture of the approval and will require a reapplication.
- Signs shown heron are NOT approved. All signs require approval of a sign permit in accordance with the City's Sign Code.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved USR Exhibit and the City of Greeley Development Code.

SCOTT BRIGHT

(Signature of Owner)

Date

COMMUNITY DEVELOPMENT DIRECTOR

Director of Community Development

Date

DEVELOPMENT REVIEW MANAGER

CONSTRUCTION MUST BE IN ACCORDANCE WITH APPLICABLE CITY OF GREELEY CONSTRUCTION STANDARDS. THE CITY'S ACCEPTANCE SHALL NOT RELIEVE THE DESIGN ENGINEER'S RESPONSIBILITY FOR ERRORS, OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS HELD HARMLESS

Development Review Manager

Date

CITY OF GREELEY FIRE MARSHAL

City of Greeley Fire Marshal

Date

CONTACTS

OWNER

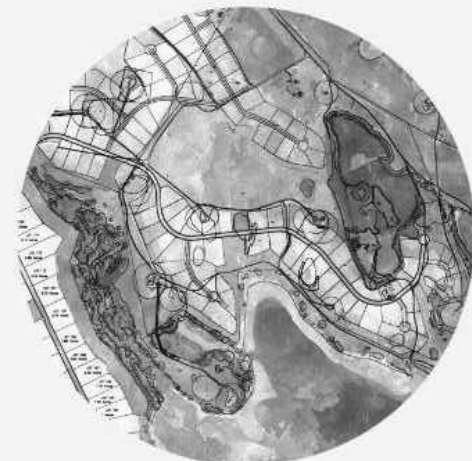
Scott Bright
5000 W. 11th Street
Greeley, CO 80634
303-304-9349

PLANNER/LANDSCAPE ARCHITECT

Planscapes Design Group
980 Norway Maple Drive
Loveland, CO 80538
303-585-1055
970-988-5301

SHEET INDEX

- | | |
|---|----------------------------|
| 1 | COVER SHEET |
| 2 | SITE PLAN |
| 3 | LANDSCAPE PLAN |
| 4 | IRRIGATION PLAN |
| 5 | SITE DETAILS |
| 6 | OPEN SPACE/MITIGATION PLAN |
| 7 | BUILDING ELEVATIONS |



PLANSCAPES
DESIGN GROUP
LAND PLANNING | LANDSCAPE ARCHITECTURE

PLANSCAPES DESIGN GROUP

980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

PROJECT NAME:

ABC DAYCARE

DRAWING TITLE:

COVER SHEET

DRAWN BY:

ET

CHECKED BY:

APPROVED BY:

-

DATE:

3/18/23

SITE

ABC Daycare

104 N. 16th Avenue
Greeley, CO 80634

CLIENT

ABC Daycare

5000 W. 11th Street
Greeley, CO 80634
Scott Bright
scott@scottbright.net
303-304-9349

REV	DESCRIPTION	DATE
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	Submittal 2	3/18/24
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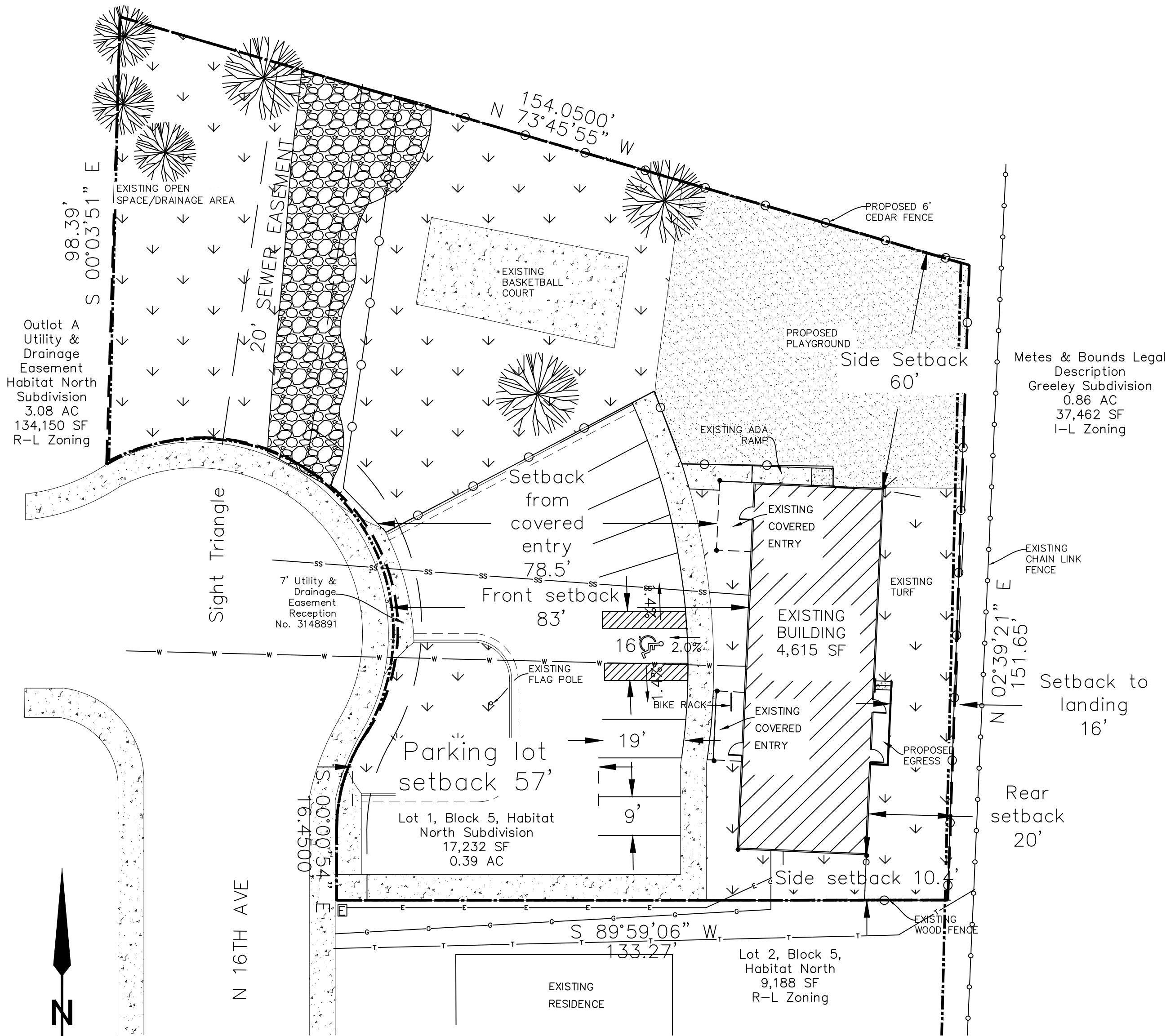
SHEET NO:

1 OF 7

ABC DAYCARE USE BY SPECIAL REVIEW

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0.678 Acres (29,549 sf)
USR2023-0016



LEGEND

PROPERTY LINE —————

EASEMENT - - - - -

EXISTING BUILDING [Hatched Box]

LANDSCAPE AREAS [Dotted Box]

CONCRETE [Stippled Box]

RUBBER SURFACE [Cross-hatched Box]

DOWNSPOUTS •

Site Data			
DESCRIPTION	REQUIRED (MUNICIPAL CODE)	PROVIDED	
ZONING	RL	RL	
PRIMARY LAND USE	CHILD CARE CENTER	CHILD CARE CENTER	
SITE AREA	SQUARE FOOTAGE	ACRES	100%
BUILDING COVERAGE	2,065 S.F.(Main Floor) 2,550 S.F.(Basement)	0.04 AC	6
DRIVE, PARKING & WALKS	8,560 S.F.	0.19 AC	29
LANDSCAPE/OPEN SPACE	15,347 S.F.	0.44 AC	52
PLAYGROUND	4,036 S.F.	0.09 AC	13
TOTAL LOT AREA	29,549 S.F.	0.67 AC	100
PARKING	Required	Provided	
Standard Spaces	9	10	
ADA Spaces	1	1	
Loading Spaces	1	1	
Bicycle	5	5	
SETBACKS	Required	Building/Bldg Design Element	
Front	25'	83' / 78'-6"	
Interior Side	5'	10'-4 13/16"	
Rear	20'-0"	20' / 16'	



PLANSCAPES DESIGN GROUP
980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

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SITE PLAN

DRAWN BY:
ET

CHECKED BY:

APPROVED BY:
-

DATE:
3/18/24

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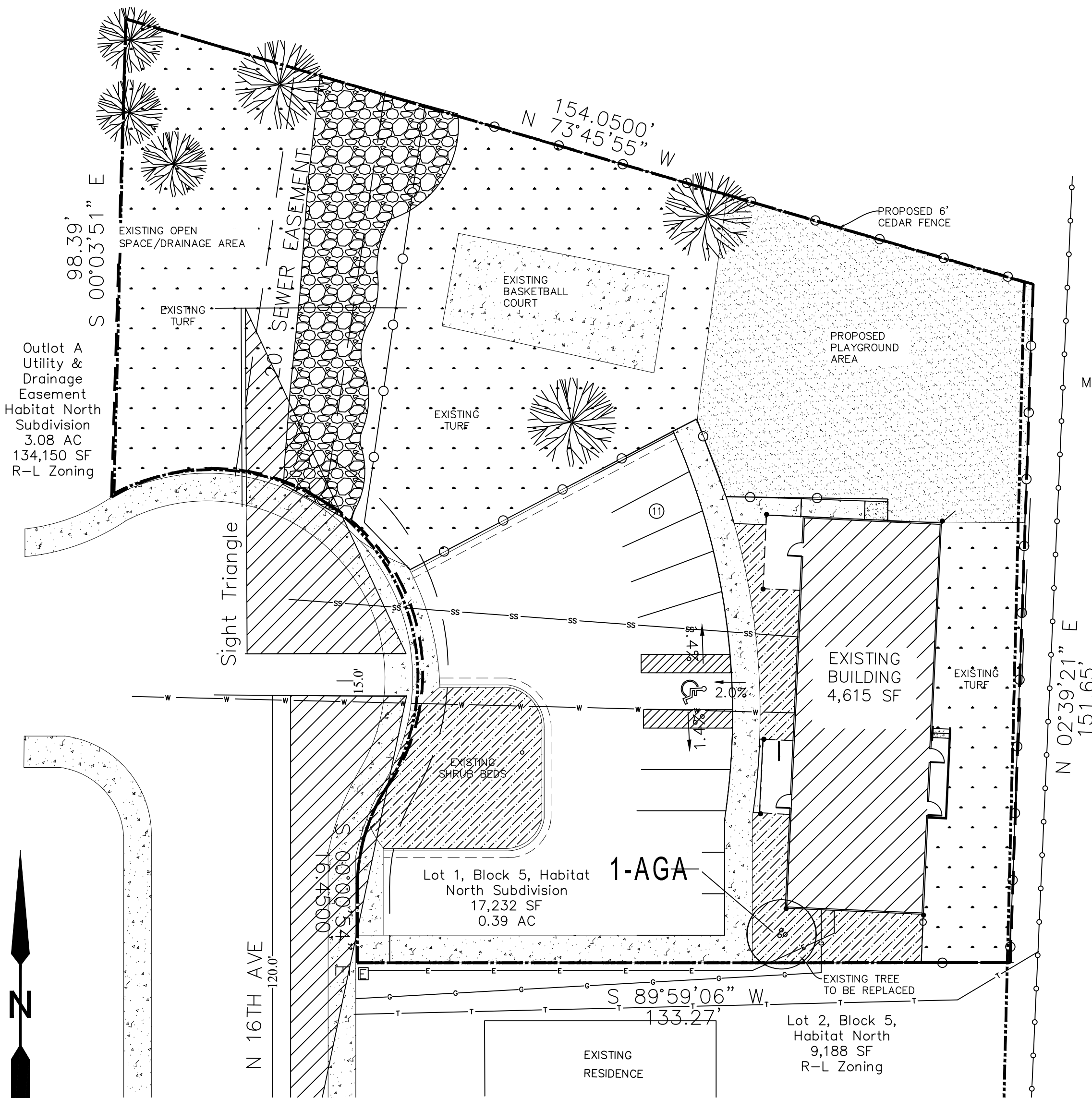
SHEET NO:
2 OF 7


SITE PLAN
SCALE 1" = 20'

ABC DAYCARE USE BY SPECIAL REVIEW

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LANDSCAPE PLAN
SCALE 1" = 20'

PLANT LEGEND

- ORNAMENTAL TREES
- EXISTING DECIDUOUS TREES
- EXISTING SHRUB BED (WOOD MULCH)
- EXISTING TURF
- POURED IN PLACE RUBBER MATERIAL (As required by Child Care Licensing)

LEGEND

- PROPERTY LINE
- EASEMENT
- EXISTING BUILDING
- CONCRETE

PROPOSED PLANT LIST

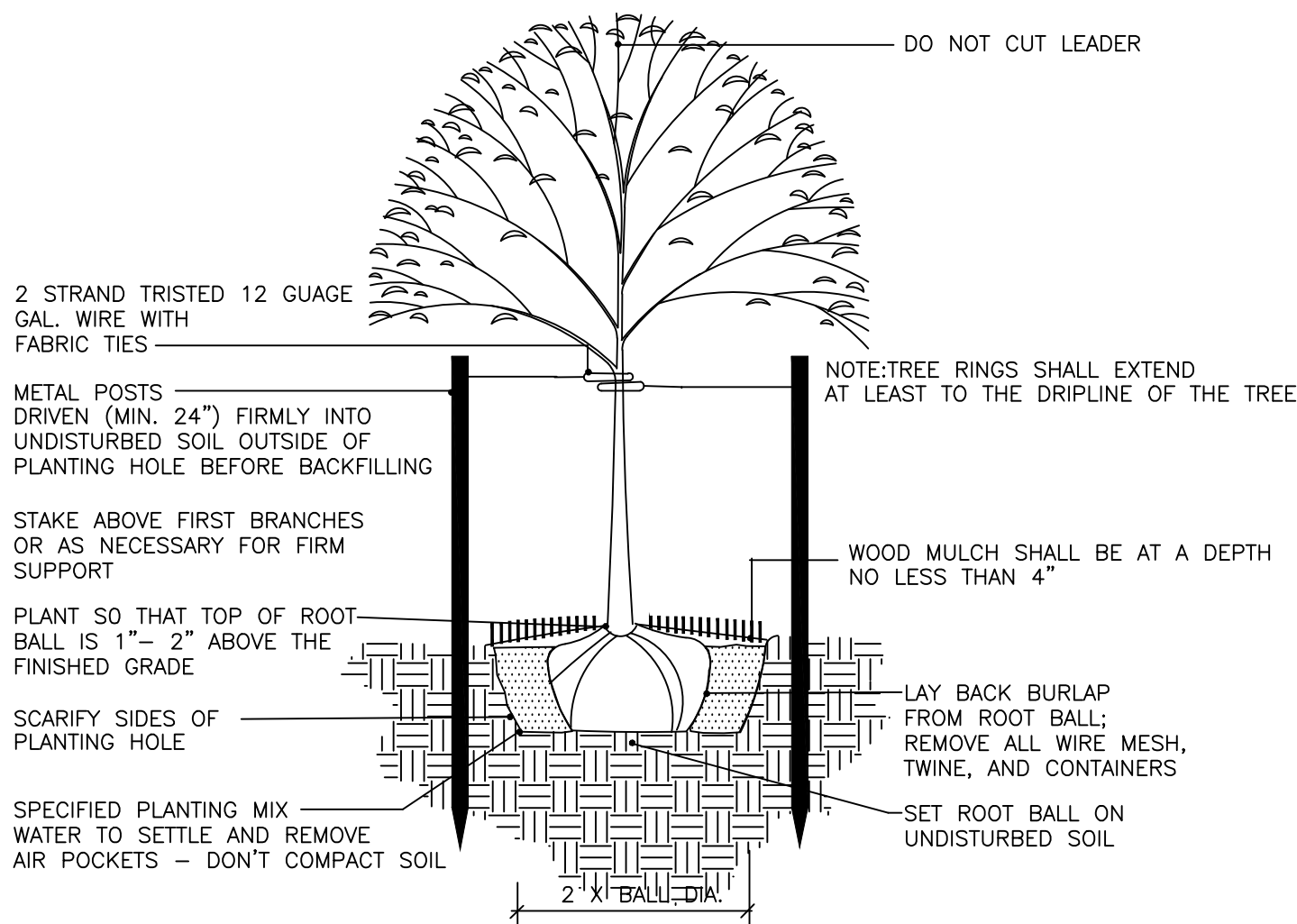
PLANTING SCHEDULE						
TYPE	KEY	QTY	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	SIZE AT MATURITY
Trees						
Ornamental	AGA	1	Amelanchier Grandiflora 'Autumn Brill'	Autumn Brilliant Serviceberry*	1.5" Cal	15'-20'
Groundcover	9,972 SF OF EXISTING TURF					
Mulch	2,012 SF OF EXISTING SHRUBS BEDS					

* TREE FOR MITIGATION

EXISTING LANDSCAPE WATER USE	
WATER USE	DEDICATION REQUIREMENTS
High Water Use (18 gals/sf annual use)	9,972 sq ft x 18 gals = 179,496 gals. (34% OF SITE)
Moderate Water Use (14 gals/sf annual use)	2,012 sq ft x 14 gals = 28,168 gals.
Low Water Use (7 gals/sf annual use)	n/a
Very Low Water Use (0.9 gals/sf annual use)	n/a
Total Water Use	207,664 gals./29,549 sf = 7 gal

PLANT NOTES

- LANDSCAPE WORK SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.
- PERMANENT IRRIGATION TO BE UTILIZED DURING ESTABLISHMENT AND DROUGHT PERIODS (WEEKLY WATERING). IRRIGATION WILL TIE INTO THE EXISTING LINE WITHIN THE BUILDING AND WILL PROVIDE A BACKFLOW PREVENTER WITH 1 ELECTRIC VALVE WITH A TIMER.
- ANY INVASIVE SPECIES PRESENT NEED TO BE REMOVED.
- ALL EXISTING SHRUBS SHALL BE TRIMMED AND MAINTAINED AT AN APPROPRIATE HEIGHT AS TO NOTE BLOCK BUILDING WINDOWS.
- EXISTING TURF AREAS:
 - i) WILL RETAIN EXISTING SPRINKLER HEADS WITH MINOR ADJUSTMENTS TO THEIR LOCATION.
- ANY TREE REMOVALS IN THE PUBLIC RIGHT-OF-WAY NEED TO BE COMPLETED BY A LICENSED ARBORIST IN THE CITY OF GREELEY.
- ALL PLANT MATERIALS SHALL BE TRUE TO TYPE, SIZE, SPECIES, QUALITY, AND FREE OF INJURY, BROKEN ROOT BALLS, PESTS AND DISEASES, AS WELL AS CONFORM TO THE MINIMUM REQUIREMENTS DESCRIBED IN THE "AMERICAN STANDARD FOR NURSERY STOCK"
- THE DEVELOPED, THEIR SUCCESSOR, OR ASSIGNEE SHALL BE RESPONSIBLE FOR ESTABLISHING AND CONTINUING A REGULAR PROGRAM OF MAINTENANCE FOR ALL APPROVED LANDSCAPED AREAS, INCLUDING REPLACEMENT OF DEAD AND/OR DYING PLANT MATERIAL.
- A LANDSCAPE PLANTING PERMIT IS REQUIRED PRIOR TO PLANTING ANY TREES, SHRUBS, OR PERENNIALS LOCATED ON PUBLIC RIGHT-OF-WAY. THE PERMIT IS OBTAINED BY CONTACTING THE CITY OF GREELEY COMMUNITY DEVELOPMENT DEPARTMENT.
- NO PLANT MATERIAL WITH MATURE GROWTH GREATER THAN THREE (3) FEET IN HEIGHT SHALL BE PLANTED WITHIN POTABLE WATER, SANITARY SEWER, OR NON-POTABLE IRRIGATION EASEMENTS.
- NO SHRUBS SHALL BE PLANTED WITHIN FIVE (5) FEET OR TREES WITHIN TEN (10) FEET OF POTABLE AND NON-POTABLE WATER METERS, FIRE HYDRANTS, SANITARY SEWER MANHOLES, OR POTABLE WATER, SANITARY SEWER, AND NON-POTABLE IRRIGATION MAINS AND SERVICES.
- ONLY ECOLOGICALLY SOUND BIODEGRADABLE WEED BARRIER CAN BE USED.
- ALL GROUND-MOUNTED UTILITY AND MECHANICAL EQUIPMENT SHALL BE SHOWN ON THE LANDSCAPE PLAN AND SHALL BE FULLY SCREENED (I.E. WALLS, FENCING, SCREENING MATERIAL, AND/OR EVERGREEN PLANT MATERIALS).
- IF ANY TRANSFORMERS, GROUND MOUNTED HVAC UNITS, UTILITY PEDESTALS, AND SIMILAR FEATURES ARE NOT SHOWN ON THE SITE PLAN, ADDITIONAL LANDSCAPING AND SCREENING MAY BE REQUIRED BASED UPON FIELD CONDITIONS DURING THE SITE INSPECTION PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, OR FINAL INSPECTION, AS APPLICABLE.
- A LAWN WATERING VARIANCE IS REQUIRED FOR THE INSTALLATION, REPLACEMENT, PATCHING, OR RENOVATION OF ANY LAWN AREA 250 SQ.FT. OR MORE. PROOF OF COMPOST AND SEED OR SOD INSTALLED MUST BE SUBMITTED. APPLICATION INFORMATION AND SUBMISSION IS MANAGED BY GREELEY WATER CONSERVATION



A TREE PLANTING - IRRIGATED AREAS
NOT TO SCALE



PLANSCAPES
DESIGN GROUP
LAND PLANNING | LANDSCAPE ARCHITECTURE

PLANSCAPES DESIGN GROUP
980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

PROJECT NAME:
ABC DAYCARE

DRAWING TITLE:
LANDSCAPE PLAN

DRAWN BY:
ET

CHECKED BY:

APPROVED BY:
-

DATE:
3/18/24

SITE
ABC Daycare
104 N. 16th Avenue
Greeley, CO 80634

CLIENT
ABC Daycare
5000 W. 11th Street
Greeley, CO 80634
Scott Bright
scott@scottbright.net
303-304-9349

REV	DESCRIPTION	DATE
	Submittal 1	11/15/23
	Submittal 2	3/18/24
	Submittal 3	10/28/24

SHEET NO:

3 OF 7

ABC DAYCARE USE BY SPECIAL REVIEW

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0.678 Acres (29,549 sf)
USR2023-0016

NOTE:

The irrigation system is existing and lay out is based on surface review.
The system is full functional and is part of the entire property that is
being subdivided. There are no plans for redesign or separation of the
system.

IRRIGATION LEGEND

POP-UP ROTATING SPRAY SPRINKLER ADJUSTABLE RADIUS:
20' TO 40' SPRAY: PRESSURE 40 PSI: FLOW (3 GPM)

POP-UP SPRAY SPRINKLER: RAIN BIRD 1802 WITH 1800 VPC
WITH RAIN BIRD ROTARY NOZZLE

REMOTE CONTROL VALVE ASSEMBLY FOR SPRINKLER
LATERALS RAINBIRD PEB (SIZE PER PLAN)

A1
15
1"
DRIP

INDICATES CONTROLLER STATION

INDICATES LATERAL DISCHARGE (GPM)

INDICATES VALVE SIZE (INCHES)

INDICATES LANDSCAPE APPLICATION

CONTR

SPRINKLER CONTROL BOX

LATERAL PIPE TO SPRINKLERS: CLASS 200 PVC
1 INCH UNLESS OTHERWISE INDICATED

LATERAL PIPE TO EMITTERS: UV RADIATION RESISTANT
POLYETHYLENE (3/4-INCH SIZE, ROUTING DIAGRAM)

PLANSCAPES DESIGN GROUP
980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

PROJECT NAME:
ABC DAYCARE

DRAWING TITLE:
IRRIGATION PLAN
EXISTING

DRAWN BY:
RM

CHECKED BY:

APPROVED BY:
-

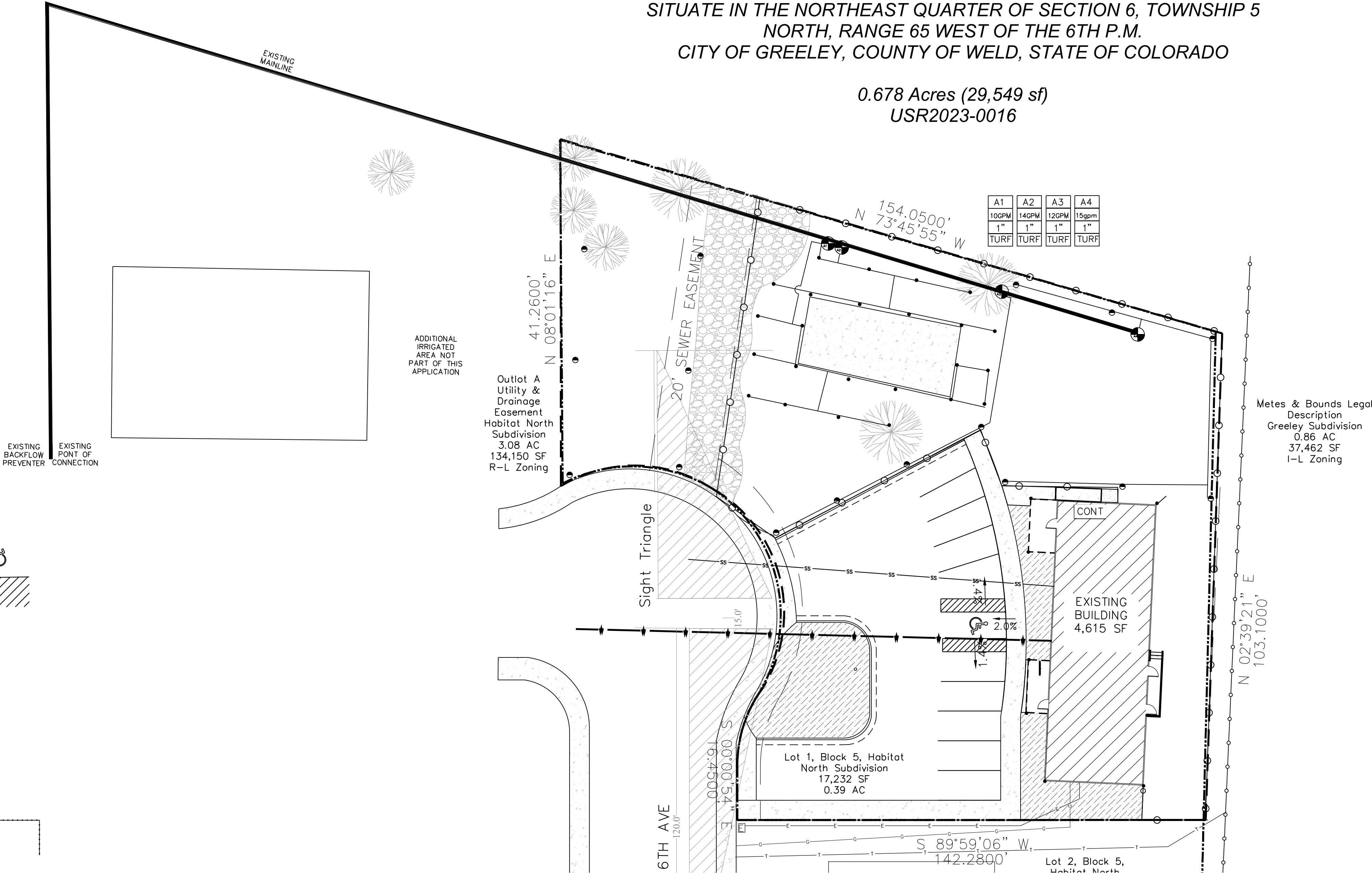
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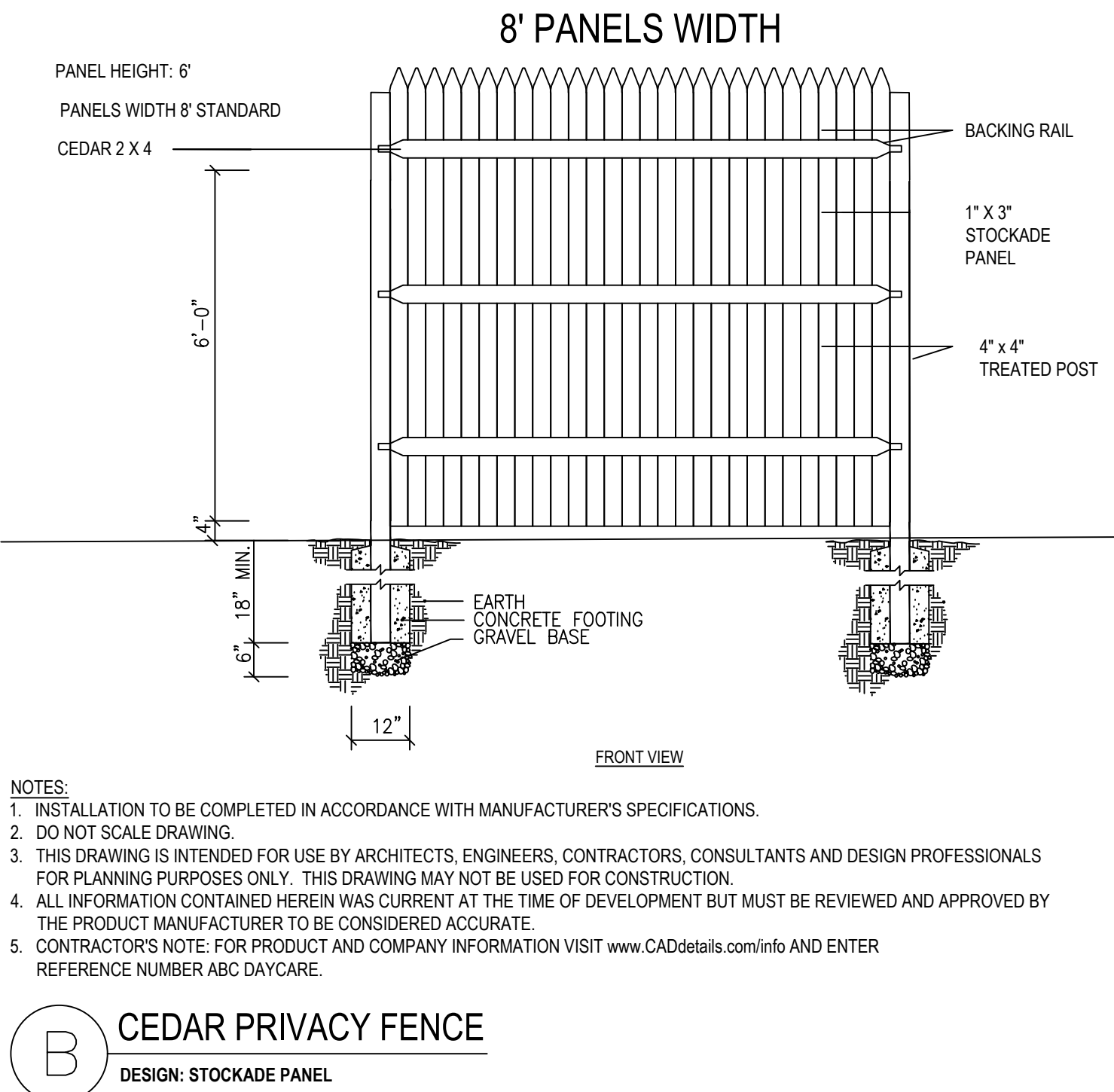
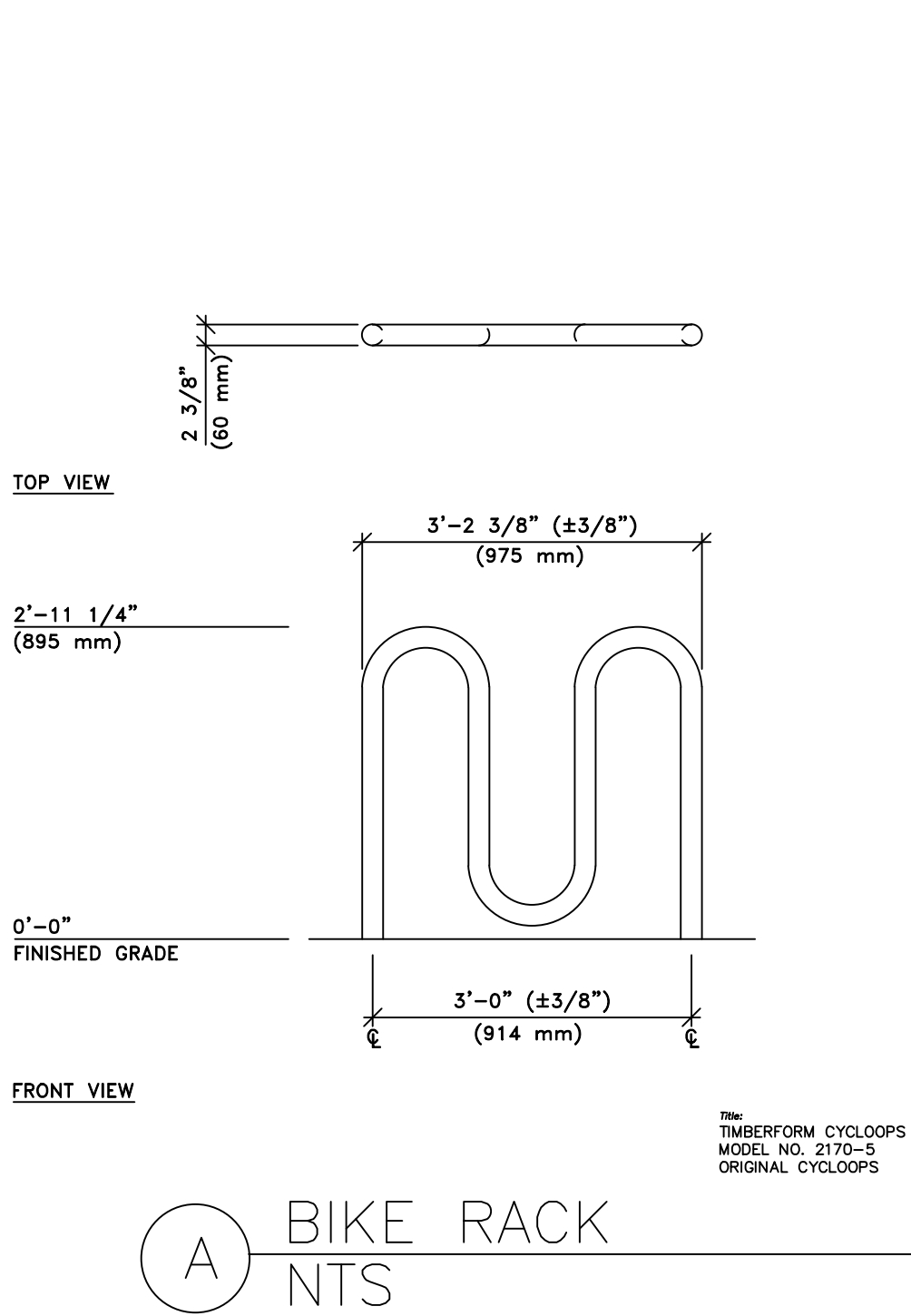


IRRIGATION PLAN (EXISTING)
SCALE 1" = 20'

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C POURED IN PLACE RUBBER/PLAYGROUND EQUIPMENT
GO PLAY PLAYGROUNDS



PLANSCAPES
DESIGN GROUP
LAND PLANNING | LANDSCAPE ARCHITECTURE

PLANSCAPES DESIGN GROUP
980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

PROJECT NAME:
ABC DAYCARE

DRAWING TITLE:
SITE DETAILS

DRAWN BY:
ET

CHECKED BY:

APPROVED BY:
-

DATE:
3/19/24

SITE
ABC Daycare
104 N. 16th Avenue
Greeley, CO 80634

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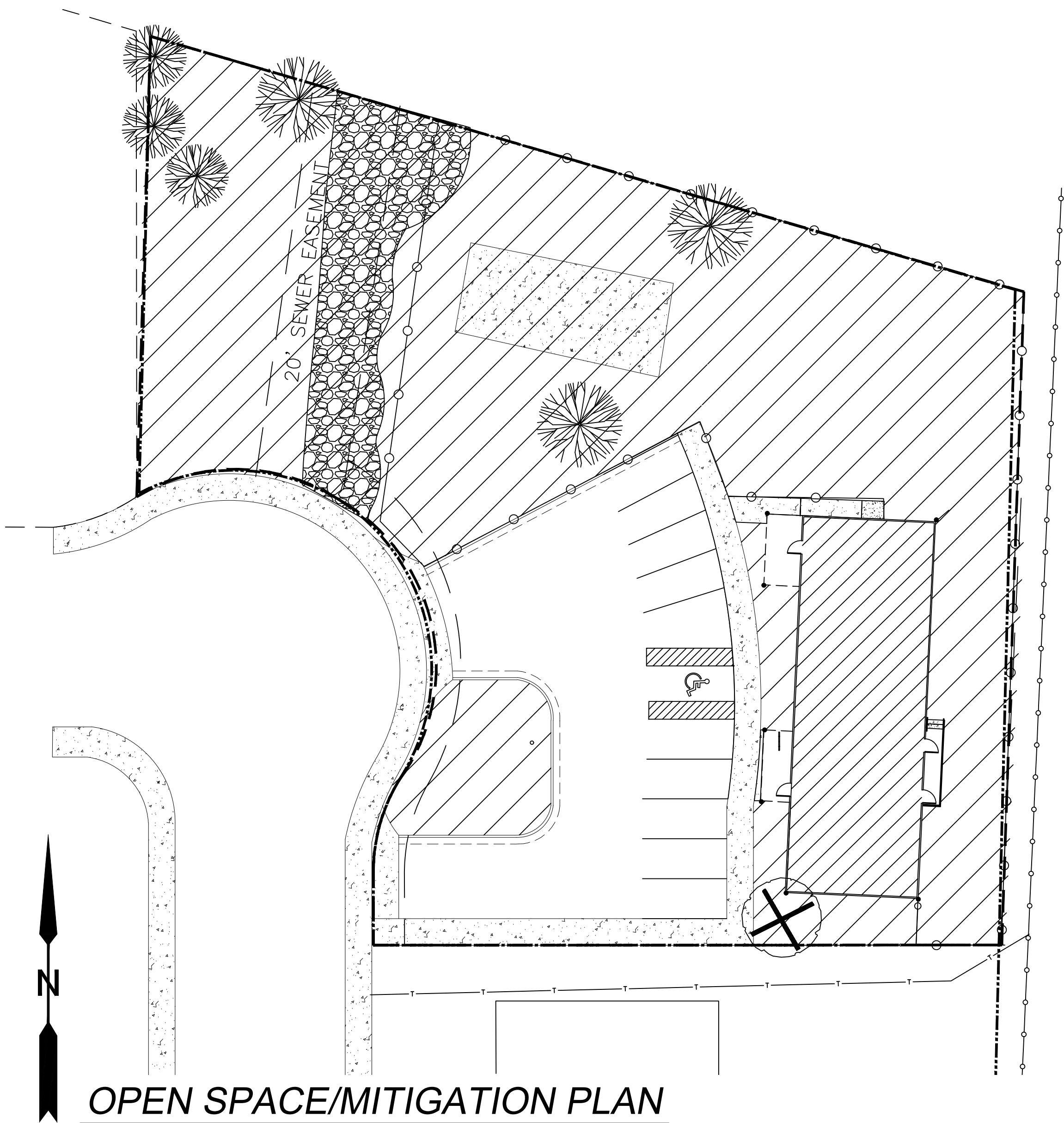
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SHEET NO:
5 OF 7

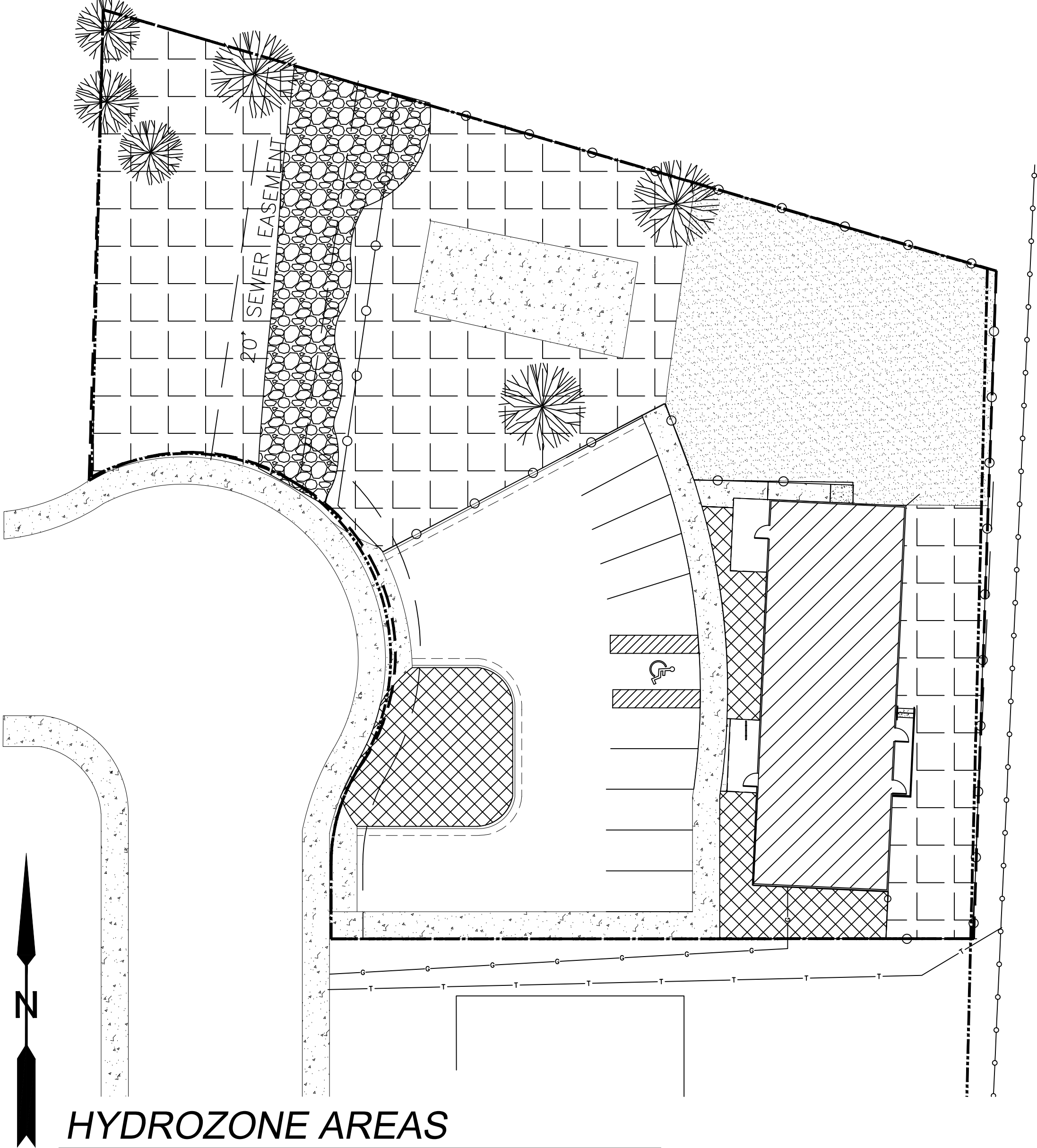
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OPEN SPACE/MITIGATION PLAN
SCALE 1" = 20'



HYDROZONE AREAS
SCALE 1" = 20'

OPEN SPACE CALCULATIONS

GROSS SITE AREA = 29,549 SF (0.67 ACRES)

OPEN SPACE
15,347 SF (0.44 AC)
TOTAL COVERAGE = 52%

HYDROZONE AREAS

GROSS SITE AREA = 29,549 SF (0.67 ACRES)

HIGH WATER
9,972 SF (34% OF SITE)

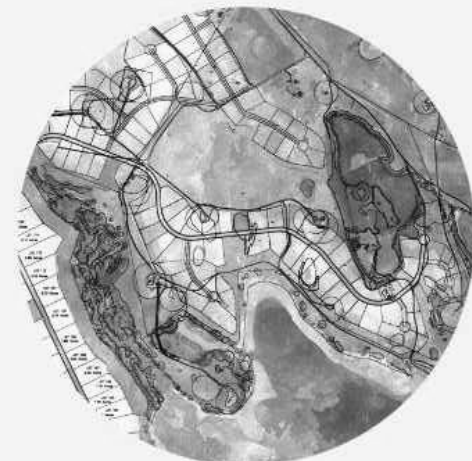
MODERATE WATER
2,012 SF (7% OF SITE)

EXISTING TREE LIST

COMMON NAME	QTY	STATUS
English Oak (14" Cal)	1	In good health

TREES TO BE REMOVED

COMMON NAME	QTY	STATUS
Red Cherry	1	14" Caliper tree - replace with ornamental tree



PLANSCAPES
DESIGN GROUP
LAND PLANNING | LANDSCAPE ARCHITECTURE

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980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

PROJECT NAME:
ABC DAYCARE

DRAWING TITLE:
OPEN SPACE/MITIGATION
PLAN

DRAWN BY:
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APPROVED BY:
-

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3/18/24

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WEST ELEVATION (FRONT)



EAST ELEVATION (BACK)

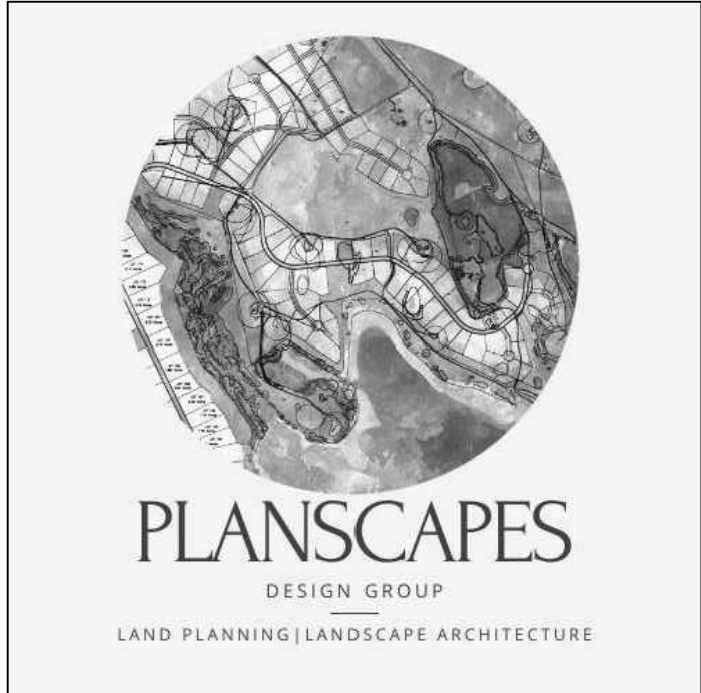


NORTH ELEVATION (SIDE)



SOUTH ELEVATION (SIDE)

NOTE: THE BUILDING ELEVATIONS SHOWN AND APPROVED HEREIN SHALL DEMONSTRATE HOW ALL MECHANICAL EQUIPMENT SHALL BE SCREENED. IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE THAT SCREENING OCCURS IN THE FIELD AS DEMONSTRATED BY THESE PLANS, REGARDLESS OF CURB REQUIREMENTS, MECHANICAL PLAN CHANGES, OR OTHER CIRCUMSTANCES. FAILURE TO PROVIDE SCREENING MAY RESULT IN DELAY OF FINAL INSPECTIONS AND/OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.



PLANSCAPES DESIGN GROUP
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970-988-5301

PROJECT NAME:
ABC DAYCARE

DRAWING TITLE:
BUILDING ELEVATIONS

DRAWN BY:
ET

CHECKED BY:

APPROVED BY:
-

DATE:
3/18/2024

SITE
ABC Daycare
104 N. 16th Avenue
Greeley, CO 80634

CLIENT
ABC Daycare
5000 W. 11th Street
Greeley, CO 80634
Scott Bright
scott@scottbright.net
303-304-9349

REV	DESCRIPTION	DATE
	Submittal 1	11/15/23
	Submittal 2	3/18/24
	Submittal 3	10/28/24

SHEET NO:
7 OF 7



ABC Daycare Use by Special Review

April Medeiros, Planner I

April.Medeiros@greeleygov.com (970) 350-9241

Planning Commission – May 13, 2025



Community Vitality

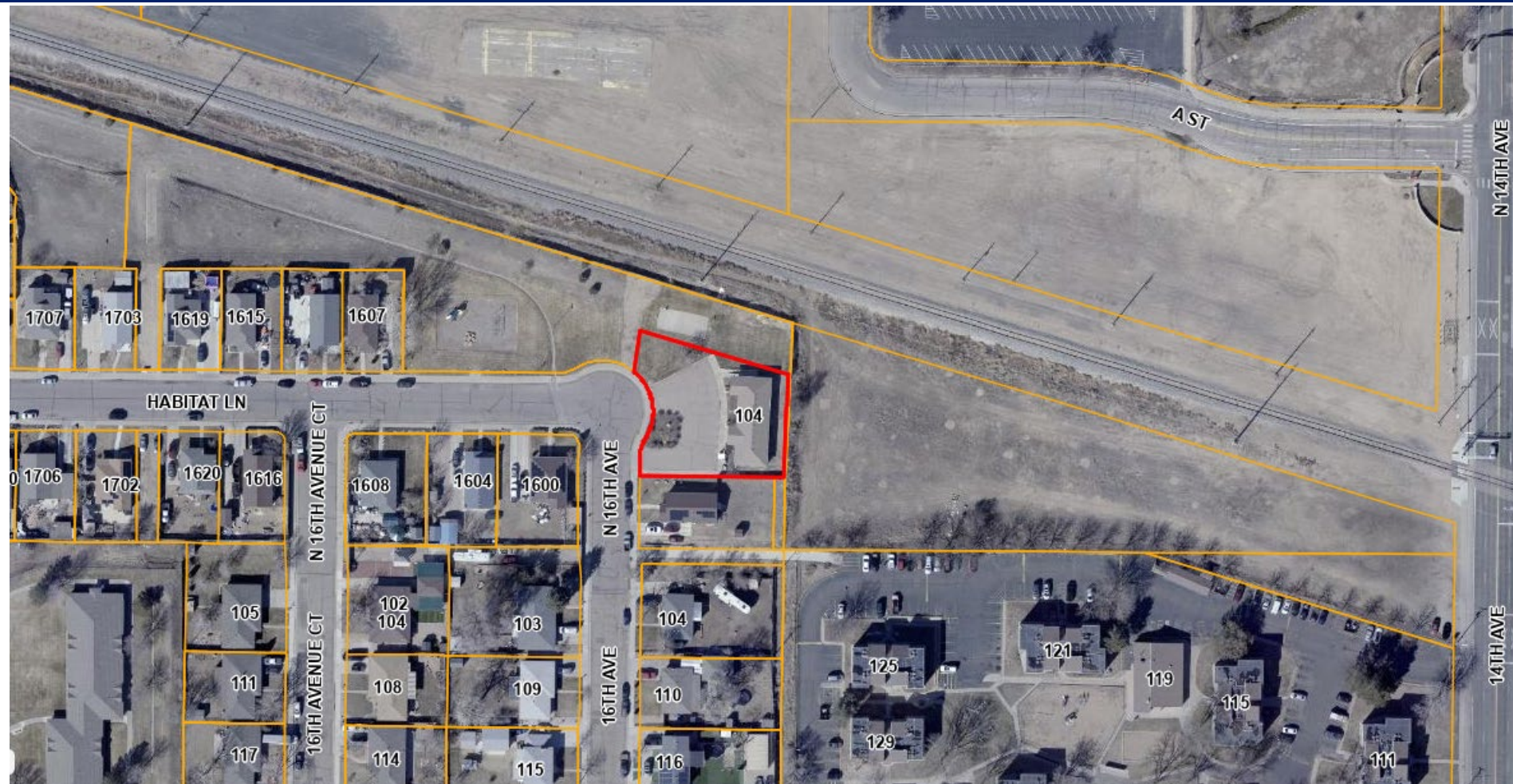
Agenda



- Request:
 - Approval of a Use by Special Review application for a childcare/preschool at 104 N 16th Ave in the R-L zone district.
- Background:
 - In 2000, the property was annexed and zoned R-L (Residential Low Density).
 - Subject property original approved use was Family Resource Center for Habitat Subdivision. Site was sold to current owner in June 2022. Since its purchase, the site has remained vacant.
 - Childcare/preschool can be considered neighborhood feature, ALT2025-0002
 - A minor subdivision (SUB2024-0007- North Habitat Subdivision, 3rd Filing) for a lot line adjustment that would expand the footprint of the lot.
- Planning Commission to make final decision on land use case.

Location

- The subject site, located at 104 N 16th Avenue is situated at the intersection of Habitat Lane and 16th Avenue.



Zoning Map and Surrounding Area



- **Subject Site Existing Zoning: R-L (Residential Low Density)**
- **Surrounding Zoning:**
 - North: I-L (Industrial Low Intensity)
 - South: R-L (Residential Low Density)
 - East: I-L (Industrial Low Intensity)
 - West: R-L (Residential Low Density)
- **Surrounding Land Uses:**
 - North: Existing Railroad, Island Grove Regional Park
 - South: Single-Family Residential
 - East: Undeveloped
 - West: Outlot A, Utility and Drainage Easement, Open Space



Aerial Overview

- Existing railroad adjacent to north property boundary.
- Undeveloped property to the east.
- Existing Single-Family to the south.
- Open Space area to the west.



ABC Daycare Site Plan



PLANSAPES DESIGN GROUP
980 Norway Maple Drive
Loveland, CO 80538
970-988-5301

PROJECT NAME:
ABC DAYCARE

DRAWING TITLE:
SITE PLAN

DRAWN BY:
ET

CHECKED BY:

APPROVED BY:
-

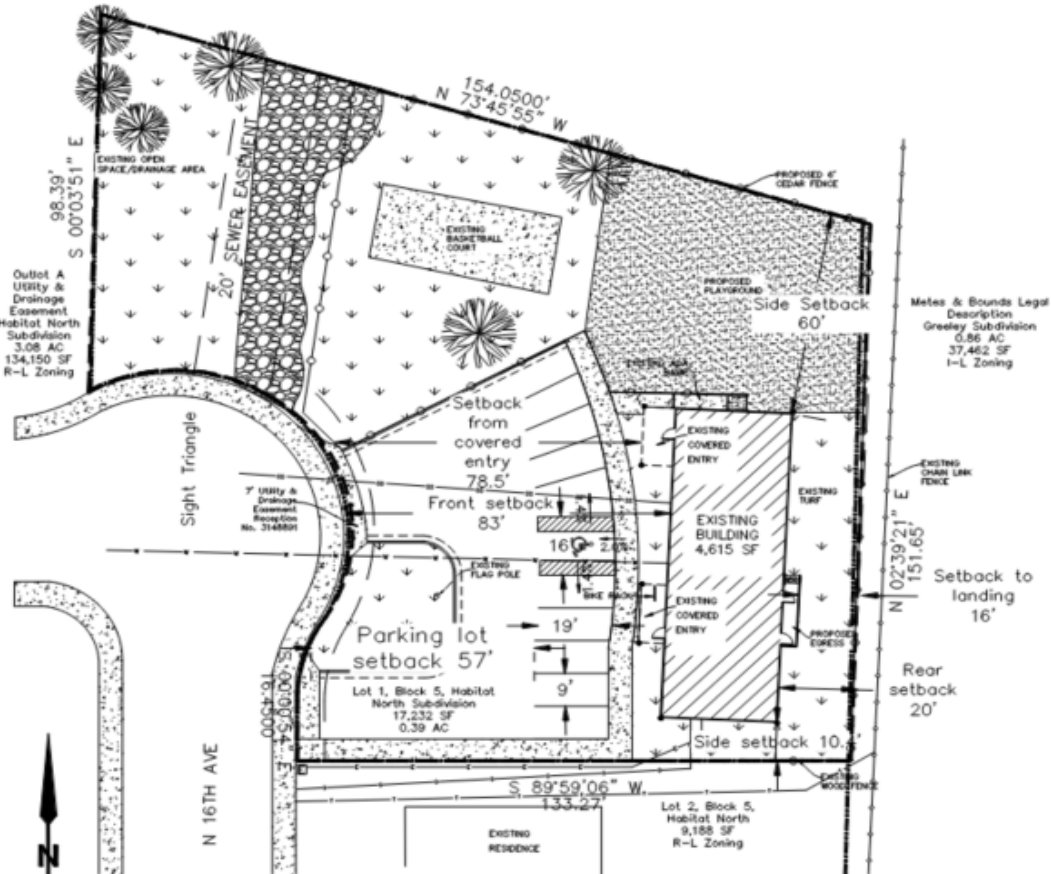
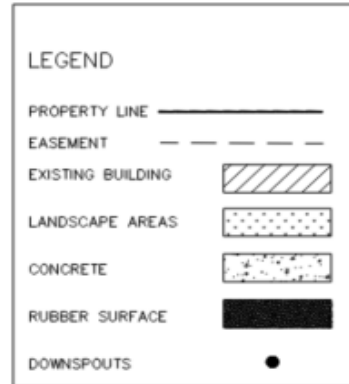
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REVISION	DATE
Submittal 1	11/15/23
Submittal 2	3/18/24
Submittal 3	10/28/24

Site Data			
DESCRIPTION	REQUIRED (MUNICIPAL CODE)	PROVIDED	
ZONING	RL	RL	
PRIMARY LAND USE	CHILD CARE CENTER	CHILD CARE CENTER	
SITE AREA	SQUARE FOOTAGE	ACRES	100%
BUILDING COVERAGE	2,065 S.F.(Main Floor) 2,550 S.F.(Basement)	0.04 AC	6
DRIVE, PARKING & WALKS	8,560 S.F.	0.19 AC	29
LANDSCAPE/OPEN SPACE	15,347 S.F.	0.44 AC	52
PLAYGROUND	4,036 S.F.	0.09 AC	13
TOTAL LOT AREA	29,549 S.F.	0.67 AC	100
PARKING	Required	Provided	
Standard Spaces	9	10	
ADA Spaces	1	1	
Loading Spaces	1	1	
Bicycle	5	5	
SETBACKS	Required	Building/Bldg Design Element	
Front	25'	83' / 78'-6"	
Interior Side	5'	10'-4 13/16"	
Rear	20'-0"	20' / 16'	



SITE PLAN
SCALE 1" = 20'

Considerations

Approval Criteria

- Use by Special Review Criteria – 24-206.b (1-8) – Criteria to evaluate Use by Special Review applications
- The proposed Use by Special Review is consistent with the criteria as outlined in the staff report

Notification

- A total of 114 notice letters were mailed to property owners within 500 feet and all North Habitat Subdivision.
- Sign posted on the property
- Web notice
- Mineral Notice completed

Recommendation

- Complies with Section 24-206.b (1-8)
- Recommend approval

Motions

Recommended

- Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a childcare/preschool in the R-L (Residential Low Density) district is in compliance with the Development Code criteria of Section 24-206 (b) (1-8) and therefore approves the Use by Special Review as submitted.

Alternative

- Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a childcare/preschool in the R-L (Residential Low Density) district is not in compliance with the Development Code criteria of Section 24-206 (b) (1-8), and therefore, denies the Use by Special Review as submitted.

Thank you



Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

1) All criteria for site plan review in Section 24-207

The proposed project satisfies the requirements of Section 24-207 of the City of Greeley Development Code. The applicant has addressed all staff comments and included all required materials for the Use by Special Review criteria. Staff is satisfied with the Use by Special Review submitted for the proposed project.

2) The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.

The property is located in the Residential Low Density zone district and the original approved use of the property was a Family Resource Center for the Habitat North Subdivision. Childcare can be considered compatible in terms of providing a needed service within the community. The requested land use of childcare center is compatible with the Imagine Greeley Comprehensive Plan designation of "Legacy Neighborhood" in that it offers the opportunity for a smaller commercial use that is supportive of the surrounding residential uses. The Comprehensive Plan provides special considerations for the adaptive reuse of existing structures as a means of protecting their unique character and history and the applicant is not proposing a change of the existing structure which may assist in preserving and maintaining the existing character of the neighborhood. The following Imagine Greeley Comprehensive Plan policies apply to this request:

Objective EH-5.1 Education Facilities Integration

Work with the school districts, community college and university, as well as private schools, area libraries, cultural centers, and community organizations to link services into a seamless system that helps

students of all ages maximize achievement and self fulfillment. Where

Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

3) **Any associated site development or construction complies with the requirements of this code, including any conditions or additional requirements identified for the particular use.**

The proposed project complies with all development code requirements for site development and construction standards. Various city departments and external agencies have reviewed the project proposal and are satisfied with the proposal as it meets all requirements for site design and site construction. With this proposal, the existing structure will not expand. The scope of construction will include development of a fenced-in playground for the childcare center.

4) **Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.**

The proposed Childcare Center will operate during normal business hours 7am 6pm Monday-Friday and will offer a compatible schedule that supports the needs of residents while also minimizing any potential impacts into the area. The operating characteristics of the proposed project are within normal standards for the site location and abutting properties.

Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

5) **The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.**

The existing site is physically suitable for the proposed Childcare center use. The site is adjacent to the railroad and Island Grove Regional Park to the north, an undeveloped lot to the east, an open space/utility drainage easement, and a single-family home to the south. The proposed playground will be situated on the northeast corner of the property.

6) **Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.**

It is not necessary to make those limitations.

Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

7)	The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
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According to Greeley's Land Use Guidance Map within the Imagine Greeley Comprehensive Plan, the subject area is within the "Legacy Urban Neighborhood". Amenities such as schools, parks, and religious institutions are encouraged.

8)	The recommendations of professional staff or other technical reviews associated with the application.
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Staff completed a thorough review of the proposed project and has ensured compliance with the recommendations of all applicable review agencies.

The recommendations of professional staff or advisory review bodies.

Planning staff and the Administrative Review Team recommend approval.



Planning Commission Agenda Summary

May 13, 2025

Key Staff Contact: April Medeiros, Planner I

Title:

Case number USR2024-0007, Two Rivers Garden Use by Special Review

Summary:

The City of Greeley is considering a request by the applicant, Ian Skor, Sandbox Solar, for approval of a USR (Use by Special Review) to allow for a small-scale solar energy facility on approximately 14.41 acres on the northeastern portion of a 132.17 acres parcel. The existing zoning on the 14.41 acres is R-E (Residential Estate) and the remainder of the parcel zoning is zoned (H-A) Holding-Agriculture, located north of County Road 56 and approximately 1,400 feet east of 95th Avenue. A minor subdivision application (case SUB2024-0017) has also been submitted and is being reviewed concurrently. This subdivision would create a new lot specifically for the solar facility.

Planning Commission Recommended Action:

Approval

Attachments:

- 1- Zoning/Vicinity Map
- 2- Notice Letter and Photo Aerial Map
- 3- Project Narrative
- 4- USR Plan Set
- 5- Noticing Boundary Map
- 6- Land Use Application
- 7- Dust Mitigation Plan
- 8- Decommissioning-Reclamation Plan
- 9- Weed Mitigation Plan
- 10- Staff Presentation

PLANNING COMMISSION SUMMARY

ITEM: Use by Special Review (USR) for a small-scale solar energy facility in the R-E (Residential Estate) Zone District.

FILE NUMBER: USR2024-0007

PROJECT: Two Rivers Garden Use by Special Review

LOCATION: North of County Road 56 and approximately 1,400 feet east of 95th Avenue, Parcel# 095918300002

APPLICANT: Ian Skor, Sandbox Solar

ASSOCIATED PROJECTS: ZON2024-0005 and SUB2024-0017

CASE PLANNER: April Medeiros, Planner I, AICP Candidate

PLANNING COMMISSION HEARING DATE: May 13, 2025

PLANNING COMMISSION FUNCTION:

Review the proposal for compliance with Section 24-206 b.1-8, Use by Special Review, Review Criteria of the City of Greeley Development Code and either approve, approve with conditions, deny, or table the consideration for future consideration.

EXECUTIVE SUMMARY

The City of Greeley is considering a request by the applicant, Ian Skor, Sandbox Solar, for approval of a USR (Use by Special Review) to allow for a small-scale solar energy facility on approximately 14.41 acres on the northeastern portion of a 132.17 acres parcel. The existing zoning on the 14.41 acres is R-E (Residential Estate) and the remainder of the parcel zoning is zoned (H-A) Holding-Agriculture, located north of County Road 56 and approximately 1,400 feet east of 95th Avenue. A minor subdivision application (case SUB2024-0017) has also been submitted and is being reviewed concurrently. This subdivision would create a new lot specifically for the solar facility.

A. REQUEST

The applicant requests approval of a Use by Special Review application for a small-scale solar energy facility.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

The subject site is located north of County Road 56 and approximately 1,400 feet east of 95th Avenue.

Current Zoning:

R-E (Residential Estate)

Abutting Zoning:

North: I-L (Industrial Low Intensity)

South: H-A (Holding Agriculture)

East: H-A (Holding Agriculture)

West: H-A (Holding Agriculture)

Surrounding Land Uses:

North: Existing DCP Midstream processing facility and Poudre Valley REA Substation

South: Mostly Undeveloped with existing oil and gas

East: Undeveloped

West: Undeveloped

Site Characteristics:

The subject site is approximately 14.41 acres of a 132.14-acre parcel located east of the Boomerang Ditch. Southwest of the subject area contains an irrigation ditch. The property is undeveloped aside from one existing oil and gas well operated by PDC Energy, Inc. The subject area slopes an average of four percent to the west. The existing landscaping consists of native grasses.

D. BACKGROUND

The subject site was originally part of the Lundvall Annexation (File number A 35:00 and Record number 2835106) which was zoned as H-A (Holding Agriculture) in 2001. The subject site recently requested a rezone (ZON2024-0005) to Residential Estates, R-E, which was approved on May 6, 2025, by the City Council. The existing zoning allows the property owner to request a solar energy facility, categorized as Utilities-General in the City of Greeley Development Code, via a Use by Special Review application. The property has historically been used for agricultural purposes and oil and gas operations. The site is adjacent to existing agriculture, electric, and oil and gas facilities. A minor subdivision application for the creation of one lot is being concurrently reviewed. All generated electrical power from the subject site will be transferred to PVREA substation, located immediately north of the subject site.

E. APPROVAL CRITERIA

Uses by Special Review: Uses by Special Review possess characteristics which require a public hearing to determine if a proposed use has the potential to adversely affect other land uses, transportation systems, public facilities, or the like in the surrounding neighborhood. The Planning Commission may require conditions of approval necessary to eliminate or mitigate, to an acceptable level, any potentially adverse effects of the proposed use.

Section 24-206.b of the Development Code contains eight criteria that are used to evaluate Uses by Special Review:

1. All criteria for site plan review in Section 24-207 are met.

Staff Comment: The proposed project satisfies the requirements of Section 24-207 of the Development Code. The applicant has addressed all staff comments and included all required materials for the Use by Special Review criteria. Staff is satisfied with the Use by Special Review submitted for the proposed project.

The proposal complies with this criterion

2. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.

The following Imagine Greeley Comprehensive Plan policies apply to this request:

▪ **NR-4.4 Renewable Resources**

Promote the incorporation of renewable resources throughout the community.

Staff Comment: Sandbox Solar has made every effort to be a partner with its surrounding neighbors. The proposed project utilizes acreage that is no longer functional as agricultural, and pairs well with the existing oil and gas operations.

This request complies with the Comprehensive Plan Policies.

The proposal complies with this criterion.

3. Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.

Staff Comment: The proposed project adheres to all applicable development code requirements for site development and construction standards. The project has been reviewed by relevant city departments and external agencies, all of which have confirmed that the proposal meets the necessary criteria for site design and construction. As

a condition of approval, staff will require that all construction documents be accepted and approved by the City of Greeley before any permits are issued.

The proposal complies with this criterion.

4. **Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.**

Staff Comment: The operating characteristics of the proposed project are within normal standards for the site location and abutting properties. Due to the site being a low-intensity use, unmanned, quiet operation, no light production, and minimal traffic, the site will have a minimal impact on adjacent properties. It will also provide buffering of the existing PVREA substation to the north and oil and gas midstream facility to the west, which will benefit potential future uses south of the subject site.

The proposal complies with this criterion.

5. **The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.**

Staff Comment: The 14.41-acre site is currently undeveloped land with active oil and gas wells. The site is adjacent to PVREA substation to the north and oil and gas operations to the west with primarily agricultural uses south of the subject site.

The proposal complies with this criterion

6. **Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.**

Staff Comment: It is not necessary to make those limitations.

The proposal complies with this criterion.

- 7. The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.**

Staff Comment: According to Greeley's Land Use Guidance Map within the Imagine Greeley Comprehensive Plan, the subject area is within the "Mixed Use High Intensity" and Suburban Neighborhood".

The proposal complies with this criterion.

- 8. The recommendations of professional staff or other technical reviews associated with the application.**

Staff completed a thorough review of the proposed project, in conjunction with Floodplain, MS4, Stormwater, Traffic, Fire, Transportation, Boomerang Ditch, Trails and Natural Resources, and Colorado Parks and Wildlife District 4.

The proposal complies with this criterion

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

Case SUB2024-0017 is being reviewed concurrently with this application to create a single lot for the proposed small-scale solar energy facility. The designated parcel will become Lot 1 of the Two Rivers Garden Subdivision. Approval of the subdivision is contingent upon approval of the Use by Special Review. If the proposed use is approved, the subdivision will be recorded prior to the final acceptance of the Use by Special Review.

2. HAZARDS

A plugged and abandoned oil and gas facility impacts the subject site and a 50-foot setback from the abandoned well has been designated on the plans to protect the surrounding development. Off-site PDC Energy oils and gas facilities impact the subject site and a 150-foot setback from the facilities has been designated on the plans to protect the surrounding development. Staff is unaware of any other hazards on the property.

3. WILDLIFE

The subject site is located adjacent to a moderate area of ecological significance. Colorado Parks and Wildlife (CPW) reviewed the proposed project and determined that due to the proposed size of the solar array being less than 25 acres and a lack of wildlife concerns, CPW has no concerns. CPW noted that they appreciate the developers' use of wildlife

exclusionary fencing, and no lighting proposed. There are no known impacts that would occur to wildlife.

4. FLOODPLAIN

The subject site does not lie within a FEMA designated special flood hazard area.

5. DRAINAGE AND EROSION

There are no drainage or erosion hazards existing on site. A detention pond will be required to meet water quality and reduce sediment and hazards to the Boomerang Ditch in the future development applications.

6. TRANSPORTATION

The site is bounded by 95th Avenue to the west, and County Road 56 alignment along the south. No traffic impacts are anticipated with the rezone. Access to the site would be via an all-weather access road off 95th Avenue that currently serves PVREA Energy. Traffic impacts are expected to be minimal as no permanent employees are expected to report on-site, only quarterly maintenance visits are planned. As such, the proposal did not warrant a TIS per Criteria.

G. SERVICES

1. WATER

Water is not required for this site. Currently there is a transmission main along the south property line, and a transmission main located approximately 0.5 miles to the north. Future development that requires water will be required to extend a water main to the site.

2. SANITATION

Sanitary sewer is not required for this site. Currently the closest sanitary sewer is located approximately 0.5 miles to the north. Future development that requires sanitary sewer will be required to extend a sanitary sewer main to this site.

3. EMERGENCY SERVICES

Emergency services are available and can adequately serve the subject property. The subject site is within the City of Greeley's Fire Protection area and would be served by Fire Station 6, which is approximately 1.7 miles from this property. Future development applications will be required to meet fire criteria.

4. PARKS/OPEN SPACES

No public parks or regional open space areas are proposed as part of this request. Cash-in-lieu for parkland dedication does not apply to this application. The applicant will be required to suffice park dedication as defined in Section 24-302.b. of the City of Greeley Development Code during the Subdivision phase.

5. SCHOOLS

No schools are proposed or located on the subject site. Cash-in-lieu for school dedication will be required during the Subdivision phase and when residential development is proposed on the subject site.

H. NEIGHBORHOOD IMPACTS

1. VISUAL

No adverse visual impacts are anticipated by the proposal.

2. NOISE

No noise impacts are anticipated with the USR request. Any potential noise created by future development will be regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

Letters regarding the public hearing for the proposed Use by Special Review were mailed on April 11, 2025, to property owners within 500 feet of the site. Two notice signs were posted on the site on April 15, 2025. Public notice was also published on the City of Greeley website on April 11, 2025. Staff received no corresponding inquiries to date, April 24, 2025.

J. PLANNING COMMISSION RECOMMENDED MOTION

Recommended (Approval)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a small-scale solar energy facility in the R-E (Residential Estate) Zone District is in compliance with the Development Code criteria of Section 24-206 (b) (1-8), and therefore approve the Use by Special Review with a condition of approval that all construction documents be accepted and approved prior to issuance of permits.

Alternative (Denial)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a small-scale solar energy facility in the R-E (Residential Estate) Zone District is not in compliance with the Development Code criteria of Section 24-206 (b) (1-8) and therefore denies the Use by Special Review as submitted.

ATTACHMENTS

- 1- Zoning/Vicinity Map
- 2- Notice Letter and Photo Aerial Map
- 3- Project Narrative
- 4- USR Plan Set
- 5- Noticing Boundary Map
- 6- Land Use Application
- 7- Dust Mitigation Plan

- 8- Decommissioning-Reclamation Plan
- 9- Weed Mitigation Plan
- 10- Staff Presentation

Vicinity & Zoning Map- Two Rivers Garden Use By Special Review

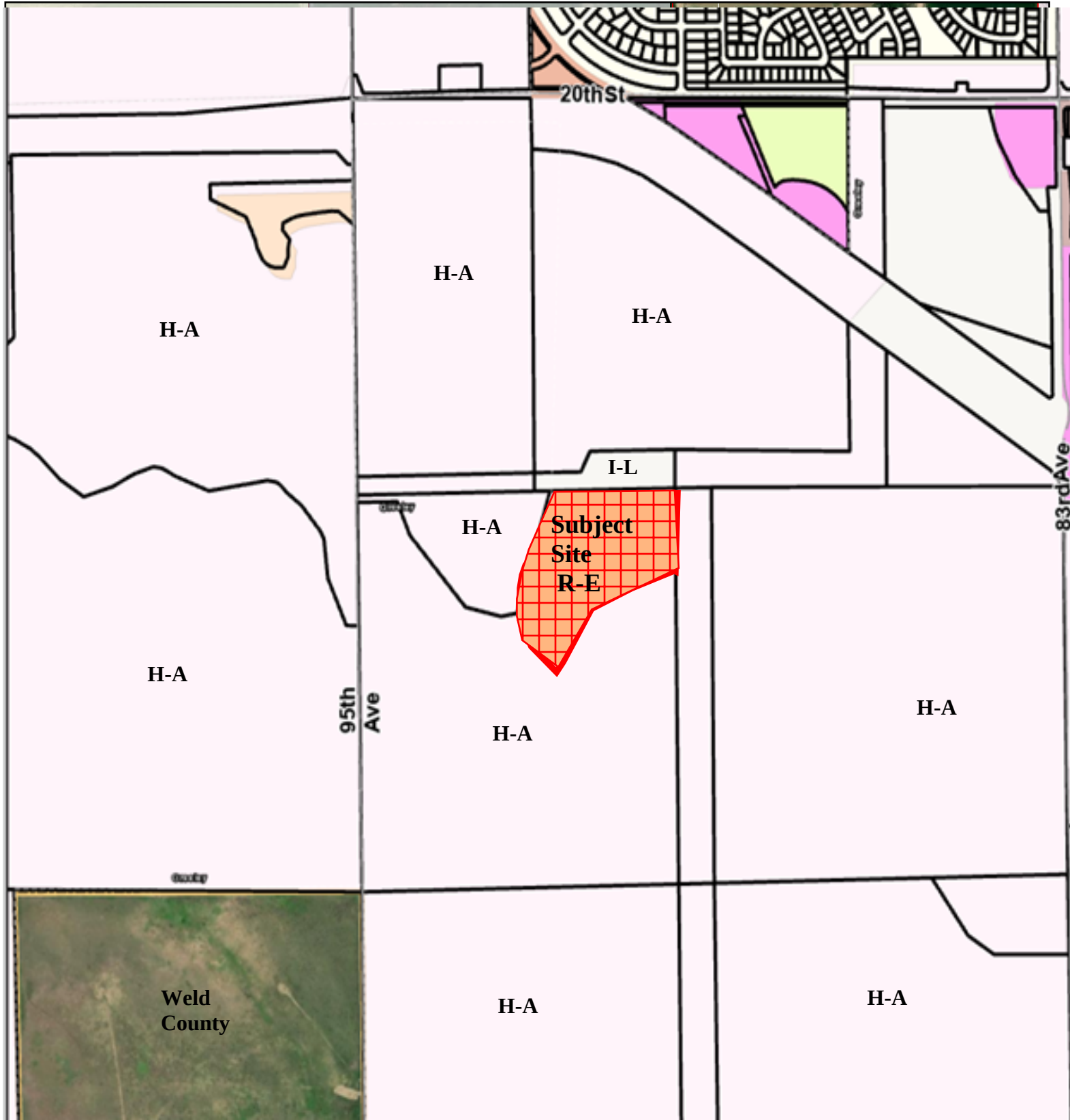
USR2024-0007

Planning Commission May 13, 2025

N



VICINITY AND ZONING MAP



Zoning

Conservation District**	Industrial Low Intensity	Residential Low Density
Commercial Low Intensity	Industrial Medium Intensity	Residential Medium Density
Commercial High Intensity	Industrial High Intensity	Residential High Density
Holding Agriculture	Planned Unit Development	Residential Mobile Home
	Residential Estate	Greeley Parcels





COMMUNITY DEVELOPMENT

PLANNING COMMISSION HEARING

This is a courtesy letter to advise you that a public hearing is scheduled regarding a land use proposal in your area. To ensure that interested parties receive this notification, please notify any tenants and neighbors that you have in the vicinity in case they did not receive this letter. If you own or manage a multi-unit building or mobile/manufactured home park in this vicinity, please post this notice in a visible location for all residents.

Planning Commission Hearing Information

**Planning Commission: May 13, 2025, 1:15 p.m.
City Council Chambers, 1001 11th Avenue, Greeley, Colorado**

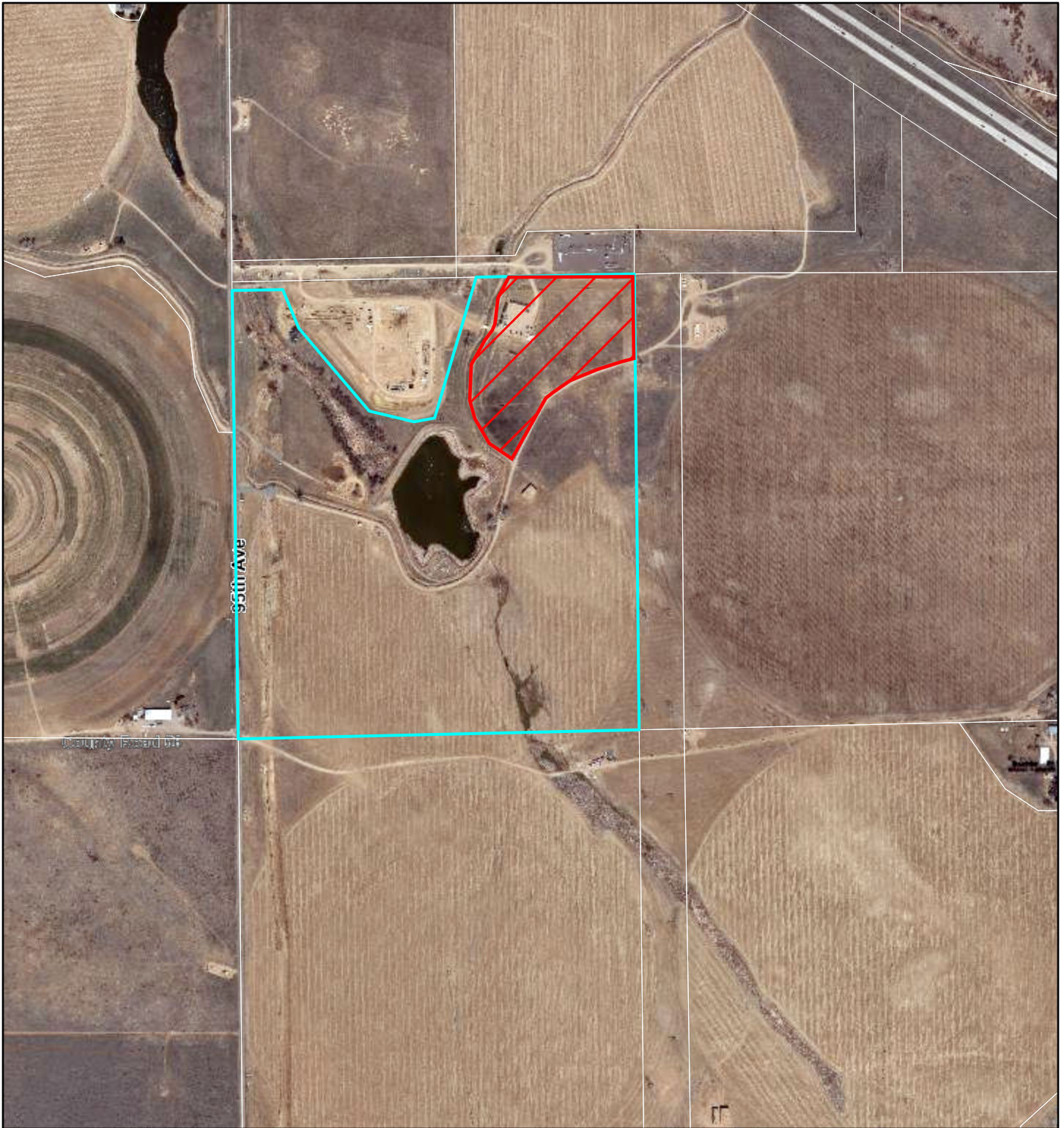
Project Name: Two Rivers Garden Rezone	Case Number: USR2024-0007
Applicant: Ian Skor	Applicant Phone: (970) 673-7733
Property Address: Parcel ID 095918300002	Property Location: East of 95 th Avenue and North of County Road 56
Description: The City of Greeley is considering a Use by Special Review request for a solar array on approximately 14.41 acres located east of 95 th Avenue and north of County Road 56 (See attached map).	

If you would like to submit written comment to be included with the agenda packet of materials for the Planning Commission, please provide feedback to the Greeley Planning Division, 1100 10th Street, Greeley, Colorado 80631, or to the planner email below, no later than **April 29, 2025**. Correspondence received after this date will be presented at the hearing.

Planner: April Medeiros, AICP Candidate	Email: April.Medeiros@greeleygov.com	Phone: (970) 350-9241
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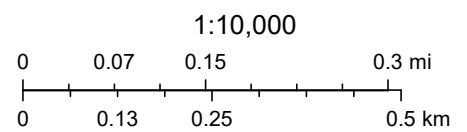
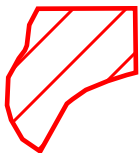
To download a meeting agenda, visit <https://greeleyco.portal.civicclerk.com/>. For more information about this meeting or to request reasonable accommodation, call 970-350-9780.

Photo Aerial Map



Subject Site
Parcel Boundaries

Subject Site Use by Special
Review request for a Proposed
Solar Array



April 21, 2025

Community Development Department – Planning & Zoning
April Medeiros
1100 10th Street
Greeley, CO

4715 Innovation Dr., Ste. 100
Fort Collins, CO 80525
[P] 970.226.0342
[F] 970.226.0879
LampRynearson.com

RE: Two Rivers Garden –Use By Special Review / Construction Plans Narrative

Dear April,

On behalf of Sandbox Solar, we would like to convey our appreciation for taking the time and effort to review our Use By Special Review Application. It is our understanding that the approval process will be in the order: Rezone, Minor Subdivision, then followed by the Use By Special Review (USR) and construction drawings, then site construction.

Site Location

The property is located south of the Hwy 34 bypass on the east side of 95th Avenue (Weld County Road 23). The development site is located east of the Boomerang Irrigation ditch and just south of the PVREA substation. The proposed development is Lot 1 of the Two Rivers Garden Subdivision, which is a 14.411-acre lot. The property is situated in the Southwest Quarter of Section 18, Township 5 North, Range 66, West of the 6th PM. Ultimately this will be Lot 1 of the Two Rivers Garden Subdivision.

Development Code Review Criteria.

- 1. All criteria for site plan review in section 24-207 are met.**
 - a. See provided USR plans. Requirements of Section 24-207 are being met and depicted on the Use By Special Review Plans.
- 2. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the comprehensive plan.**
 - a. The proposed solar development is a Use By Special Review in the Residential Estate zone district. The proposed location of the proposed solar array will provide a buffer between the existing substation to the north, the oil and gas midstream facility to the west, and the vacant land to both the east and south. The southern property is defined as Tract A on the Two Rivers Garden Subdivision.
 - b. The property to the south is currently zone H-A and the existing use is vacant / agricultural use. The land is irrigated by the use of center pivots. It is our understanding that the City has had discussions with the developer on Tract A and the land has a future potential use of residential estate development, and hence Tract A would potentially be rezoned to Residential Estate (R-E).
 - c. Per discussions with the City of Greeley the Residential Estate (R-E) zone district is an appropriate zoning that will complement the surrounding properties and the vision of the comprehensive plan.

3. **Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.**
 - a. The development of the solar array complies with the City of Greeley's development requirements. Water quality and detention will be provided and conveyed under the Boomerang Irrigation Ditch in flow routes identified in the adjacent property drainage report.
 - b. No exceptions or variances from the development code are being proposed.
4. **Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.**
 - a. The development is a solar array that will operate 24/7 365 days out of the year. The site is unmanned and will only be visited a few times per year for general maintenance. Therefore, no additional negative traffic congestion will be noticed.
 - b. The operation of the facility is very quiet and will not produce any noticeable noise pollution.
 - c. The site will not have any site lighting and therefore will not produce any light pollution.
 - d. With the development of the solar array the height will be limited to 15' or less and therefore view shed corridors will be protected and not blocked.
 - e. Due to the site being a low-intensity use, unmanned, quiet operation, no light production, and minimal traffic, this site will have a minimal impact on the adjacent properties. It will also provide buffering to the existing substation to the north and the oil and gas midstream facility to the west, which is a benefit for the future residential estate lots being proposed south of this project.
5. **The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.**
 - a. The site is suitable for the development of the solar array. There will be minimal grading activities with the exception of constructing the detention pond.
6. **Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.**
 - a. The design life of the solar site is approximately 30 to 40 years. After such time the site may be reclaimed or rebuilt. At this time it is not known if the solar will be rejuvenated or if the site will be decommissioned and the site developed to provide residential estate lots.
7. **The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.**

- a. The proposed solar array will not negatively impact adjacent properties, or their development potential.
- 8. **The recommendations of professional staff or other technical reviews associated with the application.**
 - a. The proposed solar array does not require any other technical reviews or professional staff reviews.

Comprehensive Plan Review Criteria.

1. **How the proposed project meets the goals of the Comprehensive Plan, or other specific plans or policies that may impact the application?**
 - a. The proposed project meets the goals of the comprehensive plan by assisting in the overall goals for renewable energy. Due to the need for renewable energy, this project inherently meets the goals of the Comprehensive Plan.
 - b. **Objective NR-4.4** Renewable Resources Promote the incorporation of renewable resources throughout the community.
2. **The applicant's vision and understanding of the market for the proposed project.**
 - a. Sandbox Solar's vision is to create a product that provides clean energy to the community through the solar facility. Energy from this development will provide energy to Poudre Valley REA (PVREA) and will contribute to the 2030 carbon reduction goal. A portion of PVREA service territory is within the City of Greeley, therefore the citizens of Greeley will benefit.
3. **The proposed uses, general site layout, and conceptual or anticipated design of buildings, including how the project relates to surrounding sites and public spaces?**
 - a. The site will produce approximately 2 MW of AC power using a tracking system manufactured by Trina, or other similar tracker. An access dirt road, perimeter fence, and an electrical connection to the PVREA substation to the north of the site will be included in the design. A water quality and detention pond will be included in the USR and Construction Plan design. There are no buildings proposed for this development. There will be no lighting on-site, because the operation and maintenance will be conducted during daylight hours. An 8' fence is proposed around the entire site made of timber posts and twisted wire (game fence). There will be a minimum 10' setback from the surrounding game fence to accommodate internal access. The project is not located in a flood zone. The City of Greeley will not require on-site landscaping and cash-in-lieu will be accepted to satisfy the landscape buffer requirements.
4. **How the project will fit in and contribute to the area and further the intent of the existing or proposed zoning district?**
 - a. West Greeley is projected to grow significantly in the upcoming decade. Therefore, this solar facility would exist as the surrounding area develops and grows. The solar site is quiet, limited in height, therefore protecting view corridors, and visually acceptable to the public.

- b. By providing clean energy in the proposed area, the intent and spirit of the City of Greeley are provided to the citizens.
- 5. **Planning and infrastructure impacts, including timing, phasing, or the need for any technical studies or outside agency coordination and review.**
 - a. The layout shown in the provided plat has accounted for setbacks, ROW dedication, and the need for utilities to serve the solar facility and adjacent properties.
 - b. The buildout of the solar facility will be completed in one phase.
 - c. Water and sanitary sewer will not be required. The proposed facility will tie into the existing electrical infrastructure only.
 - d. Water quality and detention will be provided, to satisfy the City of Greeley MS4 permit.
- 6. **Development review processes and review criteria, and in particular whether any special public information and outreach or specific agency or department reviews are necessary.**
 - a. There shouldn't be a need for any special public information or outreach with the development of this project.
- 7. **Opportunities to improve designs or coordinate the preliminary concepts with other private or public investments in the area.**
 - a. The surrounding area is undeveloped farmland and oil and gas production facilities. This site is relatively small and therefore once the surrounding area develops the roadway and utility network will be developed by others and stubbed into adjacent properties.
 - b. Due to the nature of the solar facility, all generated electrical power will be transferred to PVREA substation that is located immediately to the north of the envelopment.

Please contact Troy Spraker P.E. (troy.spraker@lamprynearson.com) if you have any questions or require additional information and we look forward to working with City staff to complete a successful solar project.

Sincerely,
LAMP RYNEARSON

Reviewed by:

A handwritten signature in black ink, appearing to read 'Troy Spraker', with a stylized, flowing script.

Troy Spraker, PE
Senior Project Manager

USE BY SPECIAL REVIEW STANDARD NOTES:

- FAILURE TO OBTAIN A BUILDING PERMIT WITHIN TWELVE (12) MONTHS AFTER THE DATE OF USE BY SPECIAL REVIEW SHALL CAUSE THE UNBUILT PORTION OF THIS USE BY SPECIAL REVIEW TO BE NULL AND VOID, UNLESS AN EXTENSION WAS GRANTED.
- APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
- FOR AN EXPANSION OF USE IN FUTURE PHASES, THE APPLICANT SHALL SUBMIT A SEPARATE USE BY SPECIAL REVIEW, WHICH MUST BE APPROVED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- SIGNAGE SHOWN ON THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY. A SEPARATE SIGN PERMIT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
- ALL EXISTING AND PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
- NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE UNLESS THE PROPERTY HAS BEEN USE BY SPECIAL REVIEW APPLICATION PACKET PLATTED IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS.
- ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.
- ALL REQUIRED APPROVALS AND COPIES OF EXECUTED EASEMENTS, SUCH AS TEMPORARY CONSTRUCTION EASEMENTS, PERMANENT MAINTENANCE EASEMENTS, CROSS ACCESS EASEMENTS, OR CROSS-PARKING EASEMENTS SHALL BE PROVIDED TO THE CITY PRIOR TO APPROVAL OF THE USE BY SPECIAL REVIEW AND CIVIL CONSTRUCTION PLANS.
- ALL WORK SHALL CONFORM TO ALL APPLICABLE STATE AND LOCAL CODES, STANDARDS, AND SPECIFICATIONS.

RECORD LEGAL DESCRIPTION

LOT 1, TWO RIVERS GARDEN SUBDIVISION, COUNTY OF WELD, STATE OF COLORADO.

USE BY SPECIAL REVIEW APPROVAL CERTIFICATE

THE USE BY SPECIAL REVIEW AS DEPICTED HEREON WAS APPROVED BY THE PLANNING COMMISSION ON _____, 20____.

- FAILURE TO OBTAIN A BUILDING PERMIT FOR OR COMMENCE THE USE AS APPROVED WITHIN TWELVE (12) MONTHS AFTER APPROVAL, OR TO OBTAIN AN EXTENSION SHALL RESULT IN THE FORFEITURE OF THE APPROVAL AND WILL REQUIRE A REAPPLICATION.
- SIGNS SHOWN HEREON ARE NOT APPROVED. ALL SIGNS REQUIRE APPROVAL OF A SIGN PERMIT IN ACCORDANCE WITH THE CITY'S SIGN CODE.

THE UNDERSIGNED AS THE OWNER OR OWNER'S REPRESENTATIVE OF THE LANDS DESCRIBED HEREIN HEREBY AGREE ON BEHALF OF ITSELF, ITS SUCCESSORS AND ASSIGNS TO DEVELOP AND MAINTAIN THE PROPERTY DESCRIBED HEREON IN ACCORDANCE AND COMPLIANCE WITH THIS APPROVED USR EXHIBIT AND THE CITY OF GREELEY DEVELOPMENT CODE.

BY: _____
(SIGNATURE)

TITLE: _____

DATE: _____

(SIGNATURE OF OWNER(S)) DATE

STATE OF _____ } SS
COUNTY OF _____ }

THE FOLLOWING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, BY _____ AS _____, AS OWNER.

WITNESS MY HAND AND MY SEAL
MY COMMISSION EXPIRES _____

PLANNING COMMISSION APPROVAL

APPROVED BY THE CITY OF GREELEY PLANNING COMMISSION ON _____ DAY OF _____

COMMUNITY DEVELOPMENT DIRECTOR

BY: _____
DIRECTOR OF COMMUNITY DEVELOPMENT

DATE: _____

DEVELOPMENT REVIEW MANAGER

BY: _____
DEVELOPMENT REVIEW MANAGER

DATE: _____

CONSTRUCTION MUST BE IN ACCORDANCE WITH APPLICABLE CITY OF GREELEY CONSTRUCTION STANDARDS. THE CITY'S ACCEPTANCE SHALL NOT RELIEVE THE DESIGN ENGINEER'S RESPONSIBILITY FOR ERRORS, OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS HELD HARMLESS.

CITY OF GREELEY FIRE MARSHAL

BY: _____
CITY OF GREELEY FIRE MARSHAL

DATE: _____

BOOMERANG LATERAL DITCH COMPANY

BY: _____
(SIGNATURE)

RICK HERTZKE, PRESIDENT

DATE: _____

TWO RIVERS GARDEN USE BY SPECIAL REVIEW

LOT 1 OF TWO RIVERS GARDEN SUBDIVISION

SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,

CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

14.41 ACRES

USR2024-0007

ENGINEER

LAMP RYNEARSON
4715 INNOVATION DRIVE, SUITE 100
FORT COLLINS, CO 80525
970-226-0342
ATTN: TROY SPRAKER P.E.

SURVEYOR

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

OWNER

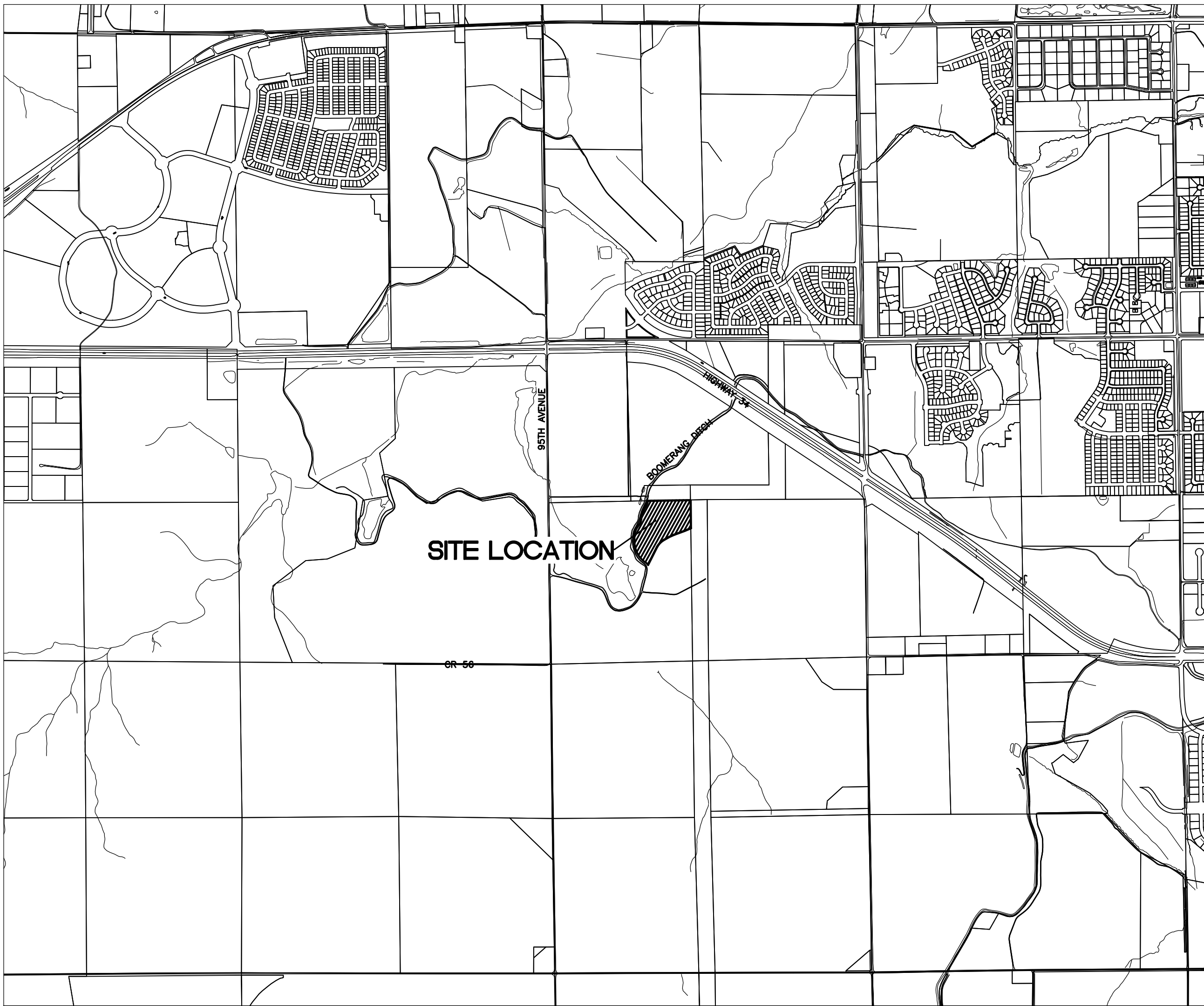
POUDRE VALLEY REA
7649 REA PARKWAY
FORT COLLINS, CO 80528
800-432-1012

DEVELOPER

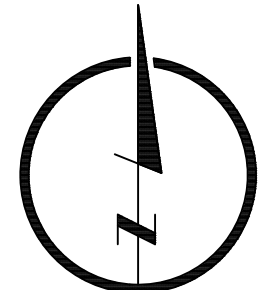
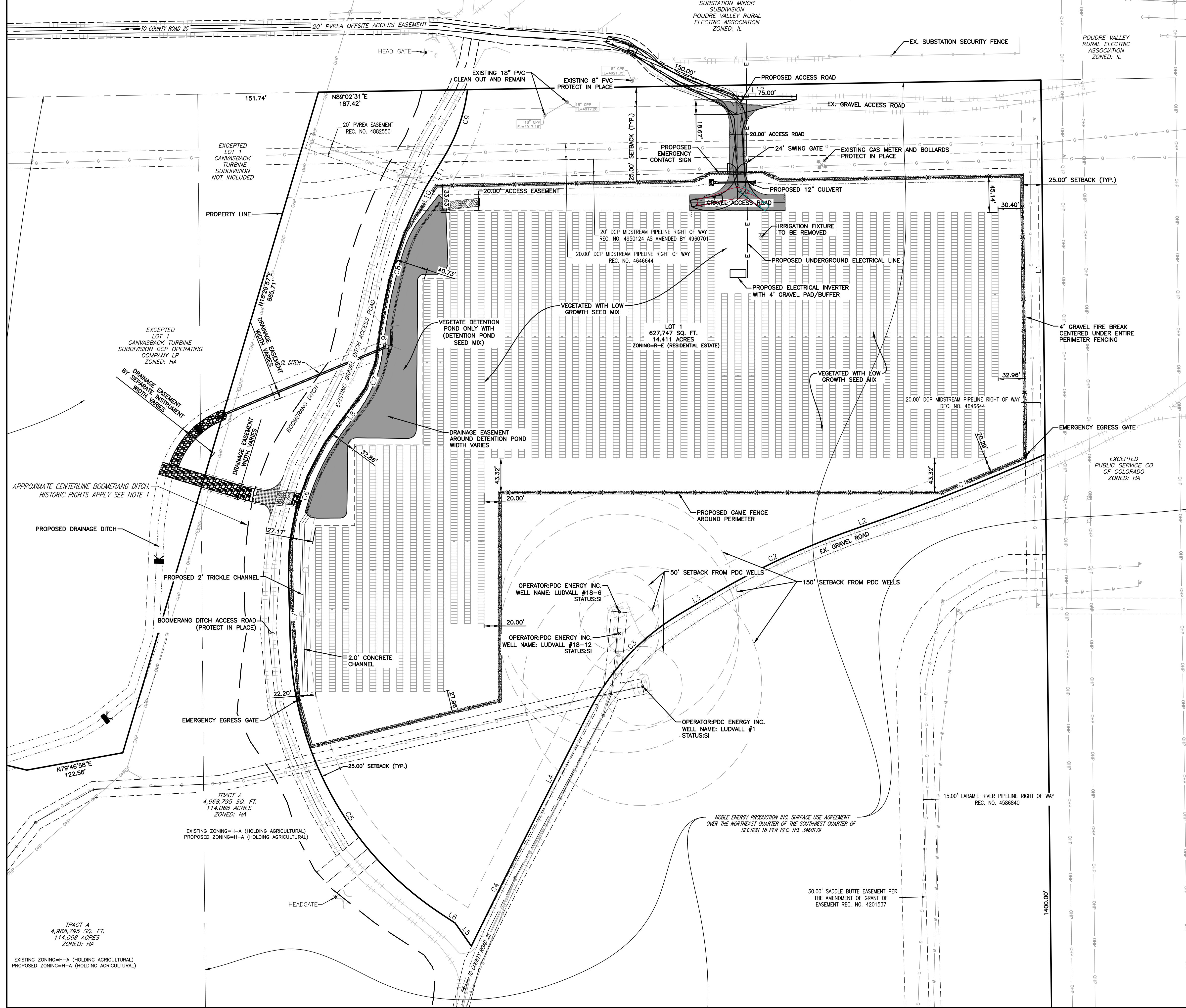
SANDBOX SOLAR
112 RAQUETTE DRIVE
FORT COLLINS, CO 80524
970-673-7733
ATTN: IAN SKOR

TRAFFIC

LAMP RYNEARSON
4715 INNOVATION DRIVE, SUITE 100
FORT COLLINS, CO 80525
970-226-0342
ATTN: TROY SPRAKER P.E.



TWO RIVERS GARDEN USE BY SPECIAL REVIEW
LOT 1 OF TWO RIVERS GARDEN SUBDIVISION
SW 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PROJECT NUMBER: USR2024-0007 (14.41 ACRES)



0 60' 120'
SCALE: 1"=60'
U.S. SURVEY FEET

SITE LEGEND:

- EXISTING WATER LINE
- EXISTING ELECTRICAL LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD POWER LINES
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED ELECTRIC LINE (APPROXIMATE LOCATION)
- FIRE BREAK (4' WIDE) WITH 8' GAME FENCE

NOTE:

- PER A PHONE CALL WITH DAN KAMERZELL IN JULY OF 2021, THE GREELEY LOVELAND IRRIGATION COMPANY CLAIMS THAT THE BOOMERANG DITCH RIGHT OF WAY EXTENDS FROM THE WEST OR NORTH TOP BANK TO THE EAST OR SOUTH SIDE OF THE DITCH-RIDER ROAD THROUGH TRACT A. THE APPROXIMATE CENTERLINE OF SAID DITCH HAS BEEN SHOWN HEREON. NO SPECIFIC DITCH EASEMENT WAS PROVIDED, HOWEVER HISTORIC RIGHTS APPLY.
- ALL-WEATHER GRAVEL SURFACING SHALL BE A MINIMUM OF 6" THICK ROADBASE AND SHALL HAVE SUFFICIENT STRENGTH TO SUPPORT A 75,000 LBS FIRE TRUCK.

BOUNDARY LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S0°39'21"E	470.20'
L2	S70°43'06"W	27.21'
L3	S59°41'27"W	48.01'
L4	S28°49'24"W	191.21'
L5	N35°04'41"W	35.50'
L6	N56°53'31"W	19.89'
L7	N1°35'16"W	83.91'
L8	N38°30'06"E	28.49'
L9	N7°03'55"E	23.43'
L10	N26°18'37"E	20.06'
L11	N31°03'43"E	47.07'
L12	N89°02'31"E	720.77'

BOUNDARY CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	2788.01'	231.70'	S68°20'15"W	231.63'	4°45'42"
C2	1000.00'	192.46'	S65°12'17"W	192.17'	11°01'38"
C3	300.00'	172.09'	S43°15'26"W	169.74'	32°52'03"
C4	8909.60'	138.97'	S28°22'35"W	138.97'	0°53'37"
C5	420.00'	405.40'	N29°14'23"W	389.84'	55°18'14"
C6	300.00'	209.91'	N18°27'25"E	205.65'	4°05'22"
C7	140.00'	76.81'	N22°47'01"E	75.85'	31°26'11"
C8	500.00'	167.94'	N16°41'16"E	167.16'	19°14'42"
C9	210.90'	88.70'	N19°00'51"E	88.04'	24°05'44"

SITE DATA

DESCRIPTION	SITE DATA		
ZONING	RESIDENTIAL ESTATE		
PRIMARY LAND USE	SOLAR ARRAY		
ACCESSORY LAND USE	NOT APPLICABLE		
	REQUIRED (MUNICIPAL CODE)	PROVIDED	
SITE AREA	Total:	sq.ft/(acres)	percent
COVERAGE	N/A	124765/(2.86)	19.9%
DRIVE, PARKING, AND WALKS	N/A	50403/(0.12)	0.9%
OPEN SPACE	30%	497605/(11.43)	79.2%
PARKING	Required	Provided	
STANDARD SPACES	0	0	
COMPACT SPACES	0	0	
ADA SPACES	0	0	
LOADING SPACES	0	0	
BICYCLE	0	0	
Setbacks	Required	Provided	
FRONT	25'	154'	
SIDE	25'	25.25'	
REAR	25'	26'	
CORNER	N/A	N/A	
PARKING SETBACK	N/A	N/A	
Building Design Elements	Required	Provided	
DENSITY	N/A	N/A	
MAXIMUM BUILDING HEIGHT	30'	N/A	
TRANSPARENCY	N/A	N/A	
FLOOR RATION	N/A	N/A	

LAMP
RYNEARSON

LAMP RYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD. STE. 100 (402) 498-2498
NE AUTHORIZATION NO.: CAD130
FORT COLLINS, COLORADO
4710 INNOVATION DR. STE. 100 (970) 228-0342
KANSAS CITY, MISSOURI
8001 STATE LINE RD. STE. 200 (816) 361-0440
MO AUTH. NO.: E-2013011903 (LS-2013043127)

PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

SITE PLAN

TWO RIVERS GARDEN
GREELEY, COLORADO



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

REVISIONS

DESIGNER / DRAFTER

AGM/MWB

DATE

03/24/2025

PROJECT NUMBER

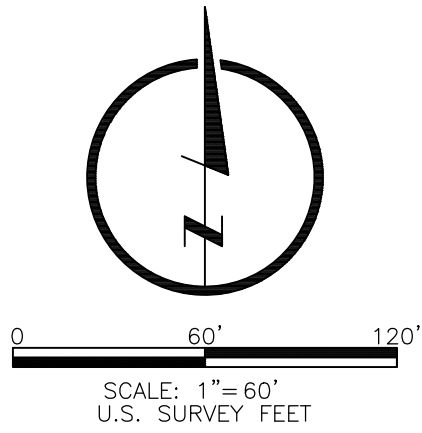
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BOOK AND PAGE

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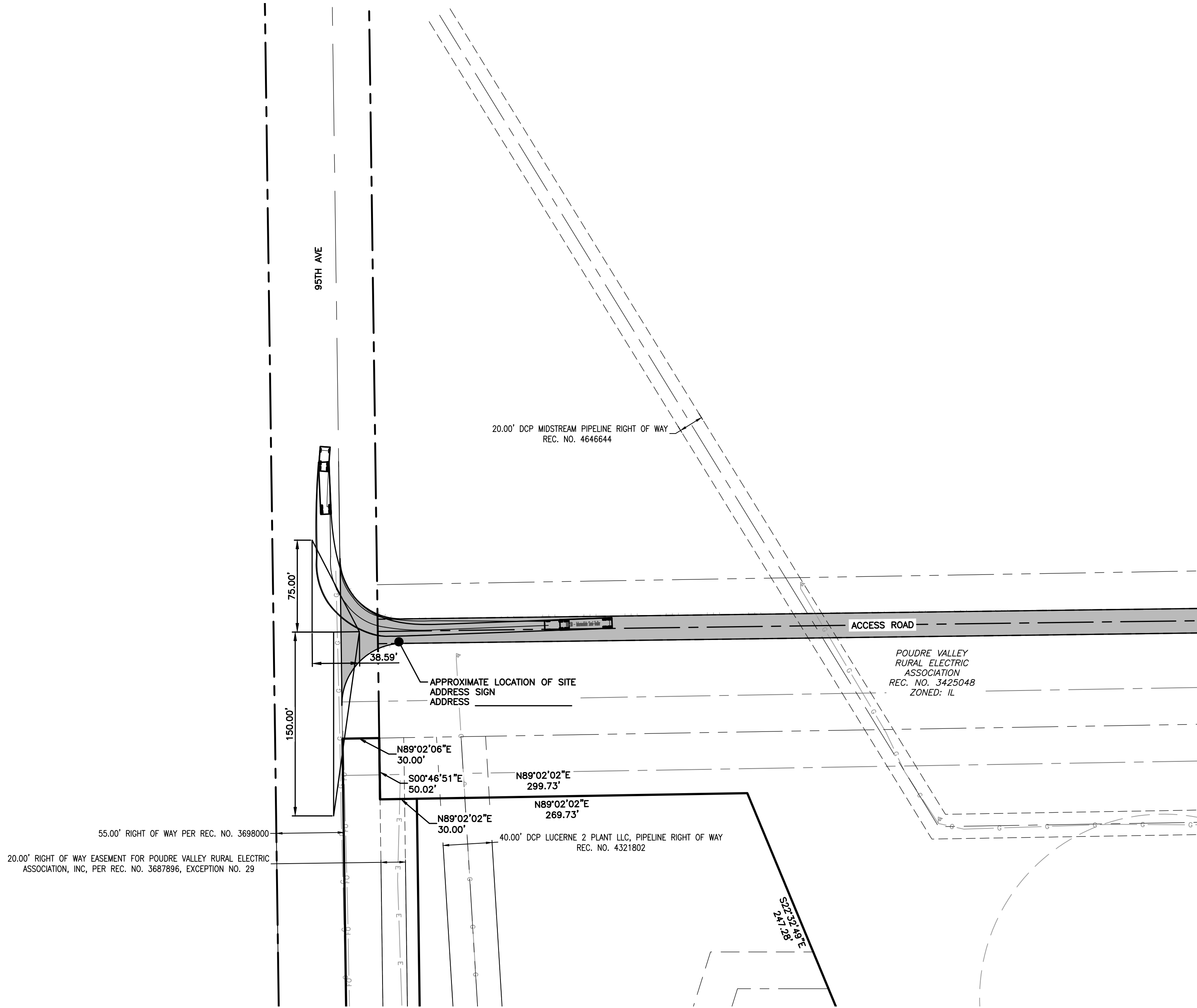
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TWO RIVERS GARDEN USE BY SPECIAL REVIEW
LOT 1 OF TWO RIVERS GARDEN SUBDIVISION
SW 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PROJECT NUMBER: USR2024-0007 (14.41 ACRES)



SITE LEGEND:

- W — W — EXISTING WATER LINE
- E — E — EXISTING ELECTRICAL LINE
- G — G — EXISTING GAS LINE
- OHP — EXISTING OVERHEAD POWER LINES
- X — X — EXISTING FENCE
- E — E — PROPOSED ELECTRIC LINE (APPROXIMATE LOCATION)



LAMP
RYNEARSON

LAMPRYNEARSON.COM

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FORT COLLINS, COLORADO
4716 INNOVATION DR., STE. 100 (970) 226-0342
KANSAS CITY, MISSOURI
8001 STATE LINE RD., STE. 200 (816) 361-0440
MO AUTH. NO.: E-2013011903 | LS-2018043127

PRELIMINARY

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95TH AVE INTERSECTION MAP

TWO RIVERS GARDEN
GREELEY, COLORADO



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REVISIONS

DESIGNER / DRAFTER

AGM/MWB

DATE

03/24/2025

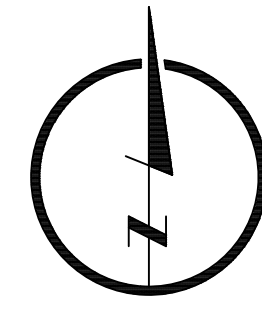
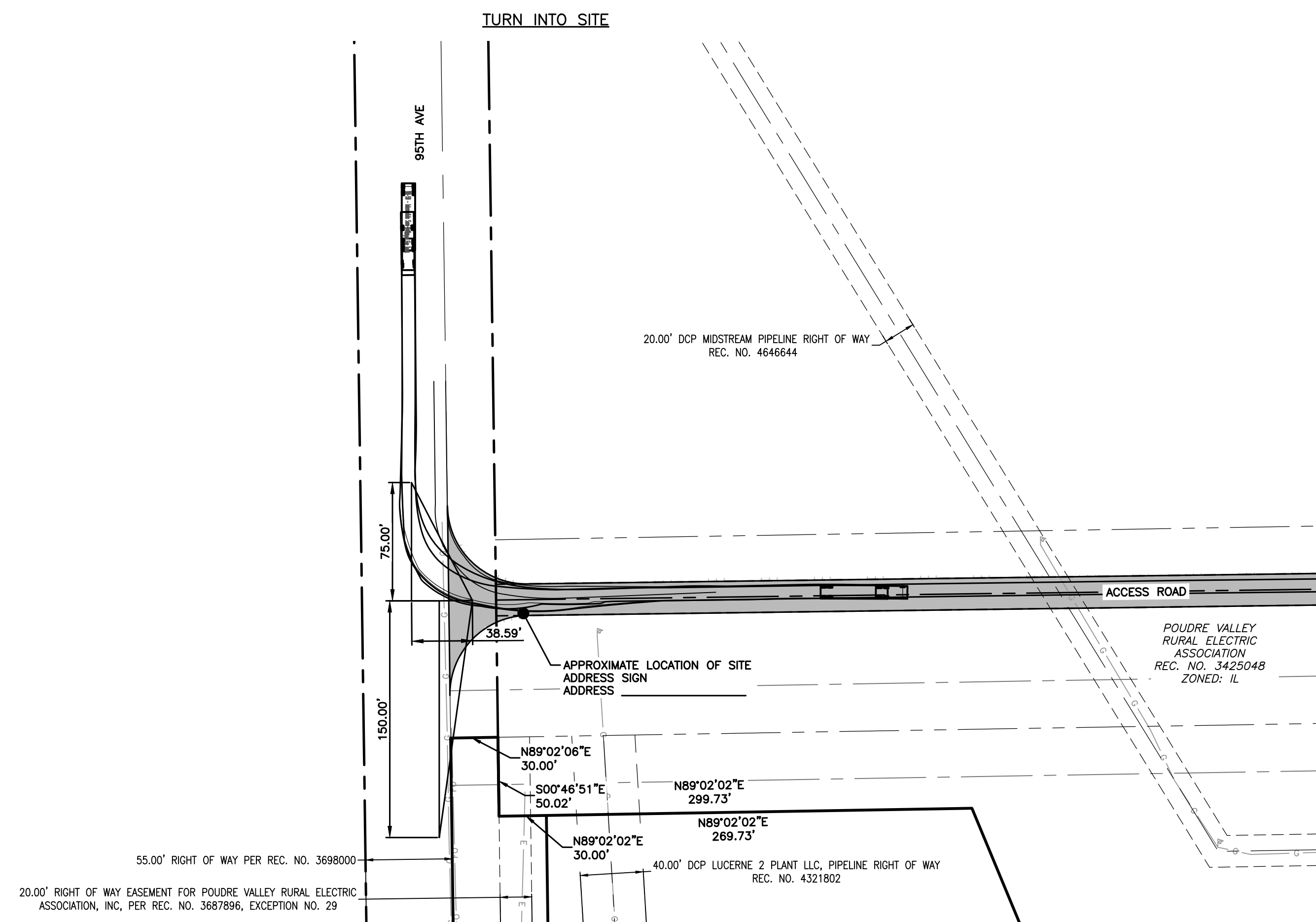
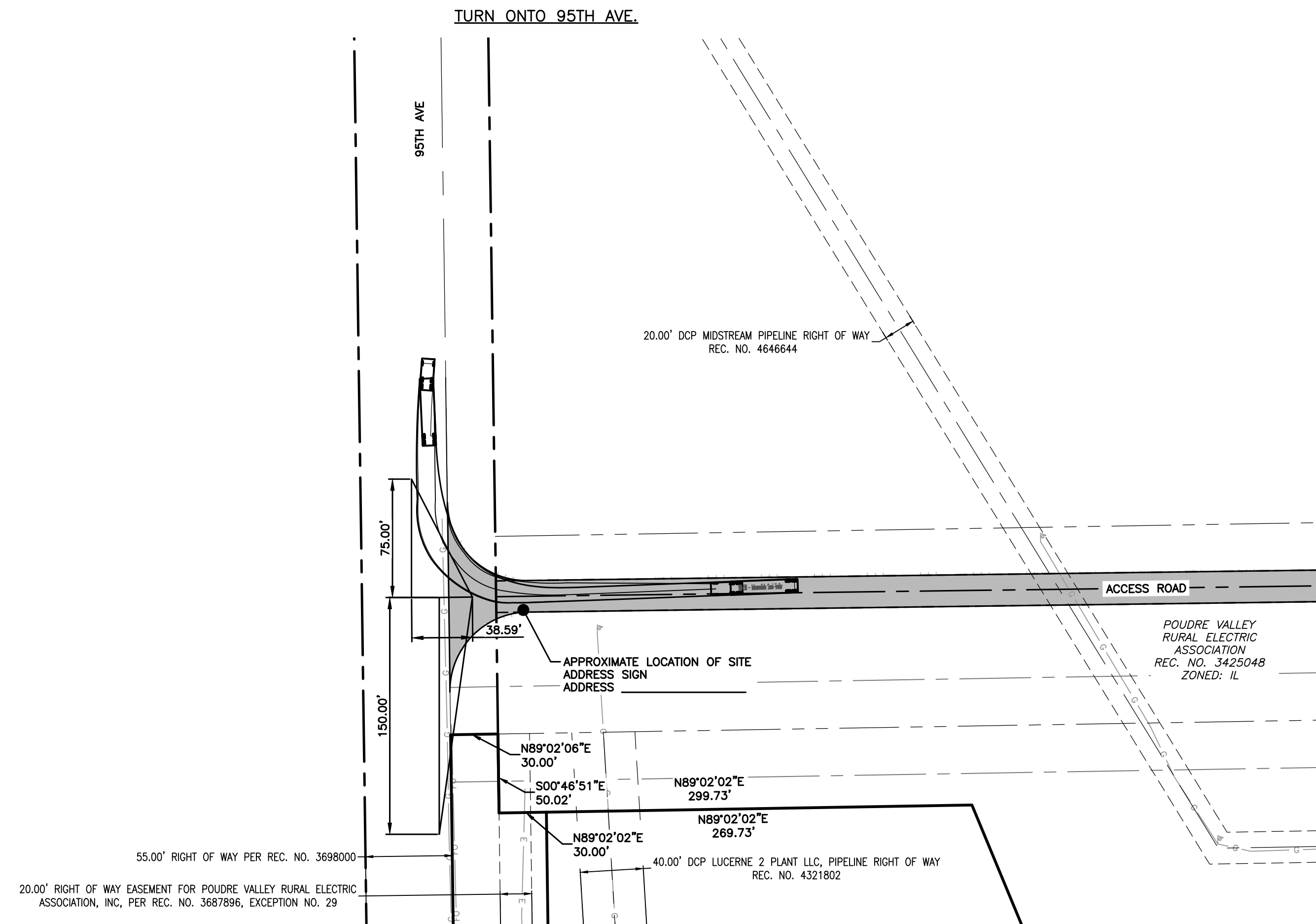
PROJECT NUMBER

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PROJECT NUMBER: USR2024-0007 (14.41 ACRES)



0 60' 120'

SCALE: 1"= 60'
U.S. SURVEY FEET

SITE LEGEND:

- | | |
|---|--|
|  | EXISTING WATER LINE |
|  | EXISTING ELECTRICAL LINE |
|  | EXISTING GAS LINE |
|  | EXISTING OVERHEAD POWER LINES |
|  | EXISTING FENCE |
|  | PROPOSED ELECTRIC LINE
(APPROXIMATE LOCATION) |

NOTES:

1. WB - 50 INTERMEDIATE SEMI-TRAILER TRUCK WAS USED TO SIMULATE TRUCK DRIVING PATH

**LAMP
RYNEARSON**

LAMPRYNEARSON.COM

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NE AUTHORIZATION NO.: CA0130

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KANSAS CITY, MISSOURI
9001 STATE LINE RD., STE. 200 (816) 361.0440
MO AUTH. NO.: E-2013011903 | LS-2019043127

PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

TRUCK TURN RADIUS DRAWING

**TWO RIVERS GARDEN
GREELEY, COLORADO**



Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER

AGM/MWB

DATE _____

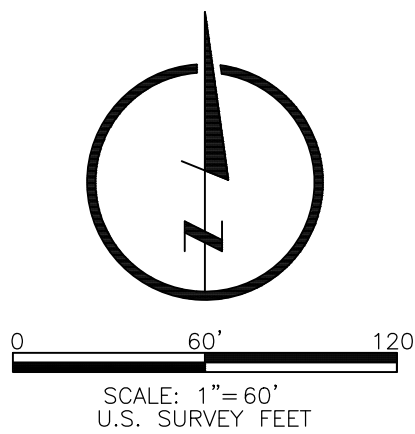
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BOOK AND PAGE

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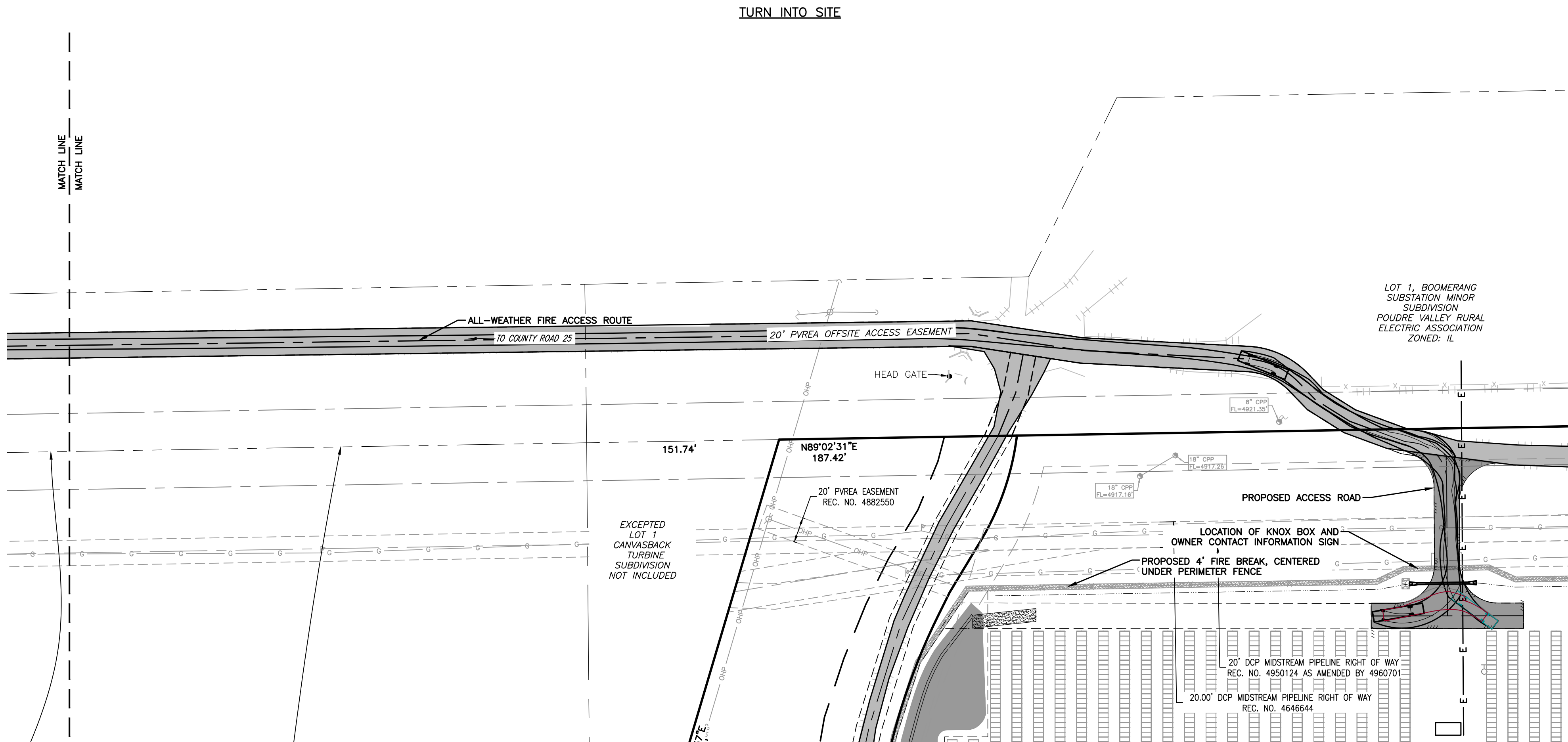
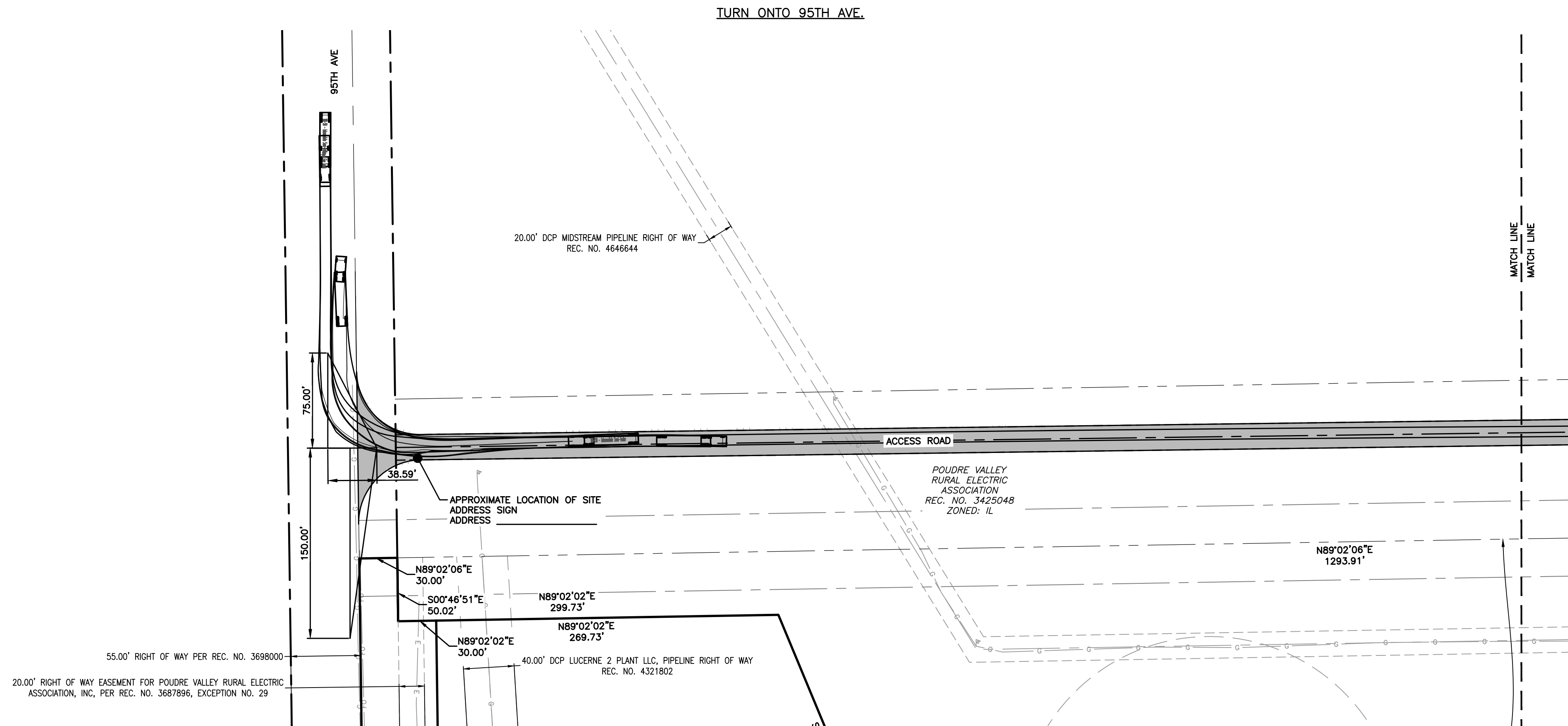


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FIRE NOTES:

- PUMPER FIRE TRUCK WAS USED TO SIMULATE TRUCK DRIVING PATH
- THE ACCESS ROAD TO THE FACILITY SHALL BE MAINTAINED YEAR ROUND, INCLUDING SNOW REMOVAL.
- THE GRAVEL ACCESS SHALL BE CAPABLE OF SUPPORTING A 75,000 POUND FIRE TRUCK.
- SITE ADDRESS SHALL BE POSED AT THE ACCESS TO 95TH AVENUE.



LAMP
RYNEARSON

LAMP RYNEARSON.COM

OMAHA, NEBRASKA
14710 W. DODGE RD. STE. 100 (402) 496-2498
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FORT COLLINS, COLORADO
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8001 STATE LINE RD. STE. 200 (816) 361-0440
MO AUTH. NO. E-2013011903 LLS-2015043127

PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

FIRE TRUCK TURN RADIUS DRAWING

TWO RIVERS GARDEN
GREELEY, COLORADO



Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER

AGM/MWB

DATE

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PROJECT NUMBER

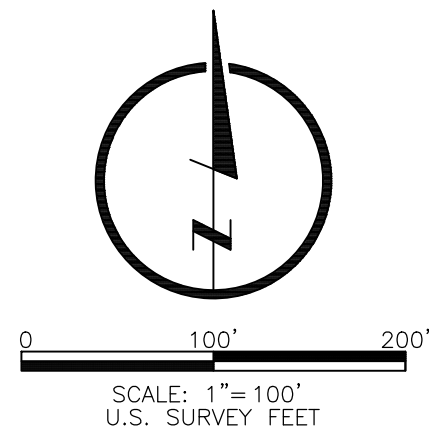
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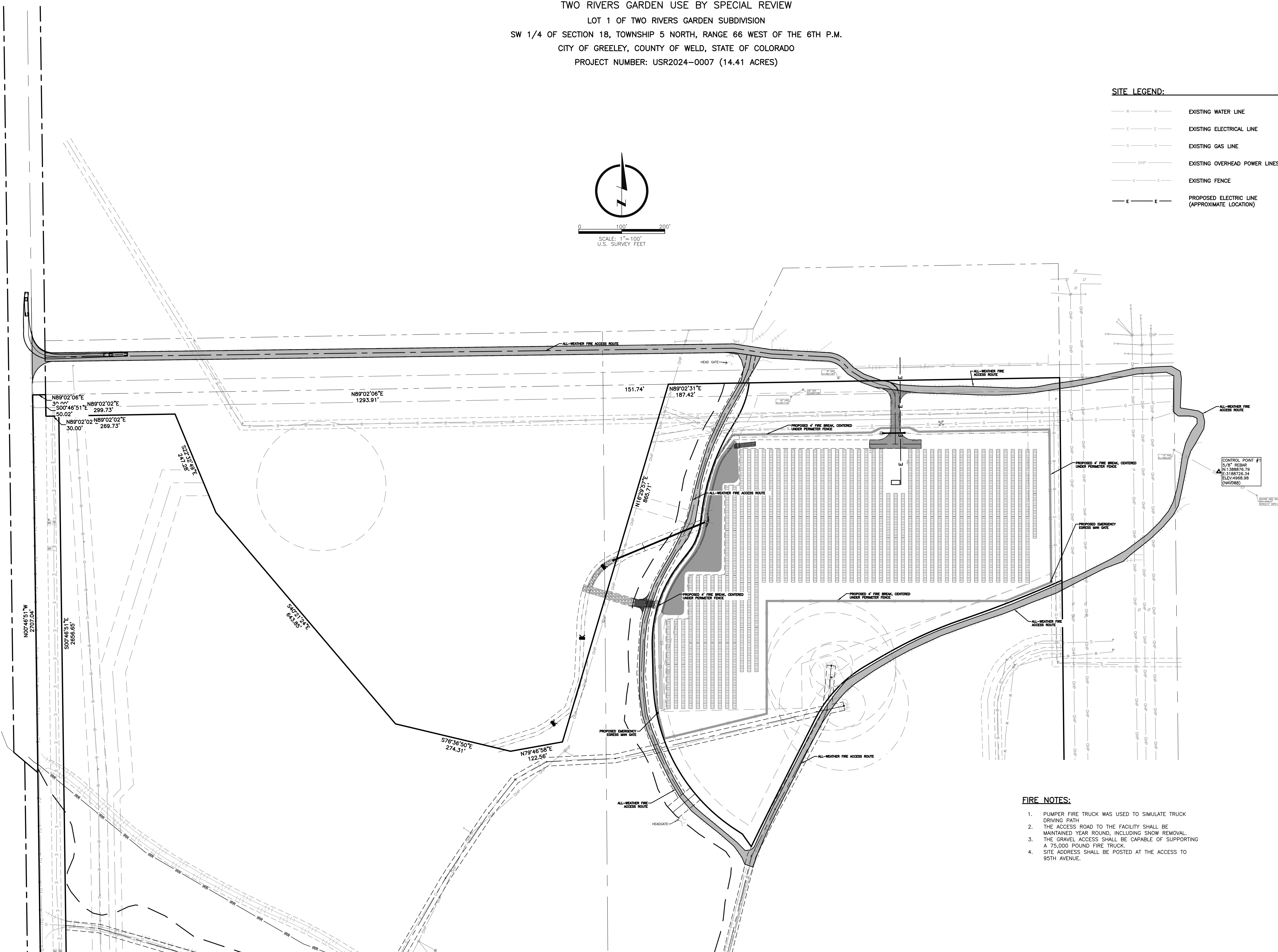
5 OF 11

TWO RIVERS GARDEN USE BY SPECIAL REVIEW
LOT 1 OF TWO RIVERS GARDEN SUBDIVISION
SW 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.
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LAMP
RYNEARSON

LAMP RYNEARSON.COM
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KANSAS CITY, MISSOURI
8001 STATE LINE RD. STE. 200 (816) 361-0440
MO AUTH. NO.: E-2013011903 | LS-2015043127

PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

FIRE TRUCK MITIGATION
EXHIBIT

TWO RIVERS GARDEN
GREELEY, COLORADO



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REVISIONS

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03/24/2025

PROJECT NUMBER

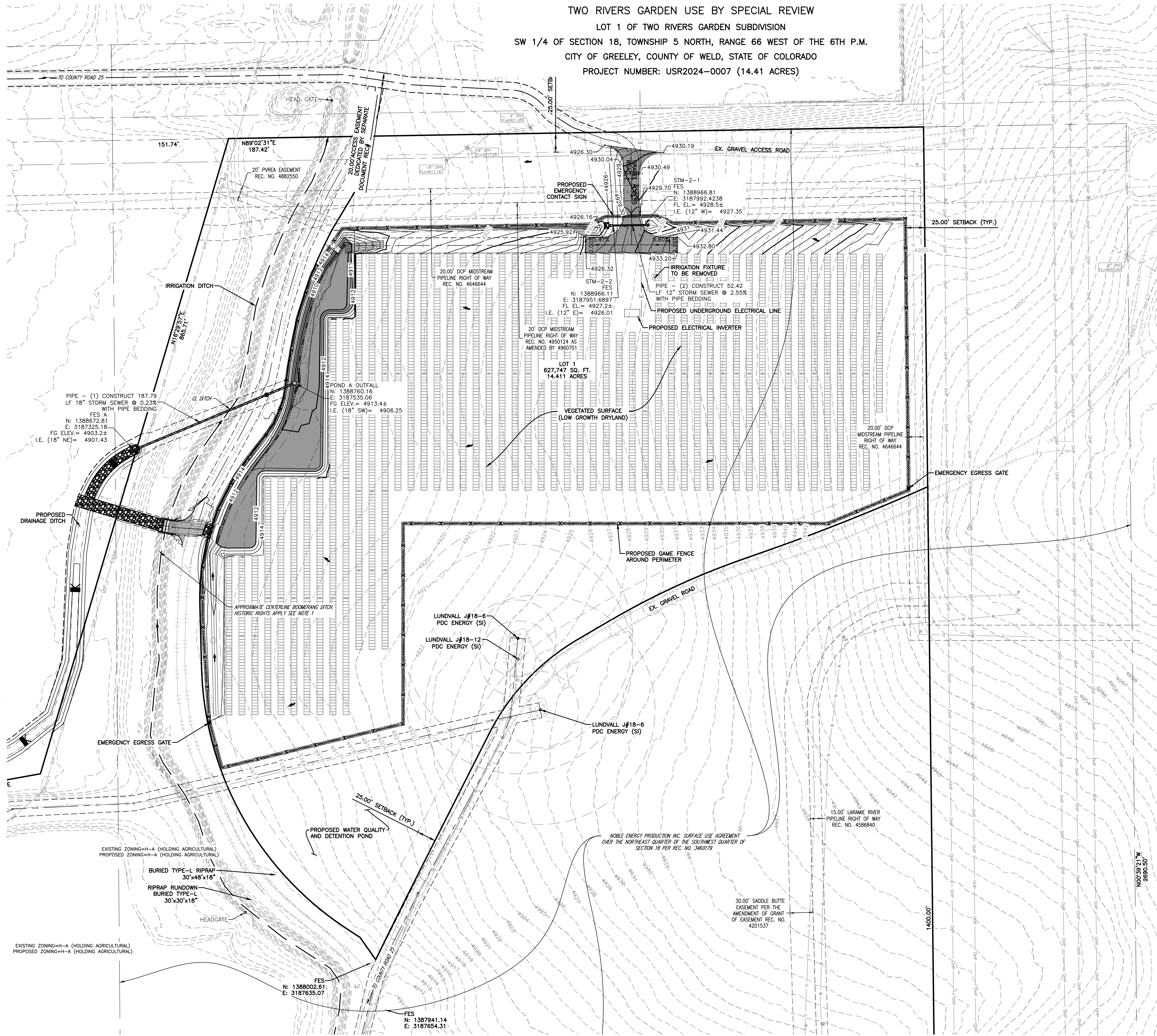
0221022

BOOK AND PAGE

SHEET

L:\Engineering\2021\02210221-01_Sandbox_Greeley_Outlook_2MW\DRAWINGS\CONSTRUCTION\DRAWINGS\PLAN\Reg_2\28/2025 1:08:35 PM_ANGELA MCANELL LAMP RYNNEARSON

TWO RIVERS GARDEN USE BY SPECIAL REVIEW
LOT 1 OF TWO RIVERS GARDEN SUBDIVISION
SW 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PROJECT NUMBER: USR2024-0007 (14.41 ACRES)



SITE LEGEND:

- EXISTING WATER LINE
- EXISTING ELECTRICAL LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD POWER LINES
- EXISTING FENCE
- PROPOSED ELECTRIC LINE (APPROXIMATE LOCATION)
- CHANNELIZED FLOW
- SHEET FLOW

NOTES:

- PER A PHONE CALL WITH DAN KAMERZELL IN JULY OF 2021, THE GREELEY LOVELAND IRRIGATION COMPANY CLAIMS THAT THE BOOMERANG DITCH RIGHT OF WAY EXTENDS FROM THE WEST OR NORTH TOP BANK TO THE EAST OR SOUTH SIDE OF THE DITCH-RIDER ROAD THROUGH TRACT A. THE APPROXIMATE CENTERLINE OF SAID DITCH HAS BEEN SHOWN HEREON. NO SPECIFIC DITCH EASEMENT WAS PROVIDED, HOWEVER HISTORIC RIGHTS APPLY.
- ALL UTILITY LOCATIONS SHOWN ON THE SITE DEVELOPMENT PLAN ARE PROPOSED. ALL FINAL UTILITY LOCATIONS WILL BE DEPICTED ON THE FINAL APPROVED CONSTRUCTION PLANS. ANY ADDITIONAL EASEMENT GRANTED AFTER FINAL CONSTRUCTION PLAN APPROVAL SHALL REQUIRE THE APPLICANT TO SUBMIT UPDATED CIVIL CONSTRUCTION PLAN SHEETS DEPICTING REVISED EASEMENT LOCATION(S).
- MASS GRADING IS NOT PROPOSED WITH THIS SITE.
- THIS PROPERTY IS LOCATED ON FEMA PANEL 08123C1514E, ZONE X.
- SITE LIGHTING IS NOT PROPOSED FOR THIS DEVELOPMENT.
- FOR DUST SUPPRESSION, REFERENCE THE DUST MITIGATION PLAN FOR THE PROJECT AND ON FILE WITH THE CITY OF GREELEY PLANNING DEPARTMENT. THE APPROVED DUST SUPPRESSION METHODS ARE:
 - MAINTAIN EXISTING VEGETATION
 - REDUCE VEHICLE SPEEDS
 - WATER TRUCK
- ALL-WEATHER GRAVEL SURFACING SHALL BE A MINIMUM OF 6" THICK ROADBASE AND SHALL HAVE SUFFICIENT STRENGTH TO SUPPORT A FIRE TRUCK.

LAMP RYNEARSON
LAMPRYNEARSON.COM
OMAHA, NEBRASKA
14710 W. DODGE RD. STE. 100 (402) 498-2498
NE AUTHORIZATION NO.: CAD130
FORT COLLINS, COLORADO
4716 INNOVATION DR. STE. 100 (970) 238-0342
KANSAS CITY, MISSOURI
8001 STATE LINE RD. STE. 200 (816) 361-0440
MO AUTH. NO.: E-2013011903 / LS-2013043127

PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

GRADING AND UTILITIES PLAN

TWO RIVERS GARDEN
GREELEY, COLORADO

811
Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER
AGM/MWB
DATE
03/24/2025
PROJECT NUMBER
02210221
BOOK AND PAGE

SHEET

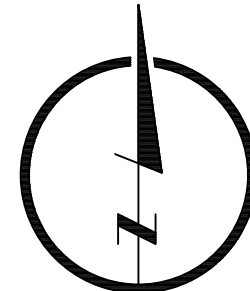
7 OF 11

TWO RIVERS GARDEN USE BY SPECIAL REVIEW
LOT 1 OF TWO RIVERS GARDEN SUBDIVISION
SW 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PROJECT NUMBER: USR2024-0007 (14.41 ACRES)

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MO AUTH. NO.: E-2013011903 (LS-2015043127)



0 60' 120'
SCALE: 1"=60'
U.S. SURVEY FEET

SITE LEGEND:

- FO EXISTING FIBER OPTIC LINE
W EXISTING WATER LINE
E EXISTING ELECTRICAL LINE
G EXISTING GAS LINE
GHP EXISTING OVERHEAD POWER LINES
X EXISTING FENCE
E EXISTING FENCE
E PROPOSED ELECTRIC LINE (APPROXIMATE LOCATION)
LIMITS OF BUFFER

NOTES:

- PER A PHONE CALL WITH DAN KAMERZELL IN JULY OF 2021, THE GREELEY LOWLAND IRRIGATION COMPANY CLAIMS THAT THE BOOMERANG DITCH RIGHT OF WAY EXTENDS FROM THE WEST OR NORTH TOP BANK TO THE EAST OR SOUTH SIDE OF THE DITCH-RIDER ROAD THROUGH TRACT A. THE APPROXIMATE CENTERLINE OF SAID DITCH HAS BEEN SHOWN HEREON. NO SPECIFIC DITCH EASEMENT WAS PROVIDED, HOWEVER HISTORIC RIGHTS APPLY.
- ALL DISTURBED AREAS SHALL BE RESEED WITH THE CITY OF GREELEY LOW GROWTH SEED MIX OR POLLINATOR FLOWERS.
- SEEDING SHALL BE PLACED WITH EITHER DRILL SEEDING OR BROADCAST. IF BROADCAST, SEEDING RATES SHALL BE DOUBLE THE RECOMMENDED RATE.
- STRAW CRIMP MULCH SHALL BE UTILIZED IN AREAS THAT ARE BARE OF VEGETATION.
- SEED WATERING SHALL BE BY WATERING TRUCK, AS NEEDED.

LANDSCAPE NOTES:

- ANY INVASIVE SPECIES AND NOXIOUS WEEDS SHALL BE REMOVED OR SPRAYED WITH AN APPROPRIATE HERBICIDE AS DISCOVERED.
- THE DEVELOPER, THEIR SUCCESSOR, OR ASSIGNEE SHALL BE RESPONSIBLE FOR ESTABLISHING AND CONTINUING A REGULAR PROGRAM OF MAINTENANCE FOR ALL VEGETATED AREAS, INCLUDING REPLACEMENT OF DEAD AND/OR DYING PLANT MATERIAL. VEGETATION WITHIN THE ARRAY SHALL BE MAINTAINED BETWEEN 6" AND 12" IN HEIGHT.
- NO PLANT MATERIAL WITH MATURE GROWTH GREATER THAN THREE (3) FEET IN HEIGHT SHALL BE PLANTED WITHIN POTABLE WATER, SANITARY SEWER, OR NON-POTABLE IRRIGATION EASEMENTS.
- SEE THE APPROVED VEGETATIVE MANAGEMENT PLAN ON FILE WITH THE CITY OF GREELEY FOR ADDITIONAL INFORMATION ON VEGETATION REQUIREMENTS.
- IF ANY TRANSFORMERS, GROUND-MOUNTED HVAC UNITS, UTILITY PEDESTALS, AND SIMILAR FEATURES AREA NOT SHOWN ON THE USR, ADDITIONAL LANDSCAPING AND SCREENING MAY BE REQUIRED BASED UPON FIELD CONDITIONS DURING THE SITE INSPECTION PRIOR TO ISSUANCE OF FINAL INSPECTION, AS APPLICABLE.

DUST SUPPRESSION:

- REFERENCE THE DUST MITIGATION PLAN FOR THE PROJECT AND ON FILE WITH THE CITY OF GREELEY. THE APPROVED DUST SUPPRESSION METHODS ARE:
 - 1.1. MAINTAIN EXISTING VEGETATION
 - 1.2. REDUCE VEHICLE SPEEDS
 - 1.3. WATER TRUCK

DECOMMISSION/RECLAMATION:

- REFERENCE THE APPROVED DECOMMISSION/RECLAMATION PLAN ON FILE WITH THE CITY OF GREELEY. ALL DISTURBED AREAS CREATED DURING THE DECOMMISSION/RECLAMATION PHASE SHALL BE RESEED WITH A LOW GROWTH SEED MIX AND VEGETATION ESTABLISHED.

PLANTING SCHEDULE

TYPE	WIDTH	QUANTITY
Trees	5'	35
Evergreens	5'	N/A
Shrub	5'	376

NOTE:

- 1175 LF PERIMETER
- LANDSCAPE REQUIREMENTS PAID BY CASH-IN-LIEU IN TIME OF APPROVAL
- BUFFER TYPE 1
 - 3.1. 3 TREES PER 100 LF
 - 3.2. 32 SHRUBS PER 100 LF

SEEDING SCHEDULE

TYPE	APPLICATION RATE (lbs/acre)	DATES OF INSTALL	AREA (acres)	%
Low Growth Mix (RESEED)	37.6	Spring or Fall	6.3	45.81
Low Growth Mix (OVERSEED)	18.8	Spring or Fall	3.5	25.30
Pond Mix	19.1	Spring or Fall	0.6	0.04
Existing Vegetation	n/a	n/a	4.0	28.85
TOTAL			14.4	100

LANDSCAPE AND BUFFERING PLAN

TWO RIVERS GARDEN
GREELEY, COLORADO



Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER

AGM/MWB

DATE

03/24/2025

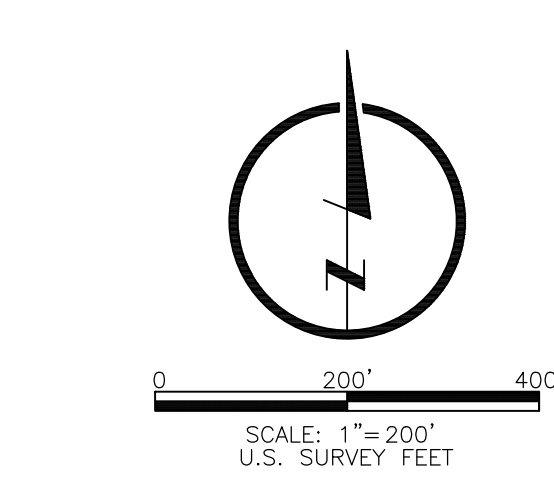
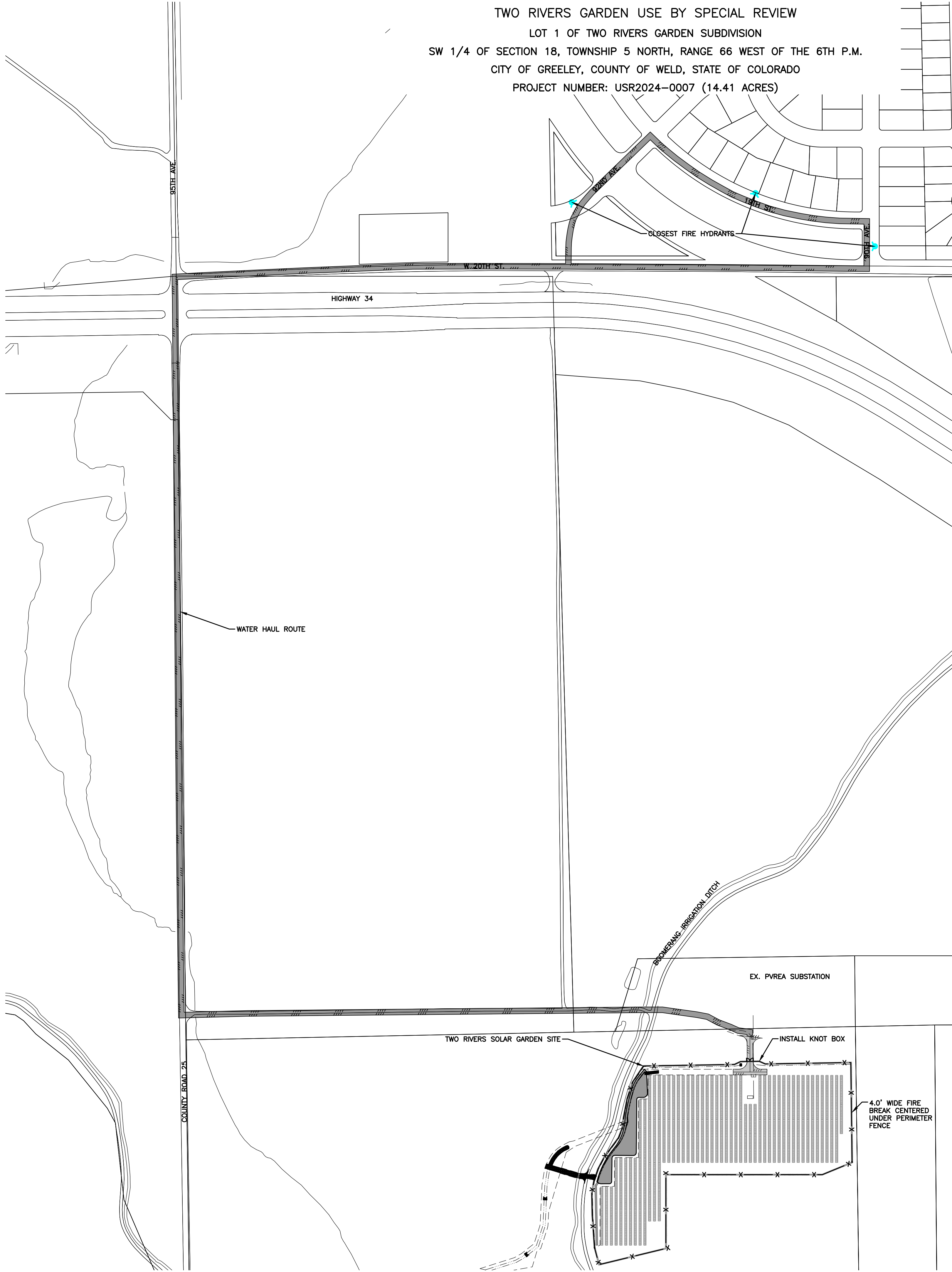
PROJECT NUMBER

0221022

BOOK AND PAGE

SHEET

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- SITE LEGEND:
- FIRE HYDRANT
 - WATER HAUL ROUTE

- DUST SUPPRESSION:
- FOR DUST SUPPRESSION, REFERENCE THE DUST MITIGATION PLAN FOR THE PROJECT AND ON FILE WITH THE CITY OF GREELEY PLANNING DEPARTMENT. THE APPROVED DUST SUPPRESSION METHODS ARE:
 - 1.1. MAINTAIN EXISTING VEGETATION
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 - 1.3. WATER TRUCK

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RYNEARSON

LAMP RYNEARSON, INC.
OMAHA, NEBRASKA
14710 W. DODGE RD., STE. 100 (402) 496-2498
NE AUTHORIZATION NO.: CAD130
FORT COLLINS, COLORADO
4716 INNOVATION DR., STE. 100 (970) 226-0342
KANSAS CITY, MISSOURI
8001 STATE LINE RD., STE. 200 (816) 361-0440
MO AUTH. NO.: E-2013011903 / LS-2018043127

PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

WATER HAUL ROUTE

TWO RIVERS GARDEN
GREELEY, COLORADO

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Know what's below.
Call before you dig.

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.

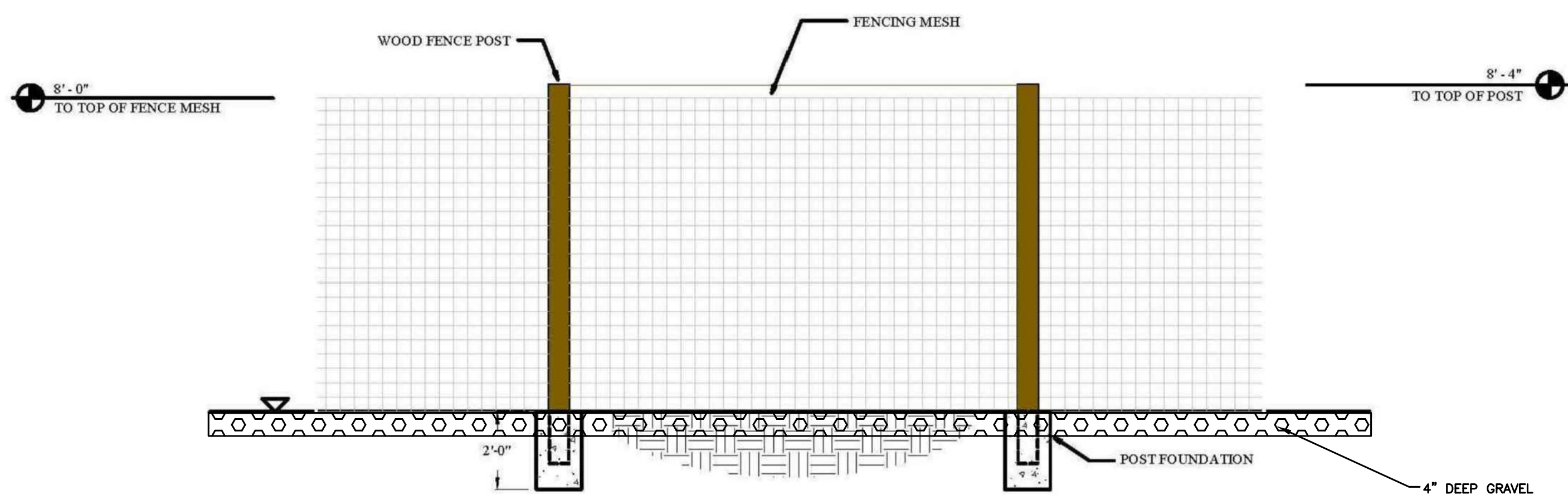
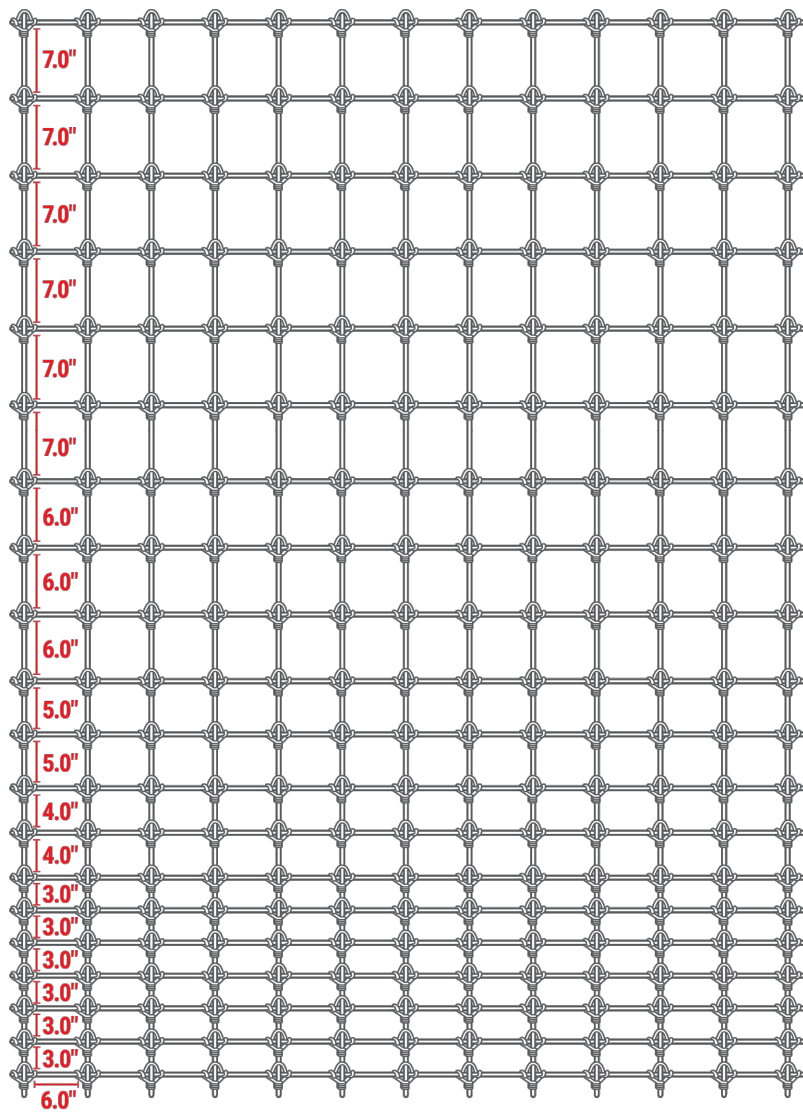
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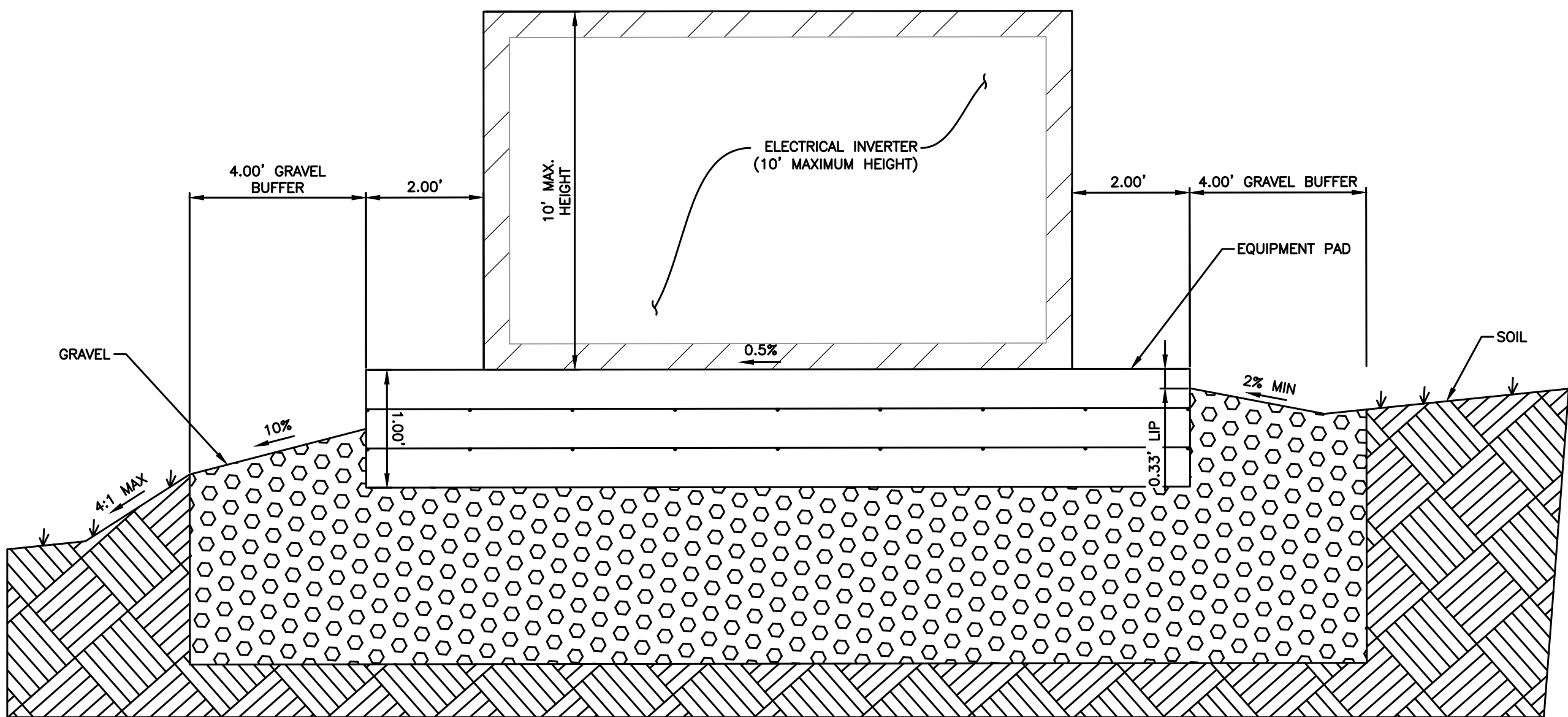
SHEET

9 OF 18

8' x 330' High Tensile Game Fence (6")



GAME FENCE DETAIL



NOTES:

1. FINAL DESIGN OF THE EQUIPMENT PAD IS TO BE DONE BY A STRUCTURAL ENGINEER.
2. PAD PENETRATION TO BE DECIDED BY A STRUCTURAL ENGINEER.
3. THIS MODEL IS A CONCEPT

EQUIPMENT PAD
NOT TO SCALE

TWO RIVERS GARDEN USE BY SPECIAL REVIEW

LOT 1 OF TWO RIVERS GARDEN SUBDIVISION

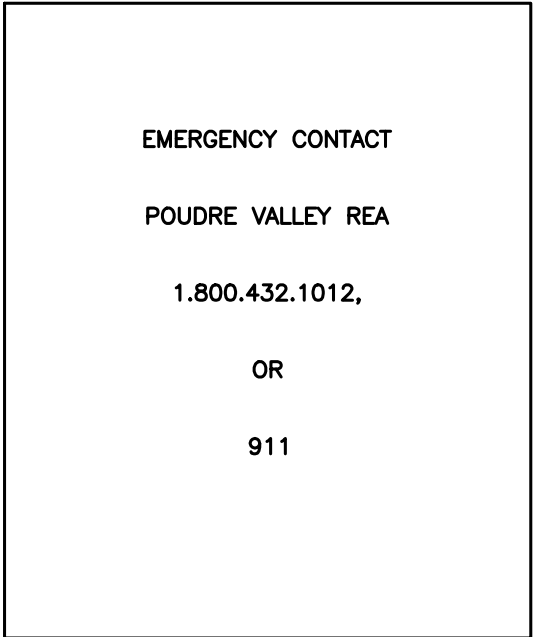
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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

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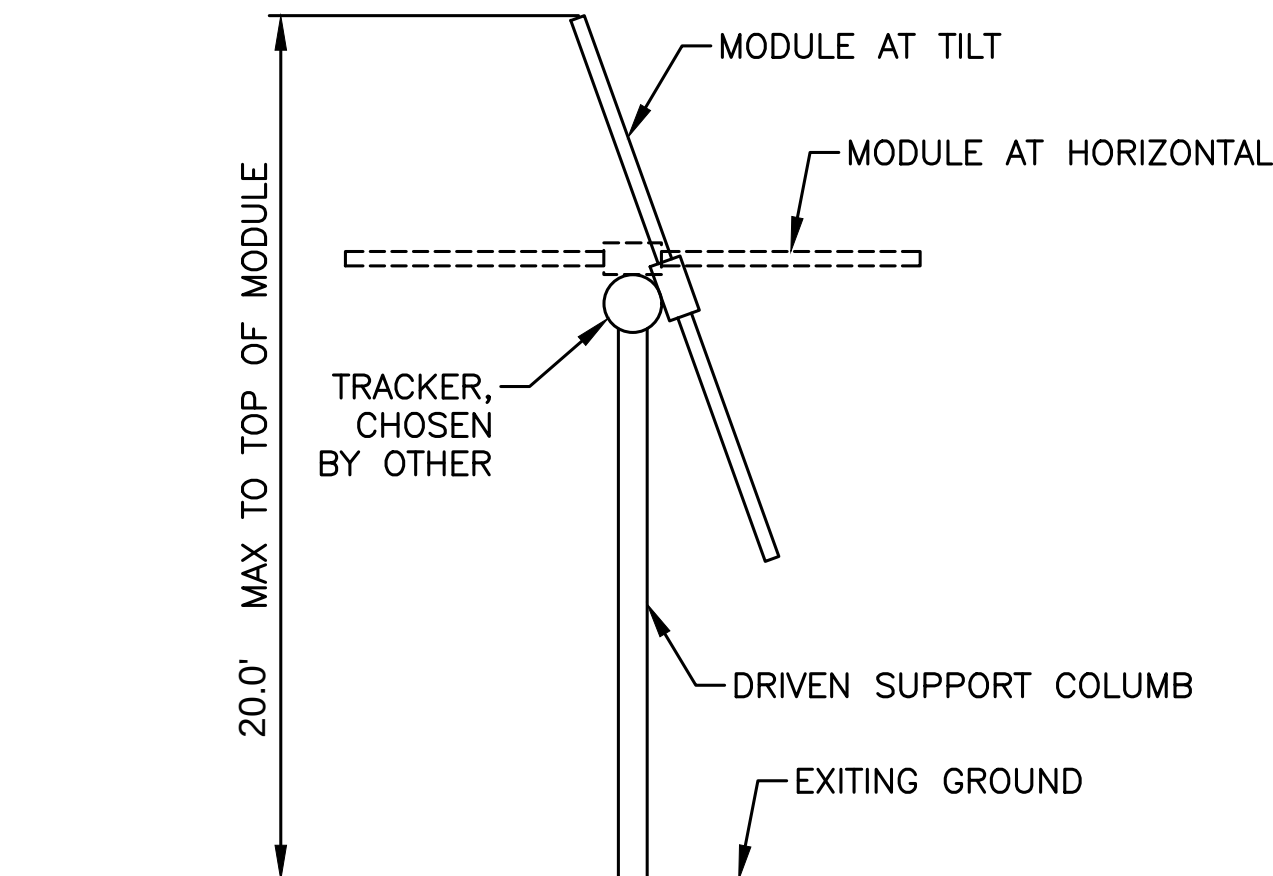
FINISHED SOLAR ARRAY
GENERAL DEPICTION, TRACKER MAY BE BY DIFFERENT MANUFACTURE
NOT TO SCALE



EMERGENCY CONTACT SIGN
NOT TO SCALE



EMERGENCY EGRESS GATE
NOT TO SCALE



TYPICAL SOLAR ARRAY RACKING SYSTEM
NOT TO SCALE

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SITE DETAILS

TWO RIVERS GARDEN
GREELEY, COLORADO



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REVISIONS

DESIGNER / DRAFTER

MWB

DATE

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SITE DETAILS

TWO RIVERS GARDEN
GREELEY, COLORADO

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THERE IS NO GUARANTEE ALL
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LINES PRIOR TO CONSTRUCTION.

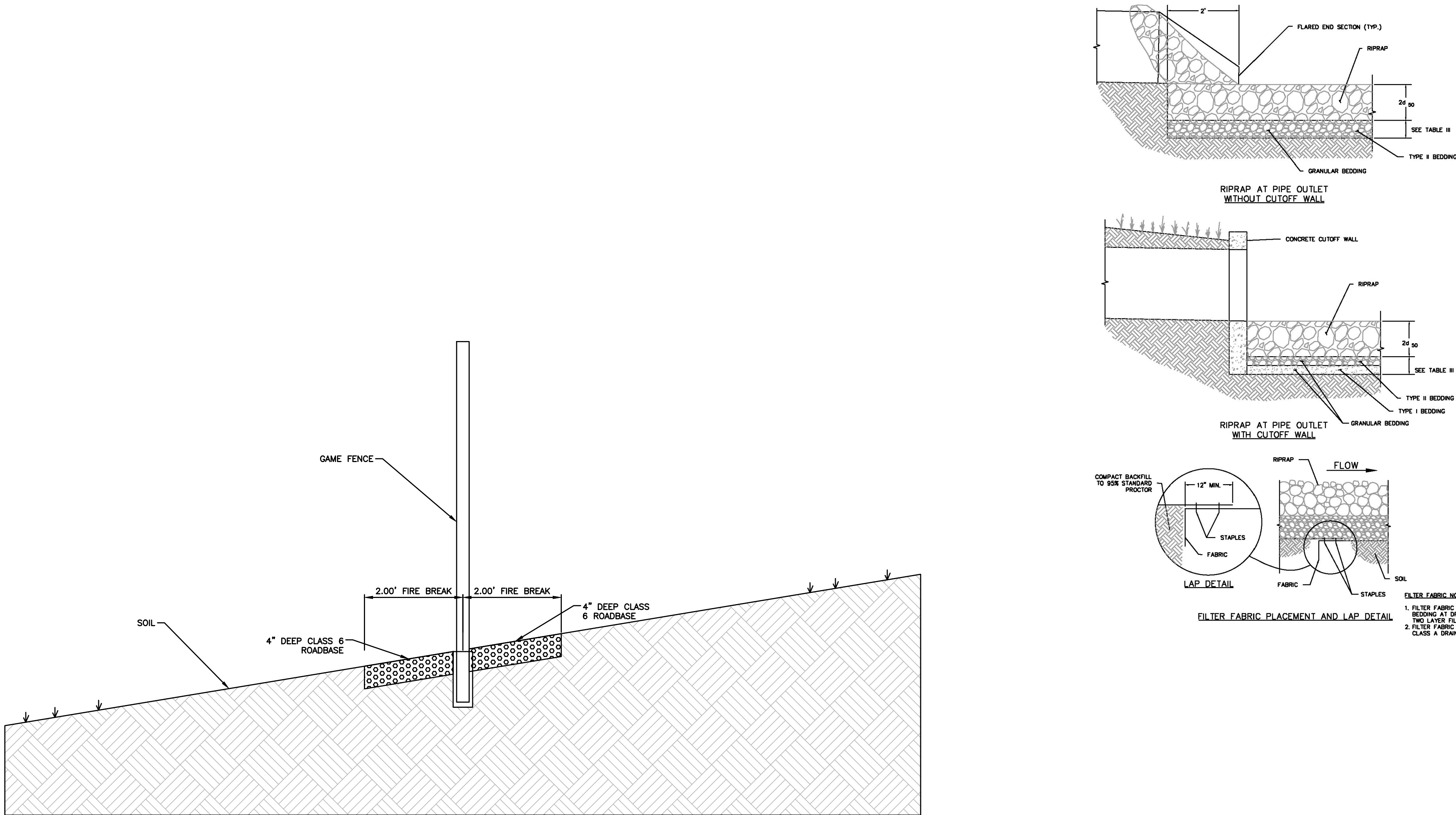
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REVISIONS

DESIGNER / DRAFTER
JWB
DATE
03/24/2025
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BOOK AND PAGE

SHEET

11 OF 11



NOTES:

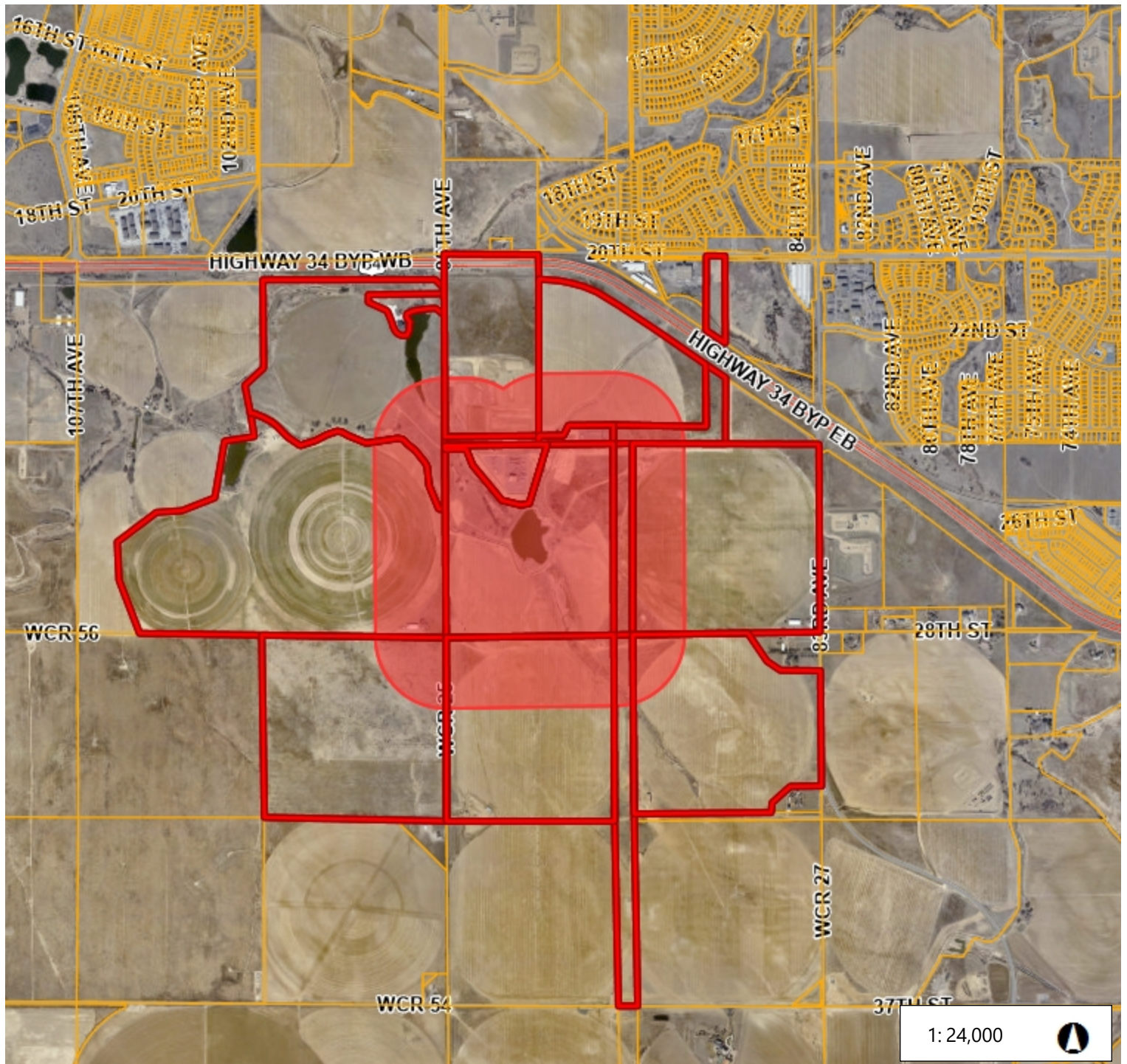
1. CLASS 6 ROADBASE FIRE BREAK SHALL BE 4' WIDE AROUND THE PERIMETER, CENTERED UNDER FENCE.

CLASS 6 ROADBASE FIRE BREAK
NOT TO SCALE



WELD COUNTY
ONLINE MAPPING

Vicinity Map Noticing Boundary USR2024-0007



Legend

- Parcels
- Highway
- Road
- Highway
- Road
- County Boundary

Notes

USR2024-0007 Two
Rivers Garden Use By
Special Review
Noticing Map



4,000.0 0 2,000.00 4,000.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Weld County Colorado

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Development Application

1100 10th Street Greeley, CO 80631

970-350-9780

www.greeleygov.com

APPLICANT NAME: Ian Skor	ADDRESS: Sandbox Solar 112 Racquette Dr, Fort Collins, CO, 80524 EMAIL: iskor@sandboxsolar.com	PHONE: (970) 673-7733
OWNER(S) OF RECORD: Chismar Mathew J Trust	ADDRESS: 8310 WELLINGTON BLVD WELLINGTON, CO 80549-2191 EMAIL:	PHONE:
OWNER(S) OF RECORD: Alexis Carol Chismar Irrevocable Trust	ADDRESS: 8310 WELLINGTON BLVD WELLINGTON, CO 80549-2191 EMAIL:	PHONE:
POINT OF CONTACT: Troy Spraker or Laine Landau	ADDRESS: Lamp Rynearson 4715 Innovation Dr., Suite 100 Fort Collins CO 80525 Troy.Spraker@lamprynearson.com Laine.Landau@lamprynearson.com EMAIL:	PHONE: Troy Direct (970) 267-3811 Laine Direct (970) 267-3809

PARCEL / LOT INFORMATION

Parcel ID Number	095918300002
Address or Cross Streets:	vacant 95th Ave Greeley, south of Hwy 34 bypass
Subdivision Name & Filing No.:	Two Rivers Community Solar
Related Case Numbers: (PUD, Rezoning, and/or Plat)	PAM2024-0057

EXISTING

Zoning:	H-A Holding Agriculture
Project Name:	Vacant Agriculture
Site Area (Acres & Square Ft.):	144 acres
Floor Area Ratio (FAR):	n/a
Density (Dwelling Units/Acre):	n/a
Building Square Footage:	n/a

PROPOSED

	R-E Residential Estate
	Two Rivers Community Solar
	144 Acres (create 2 lots)
	n/a
	n/a
	n/a

PROJECT TYPE

☐ Annexation	☒ Minor Subdivision	☐ Historic Register Nomination	☒ Rezoning
☐ Appeal	☐ Condominium Plat	☐ Historic Preservation Design Review	☐ Planned Unit Development
☐ Entertainment Establishment	☐ Easement Encroachment	☐ Historic Preservation Financial Incentives	☐ ROW Dedication/Vacation
☐ Major Subdivision - Final Plat	☐ Site Plan	☐ Easement Dedication/Vacation	☐ Variance
☐ Major Subdivision - Preliminary Plat	☒ Use by Special Review	☐ Metropolitan District	☐ Other

Pre-Application Meeting Date: 5/15/2024

Pre-Application Meeting Number: PAM 2024-0057

This application must be signed by owner(s) of record or authorized officer, if a corporation. Owner(s) listed must match title work. Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the City of Greeley Development Code and Application Manual. After three (3) months of inactivity, a reminder will be sent to applicants stating that action is required within the next thirty (30) days or the application will be closed due to inactivity.

I hereby certify that, to the best of my knowledge, all information supplied with this application is true and accurate and authorize the applicant listed above to process the application on my behalf.

Owner's Signature:

Owner Signature:

Trustee

Date:

Trustee

Date:

8/14/24
8/14/24



Owner Authorization Form

Chismar Mathew J Trust; and
Alexis Carol Chismar Irrevocable
Trust
I, (We) _____ (Owner), give permission to Ian Skor
(Applicant/Agent) to apply for permits on our behalf for property located at:
parcel number 095918300002 (Address).

Legal Description: SW 1/4 of Section 18 Township 5 Range 66

or

Subdivision Name: _____ Lot _____ Block _____

Property Owner Information

Chismar Mathew J Trust; and Alexis Carol
Chismar Irrevocable Trust
8310 WELLINGTON BLVD
WELLINGTON, CO 80549-2191
Phone: _____ Mail to: _____

Applicant/Agent Information

Sandbox Solar
112 Racquette Dr,
Fort Collins, CO, 80524
Phone: (970) 673-7733 Email: iskor@sandboxsolar.com

Email Correspondence to be sent to: Owner ☒ Applicant/Agent ☐ Both

Postal Service Correspondence to be sent to: ☒ Owner ☐ Applicant/Agent

Additional Info: Applicant / Agent may apply for land use applications through the City of Greeley for the development of
an approx. 2 MW solar development currently called Two Rivers Community Solar.

Owner Signature: [Signature] Trustee Date: 8/14/24
Owner Signature: [Signature] Trustee Date: 8/14/24

Note: If owner is LLC/Corporation, please attach documentation authorizing representative signatures.

City of Greeley
Planning and Zoning Department
1100 10th Street
Greeley, CO. 80634

Reference: Dust Mitigation Plan
Two Rivers Garden – Use By Special Review

To Whom it may concern:

This dust mitigation plan has been provided to accompany the Use By Special Review for the Two Rivers Garden – Community Solar project.

Dust Mitigation

Dust shall be mitigated on-site by the following measures:

- **Maintain existing vegetation:** The existing vegetation shall be protected as best as possible during construction. For this development, there are minimal earth-moving activities and proposed grading. Traveling on vegetation will have a detrimental impact and once activity is completed, then the soil shall be loosed and overseeded with a dry land grass seed mixture. Continually driving on vegetation should be minimized to the greatest extent possible.
- **Reduced vehicle speeds:** This development is relatively small and therefore there should not be many vehicles traversing the site. It is expected the only pieces of equipment will be the pile driving machine and excavating equipment needed for the detention pond construction. All equipment moves at a slow rate and should not cause dust. If it is required to drive on the site, then vehicle speeds shall be minimized to 10 mph or less.
- **Water Truck:** If dust is observed then a water truck shall be onsite and shall apply a thin layer of water to suppress dust from becoming airborne.



112 Racquette Dr
Fort Collins, CO 80524
(970) 673 -7733
ijskor@sandboxsolar.com

**Poudre Valley REA Two Rivers Community Solar Farm
Decommissioning-Reclamation Plan**

Poudre Valley REA is the project owner and will be responsible for the re-energization of the facility and/or the decommissioning of the project at its end of year life. The initial end of year life is estimated as 25 years; however, there are opportunities to extend this life through equipment upgrades and replacement.

Due to the extensive timeline for the end of year life of the project, it is difficult to forecast the exact costs for decommissioning and reclamation. NREL has found that the mean cost to decommission a facility is about \$20k/kw-dc (Source: Curtis et al. 2021a). This would equate to about~ \$50,000 to remove and dispose of material. The removal of panels, steel, and foundation equipment would be conducted via best practices at the time of decommissioning, which is anticipated to be recycled methods. It would likely cost another \$50,000 for any additional civil work to restore the site to its original state such as equipment pads, trenches, etc.

- All fences, graveled areas, and access roads shall be removed unless the landowner agreement to retain is presented, in writing, in which the property owner agrees for this to remain. Material will be disposed of in proper recycling and waste management facilities.
- Solar equipment materials such as panels, steel, transformer and electronics will be palletized and taken to the necessary recycling and disposal facilities after removal.
- Erosion control standards will be used as they are modernized and updated in 25 years based on existing conditions. Best management practices will be used and installed at the site during decommissioning to minimize any sediment transport downstream.
- Any disturbed areas shall be seeded and site restoration will be used according to modern best practices, as needed. It is anticipated that the land will be seeded with a low-growth native seed mix to match and enhance vegetation.
- Underground electrical wire will be removed and recycled.
- The detention pond shall remain and continue to provide water quality and attenuate stormwater flow.
- There are no major excavations or civil restorations beyond the scope of work listed above.

Risk of this project being abandoned is very low because Poudre Valley REA will continue to service the local community in perpetuity.

Best regards,
Ian Skor
Sandbox Solar
970-673-7733

City of Greeley
Planning and Zoning Department
1100 10th Street
Greeley, CO. 80634

4715 Innovation Dr., Ste. 100
Fort Collins, CO 80525
[P] 970.226.0342
[F] 970.226.0879
LampRynearson.com

Reference: Weed Mitigation Plan
Two Rivers Garden – Use By Special Review

To Whom it may concern:

This weed mitigation plan has been provided to accompany the Use By Special Review for the Two Rivers Garden – Community Solar project.

Weed Mitigation

Weeds shall be mitigated on-site by the following measures:

- **Herbicide:** Upon discovery of noxious weeds, then the site shall be sprayed as a whole or spot sprayed to mitigate noxious weeds and the spread of noxious weeds to adjacent properties. The herbicide to be used shall be targeted to the noxious weeds being treated and shall not be detrimental to the desired grasses. Herbicides shall be applied in accordance with manufacturer recommendations.
- **Pulling:** If the noxious weeds are limited then pulling the weeds and roots is acceptable. The pulled noxious weeds should be discarded in a trash receptacle and not thrown on the ground where seeds could form and spread.

\\L:\Engineering\0221022.01 Sandbox Greeley Outback 2MW\DOCUMENTS\MISCELLANEOUS\Weed Mitigation Plan\Weed Mitigation Plan_2024-10-11.docx



Two Rivers Garden Use by Special Review

April Medeiros, Planner I

April.Medeiros@greeleygov.com (970) 350-9241

Planning Commission – May 13, 2025



Community Vitality

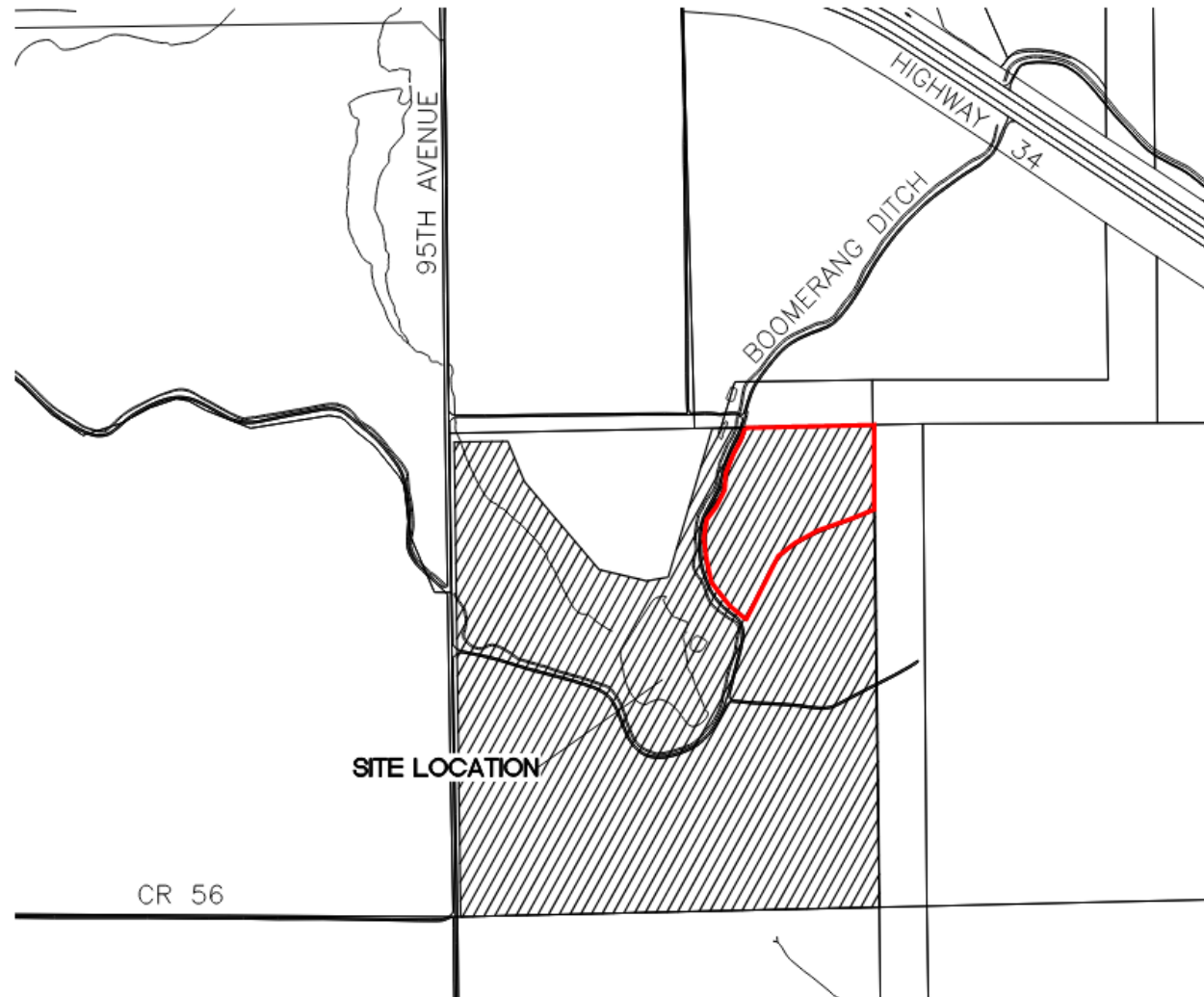
Agenda



- Request:
 - Approval of a Use by Special Review application for a small-scale solar energy facility.
 - Parcel is currently vacant.
- Background:
 - In 2001, the property was annexed and zoned through the Lundvall Annexation.
 - In 2025, 14.41 acres of a 132.14-acre parcel was Rezoned (ZON2024-0005) to Residential Estates, R-E.
 - A minor subdivision (SUB2024-0017- Two Rivers Garden Subdivision) for the creation of one 14.41-acre lot for the proposed solar facility is being concurrently reviewed.
- Planning Commission to make final decision on land use case.

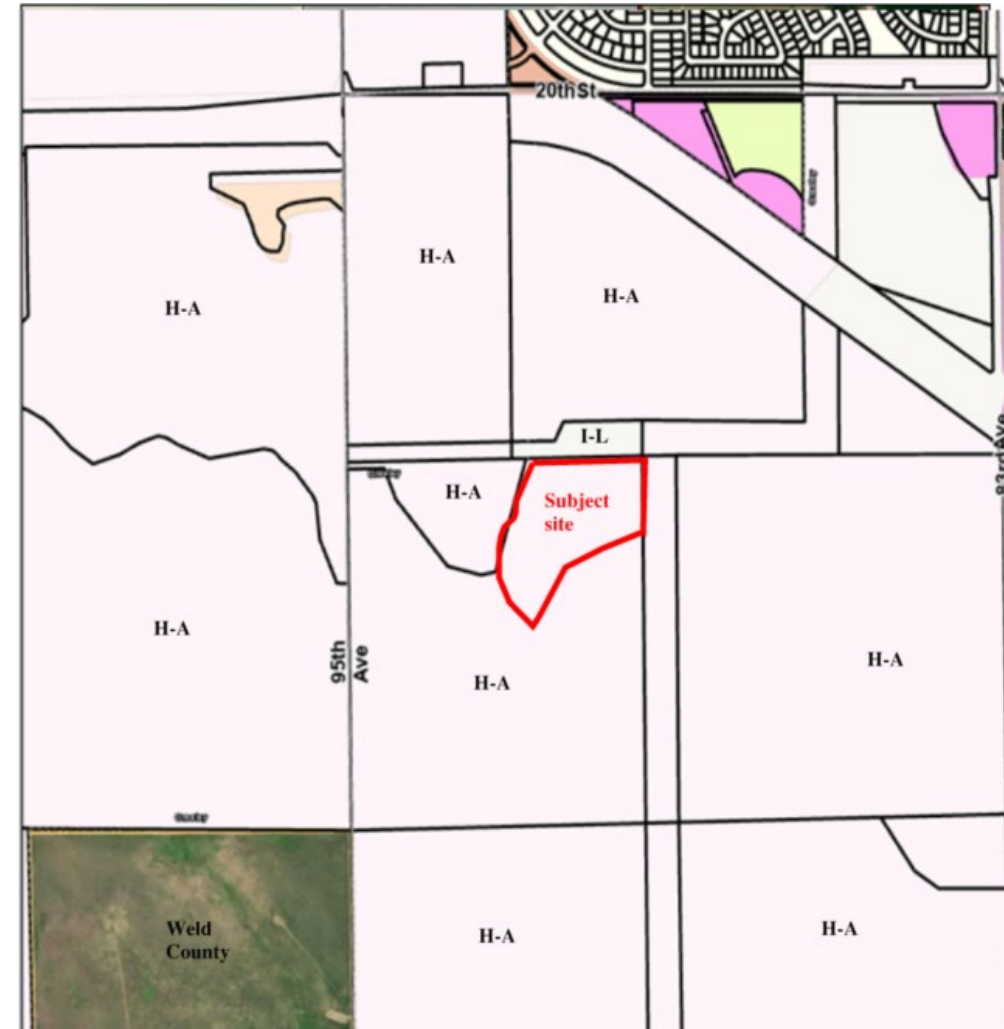
Location

- North of County Road 56 and east of 95th Avenue



Zoning Map and Surrounding Area

- **Subject Site Existing Zoning: R-E (Residential Estates)**
- **Surrounding Zoning:**
 - North: H-A and I-L (Holding Agriculture, Industrial Low Intensity)
 - South: H-A (Holding Agriculture)
 - East: H-A (Holding Agriculture)
 - West: H-A (Holding Agriculture)
- **Surrounding Land Uses:**
 - North: Existing Poudre Valley REA Substation
 - South: Undeveloped
 - East: Undeveloped
 - West: Existing DCP Midstream processing facility



Aerial Overview

- Existing DCP Midstream processing facility and Poudre Valley REA Substation
- Surrounding properties are undeveloped.



Considerations

Approval Criteria

- Use by Special Review Criteria – 24-206.b (1-8) – Criteria to evaluate Use by Special Review applications
- The proposed Use by Special Review is consistent with the criteria as outlined in the staff report

Notification

- A total of 19 notice letters were mailed to property owners within 500 feet.
- Signs posted on the property
- Web notice
- Mineral Notice completed

Recommendation

- Complies with Section 24-206.b (1-8)
- Recommend approval

Motions

Recommended

- Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a small-scale solar energy facility in the R-E (Residential Estate) Zone District is in compliance with the Development Code criteria of Section 24-206 (b) (1-8), and therefore approve the Use by Special Review with a condition of approval that all construction documents be accepted and approved prior to issuance of permits.

Alternative

- Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a small-scale solar energy facility in the R-E (Residential Estate) Zone District is not in compliance with the Development Code criteria of Section 24-206 (b) (1-8) and therefore denies the Use by Special Review as submitted.

Thank you



Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

1) All criteria for site plan review in Section 24-207

The proposed project satisfies the requirements of Section 24-207 of the Development Code. The applicant has addressed all staff comments and included all required materials for the Use by Special Review criteria. Staff is satisfied with the Use by Special Review submitted for the proposed project.

2) The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.

The following Imagine Greeley Comprehensive Plan policies apply to this request:

NR-4.4 Renewable Resources

Promote the incorporation of renewable resources throughout the community.

Staff Comment: Sandbox Solar has made every effort to be a partner with its surrounding neighbors. The proposed project

Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

- | | |
|----|--|
| 3) | Any associated site development or construction complies with the requirements of this code, including any conditions or additional requirements identified for the particular use. |
|----|--|

The proposed project adheres to all applicable development code requirements for site development and construction standards. The project has been reviewed by relevant city departments and external agencies, all of which have confirmed that the proposal meets the necessary criteria for site design and construction. As a condition of approval, staff will require that all construction documents be accepted and approved by the City of Greeley before any permits are issued.

- | | |
|----|--|
| 4) | Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use. |
|----|--|

The operating characteristics of the proposed project are within normal standards for the site location and abutting properties. Due to the site being a low-intensity use, unmanned, quiet operation, no light production, and minimal traffic, the site will have a minimal impact on adjacent properties. It will also provide buffering of the existing PVREA substation to the north and oil and gas midstream facility to the west, which will benefit potential future uses south of the subject

Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

- | | |
|----|---|
| 5) | The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria. |
|----|---|

The 14.41-acre site is currently undeveloped land with active oil and gas wells. The site is adjacent to PVREA substation to the north and oil and gas operations to the west with primarily agricultural uses south of the subject site.

- | | |
|----|--|
| 6) | Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit. |
|----|--|

It is not necessary to make those limitations.

Review Criteria



USR Review Criteria, Section 24-206.b (1-8)

7) **The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.**

According to Greeley's Land Use Guidance Map within the Imagine Greeley Comprehensive Plan, the subject area is within the "Mixed Use High Intensity" and Suburban Neighborhood".

8) **The recommendations of professional staff or other technical reviews associated with the application.**

According to Greeley's Land Use Guidance Map within the Imagine Greeley Comprehensive Plan, the subject area is within the "Mixed Use High Intensity" and Suburban Neighborhood".

The recommendations of professional staff or advisory review bodies.

Planning staff and the Administrative Review Team recommend approval.



Planning Commission Agenda Summary

May 13, 2025

Key Staff Contact: Michael Franke, AICP | Planner III

Title:

Three Mile Plan

Summary:

The City of Greeley Three Mile Plan is a reference document of approved plans and policies describing the infrastructure, land use, and provision of services for areas of potential annexation. Pursuant to state law, the city must have in place a Three Mile Plan that generally describes infrastructure development expectations for the land including the proposed land uses (C.R.S. § 31-12-105(1)(e)(I)).

Recommended Action:

Approval of the proposed City of Greeley Three Mile Plan Resolution

Attachments:

- Attachment 1 – Staff Report
- Attachment 2 – Resolution
- Attachment 3 – Exhibit A City of Greeley Three Mile Plan
- Attachment 4 – Three Mile Plan Boundary Map
- Attachment 5 – Weld County Referral Comments
- Attachment 6 – Town of Windsor Referral Comments
- Attachment 7 – Town of Johnstown Comments
- Attachment 8 – Staff Presentation

PLANNING COMMISSION SUMMARY

ITEM: City of Greeley Three Mile Plan

FILE NUMBER: Three Mile Plan (File Number Not Applicable)

PROJECT: Three Mile Plan

APPLICANT: City of Greeley, Community Development Department

CASE PLANNER: Michael Franke, AICP | Planner III

PLANNING COMMISSION HEARING DATE: May 13, 2025

PLANNING COMMISSION FUNCTION:

Review the proposed Three Mile Plan Resolution and make a recommendation to City Council.

EXECUTIVE SUMMARY

The City of Greeley Three Mile Plan is a reference document of approved plans and policies describing the infrastructure, land use, and provision of services for areas of potential annexation. Pursuant to state law, the city must have in place a Three Mile Plan that generally describes infrastructure development expectations for the land including the proposed land uses (C.R.S. § 31-12-105(1)(e)(I)).

A Three Mile Plan takes a much broader approach to the annexation and development of land than a specific annexation impact report and ensures proposed annexations are consistent with the City’s Comprehensive Plan and other annexation and land development policies. Upon adoption, updates to a Three Mile Plan are routine and occur on an annual basis.

A. REQUEST

The Community Development Department requests a recommendation of approval from the Planning Commission for a resolution for the City of Greeley Three Mile Plan to the City Council.

B. STAFF RECOMMENDATION

Approval

C. BACKGROUND

The City of Greeley is exploring possible annexation of property currently located outside of the City of Greeley Long Range Expected Growth Area (LREGA) to advance the health, safety, and welfare of the City of Greeley. These two properties are commonly referred to as the “Hankins Farm Site” and “Carestream” (see attachments for exact property location).

This City of Greeley Three Mile Plan would also provide the legal ability to annex other land

outside of LREGA, but no more than three miles from the current municipal boundary. Colorado State Statute, C.R.S § 31-12-105(e), limits municipal annexations to no more than three miles outside of their current growth boundary, such as LREGA. This legislation also requires municipalities to adopt an annexation master plan, commonly known as the Three Mile Plan, prior to the completion of any annexation outside of the municipality's growth area within three miles of the current municipal boundary. If the municipality's master or comprehensive plan covers the elements required for a three mile plan, it will suffice as the Three Mile Plan.

According to Statute, the Three Mile Plan shall “*generally describes* the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area” (C.R.S § 31-12-105). These elements are applied to a municipality as applicable. Since legislation requires these services to be “generally described”, the proposed services and land uses stated in the Three Mile Plan shall be overridden by any other formally adopted plan prescribing services and land uses to the land areas within the Three Mile Plan. A Three Mile Plan is not a plan in and of itself but rather a document that identifies all the plans the city has conducted regarding the services identified in §31-12-105 for the Three Mile Plan area. This also includes plans other jurisdictions and entities have implemented as applicable to the geography of the Three Mile Plan.

When adopted, the 2018 Imagine Greeley Comprehensive Plan (Comprehensive Plan) satisfied the City's Three Mile Plan obligations in 2018, since it included the proposed services required per §31-12-105 for Three Mile Plan criteria. The Comprehensive Plan has not undergone amendment since adoption and the LREGA established in the Comprehensive Plan does not include the Hankins Farm Site or Carestream properties. Given the City of Greeley's initiatives to create sub-area plans to capture the expected growth and needs of specific areas of the city, staff will not be pursuing an entire Comprehensive Plan update at this time. The City of Greeley Three Mile Plan will provide the opportunity for the city to annex land outside of the LREGA, but no more than three miles from the current municipal boundary, to advance the vitality of the community.

According to the Department of Local Affairs (DOLA), “The failure to have a plan prior to the completion of an annexation could open a municipality up to litigation. Colorado law limits those who have a right to challenge annexations to property owners within the annexed area, the county(ies) in which the land is located and neighboring municipalities within one mile. The City of Greeley wants to ensure any effort to annex land into the City holds upright against any local, state, and federal legislation regarding annexation of property.

The City of Greeley Three Mile Plan will ensure annexation efforts are aligned with legislation. The City of Greeley Three Mile Plan is anticipated to be updated on an annual basis. Please refer to the attached documents for reference of the City of Greeley Three Mile Plan.

The City of Greeley Three Mile Plan references and illustrates plans, policies, maps, and other documents adopted by the City of Greeley which generally describe the locations, character, and extent of transportation facilities, parks, infrastructure and proposed land uses required by State Statute Section 31-12-105. The City of Greeley Three Mile Plan is organized into the following categories:

Proposed Land Uses;
Parks, Natural Areas, and Open Lands;
Transportation; and
Utilities and Infrastructure.

The Three Mile Plan may also refer to other plans and policies adopted by neighboring jurisdictions or organizations that provide contextual guidance as they overlap with the City of Greeley Three Mile Plan study area.

D. REVIEW CRITERIA

The Commission shall consider comments from reviewing agencies and offices, staff recommendation, public comments, and the following criteria in making a recommendation to City Council.

- 1. Per State Statute C.R.S § 31-12-105, a Three Mile Plan requires generally describes the proposed location, character and extent of future public utilities and infrastructure (e.g., streets, bridges, parks, playgrounds, aviation fields, waterways, open spaces and other public grounds) as well as proposed land uses for the area.**

Staff Comment: The City of Greeley Three Mile Plan directly addresses the requirements of the three mile plan according to state statute. For both “Hankins Farm Site” and “Carestream” area, the City of Greeley Planning Division, Water & Sewer Department, Public Works Department, Parks Department, and Natural Areas & Trails Department have provided generally described services and land uses. The city departments have collaborated to establish land use, transportation/mobility services, water services, sewer services, green spaces, parks, and natural areas for the three mile boundary including both desired annexation sites as required by statute. Beyond creating generally described infrastructure, services, and land use for each site, the City of Greeley Three Mile Plan also includes various adopted plans and studies from other municipalities, agencies, and jurisdictions that touch upon the Greeley Three Mile Plan. These efforts by City staff uphold the requirements for three mile plans as according to Colorado State Statute 31-12-105.

This request complies with this criterion.

2. A Three Mile Plan is a reference document of approved plans and policies describing the infrastructure, land use, and provision of services for areas of potential annexation.

Staff Comments: The City of Greeley Three Mile Plan utilizes approved plans and policies describing the infrastructure, land use, and provision of services for area of potential annexation. These reference documents contain areas within the City of Greeley LREGA and outside of the LREGA but within three miles of the existing municipal boundary. A few of the reference agencies and jurisdictions include Bellevue Pipeline Project, Chimney Hollow Reservoir, City of Evans, City of Loveland, City of Greeley, Colorado Department of Transportation, Downtown Development Authority, State of Colorado, Town of Eaton, Town of Johnstown, Town of Kersey, Town of Johnstown, Town of Windsor, Stormwater Drainage Basin Criteria, Weld County, Xcel Energy, etc. Each of these referenced documents within the plan directly describes infrastructure, land use, and provisions of potential annexation areas.

This request complies with this criterion.

OTHER GENERAL CONSIDERATIONS

3. The Three Mile Plan promotes the public safety, health and general welfare of the citizens of Greeley.

Staff Comments: This Three Mile Plan provides opportunity for the City of Greeley to expand to meet goals of economic development, infrastructure, and natural amenities that directly work to advance the health, safety, and welfare of the citizens of Greeley. The economic opportunity for these sites strengthens the tax base of Greeley, allowing the city to expand services and continue to provide services for citizens held to specific standard. This plan promotes the ability to offer additional green space for residents and capture land adjacent to the Cache La Poudre River Corridor. Access to green space amenities provides a direct benefit for citizens to advance community health and welfare. The flexibility of the infrastructure, prescribed services and land uses for the Three Mile Plan provides an opportunity for the City to address growth pressures in a focused manner that tailors the scale and type of development to the needs of the citizens. The “Hankins Farm Site” and “Carestream” area both offer opportunity for the city to advance growth initiatives to maintain and foster a community where people desire to live, work, and recreate.

The request complies with this criterion.

E. PUBLIC NOTICE AND COMMENT

Notice was published on the City of Greeley's website on April 9, 2025, pursuant to the City's notification requirements for resolutions. No objection or support has been received by staff from the citizens of Greeley. The Three Mile Plan was also sent to Town of Johnstown, Town of Windsor, and Weld County for referral review and comments on April 7, 2025. City staff received comments from the Town of Johnstown, the Town of Windsor and Weld County.

Weld County does not oppose the City of Greeley Three Mile Plan and provided minor advisory comments related to the subject properties, such as existing land use approvals and the county road network.

The Town of Windsor provided comments on the proposed Three Mile Plan. Windsor expressed concerns with the proposed "Carestream" area as shown in the Three Mile Plan. Its main concern was the contiguity disparity between the Town of Windsor and City of Greeley. Additionally, Windsor expressed concern with the "Carestream" area being within its Growth Management Area. This is mainly due to the location of such property and the Town's own interest in annexing the property in the future. The extension of the City of Greeley Three Mile Plan to the northwest is consistent with the city's current efforts to annex the Arroyos del Sol property for new natural area development and interest expressed by various property owners and businesses within the "Carestream" area to annex into the City of Greeley. City departments are working with property owners and businesses to provide adequate services to their sites upon annexation that satisfies requirements for annexations including contiguity.

The Town of Johnstown made comments regarding the Three Mile Plan. They noted the "Hankins Farm Site" has been within their Growth Management Area since 2006 and is included in the Town of Johnstown Three Mile Plan, adopted in January 2025. They expressed concern with potential overlap of the "Hankins Farm Site", included in Johnstown's Three Mile Plan, Johnstown's Comprehensive Plan, and City of Greeley Three Mile Plan (if adopted), in relation to regional long range planning efforts within Weld County. This is mainly due to the location of such property and the Town's own interest in annexing the property in the future. The City of Greeley has been approached by the property owner of the "Hankins Farm Site" who desired future annexation into the City of Greeley once appropriate timing. The City of Greeley is working with the property owner to put their best effort forward, as appropriate, with helping the property owner achieve this future goal.

F. PLANNING COMMISSION MOTIONS

Recommended (Approval)

Based on the preceding analysis, the Planning Commission finds that the proposed City of Greeley Three Mile Plan Resolution is consistent with Colorado State Statute 31-12-105(e), meeting statutory requirements related to infrastructure, parks, transportation, and land uses that will allow the City to annex future properties within its three mile boundary, and therefore recommends that the City Council approves the City of Greeley Three Mile Plan Resolution as submitted.

Alternative (Denial)

Based on the preceding analysis, the Planning Commission finds that the proposed City of Greeley Three Mile Plan Resolution is not consistent with Colorado State Statute 31-12-105(e), not meeting statutory requirements related to infrastructure, parks, transportation, and land uses that will allow the City to annex future properties within its three mile boundary, and therefore recommends that the City Council denies the City of Greeley Three Mile Plan Resolution as submitted.

ATTACHMENTS

Attachment 1 – Staff Report

Attachment 2 – Resolution

Attachment 3 – Exhibit A City of Greeley Three Mile Plan

Attachment 4 – Three Mile Plan Boundary Map

Attachment 5 – Weld County Referral Comments

Attachment 6 – Town of Windsor Referral Comments

Attachment 7 – Town of Johnstown Comments

Attachment 8 – Staff Presentation

CITY OF GREELEY, COLORADO**RESOLUTION NO. ____, 2025****RESOLUTION ADOPTING A THREE MILE PLAN FOR THE CITY OF GREELEY,
COLORADO**

WHEREAS, The City of Greeley, Colorado (the “City”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the City’s Home Rule Charter; and

WHEREAS, Imagine Greeley: The City of Greeley Comprehensive Plan (2018) (the “Comprehensive Plan”) was last updated, approved and adopted by City Council on February 6, 2018, pursuant to Ordinance No. 4, 2018; and

WHEREAS, The City’s Long Range Expected Growth Area (“LREGA”) as set forth in the Comprehensive Plan has served and currently serves as the City’s Three-Mile Plan; and

WHEREAS, Section 31-12-105 (1)(e), provides that, for purpose of annexation, each municipality shall annually prepare a plan for the geographic area within three miles in any direction from the municipality’s borders generally describing the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area (“Three-Mile Plan”); and

WHEREAS, The City of Greeley is updating its Three Mile Plan to satisfy statutory requirements for the annexation of new lands beyond the City’s LREGA, but no further than three miles beyond the current municipal limits, generally describing the infrastructure, parks, transportation and land uses for such lands; and

WHEREAS, The 2025 City of Greeley Three Mile Plan includes without limitation a focus on two property areas: “Hankins Farm Site”; and the “Carestream Property”. The “Hankins Farm Site” is located generally west of State Highway 257 and north of Weld County Road 56. The “Carestream Property” is located generally east of State Highway 257 and south of Eastman Park Drive, both areas are more particularly described in the attached **Exhibit A**; and

WHEREAS, to comply with the statutory directive, City Council desires to adopt the 2025 City of Greeley Three-Mile Plan.

NOW THEREFORE, BE IT RESOLVED BY THE GREELEY CITY COUNCIL OF THE CITY OF GREELEY, COLORADO, THAT the 2025 City of Greeley Three-Mile Plan, attached hereto and incorporated herein by reference as **Exhibit A**, is hereby approved and adopted.

This Resolution shall become effective immediately upon its passage.

PASSED, AND ADOPTED, SIGNED AND APPROVED this ____ day of _____, 2025.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____
City Clerk

By: _____
Mayor

Three Mile Plan

Community Development

City of Greeley

2025

Table of Contents

- I. Purpose of the Three Mile Plan
- II. Description of Three Mile Plan Areas
- III. Elements of the Three Mile Plan
 - a. Proposed Land Use
 - b. Parks, Natural Areas, and Open Lands
 - c. Transportation
 - d. Utilities

ATTACHMENT A: Three Mile Plan Boundary Map

ATTACHMENT B: Proposed Land Use and Parks, Natural Areas, Open
Lands Maps

ATTACHMENT C: Transportation Maps

ATTACHMENT D: Utilities Maps

Introduction

Purpose of the Three Mile Plan:

The City of Greeley Three Mile Plan is a reference document of approved plans and policies describing the infrastructure, land use, and provision of services for areas of potential annexation. Pursuant to state law, the City must have in place a Three Mile Plan that generally describes infrastructure development expectations for the land including the proposed land uses (see, C.R.S. § 31-12-105(1)(e)(I)).

The Three Mile Plan must generally describe the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities and terminals for water, light, sanitation, transportation and power to be provided by the municipality, as applicable, and the proposed land uses for the area.

The Three Mile Plan takes a much broader approach to the annexation and development of land than a specific annexation impact report and ensures proposed annexations are consistent with the City's comprehensive plan and other annexation and land development policies. Upon adoption, updates to the Three-Mile Plan are routine and occur on an annual basis.

Description of the Three Mile Plan Areas:

The City of Greeley Three Mile Plan references and illustrates adopted plans, policies, maps, and other documents adopted by the City of Greeley which generally describe the locations, character, and extent of land uses, transportation facilities, and infrastructure required by State Statute Section 31-12-105. The City of Greeley Three Mile Plan is organized into the following categories:

Proposed Land Uses:

Parks, Natural Areas, and Open Lands:

Transportation:

Utilities and Infrastructure:

The Three Mile Plan may also refer to other plans and policies adopted by neighboring jurisdictions or organizations that provide contextual guidance as they overlap with the City of Greeley Three-Mile Plan study area.

Elements of the Three Mile Plan

Proposed Land Uses:

- I. Land Uses Defined within the Long Range Expected Growth Area (LREGA):
 - City of Greeley Development Code
 - Existing Urban Land Uses
 - Existing Zoning of Land Available for Future Growth
 - Developed Land
 - Gravel Resources and Mining
 - Greeley Opportunity Areas
 - Greeley – Windsor Intergovernmental Agreement
 - Imagine Greeley Comprehensive Plan
 - Intergovernmental Agreements (IGA):
 - Greeley – Evans IGA
 - Greeley – Kersey IGA
 - Greeley – North Weld Water District IGA
 - Greeley – Severance IGA
 - Greeley - Weld IGA
 - Greeley – Windsor IGA
 - Land Available for Future Growth
 - Land Use Guidance Map
 - Subarea & Neighborhood Plans:
 - 10th Street Corridor Neighborhood Study
 - 2017 10th Street Study Report Card
 - Arlington Neighborhood Study
 - Bella Romero Maps and Photos
 - Cranford Neighborhood Profile
 - East Greeley-Weld Subarea Study Summary
 - East Maplewood Neighborhood Study
 - East UNC Neighborhood Study
 - Entryway Master Plan
 - Greeley North Subarea Plan (FUTURE)
 - Greeley West Subarea Plan (FUTURE)
 - Greeley Weld County Area Study and Plan Toolkit
 - Jackson Field Neighborhood Study
 - John Evans Neighborhood Plan
 - John Evans Neighborhood 2017 Report Card
 - Mercado District Design Standards
 - North Downtown Neighborhood Study Area
 - Parkview Neighborhood Study
 - Sunrise Neighborhood Study
 - Sunrise Neighborhood Study 2017 Report Card
 - UNC Area Study

- UNC Neighborhood 2017 Report Card

II. Land Uses Outside the LREGA:

- City of Evans Comprehensive Plan
- City of Evans Zoning Code
- City of Loveland Three Mile Plan
- City of Loveland Comprehensive Master Plan
- Greeley – Windsor Intergovernmental Agreement
- Northern Colorado Community Separator Study
- Town of Eaton Comprehensive Plan
- Town of Eaton Zoning Code
- Town of Johnstown Comprehensive Plan
- Town of Johnstown Zoning Code
- Town of Kersey Comprehensive Plan
- Town of Kersey Land Use Code
- Town of Severance Comprehensive Plan
- Town of Severance Zoning Code
- Town of Windsor Comprehensive Plan
- Town of Windsor Zoning Code
- Weld County Comprehensive Plan
- Weld County Zoning Code

Parks, Natural Areas, and Open Lands:

- 2018 Imagine Greeley Comprehensive Plan
- City of Evans Open Space and Trails Master Plan
- City of Evans Parks & Recreation Master Plan
- Explore Greeley Webmap
- Get Outdoors Greeley Strategic Plan
- Greeley Conceptual Trails Plan
- Greeley-Evans District 6 Facilities Master Plan
- Greeley-Evans District 6 Innovation 2030 Strategic Plan
- Greeley Parks and Trails Master Plan
- Greeley Poudre River Restoration initiative
- Greeley Share the Shade Forestry Program
- Greeley Urban Forest Strategic Plan
- Greeley Water Conservation Programs
- Greeley Water Efficiency Plan
- Poudre Ponds Project
- Subarea & Neighborhood Plans:
 - 10th Street Corridor Neighborhood Study
 - 2017 10th Street Study Report Card
 - Arlington Neighborhood Study
 - Bella Romero Maps and Photos

- Cranford Neighborhood Profile
- East Greeley-Weld Subarea Study Summary
- East Maplewood Neighborhood Study
- East UNC Neighborhood Study
- Entryway Master Plan
- Greeley North Subarea Plan (FUTURE)
- Greeley West Subarea Plan (FUTURE)
- Greeley Weld County Area Study and Plan Toolkit
- Jackson Field Neighborhood Study
- John Evans Neighborhood Plan
- John Evans Neighborhood 2017 Report Card
- Mercado District Design Standards
- North Downtown Neighborhood Study Area
- Parkview Neighborhood Study
- Sunrise Neighborhood Study
- Sunrise Neighborhood Study 2017 Report Card
- UNC Area Study
- UNC Neighborhood 2017 Report Card
- Stormwater Drainage Design Criteria Manual
- Town of Eaton Parks Master Plan
- Town of Johnstown Parks, Trails, Recreation, and Open Space Plan
- Town of Windsor Open Space and Trails Strategic Plan
- Town of Windsor Parks, Recreation & Culture Strategic Plan
- Weld County Comprehensive Plan

Transportation:

- 1041 Regulations
- 2016 Transit Strategic Plan
- 2018 Greeley Bike Map
- 2023 Traffic Counts
- 2035 Comprehensive Transportation Plan
- 2045 Transportation Plan (Weld County)
- 2045 Upper Front Range Regional Transportation Plan
- 2050 Regional Transportation Plan (North Front Range MPO)
- Bicycle Master Plan
- CDOT Bikeability Checklist
- CDOT US 392 Environmental Overview Study
- CDOT Walkability Checklist
- City of Evans Multi-Modal Transportation Plan
- City of Evans Transportation Master Plan
- COG Corridor Standards
 - Roadways
 - Signs

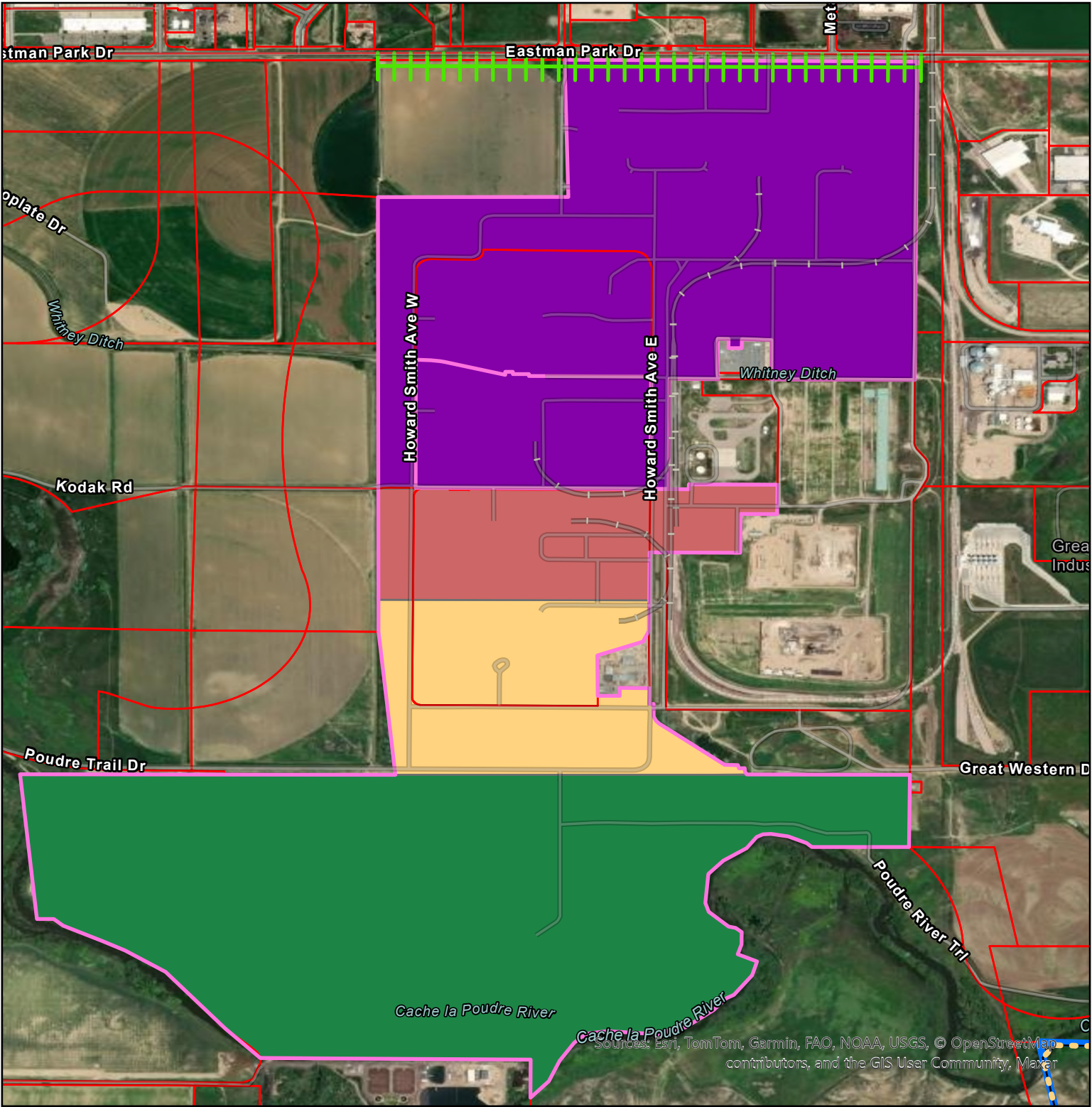
- Right-of-Way Features
 - Utilities
- Downtown Development Authority Downtown Public Parking Map
- Freedom Parkway Access Control Plan
- Greeley 2021 Transportation Safety Report
- Greeley On The Go Master Transportation Plan
- Greeley Regional Interchange Project (GRIP)
- Greeley – Weld Airport Master Plan
- Imagine Greeley Comprehensive Plan
- Keep Greeley Moving Program
- MERGE – Mobility Expansion for Regional Growth and Equity Project
- State Highway 392 Access Control Plan
- Street Manual
- Street Standard Details
- Town of Windsor Transportation Master Plan
- Transportation Impact Studies Criteria 2019
- US 34 Business Access Control Plan
- University of Northern Colorado Transportation/Parking and Circulation Master Plan
- Vision Zero Safety Action Plan
- Weld County Functional Classification Map
- Weld County Parkway Access Control Plan

Utilities and Infrastructure:

- 1041 Regulations
- 2018 Imagine Greeley Comprehensive Plan
- 2023 Water and Sewer Design Criteria and Specifications
- 2024 Drinking Water Quality Report
- Bellvue Pipeline Project
- Chimney Hollow Reservoir Project
- City of Evans Community Master Plan
- City of Evans Municipal Water Efficiency Plan
- City of Evans Stormwater Utility Master Plan
- Drainage Basin Master Plans
 - 28th Avenue
 - East Greeley East Memorial
 - Grapevine
 - Greeley No. 3 Ditch
 - Oklahoma Reach 100-600
 - Oklahoma Reach 700-800
 - Sheep Draw Basin Report
 - Sharktooth Bluffs
- Greeley Energy Action Plan
- Greeley Municipal Code - Floodplains

- Greeley Non-Pot Water Master Plan
- Greeley Sanitary Sewer Master Plan
- Greeley Water Conservation Programs
- Greeley Water Efficiency Plan
- Greeley Water Master Plan
- Greeley Wastewater Master Plan
- Greeley Water Treatment and Nutrient Master Plan
- North Weld County Water District Water Conservation Plan
- Poudre Ponds Project
- Stormwater Drainage Design Criteria Manual
- Terry Ranch Project
- Town of Windsor Master Drainage Plan
- Town of Windsor Municipal Water Efficiency Plan
- Town of Windsor Non-Potable Design Standards
- Town of Windsor Non-Potable Water System Map
- Town of Windsor Potable Water Master Plan
- Weld County Comprehensive Plan
- Xcel Energy Clean Energy Plan
- Xcel Energy Northern Colorado Area Plan – Ault to Cloverly Transmission Project

City of Greeley Three-Mile Plan: Conceptual Land Use Map - Carestream Site



Legend

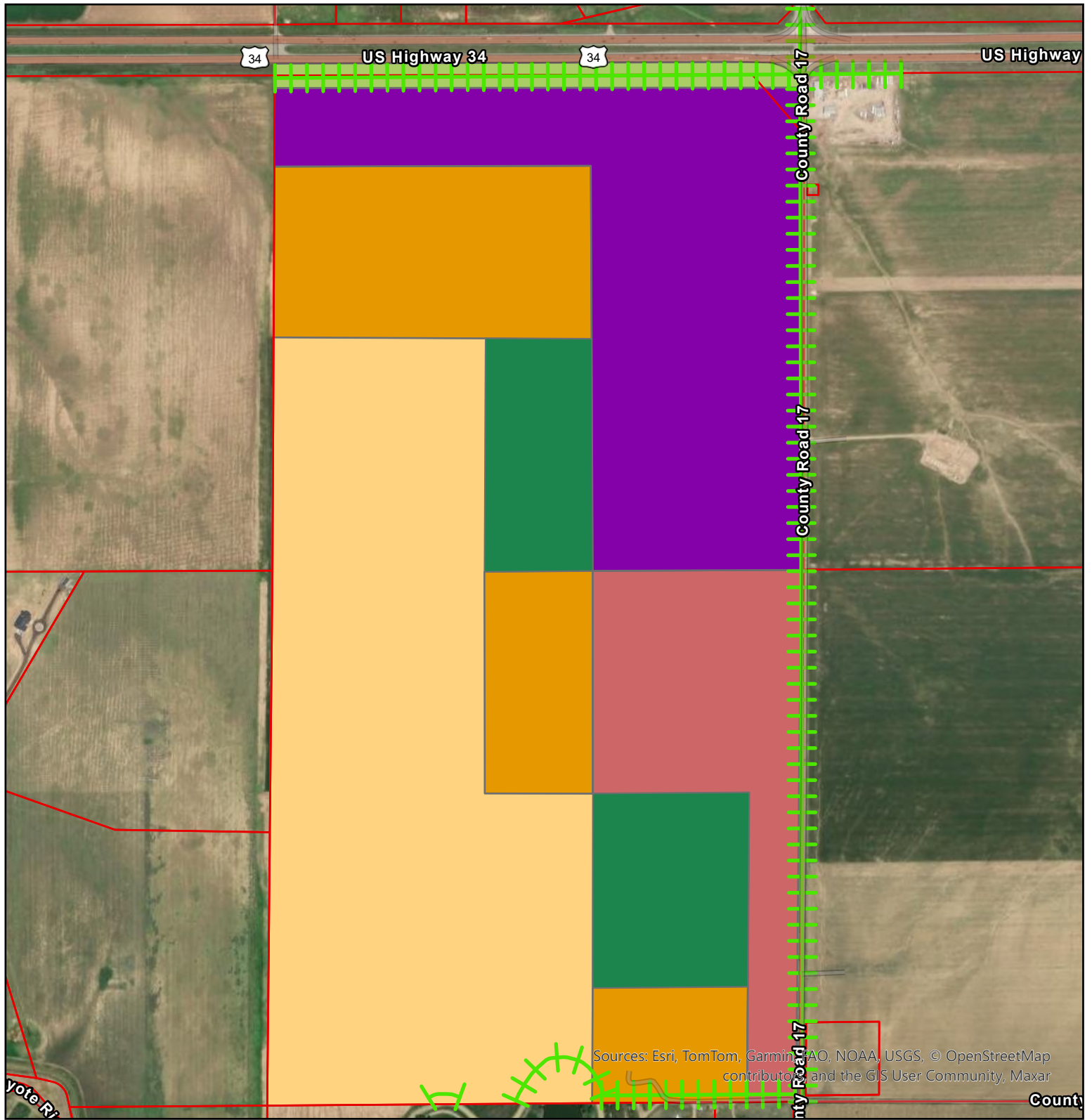
- Carestream Site Location
- Greeley City Limits
- Long Range Expected Growth Area (LREGA)
- Parcels
- Commercial, Employment, and Industrial Areas
- Mixed Use High Intensity

- Parks, Open Spaces, and Natural Areas
- Suburban
- Trail Corridors

0 0.25 0.51 1.01 Miles

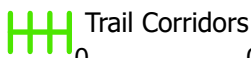


City of Greeley Three-Mile Plan: Conceptual Land Use Map - Hankins Farm Site



Legend

- | | | | |
|---|---|---|--------------------------|
|  | Parcels |  | Mixed Use High Intensity |
|  | Entryway Character Corridor |  | Mixed Use Low Intensity |
|  | Parks, Open Spaces, and Natural Areas |  | Suburban |
|  | Commercial, Employment, and Industrial Area |  | Trail Corridors |



0

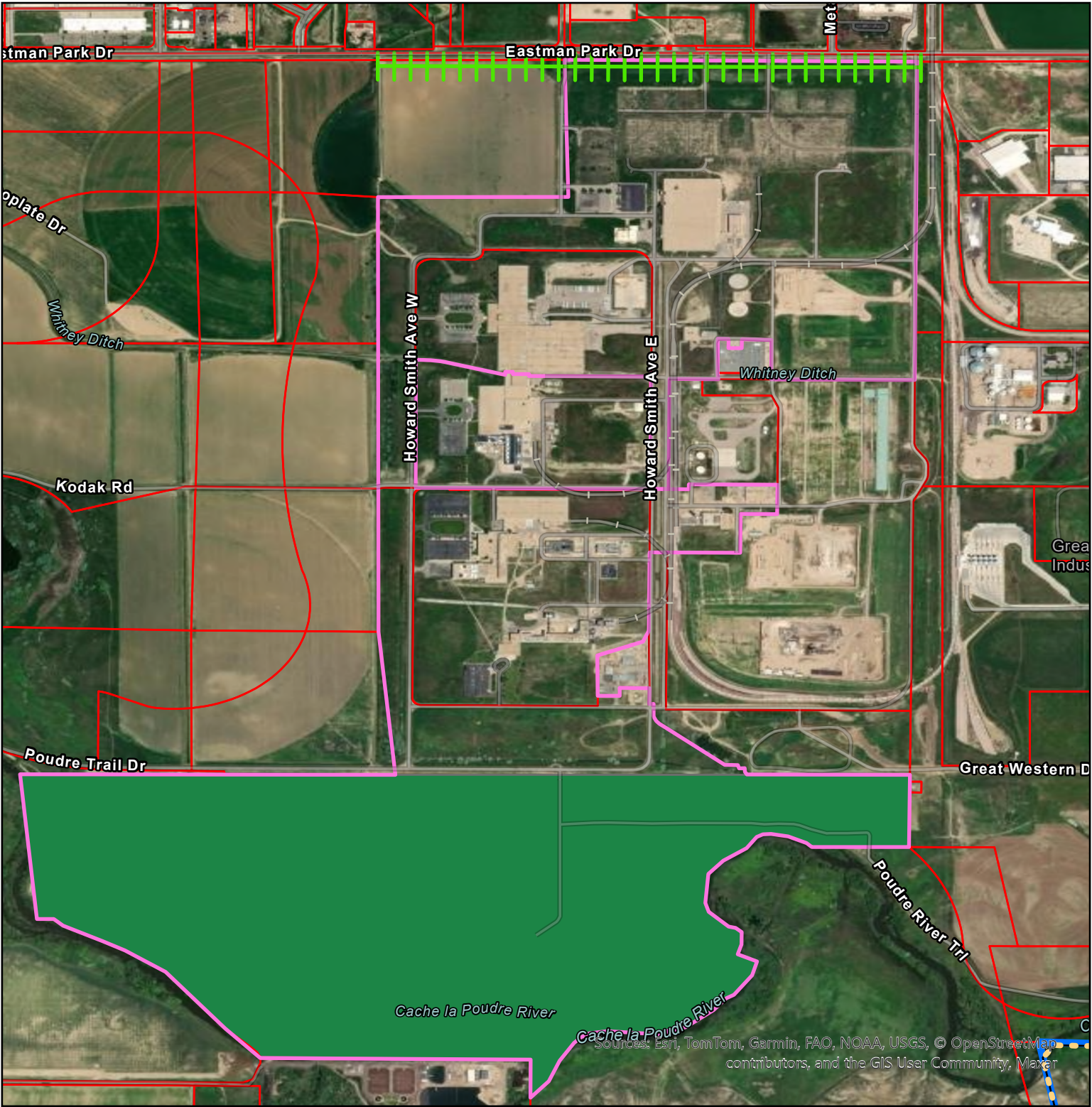
0.13

0.25

0.5 Miles



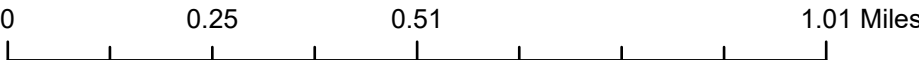
City of Greeley Three-Mile Plan: Conceptual Water & Sewer Map - Carestream Site



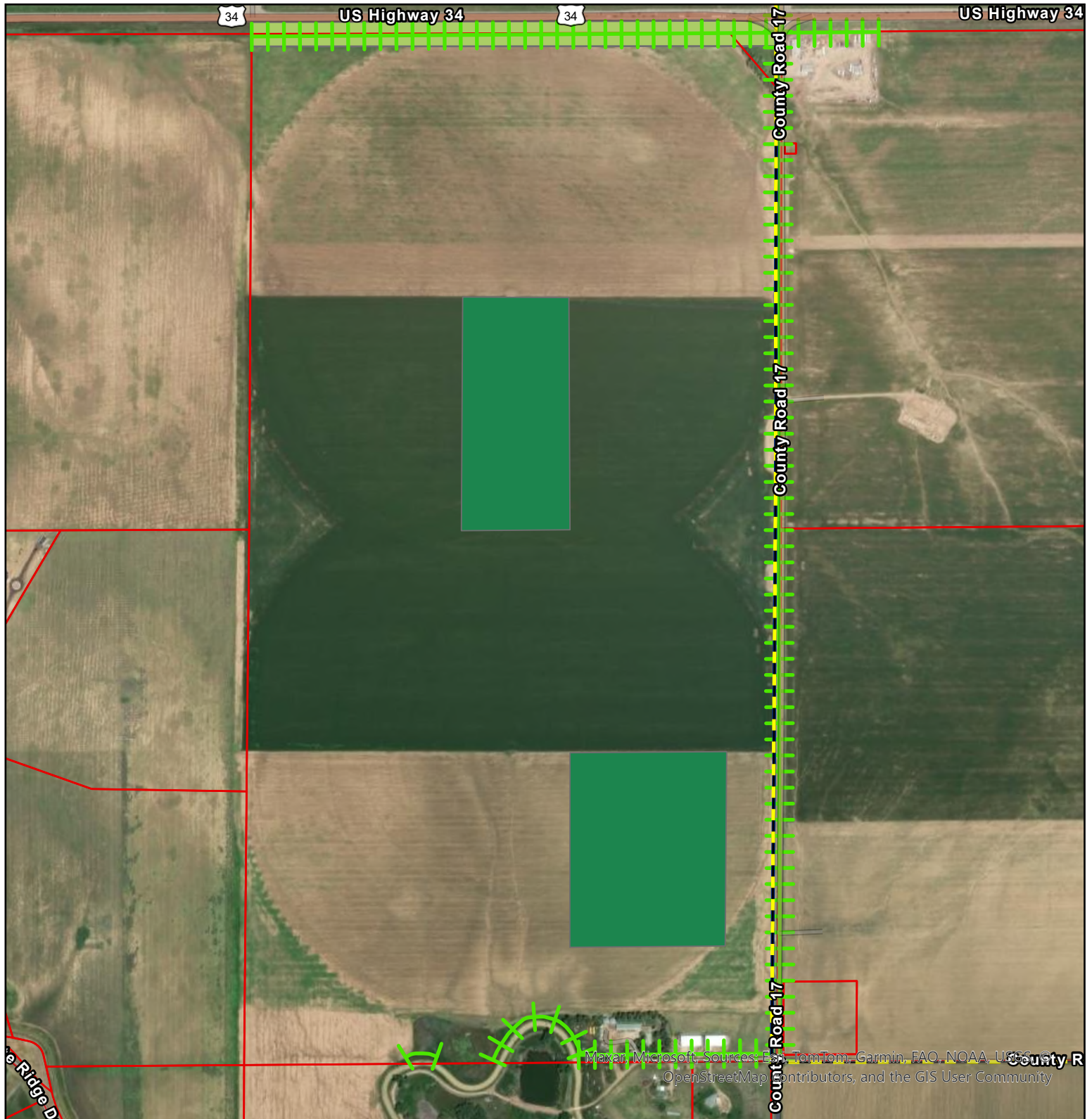
Legend

- Carestream Site Location
- Greeley City Limits
- Long Range Expected Growth Area (LREGA)

- Parcels
- Parks, Open Spaces, and Natural Areas
- Trail Corridors

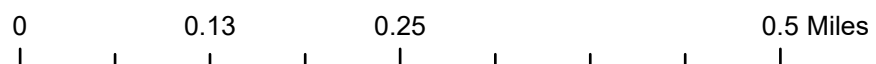


City of Greeley Three-Mile Plan:
Conceptual Parks, Open Spaces, Natural Areas Map - Hankins Farm Site

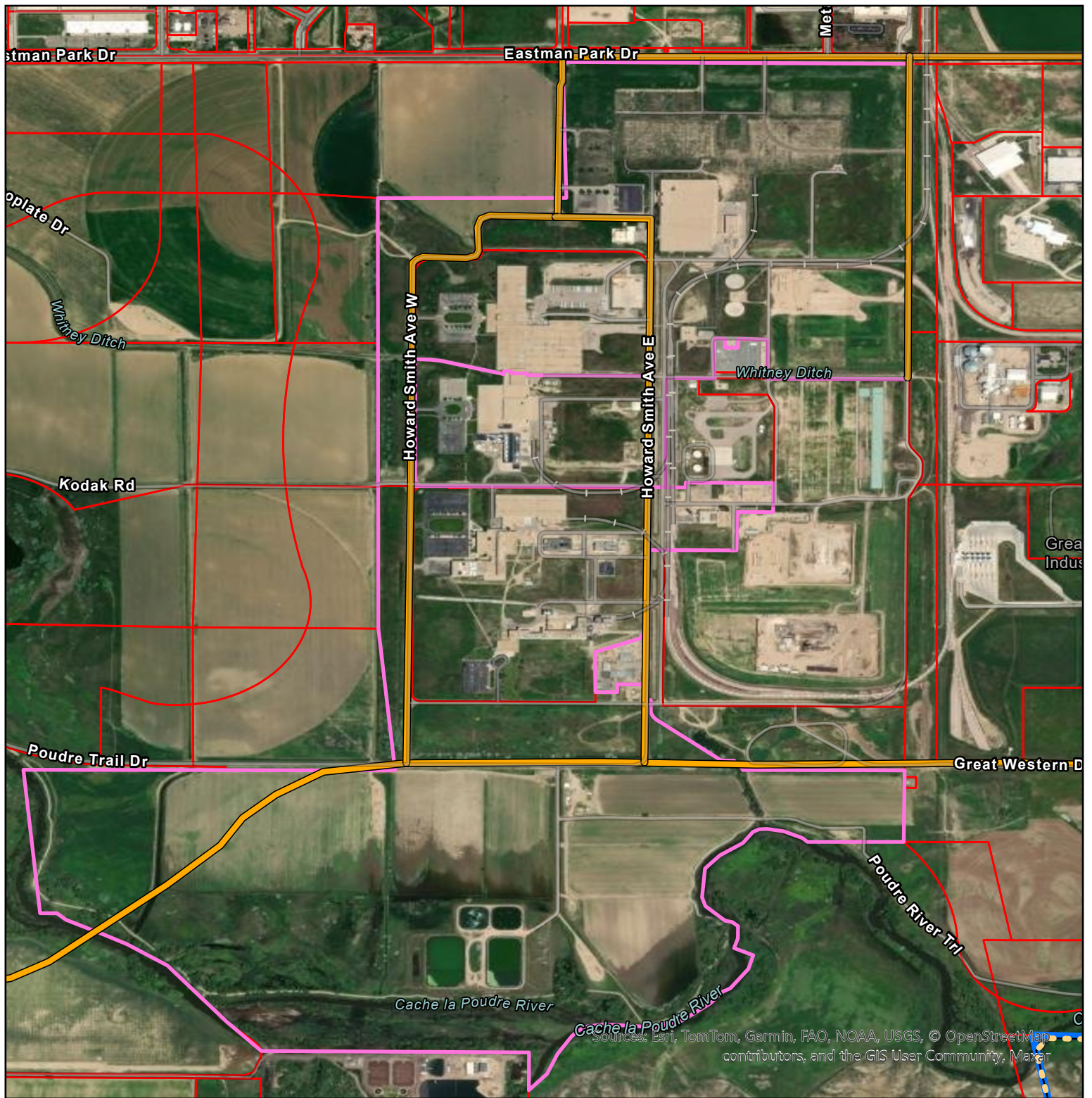


Legend

-  Parcels
  Trail Corridors
-  Entryway Character Corridor
  Long Range Expected Growth Area
-  Parks, Open Spaces, and Natural Areas
  Greeley City Limits



City of Greeley Three-Mile Plan: Conceptual Transportation Map - Carestream Site



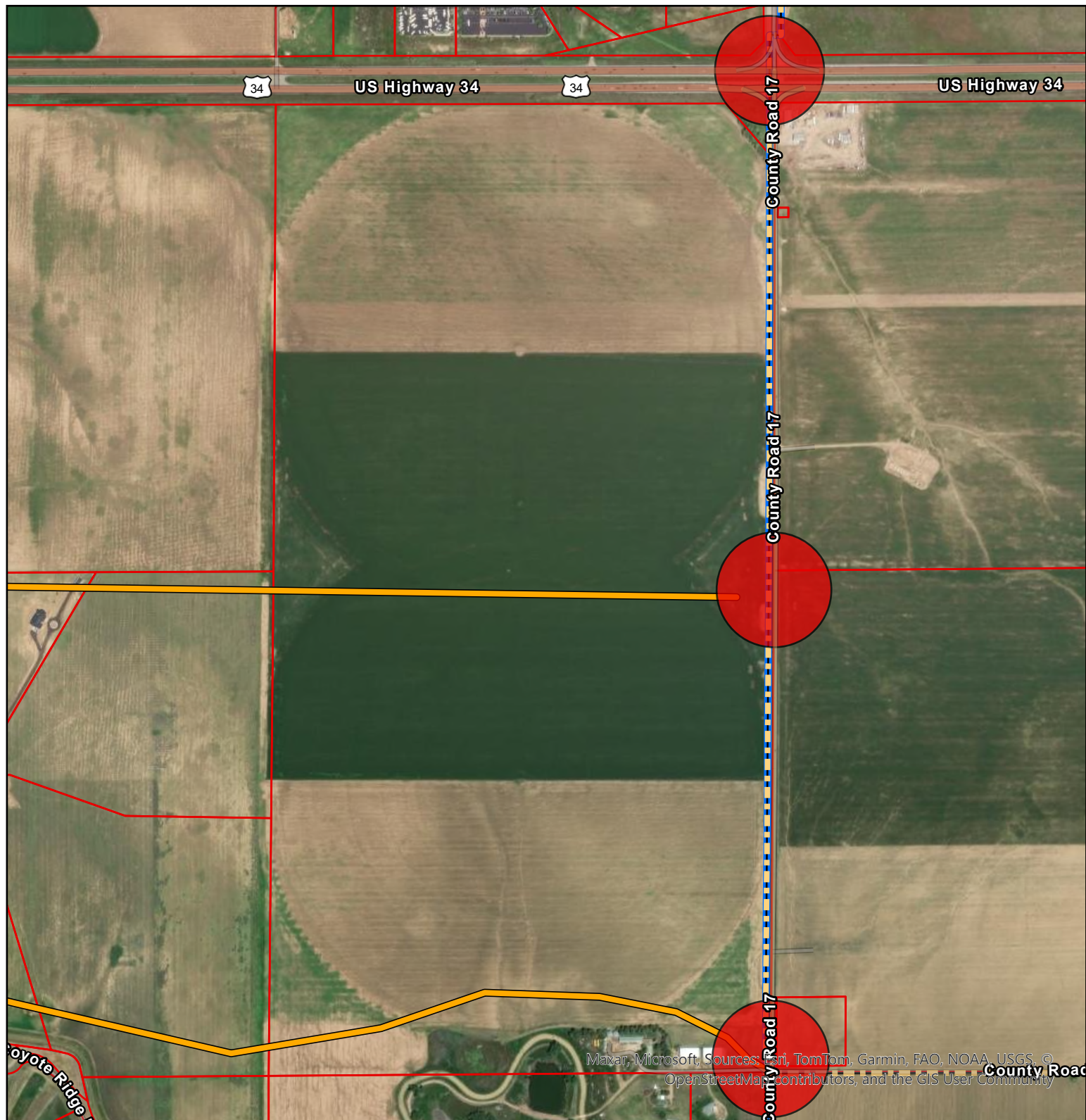
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- Carestream Site Location
- Greeley City Limits
- Long Range Expected Growth Area (LREGA)
- Parcels
- Proposed Arterial or Collector Street Network



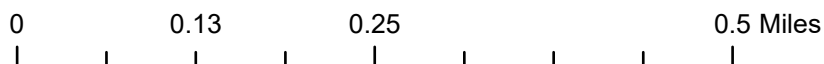
0 0.25 0.51 1.01 Miles

City of Greeley Three-Mile Plan: Conceptual Transportation Map - Hankins Farm Site

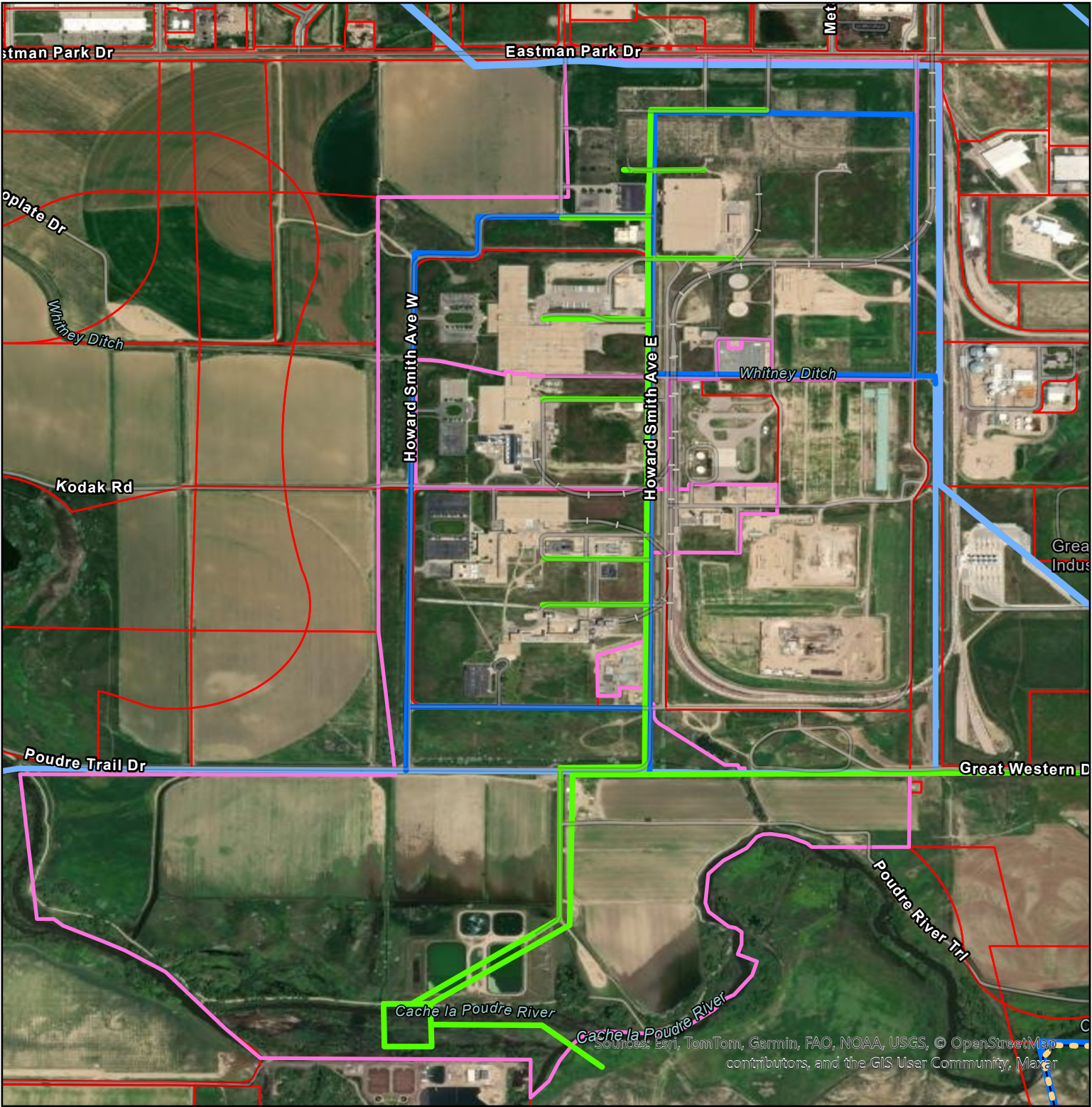


Legend

-  Greeley City Limits
-  Long Range Expected Growth Area (LREGA)
-  Parcels
-  Proposed Arterial or Collector Street Network
-  Proposed Intersection Improvements



City of Greeley Three-Mile Plan: Conceptual Water & Sewer Map - Carestream Site



Legend

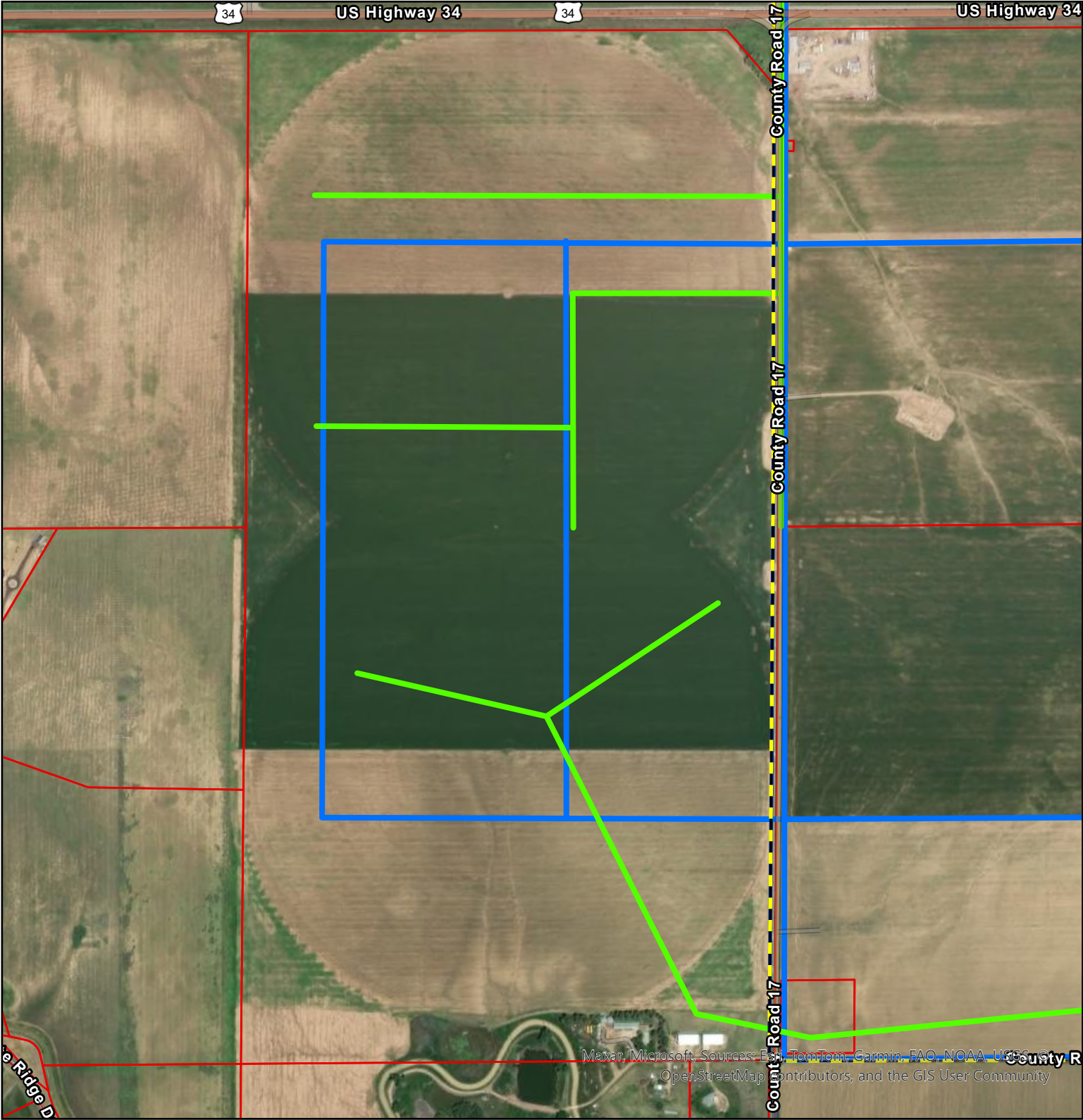
- Carestream Site Location
- Greeley City Limits
- Long Range Expected Growth Area (LREGA)

- Parcels
- Existing Water Lines
- Proposed Water Lines
- Proposed Sewer Lines



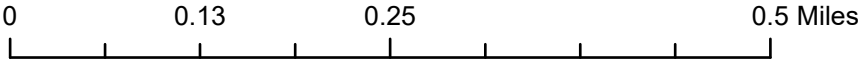
0 0.25 0.51 1.01 Miles

City of Greeley Three-Mile Plan: Conceptual Water & Sewer Map - Hankins Farm Site

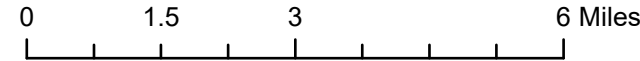
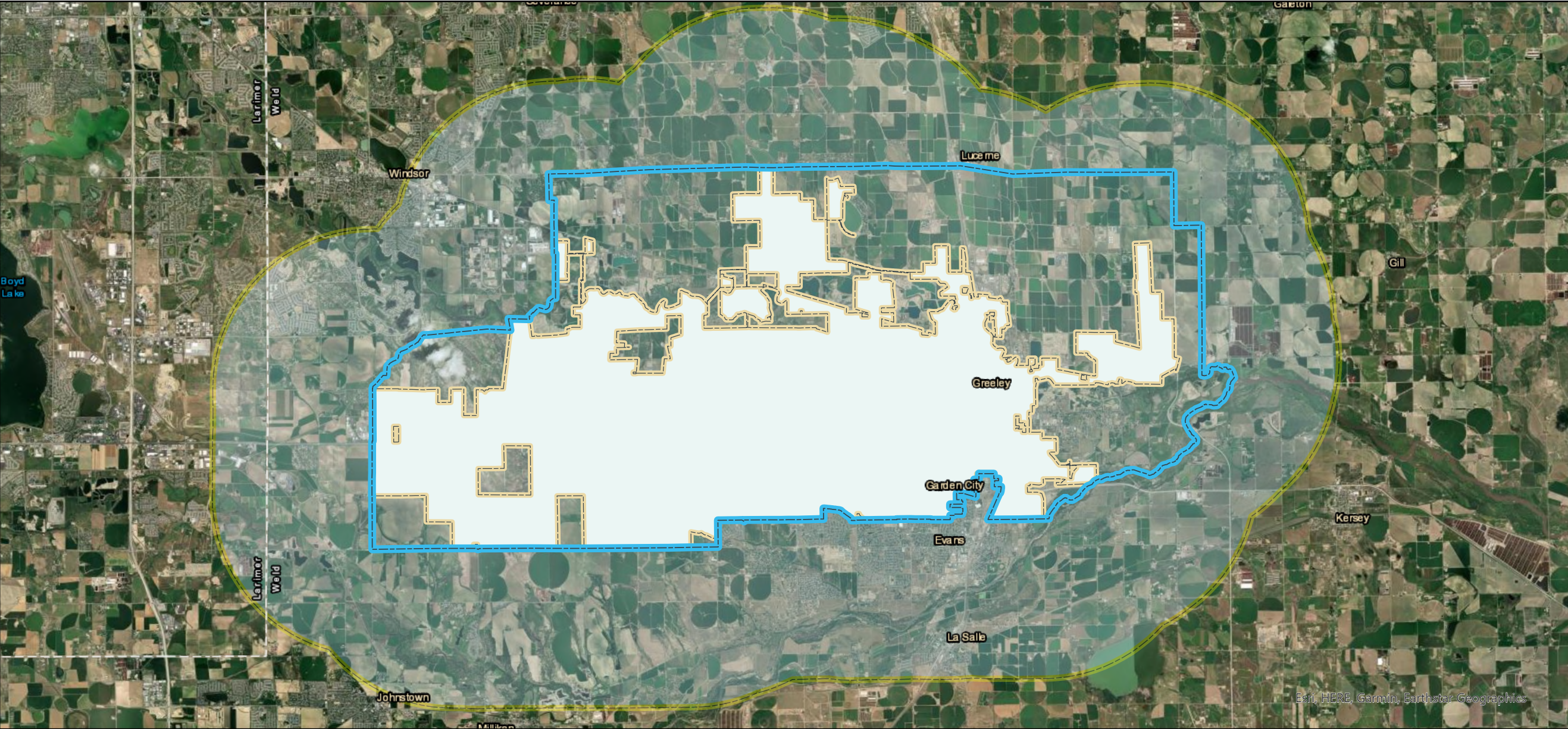


Legend

- Parcels
- Proposed Water Lines
- Proposed Sewer Lines
- Long Range Expected Growth Area
- Greeley City Limits



City of Greeley Three Mile Plan Boundary



- Three Mile Plan Buffer
- Long-Range Expected Growth Area (LREGA)
- Greeley City Limits

**DEPARTMENT OF PLANNING SERVICES**

(970) 400-6100
1402 N 17TH Avenue
Greeley, CO 80631

April 15, 2025

Michael Franke
1100 10th Street
Greeley, CO 80631

Via email to michael.franke@greeleygov.com

Re: City of Greeley Three Mile Plan

Dear Michael:

Thank you for the opportunity to comment on this proposal. The Weld County Departments of Planning Services and Public Works have reviewed this proposal and submit the following comments for your consideration.

An approved, amended Site Plan Review (SPR) is in place for the Carestream property, 3AMSPR19-99-293, recorded under reception number 4555316 on January 2, 2020, attached.

The Hankins property (parcel 095717000016) does not have any SPR, Use by Special Review (USR), or zoning permits in place. The property immediately south (parcels 095720100006, 095720100011, and 095720400010), also owned by Hankins Farm, LLC, has an approved USR for a recreational facility (USR14-0033). Parcel 095720100005, owned by David Hankins, contains a USR approved in 1984 for a natural gas facility (USR-585), which appears to have been removed sometime prior to 1998.

The enclaved Alter Trading Corporation (Iron Ridge) property (095709000009) is located approximately one-half mile east of the Hankins property. This property has a USR for a salvage yard (USR-486) and is also listed in our records as a legal, nonconforming use (NCU-28). Weld County recommends enclaved properties be annexed as soon as practicable.

More information is available online on the Weld County Property Portal at <https://maps.weld.gov/propertyportal/>.

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Department of Planning Services



April 18, 2025

Michael Franke, AICP, Planner III
City of Greeley Community Development
1100 10th Street
Greeley, CO 80631

Subject: City of Greeley Three Mile Plan referral 2025

Dear Mr. Franke,

Thank you for the opportunity to provide comments regarding the City of Greeley's proposed Three Mile Plan. As you may be aware, the proposed Plan includes areas of overlap with Windsor's Growth Management Area and several other adopted plans and agreements outlined as follows:

Growth Management Area

The area labeled as "Carestream Site" in the proposed Plan has been within the Town of Windsor's Growth Management Area (GMA) for more than 25 years, and the Town has worked cooperatively with the surrounding property owners to plan and develop the Great Western Industrial Park and future mixed-use development in the area. The land within the GMA is anticipated to be served with municipal services and infrastructure to support future development. Areas in the GMA are anticipated to be annexed into the Town in the future. The subject area is adjacent to Windsor utilities and transportation network (please see attached).

NFRWQPA Section 208 Boundary

The Areawide Water Quality Management Plan (Regional Plan) adopted by the North Front Range Water Quality Planning Association (NFRWQPA) details the regional considerations for the protection of water quality. In so doing, it projects growth and development trends in the area and establishes a rational plan for accommodating growth. A plan objective is to avoid unacceptable adverse environmental impacts, which might be caused by allowing wastewater services to be provided through numerous entities for facilities in an uncoordinated fashion. (https://www.nfrwqpa.org/208-plan-amendment-process?utm_source=chatgpt.com)

NFRWQPA identifies the "Carestream Site" as part of the Town of Windsor's 208 Plan Boundary and excludes the site from Greeley's 208 Plan Boundary (please see attached).

Windsor-Greeley Intergovernmental Agreement

The Town of Windsor and City of Greeley have a long history of cooperation regarding land use planning, having entered into multiple intergovernmental agreements over the past 25 years. However, the area labeled as "Carestream Area" was not even identified as part of the Cooperative Planning Area as defined in the Windsor-Greeley intergovernmental agreement as

the property is for all intents and purposes an enclave surrounded by Windsor's incorporated boundary.

Colorado Statutes Regarding Annexation

The legislative intent of a three mile planning area is to promote orderly growth and logical land use patterns and to discourage practices such as "flagpole" annexations. The area labeled as "Carestream Site" in the proposed plan is surrounded on all sides by the Town of Windsor's incorporated limits having over 99% contiguity with Windsor and less than 1% contiguity with Greeley. The proposed plan would essentially create an extreme example of a flagpole annexation that is inconsistent with annexation statutes (please see attached).

The proposed Three Mile Plan specifically contradicts the following legislative declarations:

31-12-102. Legislative declaration.

(1) The general assembly hereby declares that the policies and procedures in this part 1 are necessary and desirable for the orderly growth of urban communities in the state of Colorado, and to these ends this part 1 shall be liberally construed. The general assembly further declares that it is the purpose of this part 1:

(a) **To encourage natural and well-ordered development of municipalities of the state;** (emphasis added)

(b) **To distribute fairly and equitably the costs of municipal services among those persons who benefit therefrom;** (emphasis added)

(c) **To extend municipal government, services, and facilities to eligible areas which form a part of the whole community;** (emphasis added)

(d) **To simplify governmental structure in urban areas;** (emphasis added)

(e) **To provide an orderly system for extending municipal regulations to newly annexed areas;** (emphasis added)

(f) **To reduce friction among contiguous or neighboring municipalities;** (emphasis added)

(g) **To increase the ability of municipalities in urban areas to provide their citizens with the services they require;** (emphasis added)

Furthermore, the proposed "Carestream Area" described in the Three Mile Plan is currently eligible for annexation to Windsor with as the property boundary is more than 99% contiguous with Windsor's incorporated boundary. The "Carestream Area" is not contiguous with Greeley.

31-12-104. Eligibility for annexation.

(1) No unincorporated area may be annexed to a municipality unless one of the conditions set forth in section 30 (1) of article II of the state constitution first has been met. An area is eligible for annexation if the provisions of section 30 of article II of the state constitution have been complied with and the governing body, at a hearing as provided in section 31-12-109, finds and determines:

(a) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality. Contiguity shall not be affected by the existence of a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way or area, public lands, whether owned by the state, the United States, or an agency thereof, except county-owned open space, or a lake, reservoir, stream, or other natural or artificial waterway between the annexing municipality and the land proposed to be annexed. Subject to the requirements imposed by section 31-12-105 (1)(e), contiguity may be established by the annexation of one or more parcels in a series, which annexations may be completed simultaneously and considered together for the purposes of the public hearing required by

sections 31-12-108 and 31-12-109 and the annexation impact report required by section 31-12-108.5.

(b) *That a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality.* (emphasis added)

(2)(a) The contiguity required by paragraph (a) of subsection (1) of this section may not be established by use of any boundary of an area which was previously annexed to the annexing municipality if the area, at the time of its annexation, was not contiguous at any point with the boundary of the annexing municipality, was not otherwise in compliance with paragraph (a) of subsection (1) of this section, and was located more than three miles from the nearest boundary of the annexing municipality, nor may such contiguity be established by use of any boundary of territory which is subsequently annexed directly to, or which is indirectly connected through subsequent annexations to, such an area.

(b) *Because the creation or expansion of disconnected municipal satellites, which are sought to be prohibited by this subsection* (emphasis added) (2), violates both the purposes of this article as expressed in section 31-12-102 and the limitations of this article, any annexation which uses any boundary in violation of this subsection (2) may be declared by a court of competent jurisdiction to be void ab initio in addition to other remedies which may be provided. The provisions of section 31-12-116 (2) and (4) and section 31-12-117 shall not apply to such an annexation. Judicial review of such an annexation may be sought by any municipality having a plan in place pursuant to section 31-12-105 (1)(e) directly affected by such annexation, in addition to those described in section 31-12-116 (1). Such review may be, but need not be, instituted prior to the effective date of the annexing ordinance and may include injunctive relief. Such review shall be brought no later than sixty days after the effective date of the annexing ordinance or shall forever be barred.

(c) Contiguity is hereby declared to be a fundamental element in any annexation, and this subsection (2) shall not in any way be construed as having the effect of legitimizing in any way any noncontiguous annexation.

Windsor-Weld County Coordinated Planning Agreement

The proposed Three Mile Plan is inconsistent with the Coordinated Planning Agreement (CPA) between Windsor and Weld County and the Three (3) Mile Area as described therein. The CPA is intended to be a Comprehensive Development Plan adopted and implemented pursuant to applicable Colorado Revised Statutes (please see attached).

Summary

The City of Greeley's proposed Three Mile Plan is inconsistent with numerous planning documents and statutes and conflicts with numerous adopted plans; therefore, Windsor recommends that Greeley remove the "Carestream Area" from the proposed plan.

Attachments

Windsor Comprehensive Plan excerpts

NFRWQA 208 maps

Weld County Coordinated Planning Agreement – Weld County Code Ordinance 2015-15
Colorado Revised Statutes 31-12-102 & 31-12-104 Regarding Annexation

Copy

Shane Hale, Town Manager

Eric Lucas, Deputy Town Manager

John Thornhill, Community Development Director

Dan Money, Town Attorney

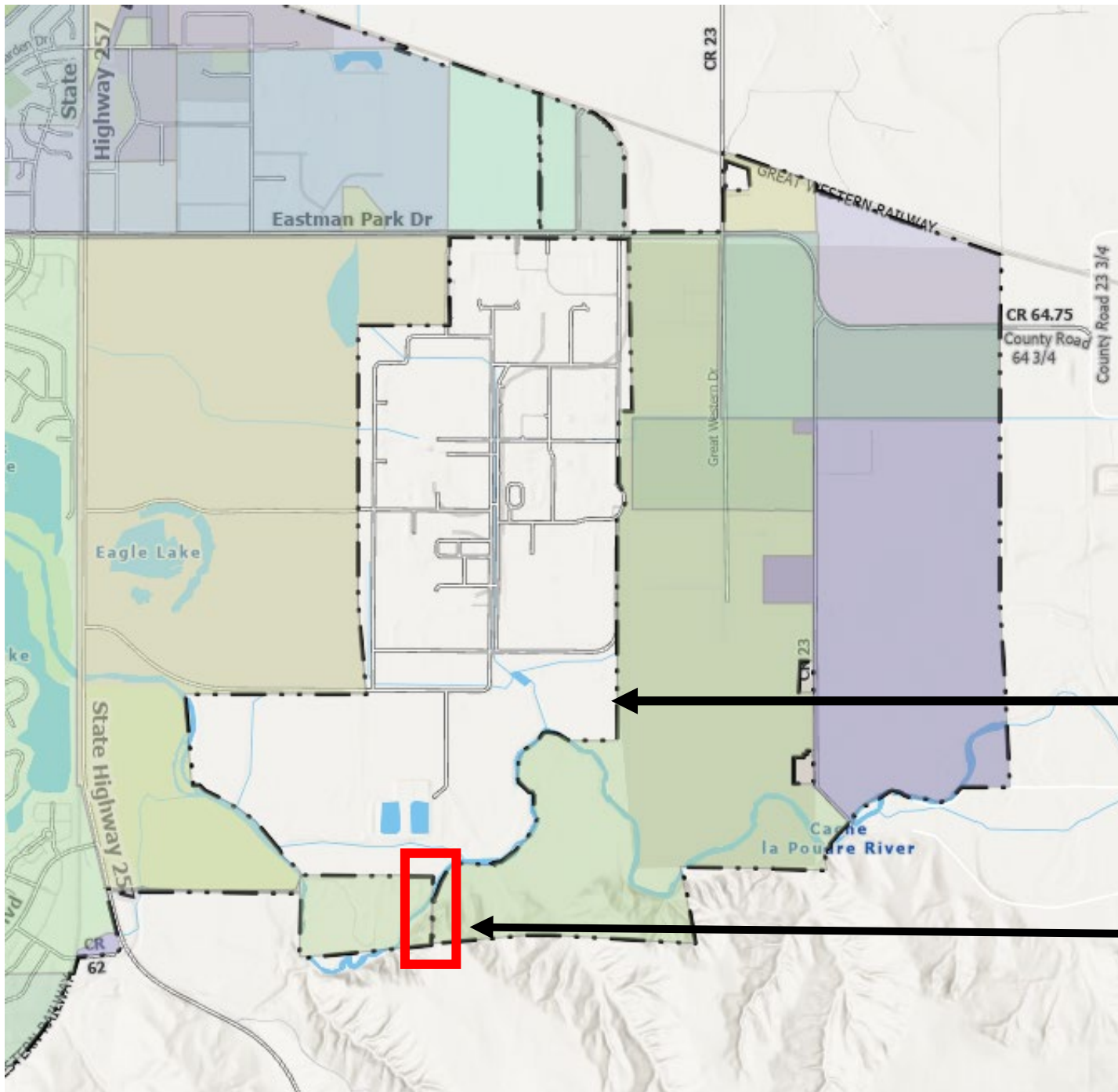
Town of Windsor Annexations

Contiguous boundary with
Town of Windsor Municipal
Limits:

~6.08 miles / 32,135 feet

~99.94% contiguity

See next slide for enlarged area



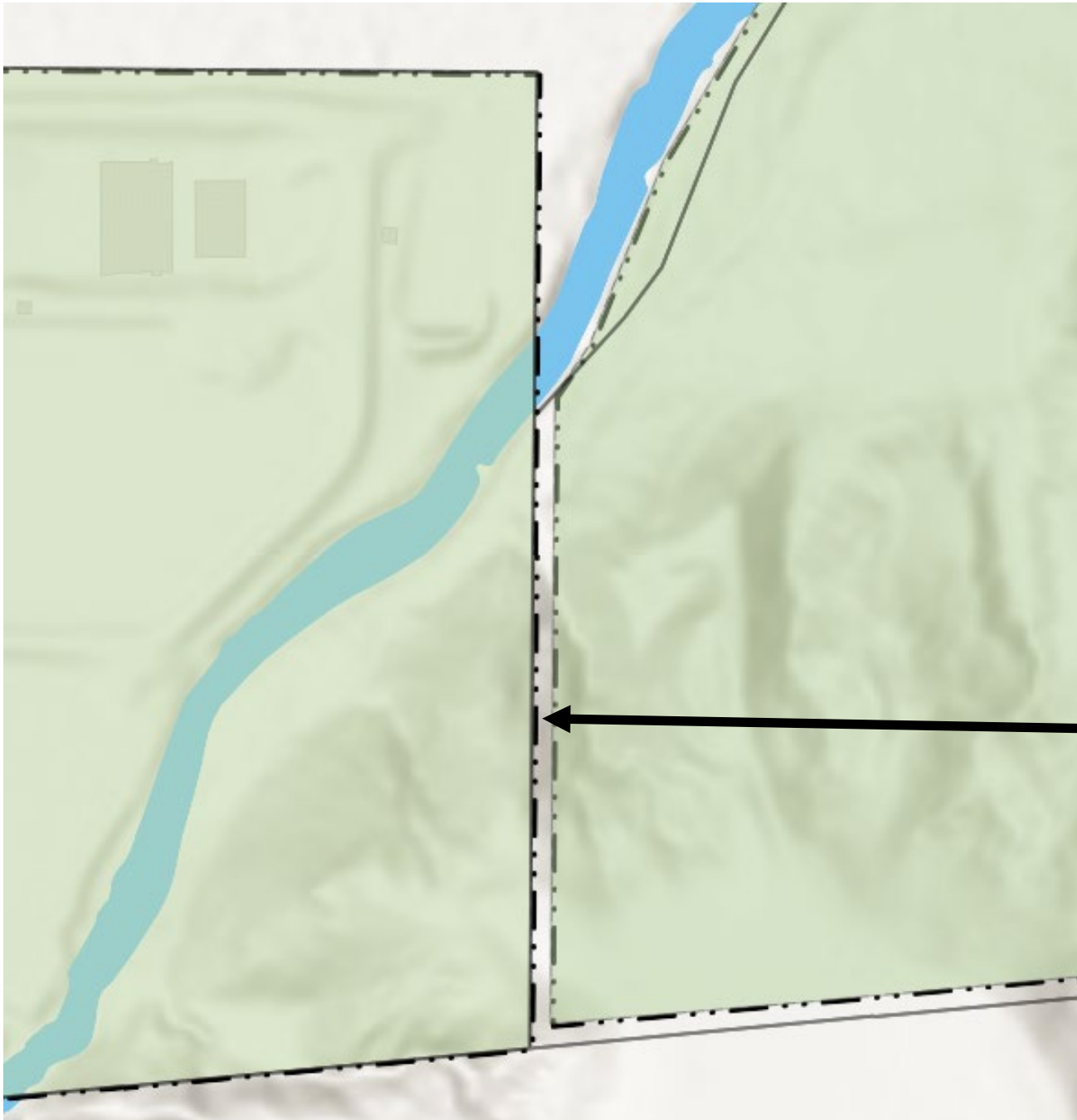
Town of Windsor Annexations

Contiguous boundary with
Town of Windsor Municipal
Limits:

~6.08 miles / 32,135 feet

~99.94% contiguity

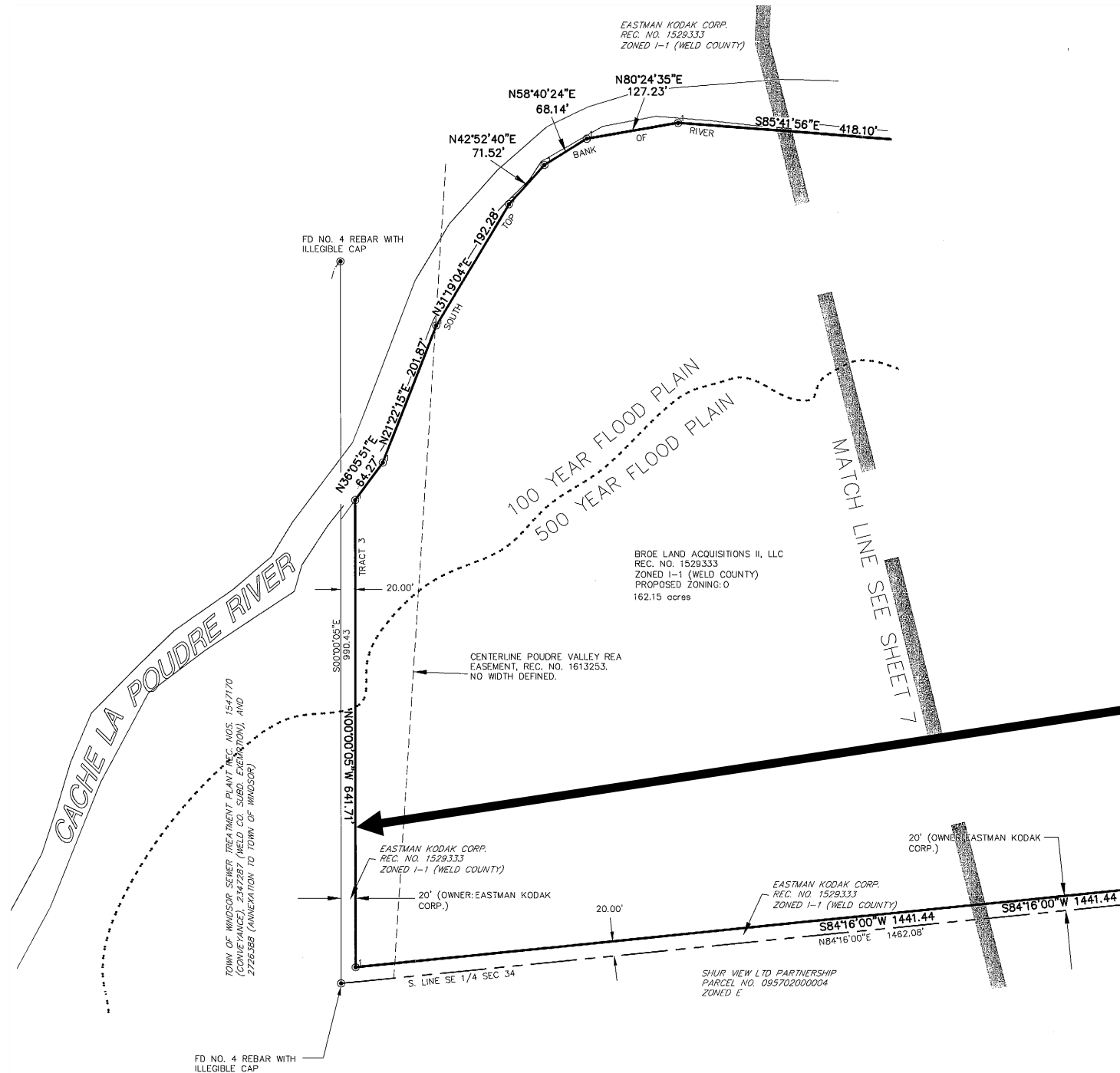
20-foot gap



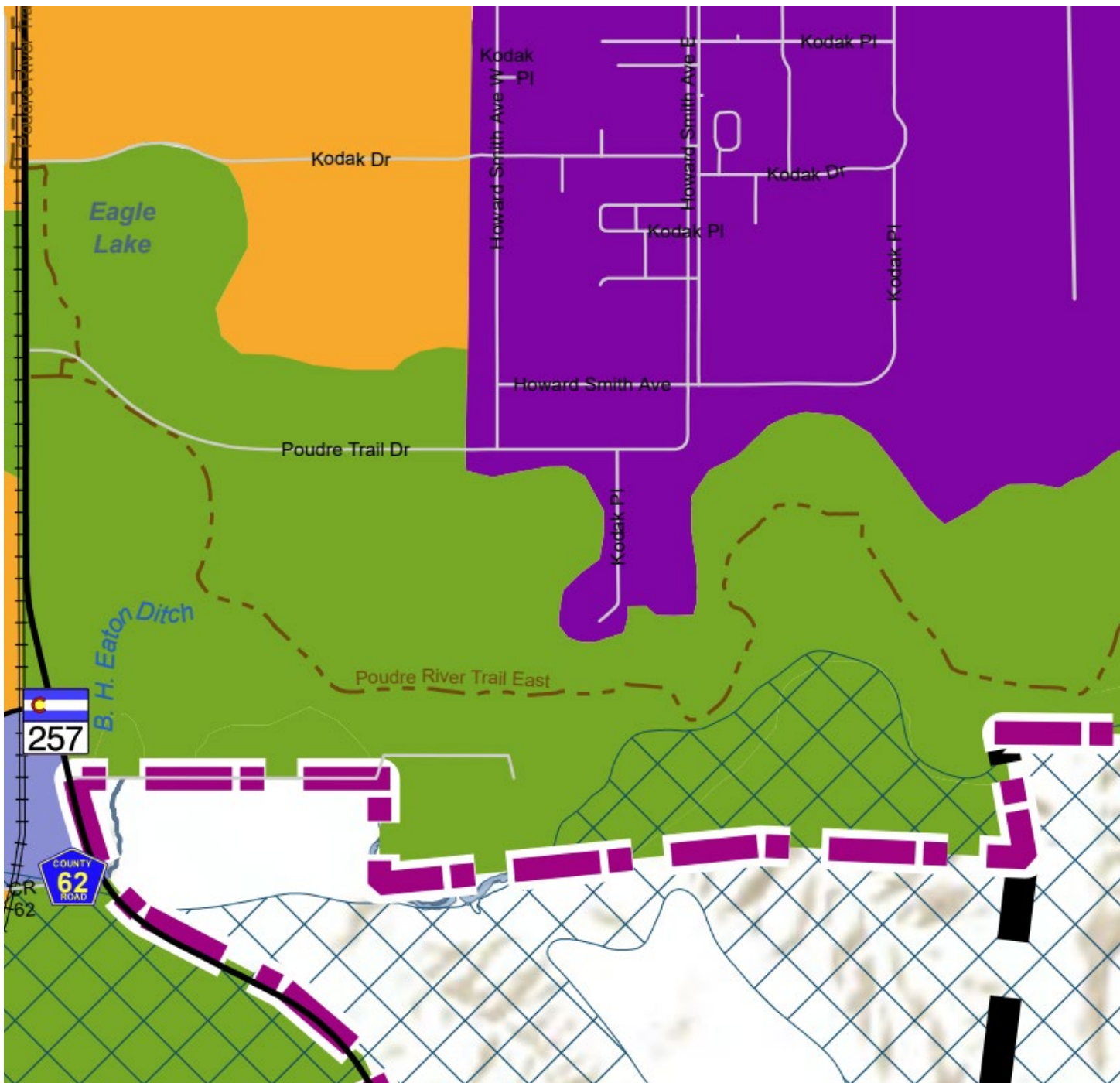
Great Western 3rd Annexation

~6.08 miles / 32,135
feet
~99.94% contiguity

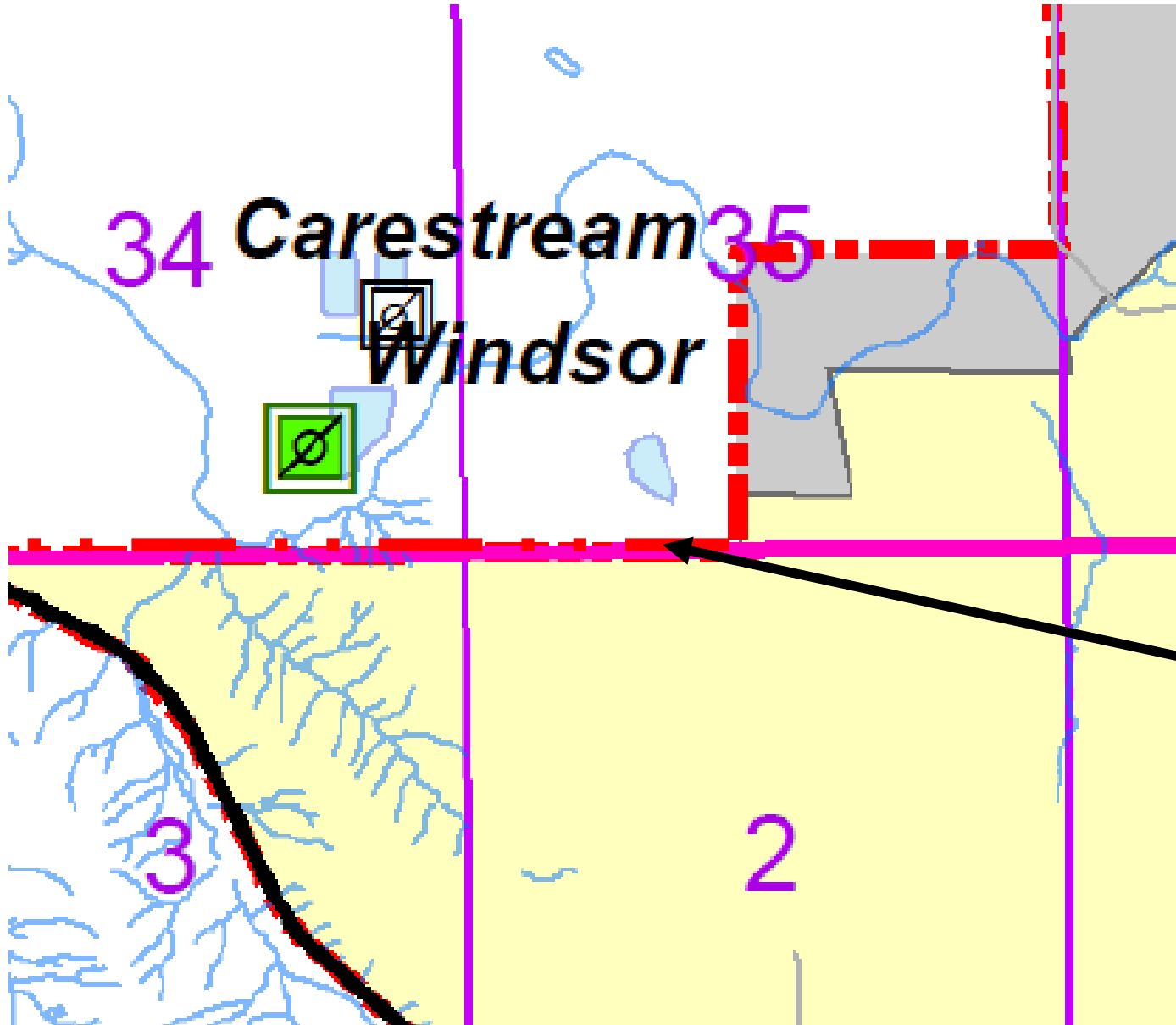
20-foot gap



Windsor Growth Management Area (GMA) Boundary

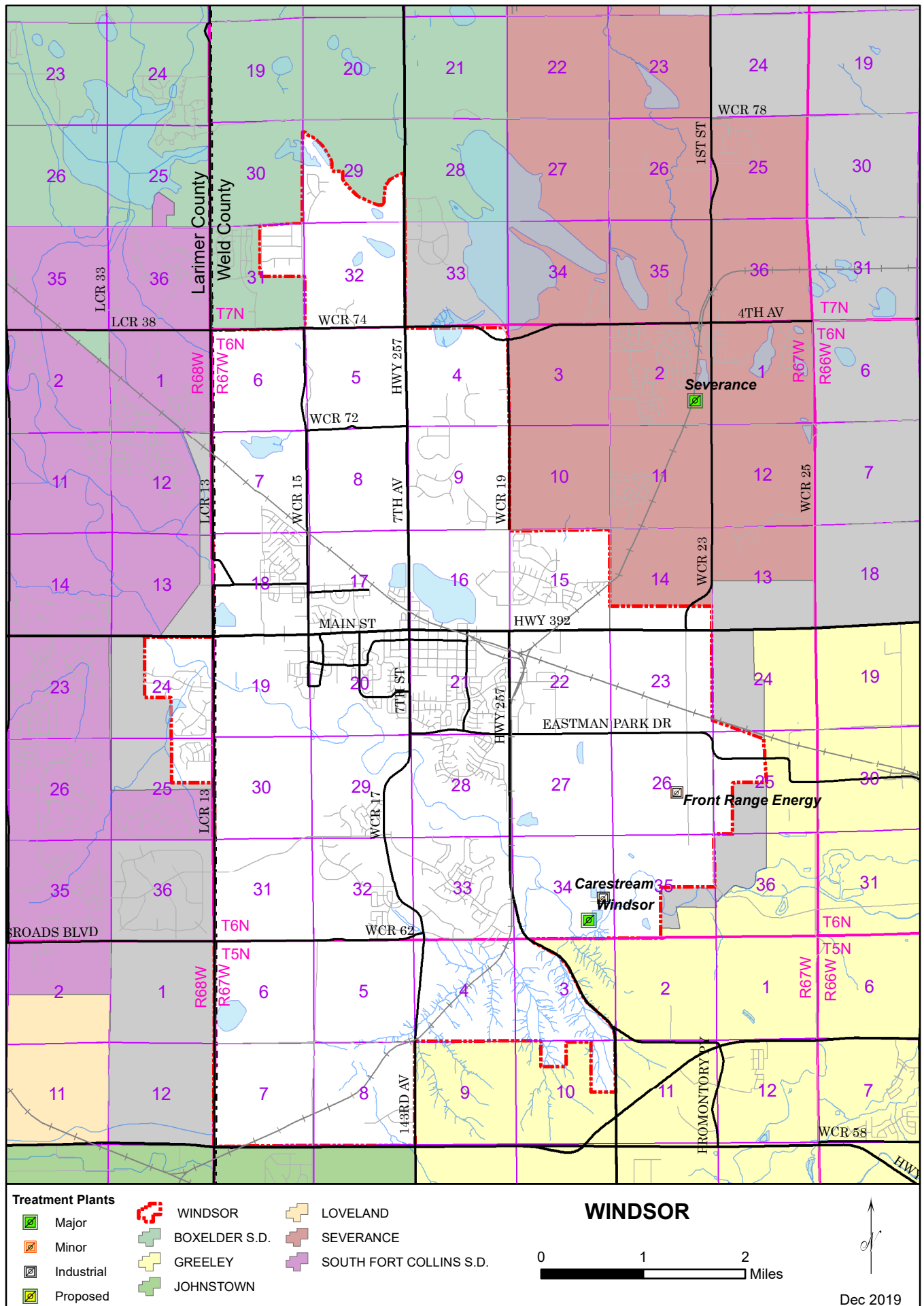


Windsor Wastewater Treatment Plant – NFRWQPA 208 Boundary

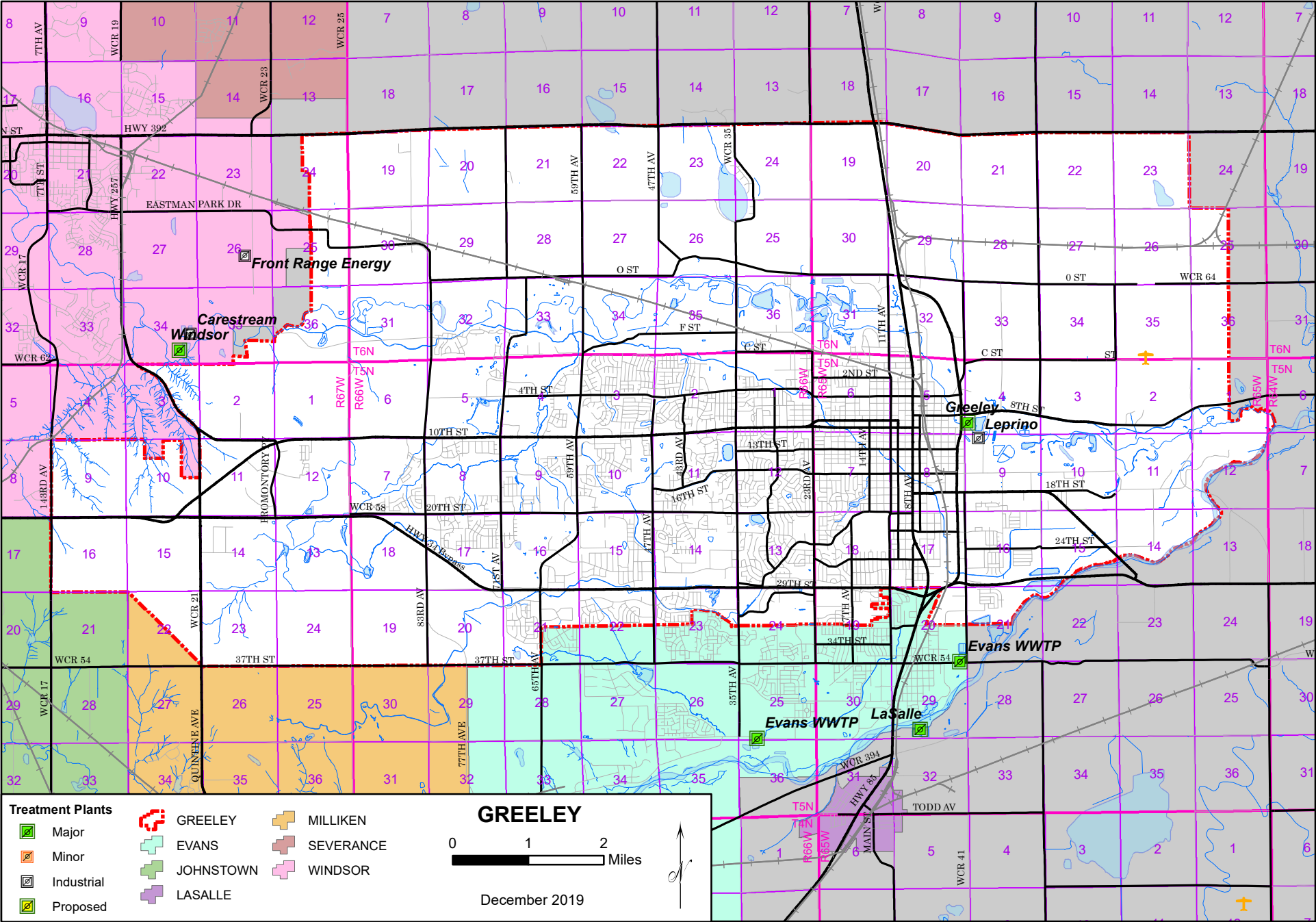


Treatment Plants		
	Major	 WINDSOR
	Minor	 BOXELDER S.D.
	Industrial	 GREELEY
	Proposed	 JOHNSTOWN
		 LOVELAND
		 SEVERANCE
		 SOUTH FORT COLLINS S.D.

NFRWQA 208 Boundaries



NFRWQA 208 Boundaries



Colorado Statutes Regarding Annexation

31-12-102. Legislative declaration.

(1) The general assembly hereby declares that the policies and procedures in this part 1 are necessary and desirable for the orderly growth of urban communities in the state of Colorado, and to these ends this part 1 shall be liberally construed. The general assembly further declares that it is the purpose of this part 1:

- (a) To encourage natural and well-ordered development of municipalities of the state;
- (b) To distribute fairly and equitably the costs of municipal services among those persons who benefit therefrom;
- (c) To extend municipal government, services, and facilities to eligible areas which form a part of the whole community;
- (d) To simplify governmental structure in urban areas;
- (e) To provide an orderly system for extending municipal regulations to newly annexed areas;
- (f) To reduce friction among contiguous or neighboring municipalities;
- (g) To increase the ability of municipalities in urban areas to provide their citizens with the services they require; and
- (h) To respect the sovereignty of federally recognized Indian tribes with lands within the exterior boundaries of a federally recognized Indian reservation and within the exterior boundaries of the state, to reduce the jurisdictional complexities that arise when municipalities annex Indian reservation land, and to ensure cooperation and collaboration by municipalities with tribal governments.

(2) The general assembly further declares that:

- (a) Section 30 of article II of the state constitution was added to the state constitution as a voter-approved ballot measure in 1980;
- (b) Since its adoption, section 30 of article II of the state constitution has been in lawful force and effect. As part of the state constitution, all annexations since its enactment have been or should have been undertaken subject to its terms.
- (c) By enacting House Bill 10-1259, enacted in 2010, which amends various provisions of this part 1, the general assembly does not intend to change the law governing annexations in the state but rather to better harmonize the provisions of this part 1 with those of section 30 of article II of the state constitution.

31-12-104. Eligibility for annexation.

(1) No unincorporated area may be annexed to a municipality unless one of the conditions set forth in section 30 (1) of article II of the state constitution first has been met. An area is eligible for annexation if the provisions of section 30 of article II of the state constitution have been complied with and the governing body, at a hearing as provided in section 31-12-109, finds and determines:

- (a) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality. Contiguity shall not be affected by the existence of a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way or area, public lands, whether owned by the state, the United States, or an agency thereof, except county-owned open space, or a lake, reservoir, stream, or other natural or artificial waterway between the annexing municipality and the land proposed to be annexed. Subject to the requirements imposed by section 31-12-105 (1)(e), contiguity may be established by the annexation of one or more parcels in a series, which annexations may be completed simultaneously and considered together for the purposes of the public hearing required by

sections 31-12-108 and 31-12-109 and the annexation impact report required by section 31-12-108.5.

(b) That a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality. The fact that the area proposed to be annexed has the contiguity with the annexing municipality required by paragraph (a) of this subsection (1) shall be a basis for a finding of compliance with these requirements unless the governing body, upon the basis of competent evidence presented at the hearing provided for in section 31-12-109, finds that at least two of the following are shown to exist:

(I) Less than fifty percent of the adult residents of the area proposed to be annexed make use of part or all of the following types of facilities of the annexing municipality: Recreational, civic, social, religious, industrial, or commercial; and less than twenty-five percent of said area's adult residents are employed in the annexing municipality. If there are no adult residents at the time of the hearing, this standard shall not apply.

(II) One-half or more of the land in the area proposed to be annexed (including streets) is agricultural, and the landowners of such agricultural land, under oath, express an intention to devote the land to such agricultural use for a period of not less than five years.

(III) It is not physically practicable to extend to the area proposed to be annexed those urban services which the annexing municipality provides in common to all of its citizens on the same terms and conditions as such services are made available to such citizens. This standard shall not apply to the extent that any portion of an area proposed to be annexed is provided or will within the reasonably near future be provided with any service by or through a quasi-municipal corporation.

(2)

(a) The contiguity required by paragraph (a) of subsection (1) of this section may not be established by use of any boundary of an area which was previously annexed to the annexing municipality if the area, at the time of its annexation, was not contiguous at any point with the boundary of the annexing municipality, was not otherwise in compliance with paragraph (a) of subsection (1) of this section, and was located more than three miles from the nearest boundary of the annexing municipality, nor may such contiguity be established by use of any boundary of territory which is subsequently annexed directly to, or which is indirectly connected through subsequent annexations to, such an area.

(b) Because the creation or expansion of disconnected municipal satellites, which are sought to be prohibited by this subsection (2), violates both the purposes of this article as expressed in section 31-12-102 and the limitations of this article, any annexation which uses any boundary in violation of this subsection (2) may be declared by a court of competent jurisdiction to be void ab initio in addition to other remedies which may be provided. The provisions of section 31-12-116 (2) and (4) and section 31-12-117 shall not apply to such an annexation. Judicial review of such an annexation may be sought by any municipality having a plan in place pursuant to section 31-12-105 (1)(e) directly affected by such annexation, in addition to those described in section 31-12-116 (1). Such review may be, but need not be, instituted prior to the effective date of the annexing ordinance and may include injunctive relief. Such review shall be brought no later than sixty days after the effective date of the annexing ordinance or shall forever be barred.

(c) Contiguity is hereby declared to be a fundamental element in any annexation, and this subsection (2) shall not in any way be construed as having the effect of legitimizing in any way any noncontiguous annexation.

**WELD COUNTY
CODE ORDINANCE 2015-15**

**IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 19
COORDINATED PLANNING AGREEMENTS, OF THE WELD COUNTY CODE**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
WELD, STATE OF COLORADO:**

WHEREAS, the Board of County Commissioners of the County of Weld, State of Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

WHEREAS, the Board of County Commissioners, on December 28, 2000, adopted Weld County Code Ordinance 2000-1, enacting a comprehensive Code for the County of Weld, including the codification of all previously adopted ordinances of a general and permanent nature enacted on or before said date of adoption, and

WHEREAS, the Weld County Code is in need of revision and clarification with regard to procedures, terms, and requirements therein.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of the County of Weld, State of Colorado, that certain existing Chapters of the Weld County Code be, and hereby are, repealed and re-enacted, with amendments, and the various Chapters are revised to read as follows.

**CHAPTER 19
COORDINATED PLANNING AGREEMENTS**

**ARTICLE VI
Windsor Plan**

Sec. 19-6-10. Introduction.

This Coordinated Planning Agreement ("CPA") is made and entered into effective as of the 2nd day of November, 2015, A.D., between the Board of County Commissioners of the County of Weld, State of Colorado, whose address is 1150 O Street, Greeley, CO 80631, hereinafter called the "COUNTY," and the Town of Windsor, a Colorado municipal corporation, whose address is 301 Walnut Street, Windsor, CO 80550, hereinafter called the "MUNICIPALITY." The COUNTY and MUNICIPALITY are hereinafter sometimes referred to individually as "party" and collectively as "the parties."

Sec. 19-6-20. Recitals.

A. The COUNTY exercises governmental authority regulating land use, growth and development within the unincorporated areas of Weld County, Colorado, which areas include lands surrounding the MUNICIPALITY; and

PAGE 1

*cc: FI; Acct; CTB; R
1-20-16*

2015-3379
ORD2015-15

B. The MUNICIPALITY exercises governmental authority with respect to land use, growth, and development within its municipal boundaries and regarding its annexations, and has demonstrated the capability of providing municipal services and facilities (including water and sewer services based on the municipality's code and/or other municipal service policies) within the THREE (3) MILE AREA, as defined herein; and

C. Title 29, Article 20 of the Colorado Revised Statutes, grants broad authority to local governments to plan for and regulate development and the use of land within their respective jurisdictions, accomplishing such activities through public processes that respect, protect, and promote private property rights; and

D. Title 29, Article 20 of the Colorado Revised Statutes, authorizes and encourages local governments to cooperate and contract with each other for the purpose of planning and regulating the development of land by the joint and coordinated exercise of planning, zoning, subdivisions, building, and related regulatory powers; and

E. Pressures for growth and development in the MUNICIPALITY and COUNTY indicate that the joint and coordinated exercise by the COUNTY and MUNICIPALITY of their respective planning, zoning, subdivision, building and related regulatory powers in such areas will best promote the objectives stated in this CPA; and

F. This CPA adheres to the objectives and Policies of the Weld County Comprehensive Plan, set forth in Section 22-2-40 of the Weld County Code and, in particular, UD.Goal 2., which encourages the establishment of intergovernmental agreements concerning growth areas with each municipality in Weld County.

Sec. 19-6-30. Purposes and Objectives.

The purpose of this CPA is to establish procedures and standards pursuant to which the parties will move toward greater coordination in the exercise of their land use and related regulatory powers within unincorporated areas surrounding the MUNICIPALITY. The objectives of such efforts are to accomplish the type of development in such areas which best protects the health, safety, prosperity, and general welfare of the inhabitants of the parties and to achieve maximum efficiency and economy in the process of development. However, any action taken pursuant to this CPA that pertains to any land within the MUNICIPALITY, for incorporated areas, and within the COUNTY, for unincorporated areas, is subject to exclusive final approval by the governing body of the MUNICIPALITY or COUNTY, respectively.

Sec. 19-6-40. Definitions.

For the purposes of this CPA the following terms shall be defined as set forth herein:

Development. Any land use requiring regulatory approval by the elected governing body of the applicable party in the THREE (3) MILE AREA, except for an amendment to a plat or a down-zoning, neither of which creates any additional lots, and except for a Recorded Exemption or Subdivision Exemption. Existing agricultural uses, which are lawful uses, either as Uses-by-Right under the Weld County Code, or as legally existing non-conforming uses, are also exempt from the definition of *Development*.

Three (3) Mile Area. The area as defined by Colorado Revised Statutes, C.R.S. 31-12-105.1.E.

Sec. 19-6-50. Planning Coordination.

This CPA is intended to be a Comprehensive Development Plan adopted and implemented pursuant to Section 29-20-105(2) C.R.S. Following the execution of this CPA by both parties, applications to the COUNTY for DEVELOPMENT within the THREE (3) MILE AREA shall be processed and determined in accordance with the following:

A. Referral. The COUNTY shall refer all proposals for DEVELOPMENT within the THREE (3) MILE AREA to the MUNICIPALITY for its review and recommendation. Such referral shall include at least a copy of the written DEVELOPMENT proposal and preliminary COUNTY staff summary of the case. The COUNTY shall allow not less than twenty-one (21) days for the MUNICIPALITY to review the referral and furnish its recommendations to the COUNTY staff prior to formulation of the COUNTY staff recommendation. If the MUNICIPALITY does not respond within such time, the COUNTY staff may proceed with its recommendation, but any comment or recommendation from the MUNICIPALITY received on or before the Thursday immediately preceding the meeting of the Board of County Commissioners or Planning Commission when the matter shall be considered shall be transmitted to the Board or Commission. If the MUNICIPALITY submits no comment or recommendation, the COUNTY may assume it has no objection to the proposal. If the MUNICIPALITY submits recommendations, the COUNTY shall either include within its written decision the reasons for any action taken contrary to the same or furnish such reasons to the MUNICIPALITY by a separate writing. The MUNICIPALITY shall be given notice of, and may appear and be heard at any hearing or other proceeding at which the COUNTY shall consider a DEVELOPMENT subject to the foregoing referral process.

B. Development within THREE (3) MILE AREA. Upon receipt of any proposal for DEVELOPMENT within the THREE (3) MILE AREA then currently eligible for voluntary annexation to the MUNICIPALITY, the COUNTY shall, in writing, at time of a pre-application with the Department of Planning Services, notify the proponent of the opportunity for annexation. The Director of Planning Services shall, in writing, notify the MUNICIPALITY's Mayor and Town Manager. The MUNICIPALITY shall have twenty-one (21) days following contact by the proponent, which shall be documented, in writing, (with a copy of the COUNTY), to notify the COUNTY, in writing, that the MUNICIPALITY and the applicant have agreed to the terms of a pre-annexation agreement. The COUNTY shall not process any application until the completion of said twenty-one (21) days, or until the COUNTY receives notification from the MUNICIPALITY that a pre-annexation agreement between the MUNICIPALITY and the applicant will not be pursued, whichever occurs sooner. If no such notification is received by the COUNTY during said twenty-one (21) days, processing of the application shall continue by the COUNTY to completion.

C. Mutuality of Impact Consideration. The parties recognize that decisions by one party regarding development may impact property outside of its jurisdiction. The parties agree that jurisdictional boundaries shall not be the basis for giving any greater or lesser weight to those impacts during the course of deliberations.

D. Referrals to the County. The MUNICIPALITY shall refer proposals for DEVELOPMENT which lie within five hundred (500) feet of any property in unincorporated Weld County to the COUNTY for its review and recommendation. Such referral shall include at least a copy of the written DEVELOPMENT proposal. The MUNICIPALITY shall allow not less than twenty-one (21) days for the COUNTY to review same and furnish its recommendations to the MUNICIPALITY. If the COUNTY submits no comment or recommendation, the MUNICIPALITY may assume it has no objection to the proposal. If the COUNTY submits recommendations, the MUNICIPALITY shall either include within its written decision the reasons for any action taken contrary to the same or furnish such reasons to the COUNTY by a separate writing. Where the DEVELOPMENT is proposed as part of an annexation of more than ten (10) acres, the provisions of this section shall be deemed satisfied by compliance by the MUNICIPALITY with the notice and impact report provisions of the most current version of the Municipal Annexation Act then in effect. The COUNTY shall be given notice of, and may appear and be heard at, any hearing or other proceeding at which the MUNICIPALITY shall consider a DEVELOPMENT subject to the foregoing referral process.

Sec. 19-6-60. Implementation of CPA.

Following the mutual execution of this CPA, each party shall promptly enact and implement such amendments to its existing regulations as may be necessary to give effect to the provisions of Section 19-6-50. Each party shall have sole and exclusive discretion to determine such measures and any new ones enabling it to perform this CPA. Each party's land use regulations as referred to herein are ordinances whose amendment requires certain formalities, including notice and public hearings. The mutual covenants in this section and elsewhere to implement this CPA promptly are given and received with mutual recognition and understanding of the legislative processes involved, and such covenants shall be liberally construed in light thereof.

Sec. 19-6-70. Establishment of Common Development Standards.

The MUNICIPALITY and COUNTY shall, within one (1) year of the effective date of this CPA, attempt to agree to establish common development standards within designated areas, which may include areas within the MUNICIPALITY's boundaries and/or within the THREE (3) MILE AREA. Common development standards should include, but not be limited to, roadways (types, widths, horizontal design, access and spacing) and drainage (on-site, off-site, discharge, easements, and regional facilities).

Sec. 19-6-80. Miscellaneous Provisions.

A. Severability. Should any one or more sections or paragraphs of this CPA be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this CPA, the intention being that the various sections and paragraphs are severable; provided, however, that the parties shall then review the remaining provisions to determine if the CPA should continue, as modified, or if the CPA should be terminated.



B. Termination. This CPA shall continue in effect for a period of one year from the date first written above, and shall be renewed automatically thereafter for successive one (1) year periods. Notwithstanding the foregoing, however, either party may terminate this CPA by giving at least twelve (12) months' written notice thereof to the other party.

C. Amendment. This CPA may be amended only by a writing executed by the parties and adopted according to the same procedures as the original adoption (requiring the written consent of the amendment by both parties and compliance with the procedures detailed in Sections D and E, below).

D. Adoption by the MUNICIPALITY. The MUNICIPALITY shall at public hearing(s) consider this CPA for adoption upon published notification. The MUNICIPALITY shall provide a complete record of such public hearing(s) to the COUNTY for review prior to the start of the COUNTY's adoption process detailed in Section E, below.

E. Adoption by the COUNTY. The COUNTY shall, upon published notification consider this CPA for adoption and amendment to Chapter 19 of the Weld County Code. In the course of such adoption process, the COUNTY shall review the complete record of the public hearing(s) held by the MUNICIPALITY wherein it considered this CPA for adoption. The effective date of this CPA shall be its effective date of amendment to the Weld County Code.

F. Reserved Rights. Nothing herein shall be construed to limit any procedural or substantive rights afforded a party under law respecting the matters that are the subject of this CPA, including without limitation any rights of referral, participation or judicial review related to any land use or development procedure or approval of the other party, which rights are hereby reserved to each party.

G. Enforcement. Either party may enforce this CPA by an action for specific performance, declaratory and/or injunctive relief, or other equitable relief. The parties agree the remedies for enforcement hereof are limited to non-monetary relief, and each party hereby waives any right to seek damages for any violation of this CPA. No other person or entity shall have any right to enforce the provisions of this CPA.

BE IT FURTHER ORDAINED by the Board that the Clerk to the Board be, and hereby is, directed to arrange for Colorado Code Publishing to supplement the Weld County Code with the amendments contained herein, to coincide with chapters, articles, divisions, sections, and subsections as they currently exist within said Code; and to resolve any inconsistencies regarding capitalization, grammar, and numbering or placement of chapters, articles, divisions, sections, and subsections in said Code.

BE IT FURTHER ORDAINED by the Board, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have enacted this Ordinance in each and every section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.



The above and foregoing Ordinance Number 2015-15 was, on motion duly made and seconded, adopted by the following vote on the 19th day of October, A.D., 2015.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST: Cather G. Meick

Weld County Clerk to the Board

Barbara Kirkmeyer
Barbara Kirkmeyer, Chair

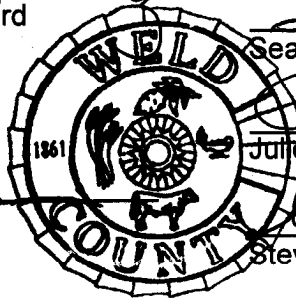
BY: Rayela A. Harting
Deputy Clerk to the Board

Mike Freeman
Mike Freeman, Pro-Tem

S.P.S.
Sean P. Conway

APPROVED AS TO FORM:

Brian T. [Signature]
County Attorney



Julie A. Cozad
Julie A. Cozad

Steve Moreno
Steve Moreno

Publication: September 2, 2015

First Reading: September 9, 2015
Publication: September 16, 2015, in the Greeley Tribune

Second Reading: September 28, 2015
Publication: October 7, 2015, in the Greeley Tribune

Final Reading: October 19, 2015
Publication: October 28, 2015, in the Greeley Tribune

Effective: November 2, 2015

Windsor Plan

This Coordinated Planning Agreement ("CPA") is made and entered into effective as of the 10th day of August, 2015, between the Board of County Commissioners of the County of Weld, State of Colorado, whose address is 1150 O Street, Greeley, CO 80631, hereinafter called the "COUNTY," and the Town of Windsor, a Colorado home rule municipal corporation, whose address is 301 Walnut Street, Windsor, Colorado 80550, hereinafter called the "MUNICIPALITY." The COUNTY and MUNICIPALITY are hereinafter sometimes referred to individually as "party" and collectively as "the parties."

RECITALS

- A. COUNTY exercises governmental authority regulating land use, growth and development within the unincorporated areas of Weld County, Colorado, which areas include lands surrounding MUNICIPALITY; and
- B. MUNICIPALITY exercises governmental authority with respect to land use, growth, and development within its municipal boundaries and regarding its annexations, and has demonstrated the capability of providing municipal services and facilities (including water and sewer services based on the municipality's code and/or other municipal service policies) within the THREE (3) MILE AREA, as defined herein; and
- C. Title 29, Article 20 of the Colorado Revised Statutes, grants broad authority to local governments to plan for and regulate development and the use of land within their respective jurisdictions, accomplishing such activities through public processes that respect, protect, and promote private property rights; and
- D. Title 29, Article 20 of the Colorado Revised Statutes, authorizes and encourages local governments to cooperate and contract with each other for the purpose of planning and regulating the development of land by the joint and coordinated exercise of planning, zoning, subdivisions, building, and related regulatory powers; and
- E. Pressures for growth and development in MUNICIPALITY and COUNTY indicate that the joint and coordinated exercise by COUNTY and MUNICIPALITY of their respective planning, zoning, subdivision, building and related regulatory powers in such areas will best promote the objectives stated in this CPA; and
- F. This CPA adheres to the objectives and Policies of the Weld County Comprehensive Plan, set forth in Section 22-2-40 of the Weld County Code and, in particular, UD.Goal 2., which encourages the establishment of intergovernmental agreements concerning growth areas with each municipality in Weld County.

NOW THEREFORE, for and in consideration of the mutual promises and undertakings herein set forth, the parties agree as follows:



1. **PURPOSES AND OBJECTIVES.** The purpose of this CPA is to establish procedures and standards pursuant to which the parties will move toward greater coordination in the exercise of their land use and related regulatory powers within unincorporated areas surrounding MUNICIPALITY. The objectives of such efforts are to accomplish the type of development in such areas which best protects the health, safety, prosperity, and general welfare of the inhabitants of the parties and to achieve maximum efficiency and economy in the process of development. However, any action taken pursuant to this CPA that pertains to any land within MUNICIPALITY, for incorporated areas, and within COUNTY, for unincorporated areas, is subject to exclusive final approval by the governing body of MUNICIPALITY or COUNTY, respectively.

2. **DEFINITIONS.** For the purposes of this CPA the following terms shall be defined as set forth herein:

2.1 **DEVELOPMENT.** Any land use requiring regulatory approval by the elected governing body of the applicable party in the THREE (3) MILE AREA, except for an amendment to a plat or a down-zoning, neither of which creates any additional lots, and except for a Recorded Exemption or Subdivision Exemption. Existing agricultural uses, which are lawful uses, either as uses-by-right under the Weld County Code, or as legally existing non-conforming uses, are also exempt from the definition of "DEVELOPMENT."

2.2. **THREE (3) MILE AREA.** The area as defined by Colorado Revised Statutes, C.R.S. 31-12-105.1.E.

3. **PLANNING COORDINATION.** This CPA is intended to be a Comprehensive Development Plan adopted and implemented pursuant to C.R.S. § 29-20-105(2). Following the execution of this CPA by both parties, applications to COUNTY for DEVELOPMENT within the THREE (3) MILE AREA shall be processed and determined in accordance with the following:

3.1 **REFERRAL.** COUNTY shall refer all proposals for DEVELOPMENT within the THREE (3) MILE AREA to MUNICIPALITY for its review and recommendation. Such referral shall include at least a copy of the written DEVELOPMENT proposal and preliminary COUNTY staff summary of the case. COUNTY shall allow not less than twenty-one (21) days for MUNICIPALITY to review the referral and furnish its recommendations to COUNTY staff prior to formulation of the COUNTY staff recommendation. If the MUNICIPALITY does not respond within such time, COUNTY staff may proceed with its recommendation, but any comment or recommendation from MUNICIPALITY received on or before the Thursday immediately preceding the meeting of the Board of County Commissioners or Planning Commission when the matter shall be considered shall be transmitted to the Board or Commission. If the MUNICIPALITY submits no comment or recommendation, COUNTY may assume it has no objection to the proposal. If MUNICIPALITY submits recommendations, COUNTY shall either include within its written decision the reasons for any action taken contrary to the same or furnish such reasons to MUNICIPALITY by a separate writing. MUNICIPALITY shall be given notice of, and may appear and be heard at any hearing or other



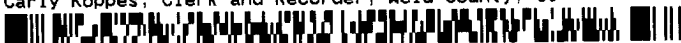
proceeding at which COUNTY shall consider a DEVELOPMENT subject to the foregoing referral process.

3.2 DEVELOPMENT WITHIN THREE (3) MILE AREA. Upon receipt of any proposal for DEVELOPMENT within the THREE (3) MILE AREA then currently eligible for voluntary annexation to MUNICIPALITY, COUNTY shall, in writing, at time of a pre-application with the Department of Planning Services, notify the proponent of the opportunity for annexation. The Director of Planning Services shall, in writing, notify MUNICIPALITY's mayor and Town Manager. MUNICIPALITY shall have twenty-one (21) days following contact by the proponent, which shall be documented in writing (with a copy of COUNTY), to notify COUNTY in writing that MUNICIPALITY and the applicant have agreed to the terms of a pre-annexation agreement. COUNTY shall not process any application until the completion of said twenty-one (21) days, or until COUNTY receives notification from the MUNICIPALITY that a pre-annexation agreement between MUNICIPALITY and the applicant will not be pursued, whichever occurs sooner. If no such notification is received by COUNTY during said twenty-one (21) days, processing of the application shall continue by COUNTY to completion.

3.3 MUTUALITY OF IMPACT CONSIDERATION. The parties recognize that decisions by one party regarding development may impact property outside of its jurisdiction. The parties agree that jurisdictional boundaries shall not be the basis for giving any greater or lesser weight to those impacts during the course of deliberations.

3.4 REFERRALS TO COUNTY. MUNICIPALITY shall refer proposals for DEVELOPMENT which lie within 500 feet of any property in unincorporated Weld County to COUNTY for its review and recommendation. Such referral shall include at least a copy of the written DEVELOPMENT proposal. MUNICIPALITY shall allow not less than twenty-one (21) days for COUNTY to review same and furnish its recommendations to MUNICIPALITY. If COUNTY submits no comment or recommendation MUNICIPALITY may assume it has no objection to the proposal. If COUNTY submits recommendations, MUNICIPALITY shall either include within its written decision the reasons for any action taken contrary to the same or furnish such reasons to COUNTY by a separate writing. Where the DEVELOPMENT is proposed as part of an annexation of more than 10 acres, the provisions of this section shall be deemed satisfied by compliance by MUNICIPALITY with the notice and impact report provisions of the most current version of the Municipal Annexation Act then in effect. COUNTY shall be given notice of, and may appear and be heard at any hearing or other proceeding at which MUNICIPALITY shall consider a DEVELOPMENT subject to the foregoing referral process.

4. IMPLEMENTATION OF CPA. Following the mutual execution of this CPA, each party shall promptly enact and implement such amendments to its existing regulations as may be necessary to give effect to the provisions of Section 3. Each party shall have sole and exclusive discretion to determine such measures and any new ones enabling it to perform this CPA. Each party's land use regulations as referred to herein are ordinances whose amendment requires certain formalities, including notice and public hearings. The mutual covenants in this section and elsewhere to implement this CPA promptly are given and received with mutual recognition



and understanding of the legislative processes involved, and such covenants shall be liberally construed in light thereof.

5. ESTABLISHMENT OF COMMON DEVELOPMENT STANDARDS.

MUNICIPALITY and COUNTY shall, within one (1) year of the effective date of this CPA, attempt to agree to establish common development standards within designated areas, which may include areas within MUNICIPALITY's boundaries and/or within the THREE (3) MILE AREA. Common development standards should include, but not be limited to, roadways (types, widths, horizontal design, access and spacing) and drainage (on-site, off-site, discharge, easements, and regional facilities).

6. MISCELLANEOUS PROVISIONS.

6.1 Severability. Should any one or more sections or paragraphs of this CPA be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this CPA, the intention being that the various sections and paragraphs are severable; provided, however, that the parties shall then review the remaining provisions to determine if the CPA should continue, as modified, or if the CPA should be terminated.

6.2 Termination. This CPA shall continue in effect for a period of one year from the date first written above, and shall be renewed automatically thereafter for successive one (1) year periods. Notwithstanding the foregoing, however, either party may terminate this CPA by giving at least twelve (12) months' written notice thereof to the other party.

6.3 Amendment. This CPA may be amended only by a writing executed by the parties and adopted according to the same procedures as the original adoption (requiring the written consent of the amendment by both parties and compliance with the procedures detailed in Sections 6.4 and 6.5 of this CPA).

6.4 Adoption by MUNICIPALITY. MUNICIPALITY shall at public hearing(s) consider this CPA for adoption upon published notification. MUNICIPALITY shall provide a complete record of such public hearing(s) to COUNTY for review prior to the start of COUNTY's adoption process detailed in Section 6.5, below.

6.5 Adoption by COUNTY. COUNTY shall, upon published notification consider this CPA for adoption and amendment to Chapter 19 of the Weld County Code. In the course of such adoption process, COUNTY shall review the complete record of the public hearing(s) held by MUNICIPALITY wherein it considered this CPA for adoption. The effective date of this CPA shall be its effective date of amendment to the Weld County Code.

6.6 Reserved Rights. Nothing herein shall be construed to limit any procedural or substantive rights afforded a party under law respecting the matters that are the subject of this CPA, including without limitation any rights of referral, participation or judicial review related to any land use or development procedure or approval of the other party, which rights are hereby reserved to each party.



6.7 Enforcement. Either party may enforce this CPA by an action for specific performance, declaratory and/or injunctive relief, or other equitable relief. The parties agree the remedies for enforcement hereof are limited to non-monetary relief, and each party hereby waives any right to seek damages for any violation of this CPA. No other person or entity shall have any right to enforce the provisions of this CPA.

IN WITNESS WHEREOF, the parties have executed this CPA effective as of the date first above written.

ATTEST: Esther E. Meick
CLERK OF THE BOARD

BOARD OF COUNTY
COMMISSIONERS OF
WELD COUNTY, COLORADO

Cheryl A. Hoffmann
Deputy Clerk to the Board



Barbara Kirkmeyer
Barbara Kirkmeyer, Chairman

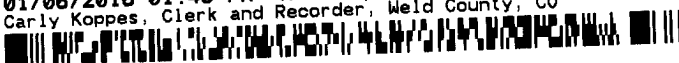
ATTEST:

MUNICIPALITY
TOWN OF WINDSOR

Patti Garcia
Patti Garcia, Town Clerk



John S. Vazquez
John S. Vazquez, Mayor





450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

April 23, 2025

Michael Franke
Planner III
Community Development – Planning and Zoning
City of Greeley
1100 10th Street, 2nd Floor
Greeley, CO 80631

Re: City of Greeley Three Mile Plan Referral 2025

Dear Mr. Franke,

Thank you for the opportunity to provide comments on the City of Greeley's proposed Three Mile Plan. The Town of Johnstown understands the importance of long-range planning and working collaboratively with our regional partners and stakeholders on these issues.

GROWTH MANAGEMENT AREA AND THREE MILE PLAN

The area labeled as Hankins Farm Site has been in the Town of Johnstown's Growth Management Area (GMA) since 2006, as evidenced in the Land Use Framework Plan that was included in the Town's adopted 2006 Comprehensive Plan (Attachment No. 1). Also attached is the Future Land Use map from the Town's adopted 2021 Comprehensive Plan (Attachment No. 2). The Hankins Farm Site is also in the Town of Johnstown's Three Mile Plan, as adopted by the Town Council on January 22, 2025 by Resolution 2025-03 (Attachment No. 3). There is no evidence that the Hankins Farm Site has ever been included in the City of Greeley's GMA, Three Mile Plan, or any other long-range planning documents. In fact, the City of Greeley's Land Use Plan for **2060** (Attachment No. 4) does not even include the Hankins Farm Site. The City of Greeley's proposed Three Mile Plan, if adopted, would create an overlap area with the Town of Johnstown's GMA boundaries and its Three Mile Plan.

Pursuant to CRS § 31-12-102 (Municipal Annexation Act of 1965),

The general assembly hereby declares that the policies and procedures in this part 1 are necessary and desirable for the orderly growth of urban communities in the state of Colorado, and to these ends this part 1 shall be liberally construed. The general assembly further declares that it is the purpose of this part 1:

- a. To encourage natural and well-ordered development of municipalities of the state;
- b. To distribute fairly and equitably the costs of municipal services among those persons who benefit therefrom;

The Community that Cares

- c. To extend municipal government, services, and facilities to eligible areas which form a part of the whole community;
- d. To simplify governmental structure in urban areas;
- e. To provide an orderly system for extending municipal regulations to newly annexed areas;
- f. To reduce friction among contiguous or neighboring municipalities; **and**
- g. To increase the ability of municipalities in urban areas to provide their citizens with the services they require.

The purposeful and intentional creation of overlap areas within GMA boundaries does not promote “orderly growth” or “reduce friction among contiguous or neighboring municipalities;” rather, it does the complete opposite. It also fails to simplify governmental structure in urban areas by adding more regulatory oversight and procedure. Uncoordinated overlaps are a deviation from the spirit of the law, which promotes intergovernmental coordination.

Redundancy – Duplication of Services

Creating overlapping planning areas leads to duplicative infrastructure and long-range planning efforts, requiring multiple jurisdictions to invest in studies and master plans for the same service area. This can be a costly exercise and completely avoidable if overlapping planning areas are prevented. In addition, it makes it difficult to adequately plan capital improvement projects and the systematic extension of infrastructure because the overlap area creates uncertainty.

Contradiction of Countywide and Regional Planning Principles

Weld County’s comprehensive plan is designed to coordinate growth regionally. Creating overlap in the absence of a joint agreement is contrary to the County’s own guiding principles, one of which is to promote economic growth and stability. The purposeful and intentional creation of overlap areas will only decrease stability in the area.

Uncertainty in Annexation Proceedings

CRS § 31-12-114 deals entirely with conflicting annexation claims of two or more municipalities, or where GMA boundaries overlap. The Hankins Farm Site is firmly located in the Town of Johnstown’s Three Mile Plan area and is not currently located in the City of Greeley’s Three Mile Plan area. The proposed expansion of the City of Greeley’s Three Mile Plan will create an overlap area which could lead to excessive and contentious annexation proceedings, where none currently exist.

Failure to Cooperate

Pursuant to CRS § 29-20-105 (Intergovernmental Cooperation), “local governments are authorized and **encouraged** to cooperate or contract with other units of government pursuant to part 2 of article 1 of this title for the purpose of planning or regulating the development of land including, but not limited to, the joint exercise of planning, zoning, subdivision, building, and related regulations.” Moving to purposely and intentionally create an overlap without first pursuing good-faith cooperation and/or Intergovernmental Agreement (IGA) negotiations violates the spirit of this statute.

The Town of Johnstown (Town) has been an active participant and cooperating partner in the 1601 process discussions for the major improvements planned at the intersection of Highway 34 and County Road 17. The Town has been a willing participant because the southwest corner of said intersection is located in the Town's GMA. The Town has dedicated staff time and resources to this regionally significant project because of the GMA boundaries and long-range planning goals. Again, an expansion of the City of Greeley's growth boundaries will create an overlap that will ultimately complicate these discussions by adding another layer of regulation and ambiguity.

SUMMARY

The City of Greeley's proposed Three Mile Plan is inconsistent with the intent and spirit of several Colorado Revised Statutes, undermines long-range planning efforts undertaken and adopted by the Town of Johnstown, and has been prepared with the complete absence of good-faith cooperation; therefore, the Town of Johnstown respectfully requests that the City of Greeley remove the Hankins Farm Site from the proposed plan.

Sincerely,

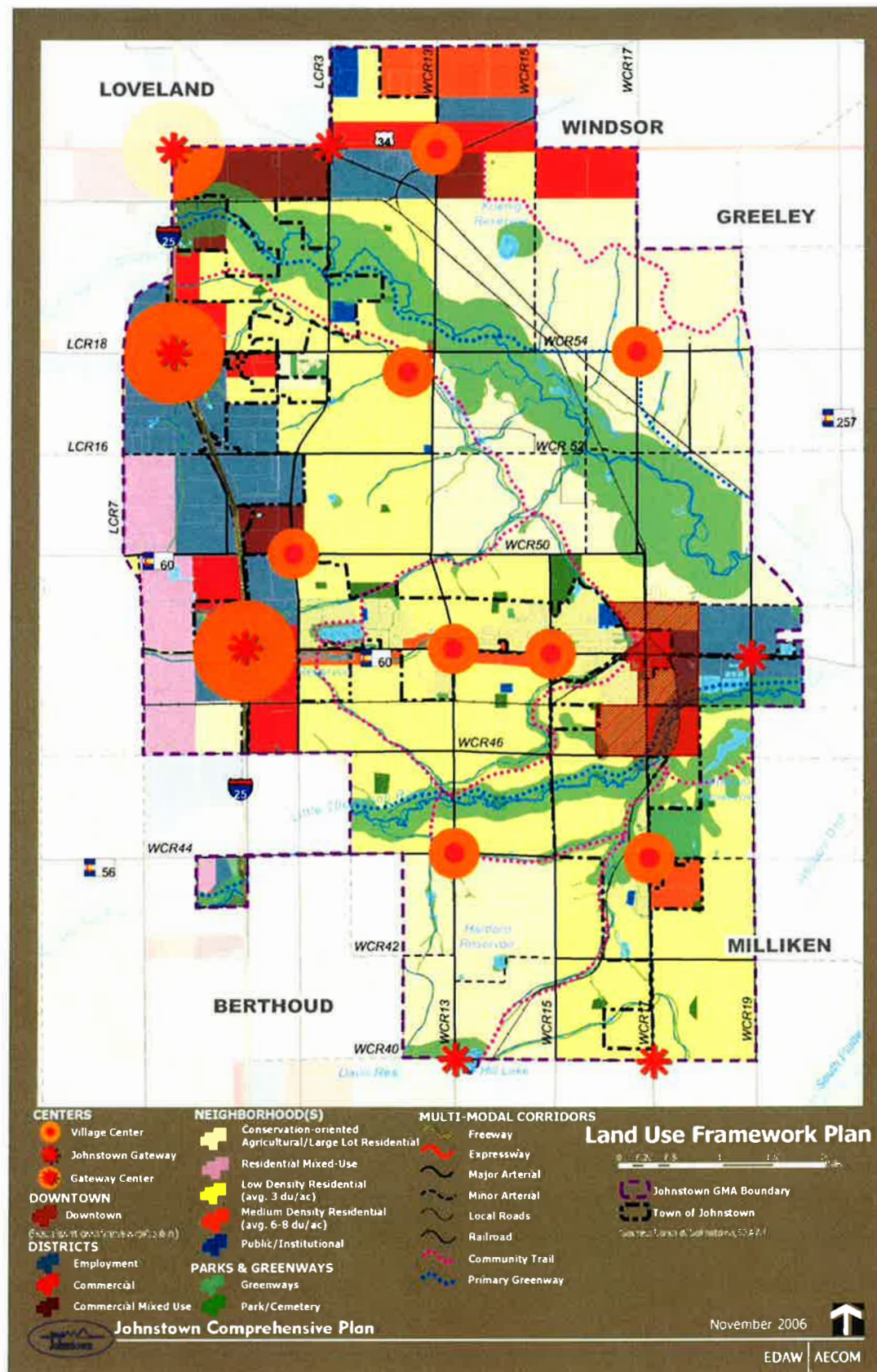


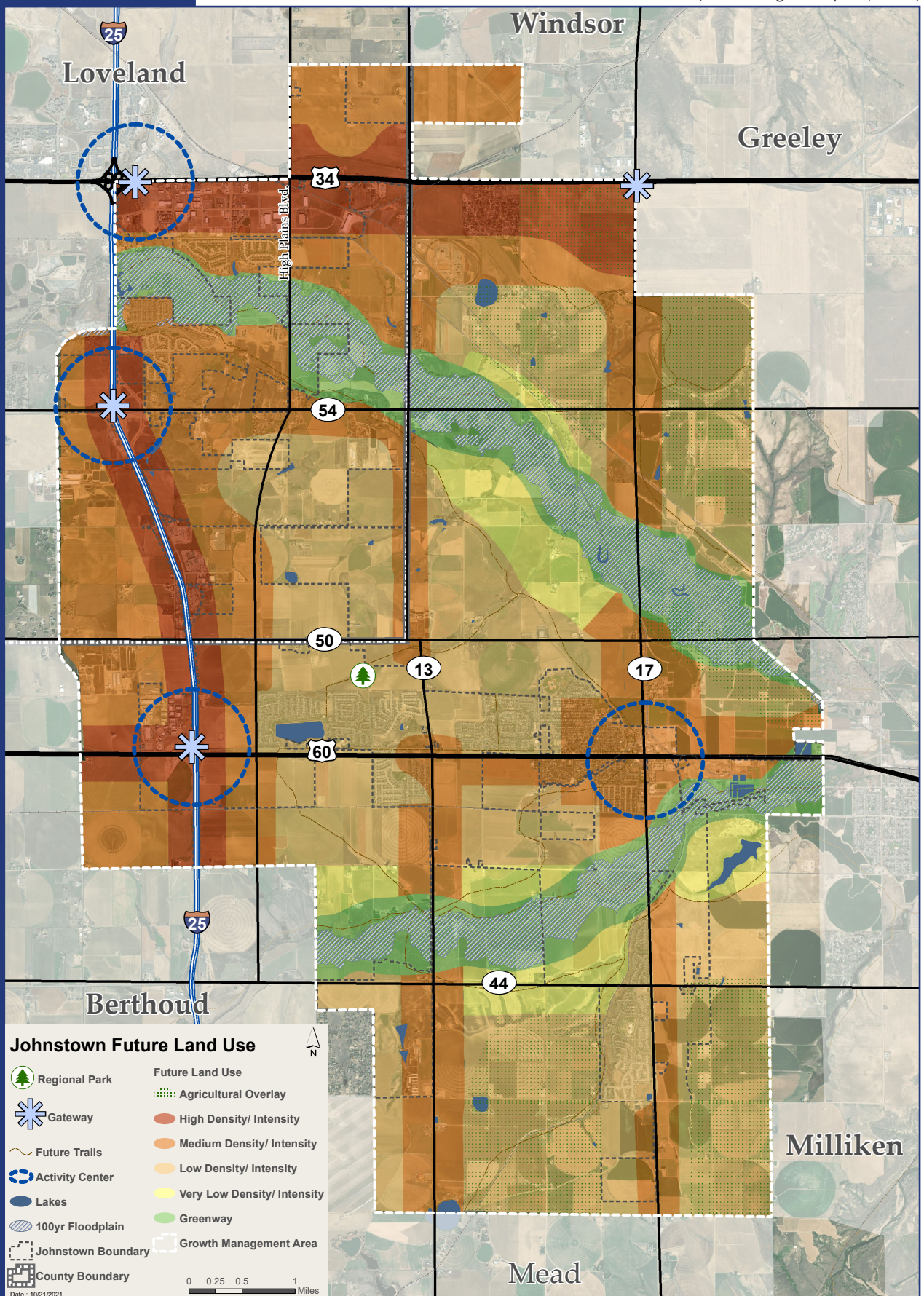
Jeremy Gleim, AICP
Planning & Development Director
Town of Johnstown

Attachments

1. Land Use Framework Plan – 2006 Town of Johnstown Comprehensive Plan
2. Future Land Use Map – 2021 Town of Johnstown Comprehensive Plan
3. Resolution 2025-03 – 2025 Three Mile Plan
4. City of Greeley Land Use Plan - 2060

Cc. Matt LeCerf, Town Manager
Mitzi McCoy, Deputy Town Manager
Avi Rocklin, Town Attorney





**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2025-03**

ADOPTING THE 2025 THREE MILE PLAN

WHEREAS, the Town of Johnstown, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, Section 31-12-105(1)(e), C.R.S., provides that, for purposes of annexation, each municipality shall annually prepare a plan for the geographic area within three miles in any direction from the municipality’s borders generally describing the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area (“Three-Mile Plan”); and

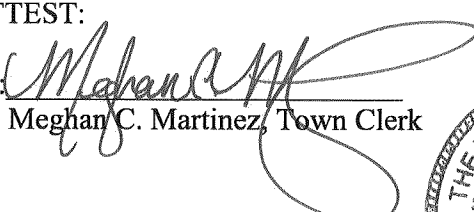
WHEREAS, to comply with the statutory directive, the Town Council desires to adopt the 2025 Three-Mile Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT the 2025 Three-Mile Plan, attached hereto and incorporated herein by reference as Exhibit A, is hereby approved and adopted.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS 22nd day of January, 2025.

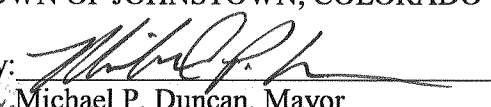
ATTEST:

By:


Meghan C. Martinez, Town Clerk

TOWN OF JOHNSTOWN, COLORADO

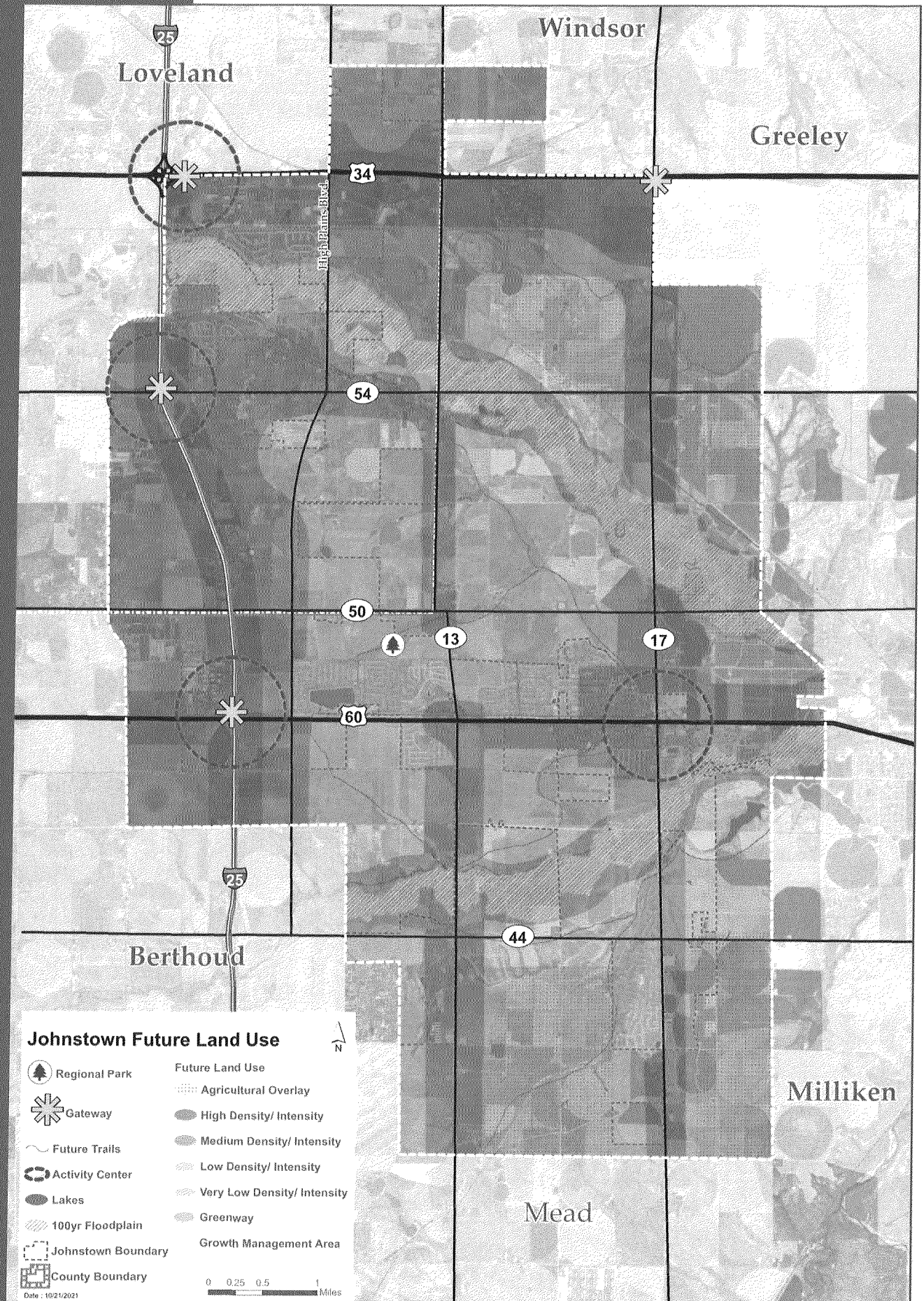
By:


Michael P. Duncan, Mayor

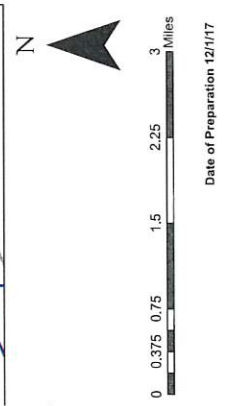
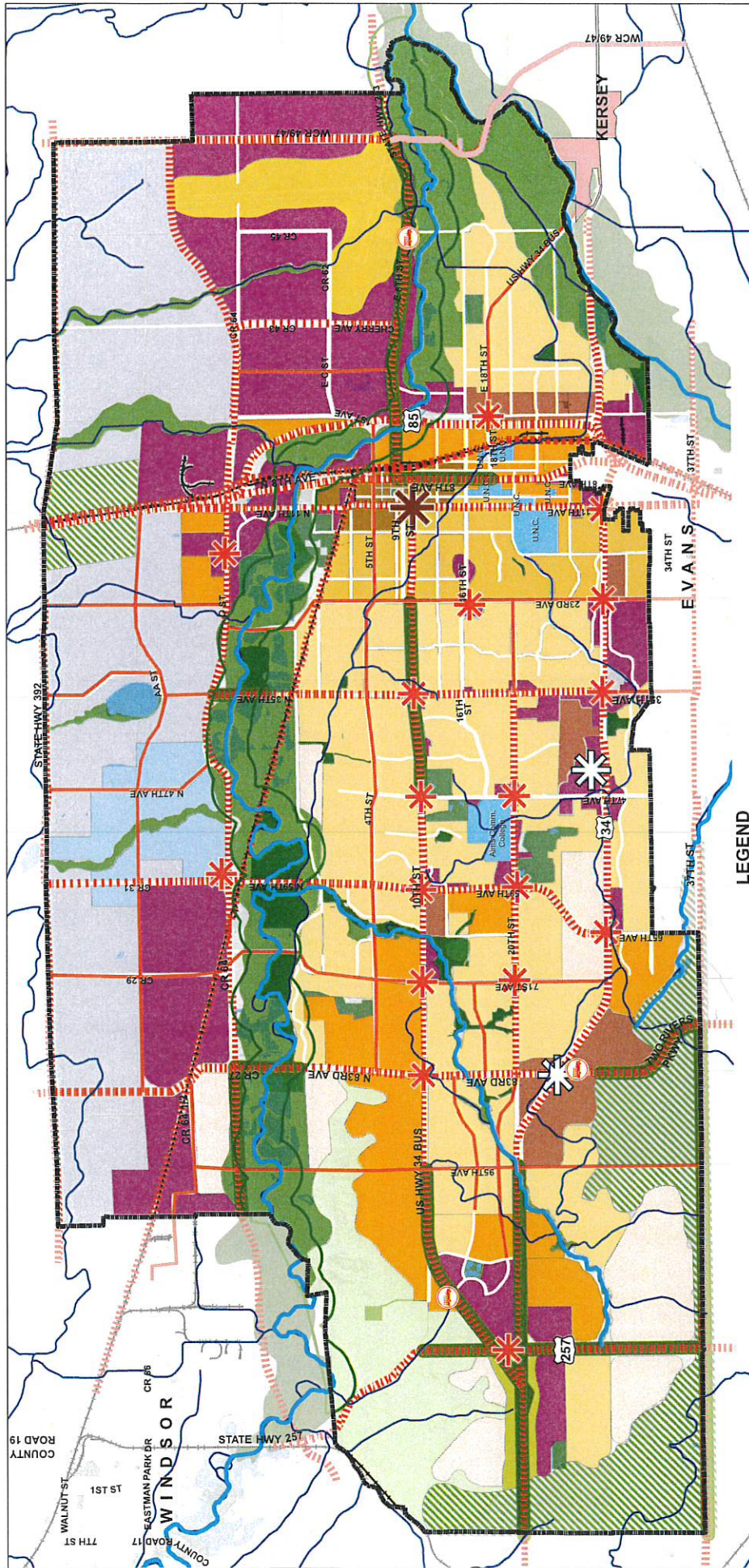


MAP 7. FUTURE LAND USE MAP

(Source: Logan Simpson, 2021)



LAND USE GUIDANCE MAP





City of Greeley Three Mile Plan

Michael Franke, AICP, Planner III

michael.franke@greeleygov.com (970) 350-9782

Planning Commission – May 13, 2025



Community Vitality

Agenda

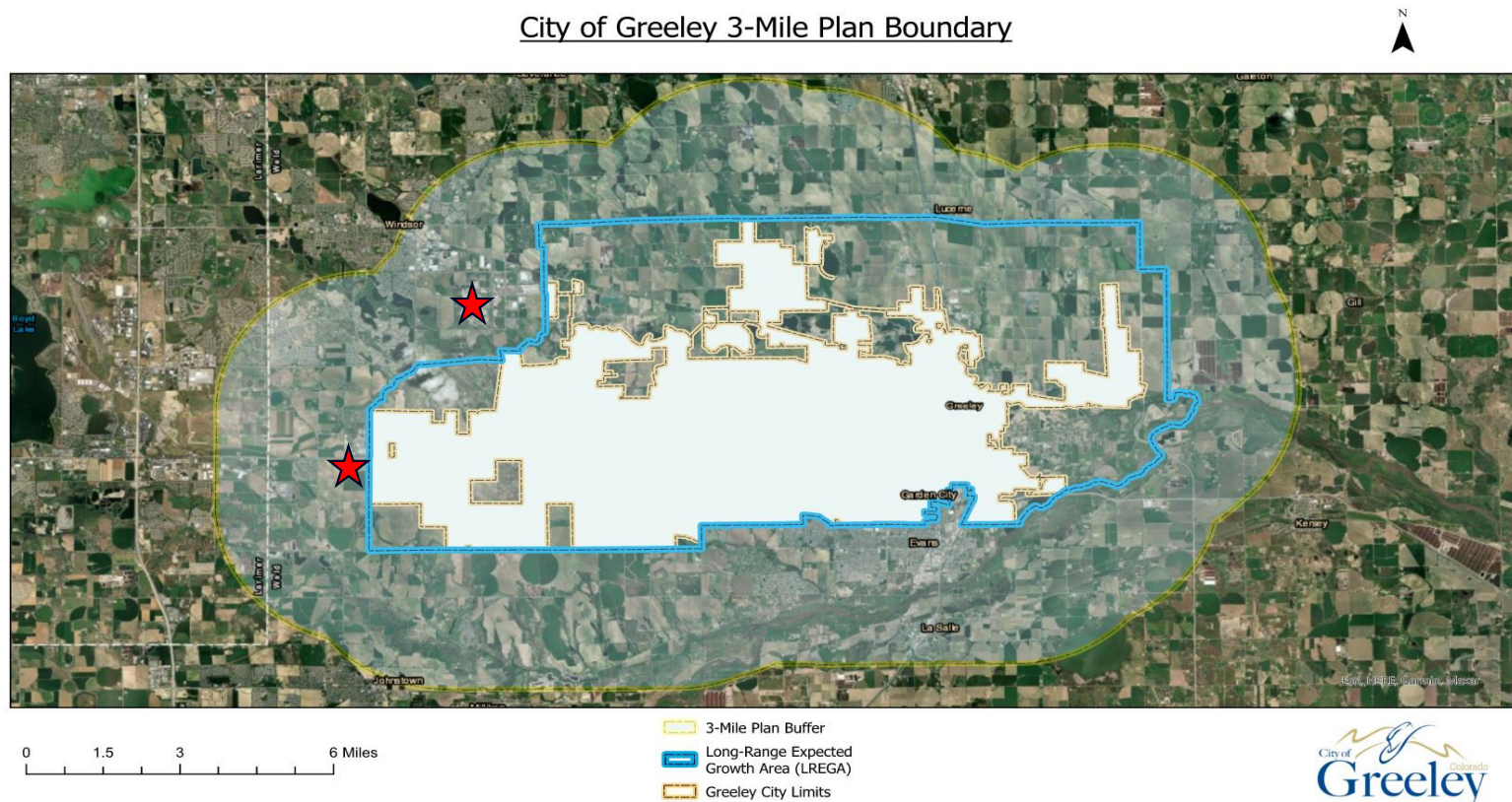


- Request:
 - Recommend adoption of resolution for City of Greeley Three Mile Plan
- Background:
 - C.R.S § 31-12-105 requirement for Three Mile Plans
 - Provides legal standing for annexation of new land beyond established growth boundary
 - Generally describes infrastructure, land use, parks/open space, and transportation
- Planning Commission Recommendation

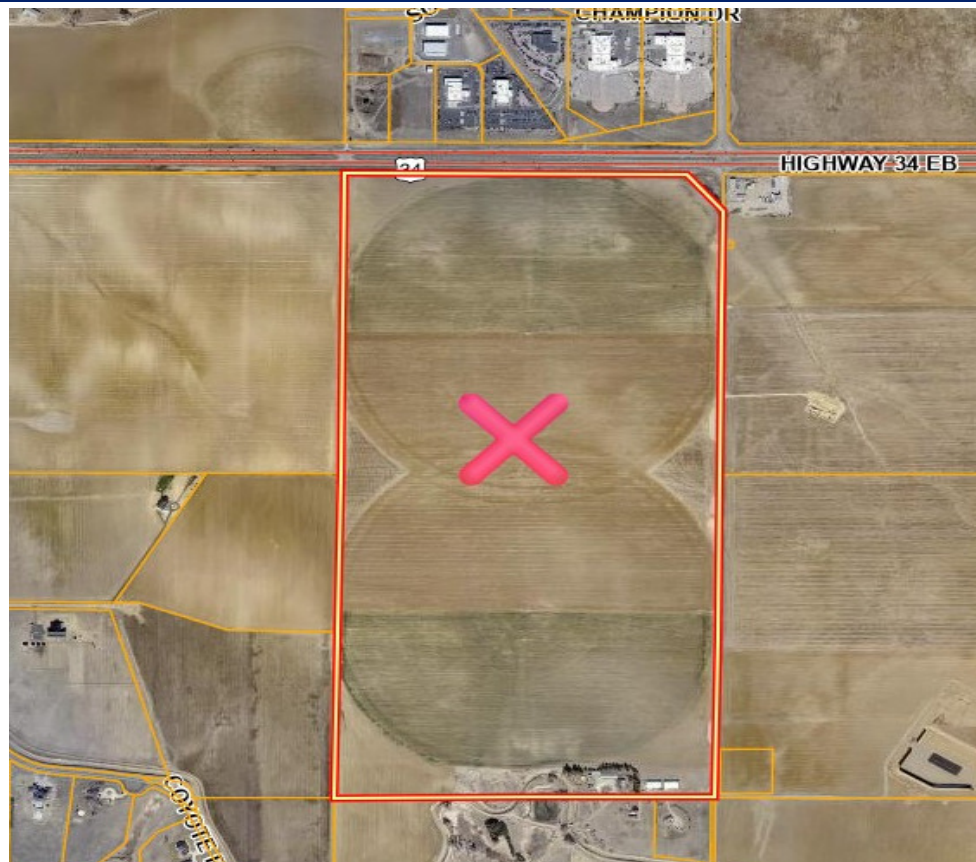
General Three Mile Boundary



City of Greeley 3-Mile Plan Boundary

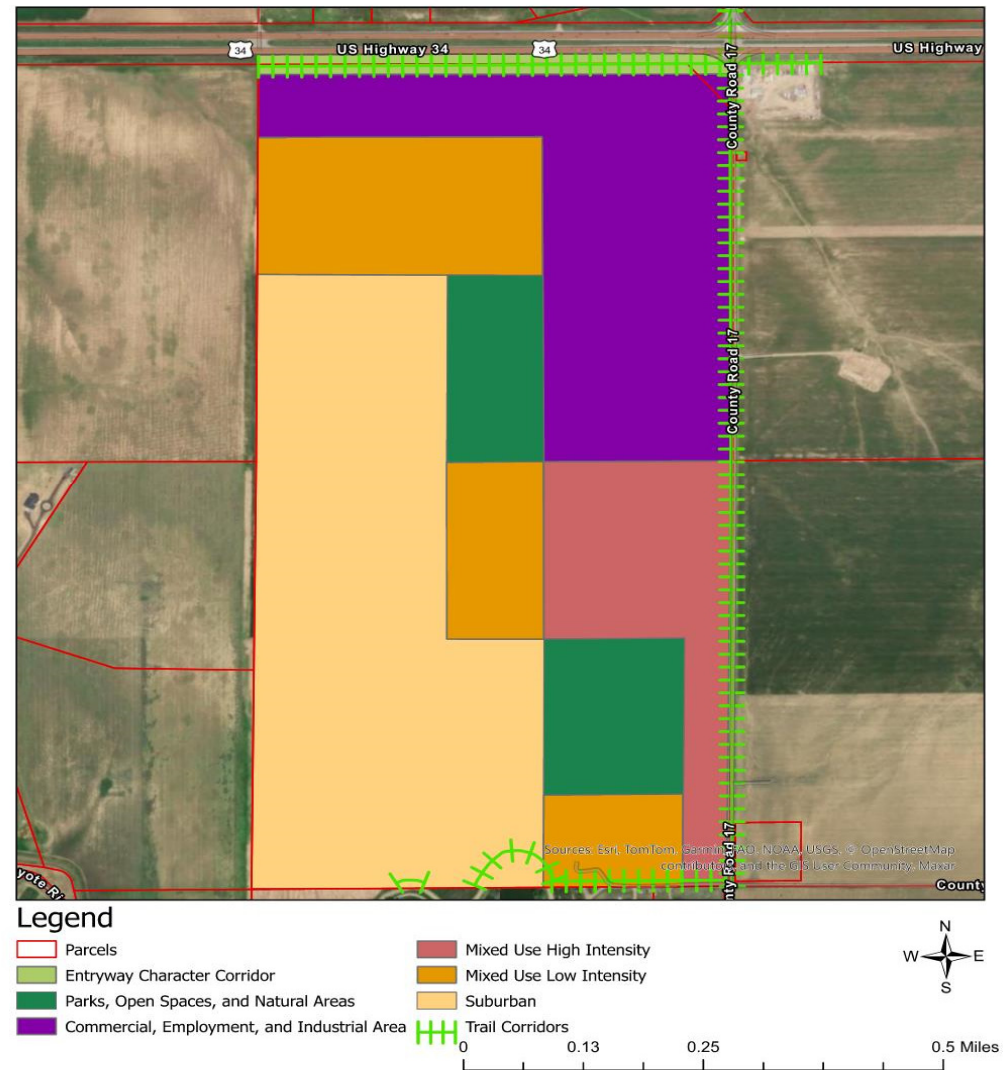


Hankins Farm Site



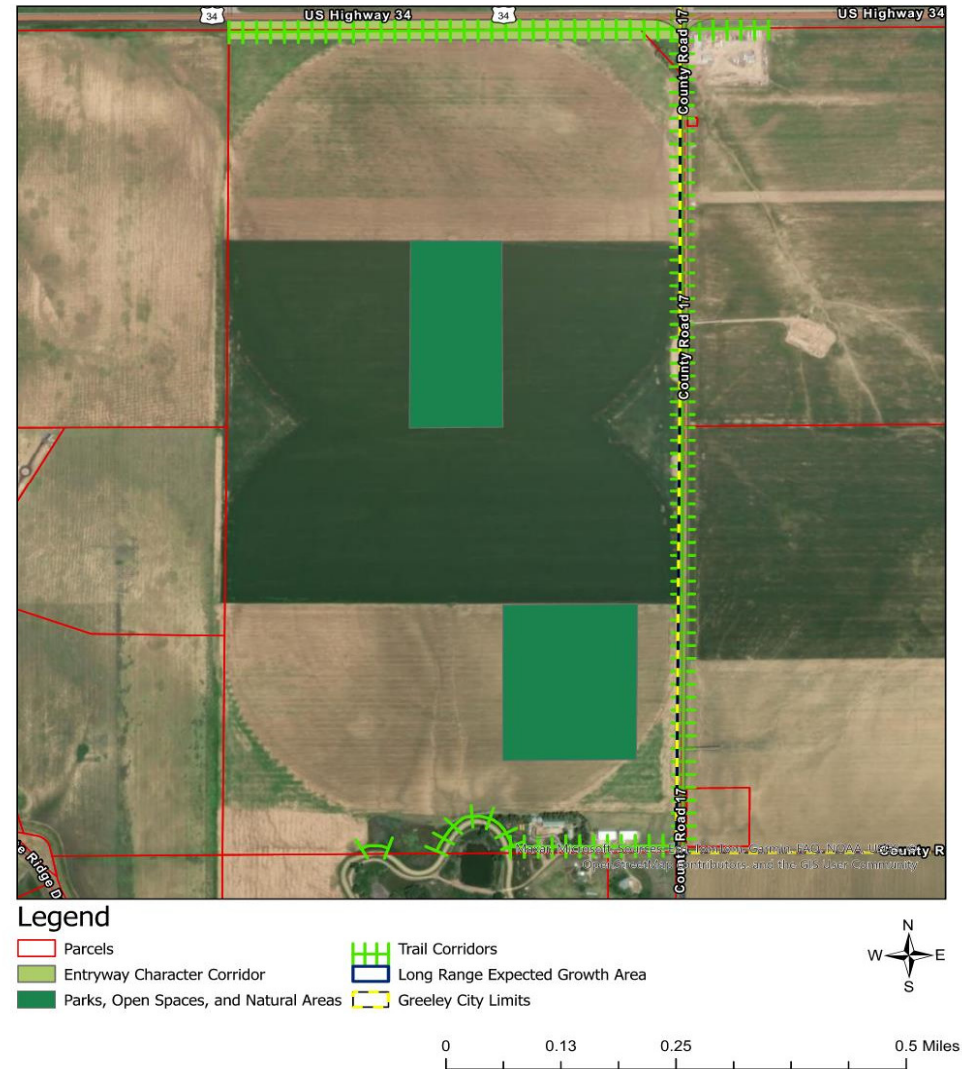
Conceptual Land Use: Hankins

City of Greeley Three-Mile Plan:
Conceptual Land Use Map - Hankins Farm Site



Conceptual Parks/Trails /Open Space: Hankins

City of Greeley Three-Mile Plan:
Conceptual Parks, Open Spaces, Natural Areas Map - Hankins Farm Site

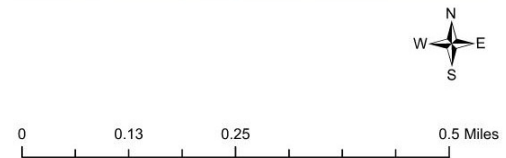


Conceptual Transportation: Hankins

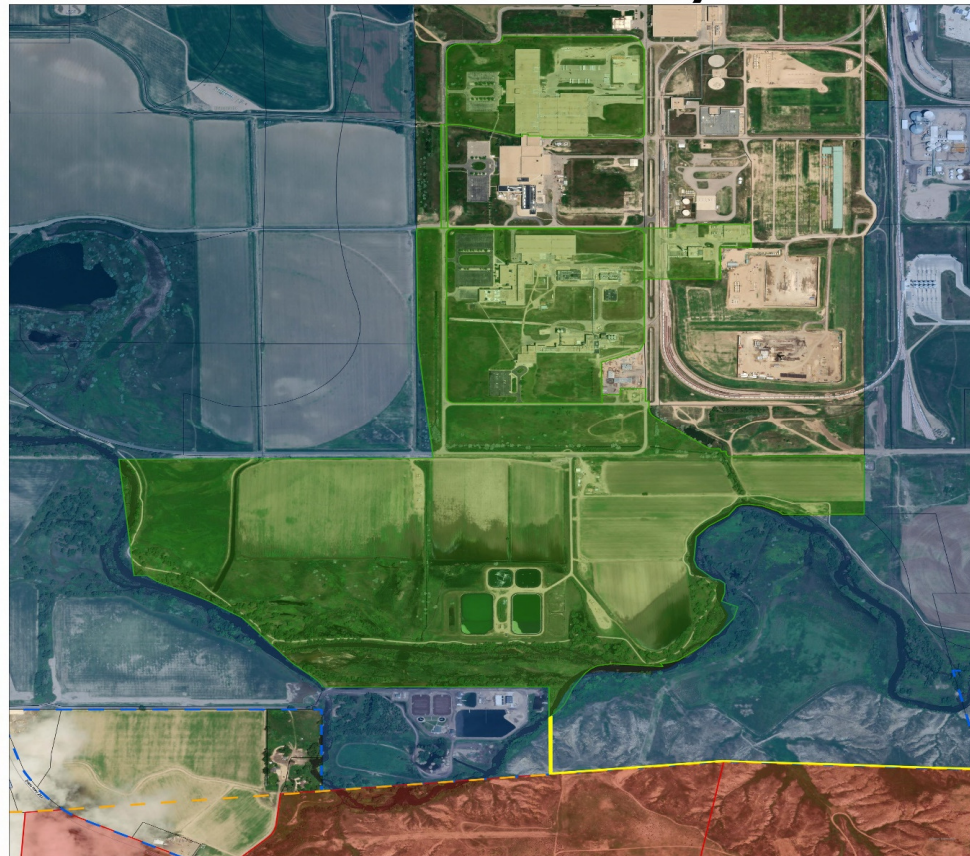
City of Greeley Three-Mile Plan:
Conceptual Transportation Map - Hankins Farm Site



Conceptual Infrastructure: Hankins

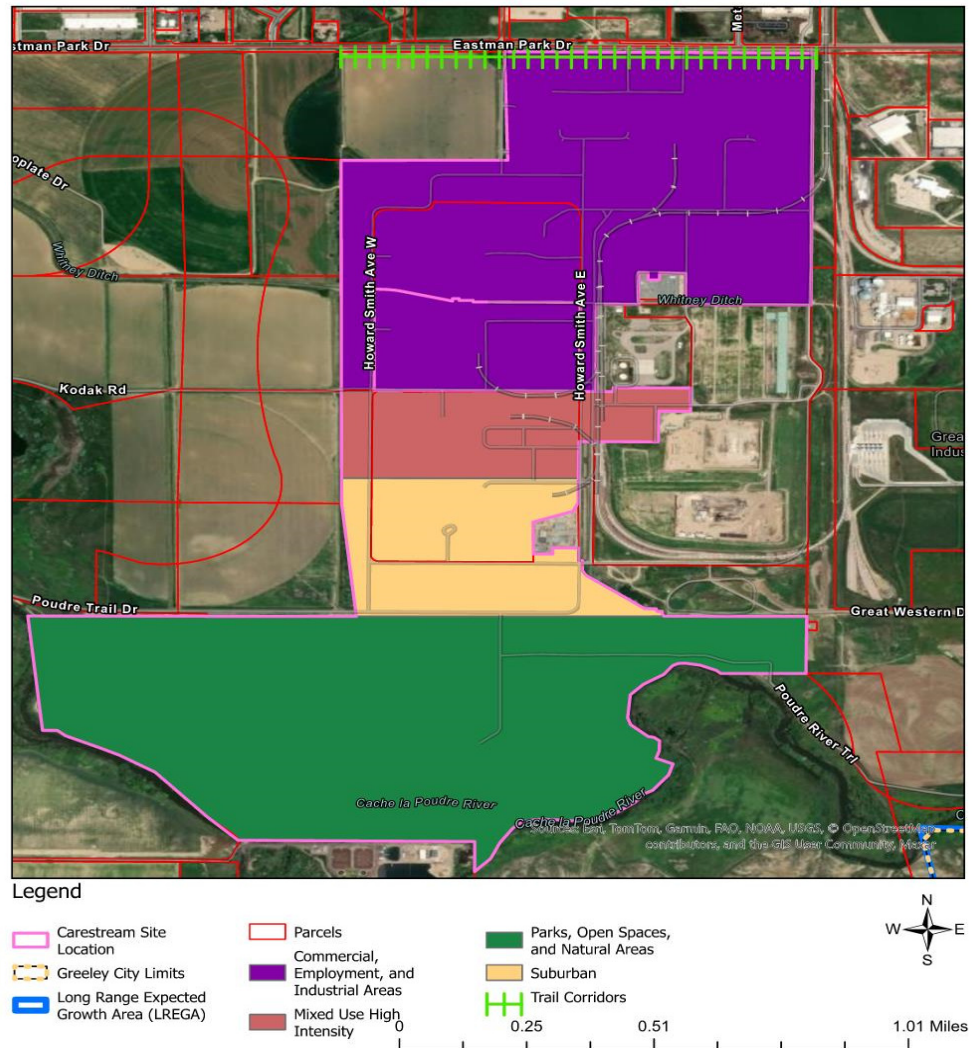


Carestream Site



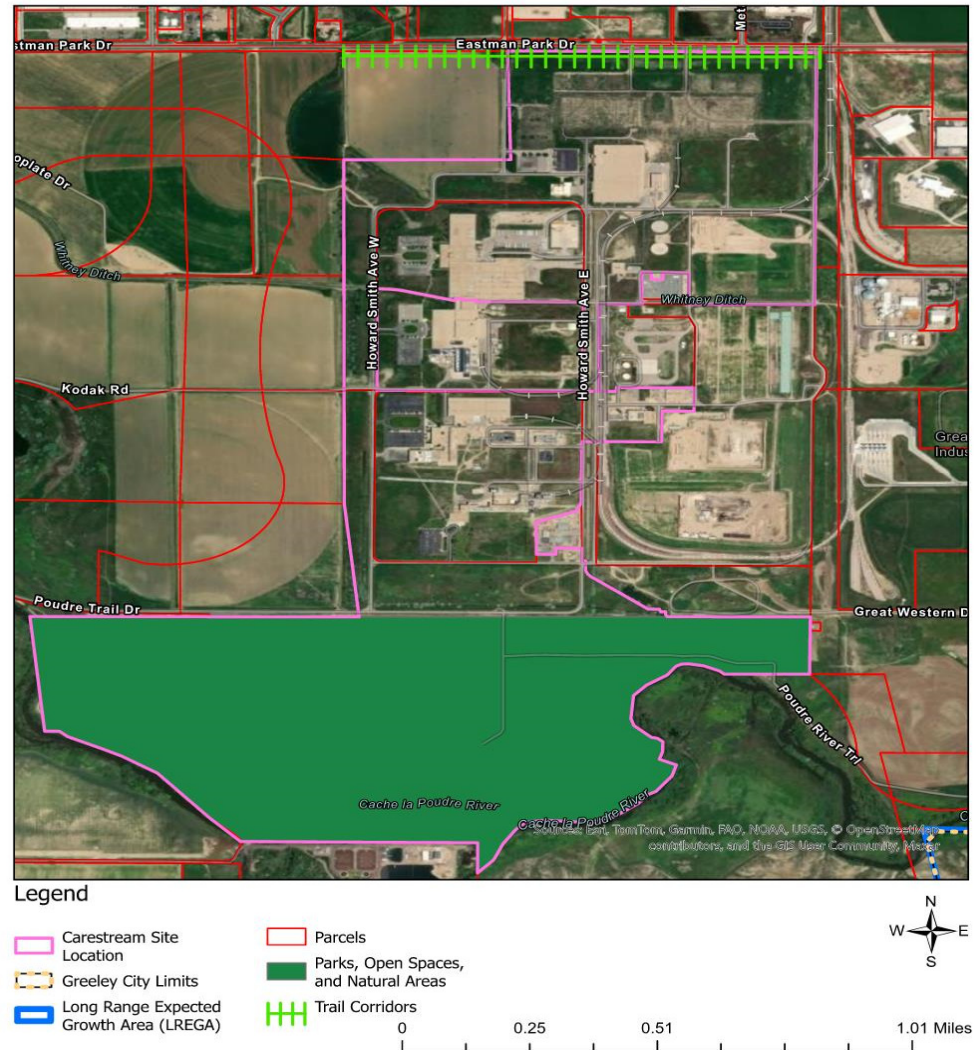
Conceptual Land Use: Carestream

City of Greeley Three-Mile Plan:
Conceptual Land Use Map - Carestream Site



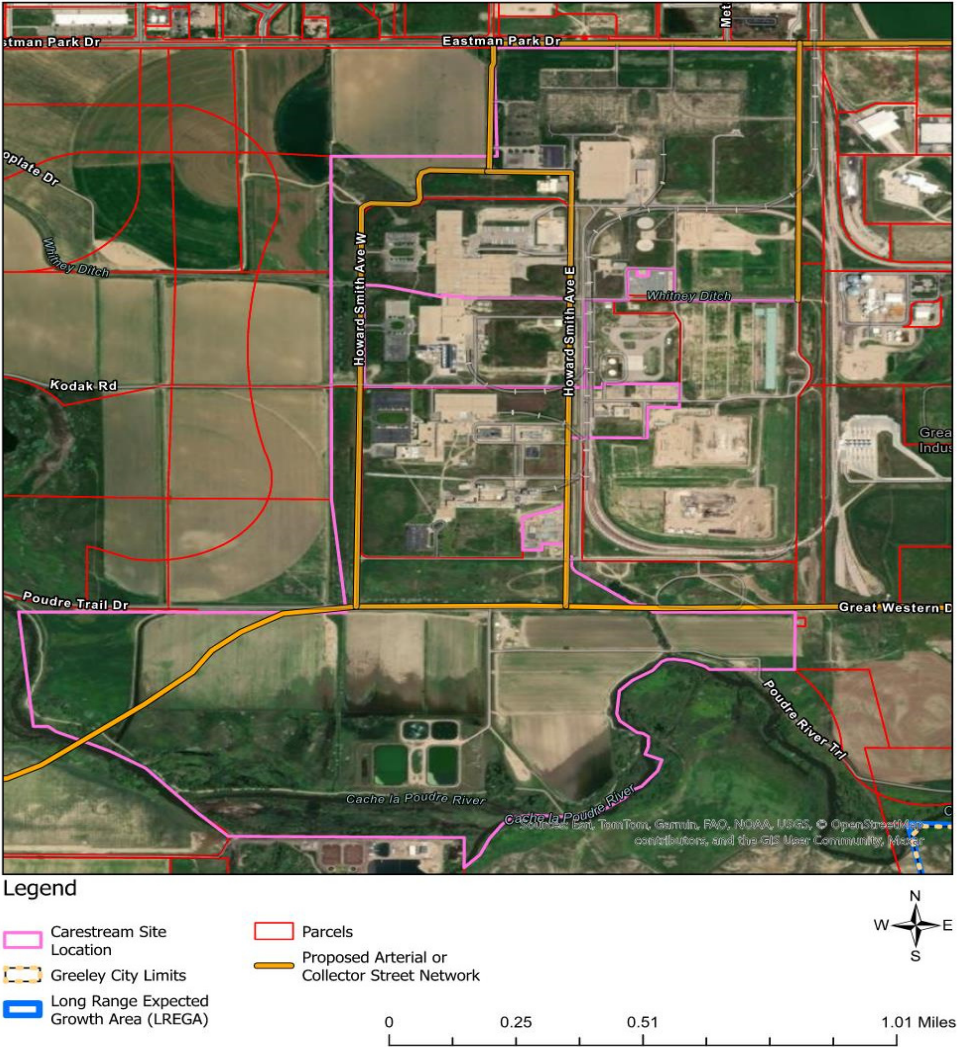
Conceptual Parks/Trails /Open Space: Carestream

City of Greeley Three-Mile Plan:
Conceptual Water & Sewer Map - Carestream Site



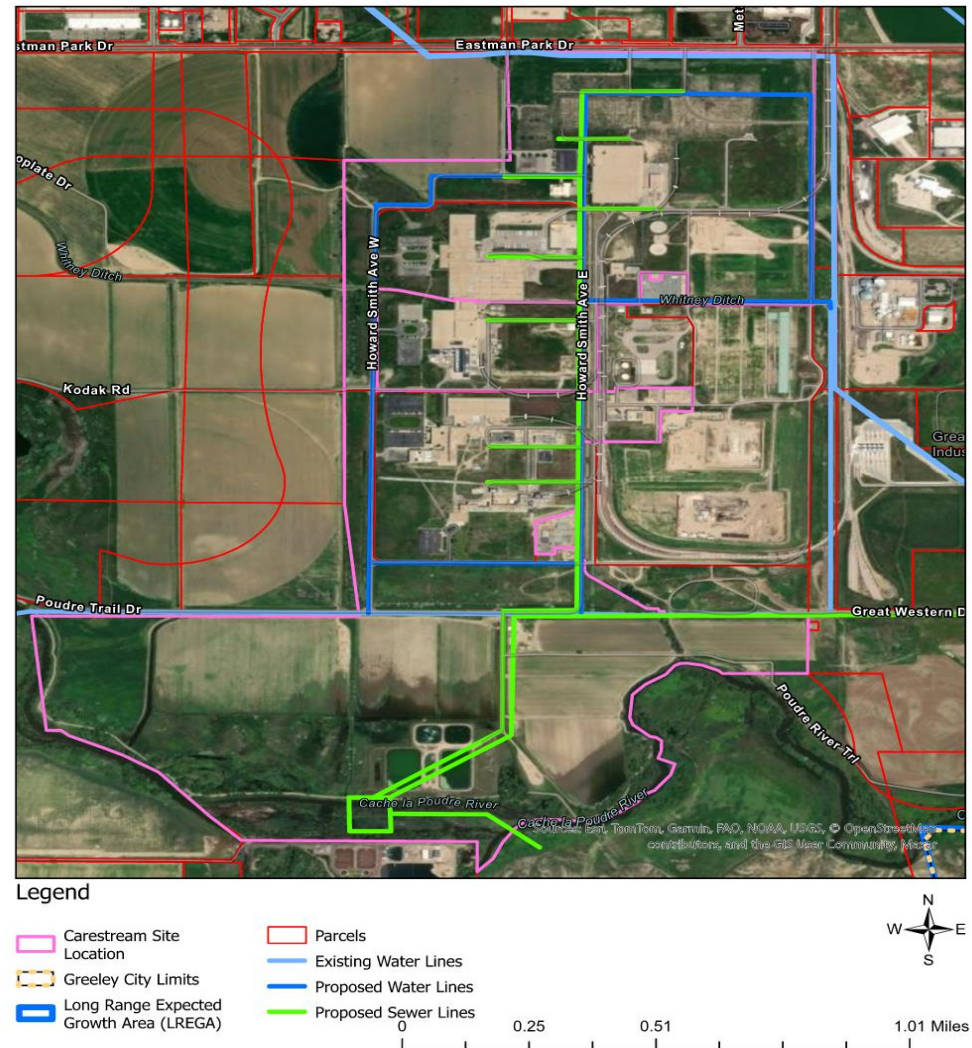
Conceptual Transportation: Carestream

City of Greeley Three-Mile Plan:
Conceptual Transportation Map - Carestream Site



Conceptual Infrastructure: Carestream

City of Greeley Three-Mile Plan:
Conceptual Water & Sewer Map - Carestream Site



Other Entities Plans, Policies, Documents

- **Land Use**

- City of Evans
- City of Loveland
- IGAs
- Northern Colorado Community Separator
- Town of Eaton
- Town of Johnstown
- Town of Kersey
- Town of Severance
- Town of Windsor
- Weld County

- **Water & Sewer Infrastructure**

- 1041 Regulations
- Bellevue Pipeline Project
- City of Evans Municipal Water Efficiency Plan
- Drainage Basin Master Plans
- North Weld Water District Conservation Plan
- Stormwater Design Criteria
- Town of Windsor Master Drainage Plan
- Town of Windsor Municipal Water Efficiency Plan
- Town of Windsor Non-Potable Water Master Plan

- **Parks/Trails/Open Space**

- City of Evans Parks & Recreation Plan
- City of Evans Open Space and Trails Master Plan
- Greeley-Evans District 6 Facilities Master Plan
- Subarea & Neighborhood Plans
- Stormwater Drainage Criteria
- Town of Eaton Parks Master Plan
- Town of Johnstown Parks, Trails, Recreation, and Open Space Plan
- Town of Windsor Parks, Recreation, Open Space, and Trails Plan

- **Transportation**

- 1041 Regulations
- 2045 Upper Front Range Regional Transportation Plan
- NFRMPO 2050 Regional Transportation Plan
- CDOT Bikeability Checklist
- CDOT US 392 Overview Study
- City of Evans Transportation Master Plan & Multimodal Plan
- Town of Windsor Transportation Master Plan

Considerations

- **Approval Criteria**

- C.R.S § 31-12-105(e)
- Advances health, safety, and welfare of the community
- The proposed Three Mile Plan is consistent with the criteria as outlined in the staff report

- **Recommendation**

- Complies with Approval Criteria
- Recommend Approval to City Council

- **Notification**

- Referral reviews sent to Town of Johnstown, Town of Windsor, and Weld County
- Web notice posted & all other noticing requirements met for resolutions

Motions

Recommended

- Based on the preceding analysis, the Planning Commission finds that the proposed City of Greeley Three Mile Plan Resolution is consistent with Colorado State Statute 31-12-105(e), meeting statutory requirements related to infrastructure, parks, transportation, and land uses that will allow the City to annex future properties within its three mile boundary, and therefore recommends that the City Council approves the City of Greeley Three Mile Plan Resolution as submitted.

Alternative

- Based on the preceding analysis, the Planning Commission finds that the proposed City of Greeley Three Mile Plan Resolution is not consistent with Colorado State Statute 31-12-105(e), not meeting statutory requirements related to infrastructure, parks, transportation, and land uses that will allow the City to annex future properties within its three mile boundary, and therefore recommends that the City Council denies the City of Greeley Three Mile Plan Resolution as submitted.

Thank you





Planning Commission Agenda Summary

May 13, 2025

Key Staff Contact: Doug May, AICP | Planner III

Title:

Case number CU2024-0004 Code Amendments: Downtown Overlay

Summary:

A public hearing to consider a Development Code text amendment to rename the General Improvement District (GID) zoning overlay to Downtown Overlay District 1, adjust the boundaries to include properties with proximity to 8th Avenue from 11th Street to 17th Street, as well as from 5th Street to 6th Street, and clarify the standards.

Recommended Action:

Approval of the code amendments to the Greeley Municipal Code as submitted.

Attachments:

Attachment A – Downtown Overlay Code Update

Attachment B – Downtown Overlay Boundary

PLANNING COMMISSION SUMMARY

ITEM: Code amendments to the Greeley Development Code to rename the General Improvement District (GID) zoning overlay to Downtown Overlay District 1, adjust the boundaries, and clarify the standards

FILE NUMBER: CU2024-0004

PROJECT: Code Amendments: Downtown Overlay

APPLICANT: City of Greeley, Community Development Department

CASE PLANNER: Doug May, AICP | Planner III

PLANNING COMMISSION HEARING DATE: May 13, 2025

PLANNING COMMISSION FUNCTION:

Review the proposed code amendment for compliance with Section 24-211.b of the Greeley Development Code and make a recommendation to City Council.

EXECUTIVE SUMMARY

The City of Greeley is considering a Development Code text amendment to rename the General Improvement District (GID) zoning overlay to Downtown Overlay District 1, adjust the boundaries to include properties with proximity to 8th Avenue from 11th Street to 17th Street, as well as from 5th Street to 6th Street, and clarify the standards.

A. REQUEST

The Community Development Department requests recommendation of approval for a code amendment renaming the General Improvement District (GID) zoning overlay to Downtown Overlay District 1, adjusting the boundaries, and clarifying the standards.

B. STAFF RECOMMENDATION

Approval

C. BACKGROUND

The existing General Improvement District Overlay currently applies to the historic core of Downtown Greeley. This overlay waives requirements for setbacks, building height, on-site parking, and open space. The overlay's purpose is to:

1. Allow development that reflects historic Downtown Greeley's patterns.
2. Complement the scale, mass, form, and design of existing buildings.
3. Promote the unique character of Downtown Greeley.
4. Coordinate development with investments in public spaces, such as streets and civic spaces.

5. Implement the planning and urban design policies in the Comprehensive Plan and related documents.

The Greeley City Council adopted the Downtown 2032 – The Path Forward plan, which outlines numerous action items, including the creation of guidelines for Downtown that promote consistent treatment of the public realm, streetscape, building frontages, and character. Additionally, the Imagine Greeley Comprehensive Plan emphasizes facilitating the rebirth of Downtown Greeley as a regional multi-use activity area while preserving and promoting its cultural aspects. It notes:

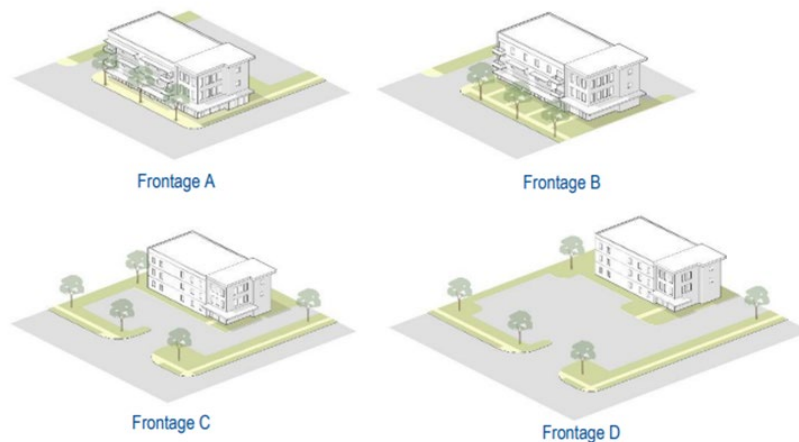
“...special care should be given towards ensuring new development is designed in a manner that is compatible with surrounding buildings and uses...”

The 8th Avenue Corridor serves as a gateway to and major thoroughfare through Downtown Greeley. The corridor functions as a main street, connecting the downtown core to the University of Northern Colorado campus. Redevelopment along this corridor has been active, with notable projects like the Maddie Apartment buildings and 55 Resort. However, feedback from the development community has indicated challenges in the development review process for projects within this area.

Most of downtown Greeley is zoned C-H (Commercial High Intensity), which includes “preferred frontage types” in the Greeley Development Code. These frontage types, however, are suburban in design, requiring buildings to be set back from the lot with parking in front. This standard conflicts with the urban character envisioned for both Downtown Greeley and the 8th Avenue Corridor. Recent development along the corridor has been more urban in nature, with buildings constructed at the front property line and parking placed behind the buildings. However, this design requires Alternative Compliance, an administrative variance process. To address this, the amendment proposes changing the preferred frontage type from Frontage C to Frontage A within Downtown Overlay 1.

Figure 24-6-1 Frontage Design

Frontage types are differentiated based on the location of the front building line (FBL), the extent of the front building line occupied by the building (Required FBL), access widths, and parking location and extent along frontage. Coordinating frontage design of multiple buildings and sites along a block impacts the character of the streetscape and the block.



To align with the goals of the Downtown 2032 plan and the Imagine Greeley Comprehensive Plan, staff proposes expanding the overlay district to include the 8th Avenue Corridor. The expansion aims to:

- Foster development that is consistent with Downtown Greeley’s urban fabric.
- Promote a walkable environment along the 8th Avenue Corridor.
- Strengthen the connection between the Downtown core and the University of Northern Colorado campus.

The amendment would also rename the General Improvement District Overlay to Downtown Overlay, reflecting its updated purpose and reducing confusion.

D. REVIEW CRITERIA

The Commission shall consider comment from review agencies and offices, staff recommendation, public comments, and the following criteria in making a recommendation to City Council.

1. The amendment furthers the purposes of these regulations in Section 24-101.c.

Staff Comment: The proposed code amendment is intended to implement objectives of the Comprehensive Plan and ensure new development reflects the area’s historic patterns, enhances the pedestrian experience, and supports the broader vision for Downtown Greeley as a vibrant, multi-use activity center.

The request complies with this criterion.

2. The amendment is in accordance with the Comprehensive Plan and has been considered for both its long-range affects as well as immediate impacts.

Staff Comment: The following objectives from the Comprehensive Plan are applicable to the proposed code amendment.

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

Objective GC-4.1 Priority Infill/Redevelopment Areas: Encourages infill development and redevelopment in priority locations, such as Downtown Center and Downtown Neighborhoods.

Objective GC-4.2 Reinvestment/Adaptive Reuse: Promotes reinvestment in established areas, encouraging the revitalization of underutilized structures.

Objective GC-4.3 Infill Compatibility: Supports designs that enhance the character of neighborhoods, ensuring compatibility with surrounding areas.

Objective GC-5.1 Historic Preservation: Encourages historic preservation in Downtown through incentives, aligning with efforts to maintain the historic urban fabric.

Objective GC-5.7 Downtown Transportation: Advocates for a pedestrian-friendly Downtown transportation system to meet mobility needs and enhance the area's accessibility.

GC-5.8 Downtown Linkages: Improves linkages between Downtown and nearby areas, enhancing connectivity and promoting pedestrian-oriented land uses.

Objective GC-6.1 Complete Neighborhoods: Aims to foster neighborhoods with mixed uses and multi-modal connectivity, aligning with the walkability and urban connectivity goals

The request complies with this criterion.

3. The amendment promotes the public safety, health and general welfare of the citizens of Greeley.

The amendment promotes walkable urban development, minimizing pedestrian-vehicle conflicts and enhancing street safety, particularly along the 8th Avenue Corridor. This corridor acts as a vital link between Downtown and the University of Northern Colorado campus, improving access to services. By prioritizing infill development, the amendment makes the most of existing infrastructure while curbing the need for expensive suburban sprawl. Additionally, mixed-use development reduces car dependence, lowering emissions and fostering a healthier environment for residents.

The request complies with this criterion.

4. The amendment improves the effectiveness and efficiency of administering the Land Development Code.

Staff Comment: The proposed amendment improves the effectiveness of the Development Code by creating a more consistent regulatory framework. This reduces ambiguity in development requirements and clarifies how properties along the corridor should be developed, making the review process faster and more predictable for developers and city staff.

The request complies with this criterion.

E. PUBLIC NOTICE AND COMMENT

Notice was published on the City of Greeley's website on **January 13, 2025**, pursuant to the

City's notification requirements for code amendments to the Development Code. Courtesy mailed notice was also sent to all property owners within the boundaries of the existing GID and expanded Downtown Overlay. No objection or support has been received by staff.

A meeting with property owners in the area was held on November 21, 2024, where 10 people attended.

F. PLANNING COMMISSION MOTIONS

Recommended (Approval)

Based on the preceding analysis, the Planning Commission finds that the proposed code amendments to the Greeley Municipal Code are consistent with the Development Code criteria of Section 24-211.b (Items 1 through 4) and therefore recommends that the City Council approves the code amendments to the Greeley Municipal Code as submitted.

Alternative (Denial)

Based on the preceding analysis, the Planning Commission finds that the proposed code amendments to the Greeley Municipal Code are not consistent with the Development Code criteria of Section 24-211.b (Items 1 through 4) and therefore recommends that the City Council denies the code amendments to the Greeley Municipal Code as submitted.

Attachments

Attachment A – Downtown Overlay Code Update

Attachment B – Downtown Overlay Boundary

Downtown Overlay Code Update Draft 1-10-25 CLEAN

Draft Document Conventions

- Text in red underline is proposed new language.
- Text in blue indicates comments

Summary of sections with new language:

- **Sec. 24-703.c.1.**
- **Sec. 24-801.b.3.**
- **Chapter 10. Special Districts & Areas**
- **Sec. 24-1005.**

Sec. 24-703.c.1.

Downtown Overlay 1. Refer to Section 24-1005.

Sec. 24-801.b.3.

Exemptions. Development within Downtown Overlay 1 and the Redevelopment District may be exempt from certain requirements. Refer to Chapter 10 of the Development Code.

Chapter 10. Special Districts & Areas

24-1001 Floodplain Overlay District

24-1002 Airport Overlay District

24-1003 Historic Preservation

24-1004 Areas of Ecological Significance

24-1005 Downtown Overlay 1

24-1006 Redevelopment District Overlay

24-1007 Character Overlay Districts

24-1008 Entertainment Districts

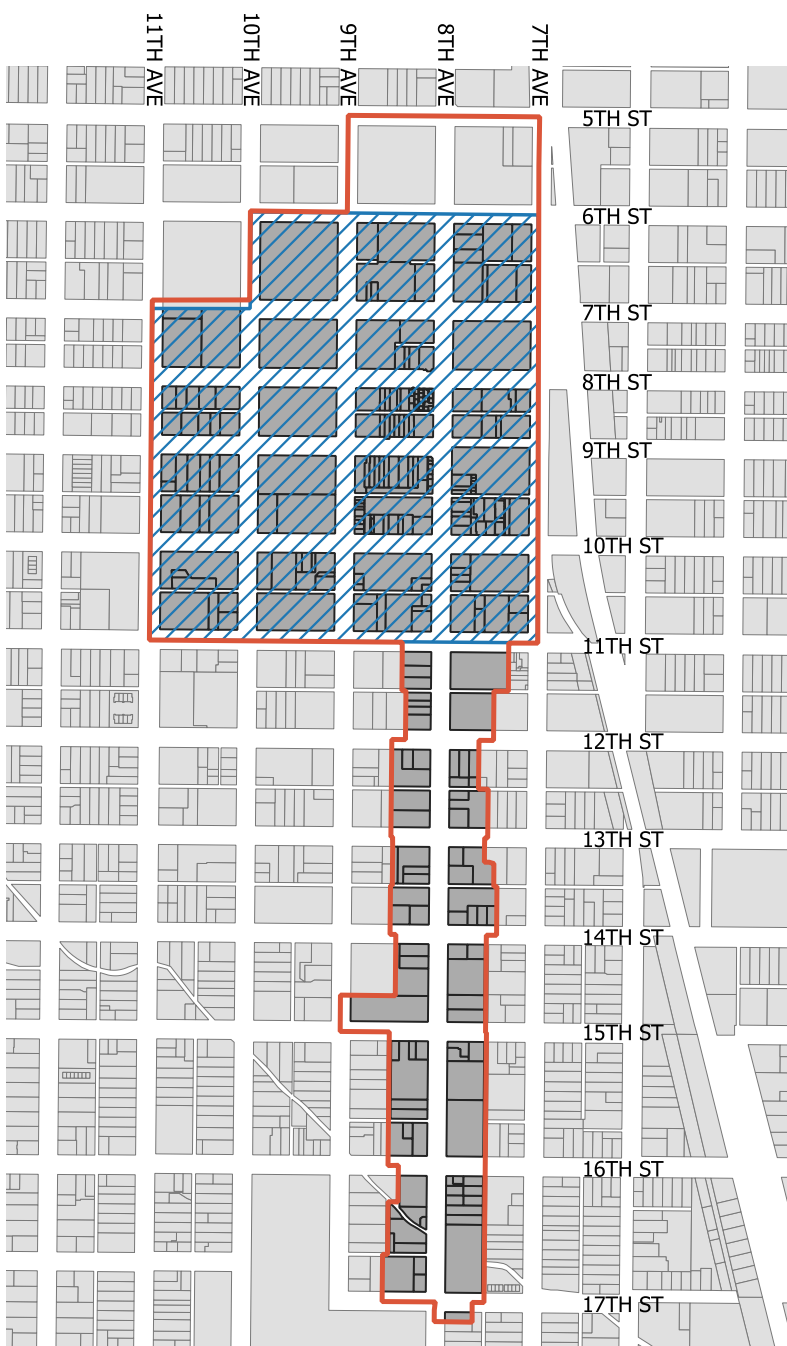
24-1009 Hillside Development Standards

Sec. 24-1005. – Downtown Overlay 1.

- a) *Intent.* The intent of this section is to provide standards for the use and development of land in the core of downtown Greeley. The specific intent is to:
1. Allow development that reflects the historic development patterns of downtown Greeley.
 2. Complement the scale, mass, form, and design of buildings.
 3. Promote the unique character of downtown Greeley.
 4. Coordinate development in the downtown area with the design and investments in public spaces, including streets, civic spaces, and other gathering places.
 5. Implement the planning and urban design policies for downtown reflected in the comprehensive plan, or any specific plan for any parts of the downtown area.
- b) *Applicability.* The provisions herein shall apply to all land shown in Figure 24-1005-1:

[Insert map, label:] Figure 24-1005-1: Downtown Overlay 1

- c) *District regulations.* Land in the Downtown Overlay 1 is subject to the following:
1. Uses are exempt from providing off-street parking for automobiles required by the Development Code. Bicycle parking is still required at the rate required of the subject uses. Any automobile or bicycle parking provided must meet Development Code standards for allowable dimensions, locations, design, ADA accessibility, access, lighting, landscaping, setbacks, and other applicable standards.
 2. Development within the overlay is exempt from all limits on density, maximum number of dwelling units, building height, and minimum setbacks.
 3. For nonresidential and mixed-use development, Frontage A (Table 24-6-5) is preferred. For residential development, Terrace Frontage (Table 24-5-7) is preferred. Other frontage types are only allowed subject to the Community Development Director's approval of an alternative compliance request.
 4. Development within the overlay is exempt from providing on-site open space otherwise required in the Development Code. Right-of-way landscaping is required in accordance with Development Code standards. Any open space provided must meet applicable lot open space design standards and landscaping standards.



Downtown Overlay 1 Boundary



Existing GID Boundary

Downtown Overlay CU2024-0004

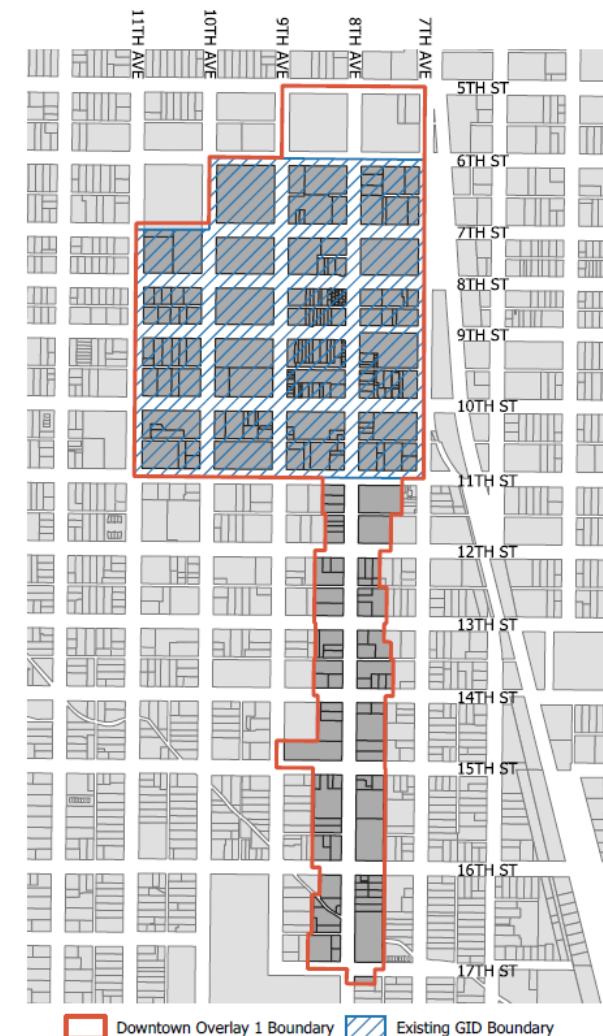
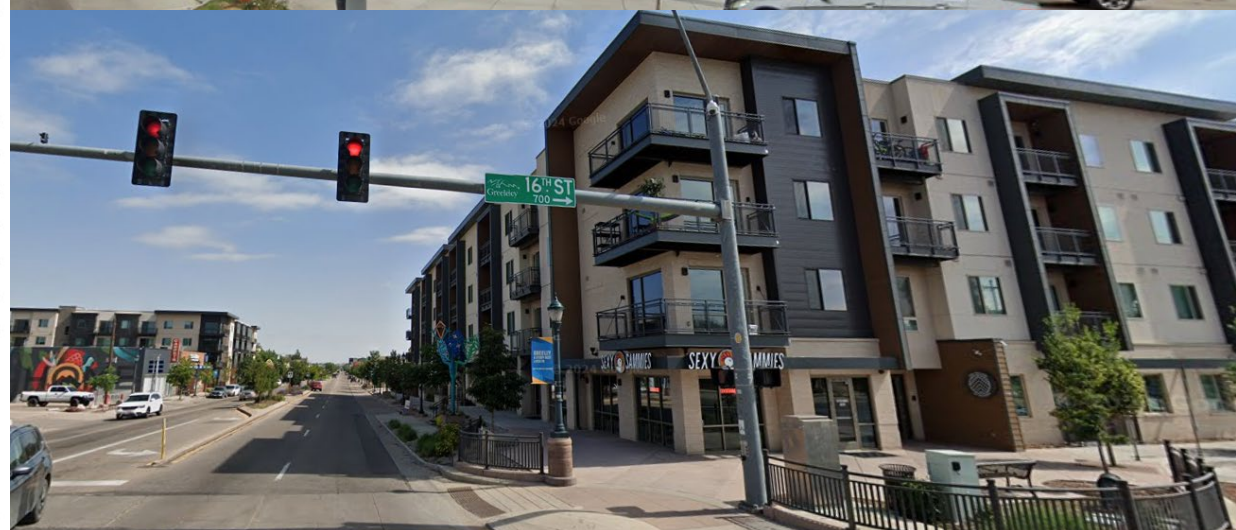
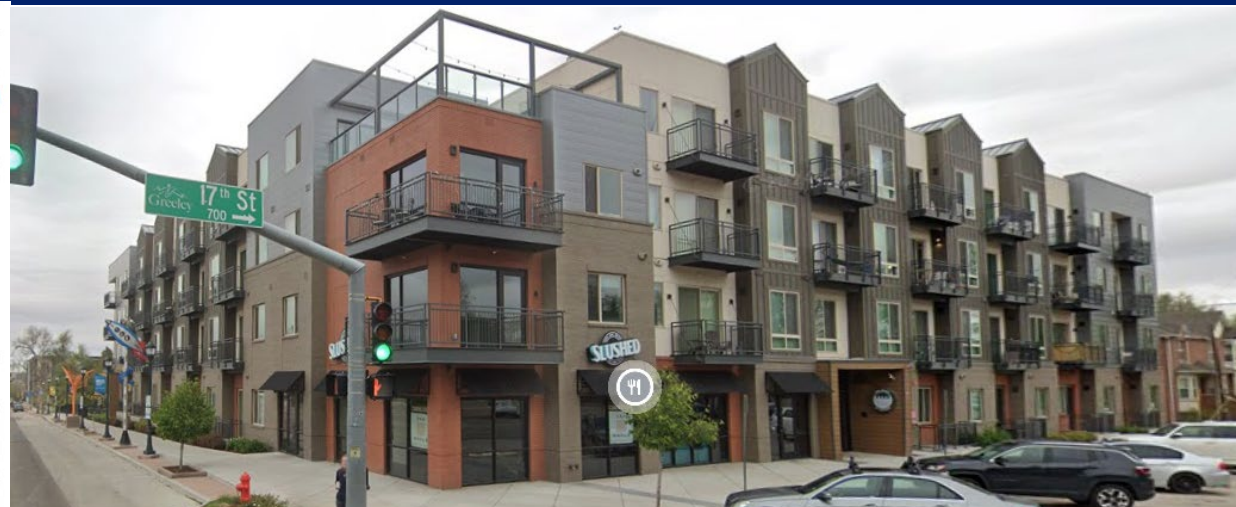
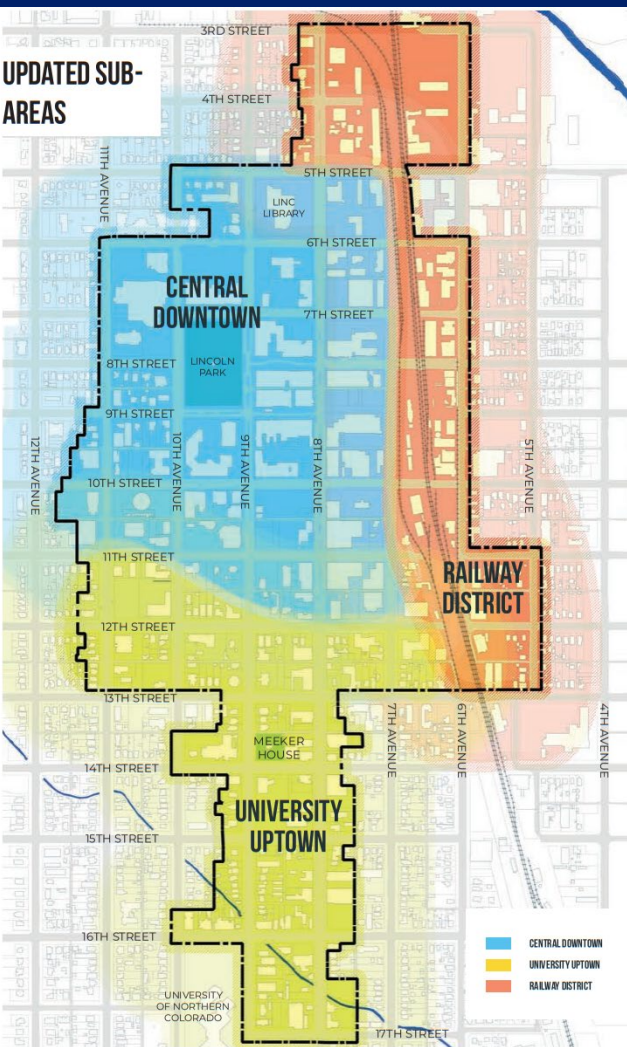
Community Development – Planning
Planning Commission May 13, 2025



Agenda

- Request and Background
- Location
- Existing GID Overlay
- Comprehensive Plan
- Request
- Considerations
- Motions

Location



Existing GID Overlay

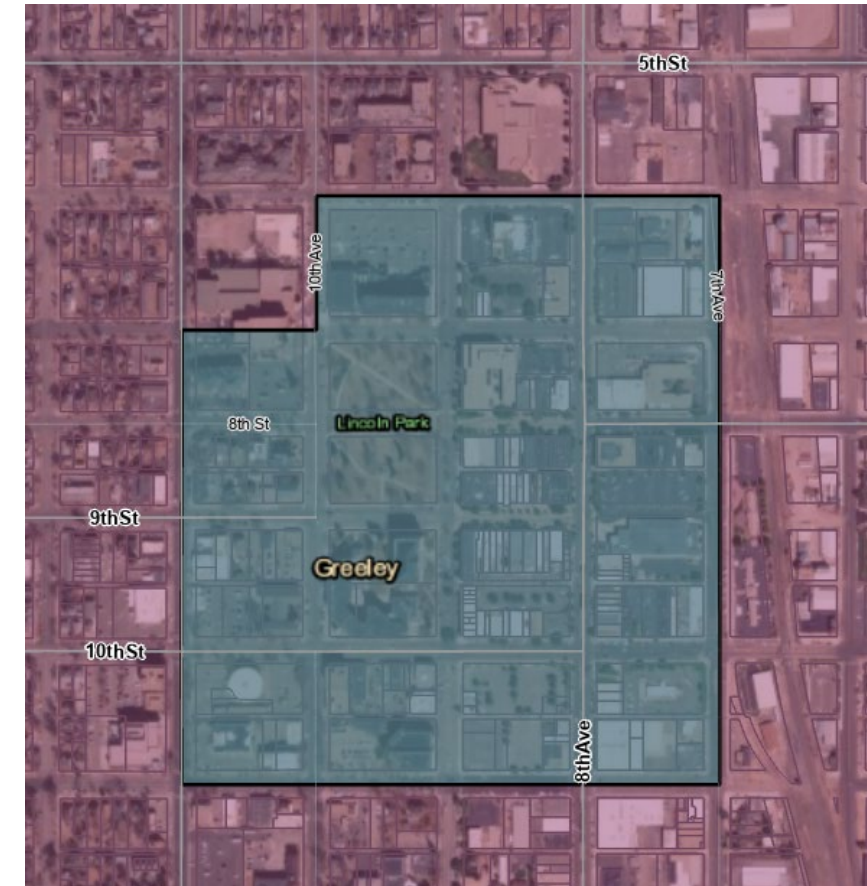


- **Existing General Improvement District (GID) Overlay**
 - Allow development that reflects the historic development patterns of Downtown Greeley.
 - Compliment the scale, mass, form and design of buildings, and promotes the unique character of downtown Greeley.
 - Coordinate development in the downtown area with the design and investments in public spaces, including streets, civic spaces and other gathering places.
 - Implement the planning and urban design policies for Downtown reflected in the Comprehensive Plan, or any specific plan for any parts of the Downtown area.

Existing GID Overlay



- **Existing General Improvement District (GID) Overlay**
- Exempt from:
 - Development standards in Chapter 4 or corresponding standards in Chapters 5 and 6
 - Landscape Standards in Chapter 8; and 3.
 - Parking standards in Chapter 7



Comprehensive Plan



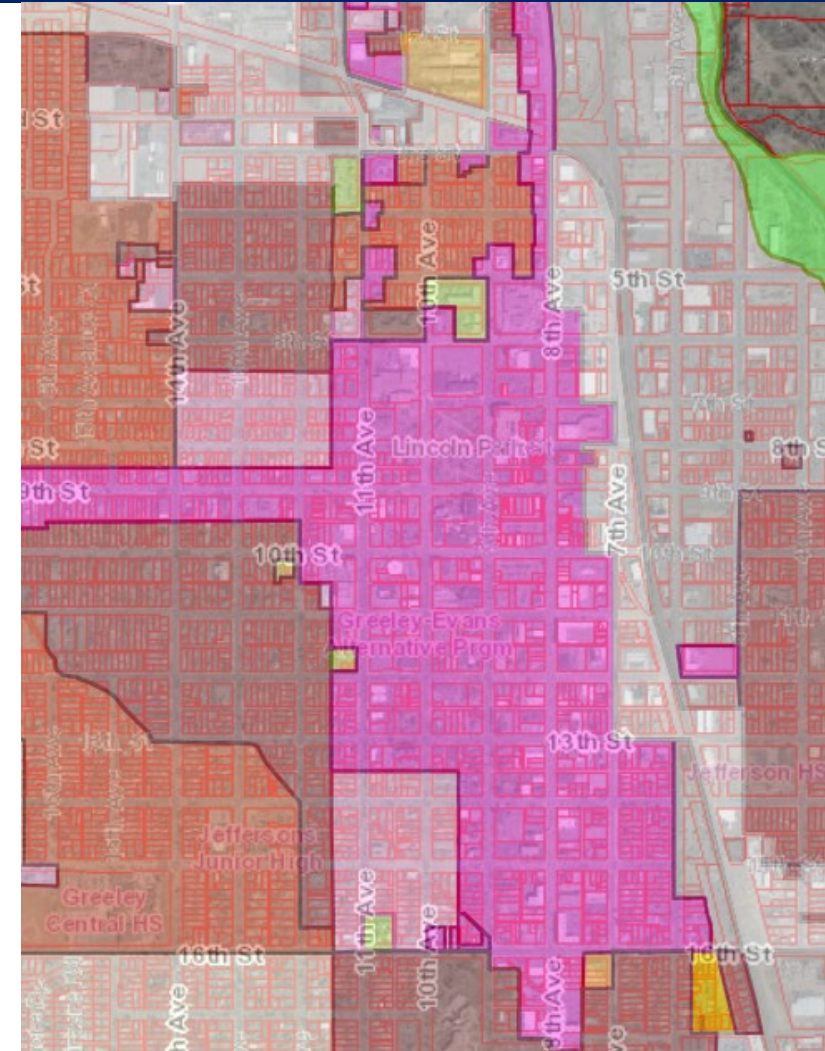
- **Downtown Greeley 2032 The Path Forward**
- Create new design standards and guidelines for Downtown that focus on a consistent treatment to the public realm, streetscape, building frontages, and character
- **Imagine Greeley Comprehensive Plan**
- Facilitate the rebirth of Downtown Greeley as a regional multi-use activity area while preserving and promoting the cultural aspects of the area.
- "...special care should be given towards ensuring new development is designed in a manner that is compatible with surrounding buildings and uses..."

Request

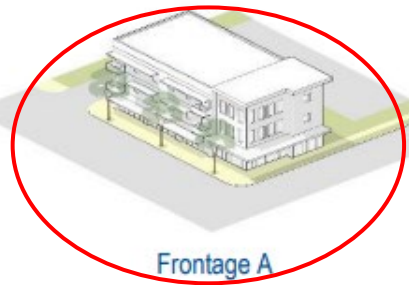


- **Proposed Amendment**

- Rename to the General Improvement District (GID) Overlay to Downtown Overlay
- Expand the boundaries to include properties with frontage along 8th Avenue
- Revise preferred frontage type from 'Type C' to 'Type A'
- Clarify standards within the district (i.e. landscaping, parking)



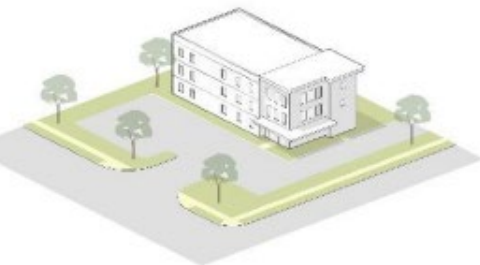
Request



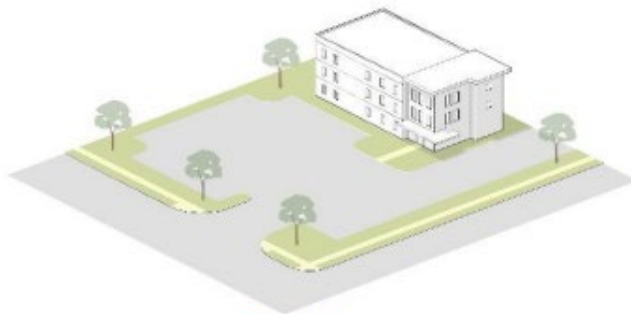
Frontage A



Frontage B



Frontage C



Frontage D

Table 24-5-7: Residential Frontage Types & Design Standards

Frontage Element	Terrace Frontage	Neighborhood Frontage	Suburban Frontage

Considerations

Approval Criteria

- Code Amendment Review Criteria, Section 24-211.b

Four Criteria Used to Evaluate Code Amendments

- The proposal is consistent with the criteria as outlined in your Summary

Notification

- Mailed notice to property owners within the proposed district boundaries
- Web notice
- No objection/support

Recommendation

- Staff recommends approval

Motions

Recommended (Approval)

- Based on the preceding analysis, the Planning Commission finds that the proposed code amendments to the Greeley Municipal Code are consistent with the Development Code criteria of Section 24-211.b (Items 1 through 4) and therefore recommends that the City Council approves the code amendments to the Greeley Municipal Code as submitted.

Alternative (Denial)

- Based on the preceding analysis, the Planning Commission finds that the proposed code amendments to the Greeley Municipal Code are not consistent with the Development Code criteria of Section 24-211.b (Items 1 through 4) and therefore recommends that the City Council denies the code amendments to the Greeley Municipal Code as submitted.

Thank you

