

Greeley City Council Agenda

Regular Meeting

Tuesday, November 1, 2022 at 6:00 p.m.

City Council Chambers at City Center South, 1001 11th Ave, Greeley, CO 80631

Zoom Webinar link: <https://greeleygov.zoom.us/j/98241485414>

NOTICE:

Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

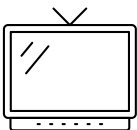
City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

Members of the public are also invited to choose how to participate in Council 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.



Meetings are televised live on GTV8 on cable television.



Meetings are livestreamed on the City's website, greeleygov.com as well as YouTube at youtube.com/CityofGreeley

For more information about this meeting or to request reasonable accommodations, contact the City Clerk's Office at 970-350-9740 or by email at cityclerk@greeleygov.com.

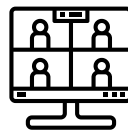
Meeting agendas, minutes, and archived videos are available on the City's meeting portal at greeley-co.municodem meetings.com/

Comment in real time:

During the public input portion of the meeting and public hearings:



In person attendees can address the Council in the Chambers.

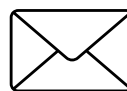


The public can join the Zoom webinar and comment from the remote meeting.

Submit written comments:



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



Written comments can be mailed or dropped off at the City Clerk's Office at City Hall, at 1000 10th St, Greeley, CO 80631





City Council Agenda

November 01, 2022 at 6:00 PM

City Council Chambers, City Center South, 1001 11th Ave & via Zoom at <https://greeleygov.zoom.us/j/98241485414>

Mayor

John Gates

Councilmembers

Tommy Butler
Ward I

Deb DeBoutez
Ward II

Johnny Olson
Ward III

Dale Hall
Ward IV

Brett Payton
At-Large

Ed Clark
At-Large

A City Achieving Community Excellence

Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Recognitions and Proclamations
6. Citizen Input
7. Reports from Mayor and Councilmembers
8. Initiatives from Mayor and Councilmembers

Consent Agenda

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Council Members may request an item be pulled off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

9. Consideration of a motion to call a Special Work Session
10. Approval of the City Council Proceedings of October 4, 2022
11. Acceptance of the Report of the City Council Work Session of October 11, 2022
12. Consideration of a motion to approve a change order, in the amount of \$38,250.00, to the contract with Barnhart Communications for the image campaign
13. Introduction and first reading of an Ordinance amending Title 12, Chapter 3 and Title 20, Chapter 3 and Chapter 4 of the Greeley Municipal Code Relating to the City of Greeley's Municipal Separate Storm Sewer System

End of Consent Agenda

14. Pulled Consent Agenda Items

- [15.](#) Public hearing and second reading of an Ordinance repealing and replacing Article V of Title 18 and enacting a new Article V of Title 18 regarding Event and Demonstration Permits; and Making changes to Section 12-357 regarding Amplified Sound Permits
- [16.](#) Public hearing and second reading of an Ordinance amending Article II, Section 2-60 of the Greeley Municipal Code regarding election wards
- [17.](#) Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from Holding-Agriculture (H-A) to Residential-High Density (R-H), changing the underlying land use designations for approximately 31.19 acres of property located north of and adjacent to 13th Street and the Fox Run Neighborhood, approximately 500' west of 59th Avenue, and approximately 580' south of 10th Street (ZON2021-0016)(13th Street Apartments Rezone).
- [18.](#) Public hearing to establish a Planned Unit Development plan to allow all C-H (Commercial High Intensity) uses and manufacturing food and beverage major use on approximately 19.995 acres of land located West of 23rd Avenue and South of 29th Street (Project No. PUD2022-0002)(Colorado Premium PUD)
- [19.](#) Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado from Commercial High Intensity (C-H) to Planned Unit Development (PUD)changing the underlying land use designations for approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street (Colorado Premium PUD)
- [20.](#) Scheduling of Meetings, Other Events
- [21.](#) Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances
22. Adjournment

Council Agenda Summary

Title

Recognitions and Proclamations

Summary

Mayor Gates will present two proclamations

Council Member Olson will present the *What's Great about Greeley* Report.

Attachments

Veteran's Day Proclamation

Native American Heritage Month Proclamation

What's Great about Greeley Report



VETERANS DAY

WHEREAS, in 1919, November 11th was proclaimed Armistice Day to remind Americans of the tragedies of war and in 1954 Congress changed the name of the legal holiday to Veterans Day to honor all United States Veterans; and

WHEREAS, Veterans Day is a time for all Americans to honor and express their gratitude to the men and women who served in our Nation's armed forces and made major contributions and risked their lives to preserve the freedoms we enjoy as American citizens; and

WHEREAS, the gallant Americans serving the Nation today continue in the finest tradition of American willingness to serve their country; and

WHEREAS, the Nation is truly grateful for those services of our veterans, vindicating the principles of peace and justice in the world; and

WHEREAS, the City of Greeley is proud to have a beautiful Veterans Memorial displayed in Bittersweet Park to honor those who have proudly served their country.

NOW THEREFORE, I, Mayor John Gates, do hereby proclaim November 11, 2022, as *Veterans Day* in Greeley and urge our citizens to observe the day with appropriate ceremonies in honor of those who have borne the burden in the defense of freedom and to proudly display the Flag of the United States of America as a tribute to our veterans.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley this 1st day of November, 2022.

John D. Gates
Mayor



Native American Heritage Month

WHEREAS, the history and culture of our great nation have been significantly influenced by indigenous peoples of North America; and

WHEREAS, the contributions of the indigenous peoples of North America have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, the Greeley Human Relations Commission adopted the Land Acknowledgement Statement in 2022 which recognizes that we hold meetings on the traditional lands of the Ute, Cheyenne, Arapaho and Lakota peoples, as well as all other tribes that are historically tied to the State of Colorado; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim the month of November as **Native American Heritage Month** and urge all citizens to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 1st, November 2022.

John D. Gates
Mayor



City Council Meeting
November 1, 2022

A Story Best Lived In.

***In all ways, we will transmit
this City not only, not less, but
greater and more beautiful than
it was transmitted to us.***

- Athenian Oath

Whitney Dyer Receives Outstanding New Professional Award From Colorado Park and Recreation Association

- Whitney is a supervisor for Greeley Recreation’s adult and youth sports, as well as Adaptive and Inclusive Recreation (AIR)



Rhonda Lucas and Justin Bottoms Receive TMI Hero Award from Traffic Management, Inc.

- Helped a child and mother trapped in vehicle after a crash.



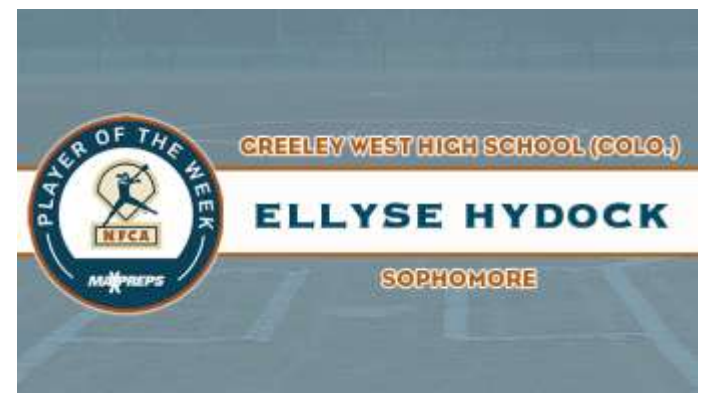
Pharmacist Michael Anthony Ortega, Jr. Given 2022 ‘Best Pharmacist for Education’ Award by SingleCare.

- Pharmacist at West Greeley King Soopers
- Among the Top 10 Pharmacists in the Nation



Ellyse Hydock Named 2022 MaxPreps/NFCA Fall High School Player of the Week

- Greeley West sophomore
- National Fastpitch Coaches Association (NFCA)



UNC Women's Volleyball Syd Cole Earns 2nd Big Sky Offensive Player of the Week Honor This Season



**SYD
COLE**

City of Greeley Wins Colorado Smart Cities Alliance Connected Colorado Challenge

- One of 11 winners in the challenge
- Greeley will create demonstration projects using four solutions
 - **Iris:** AI-enabled solution that detects, measures, and reports infrastructure issues
 - **Liveable Cities:** LED hardware for streetlights
 - **Velodyne Lidar:** Infrastructure solution
 - **Snobotix:** Self-driving snow removal robots





A Story Best Lived In.

Council Agenda Summary

Title

Citizen Input

Summary

During this 15 minute portion of the meeting, anyone may address the Council on any item of City Business appropriate for Council consideration that is not already listed as a public hearing on this evening's agenda.

As this meeting is being conducted in a hybrid format, citizen input will be accepted first from those in the City Council Chambers, and then from the virtual meeting audience via the meeting's webinar.

Written comments submitted for any item on the agenda will be placed in the public record and provided to the Council for their review and should include the name and city of residence of the person submitting the comments for the record.

GREELEY WALKS . . . FOR THE HEALTH OF IT !

“Walking is the closest thing we have for a wonder drug”.

Dr. Thomas Frieden, former director of the Center for Disease Control and Prevention

Help us make Greeley a city where any focus on mobility includes an emphasis on the health benefits of walking/rolling.

In his book, *In Praise of Walking*, Shane O’Mara, a brain researcher and neuroscientist shares with readers:

We all, know that it is good for our hearts. But walking is also beneficial for the rest of our body. Walking helps protect and repair organs that have been subject to stresses and strains. It is good for the gut, assisting the passage of food through the intestines. Regular walking also acts as a brake on the aging of our brains, and can, in an important sense, reverse it ... Reliable, regular, aerobic exercise can actually produce new cells in the hippocampus, the part of the brain that supports learning and memory. Regular exercise also stimulates the production of an important molecule that assists in brain plasticity... The phrase “movement is medicine” is correct: no drug has all of these positive effects.

Our mission for **GREELEY WALKS** is to:

- Create public awareness and knowledge of the joy and health benefits of walking/rolling
- Create a cultural shift where walking/rolling is embraced by the residents and enabled by community development to make it safe, accessible and enjoyable
- Help increase the collaboration of diverse public entities to work in concert to enhance mobility options for all residents regardless of age or physical ability
- To map existing paths, bike lanes and trails and create suggested routes that have significant historical, architectural, environmental, or commercial interest
- and to Promote the importance of lighting, resting locations, public spaces, informative signage, restrooms, water stops and adjacent transit stops along designated routes.

We are working in conjunction with **America Walks**, a nonprofit national organization founded in 1996 to lead the way in creating pedestrian-friendly, safe spaces for people to walk and move by providing training and networking opportunities for advocates throughout the country.

Jazz Garrison and Jim Riesberg have completed the training program and are now funded by a grant from AARP.

greeleywalks@gmail.com

GREELEY WALKS . . . FOR THE HEALTH OF IT !

November Events

11/1 **Introduce Kick-off at City Council Meeting**

11/10 **Meet with Culture, Parks and Recreation Department**
3:00 pm

11/18 **Downtown Walk Audit** *council member*
11:30 – 12:30

Conducted with 8 – 11 community leaders between 8th and 10th Avenue and 5th and 7th Streets

Look at traffic, sidewalks, crosswalks, traffic speed, parking, lighting, pedestrians, area housing, local businesses, curb cuts, turning lanes, driver behavior, safety, comfort and appeal, and other neighborhood characteristics.

Supplies and water will be provided

11/20 **WORLD DAY OF REMEMBRANCE for Road Traffic Victims**

2022 Theme: ***Safe Streets Save Lives***

A vigil to honor those lost or injured while in vehicles, walking, biking, or rolling
In the past year.

6 – 7 pm at a site to be determined



HISTORY

1996 America Walks is established as a 501(c)(3) nonprofit national organization, leading the way in creating pedestrian-friendly, safe spaces for people to walk and move.

1996-2000 Membership grows to sixty groups and America Walks expands to provide increased member services, share best practices across the nation, and serve as a forum in which members could come together to advocate common goals.

Early 2000s An annual Congress is established to further the discussion and work of the group.

2002 America Walks develops and adopts its first federal policy platform, titled "A Pedestrian Agenda for TEA-3."

2002-2010 America Walks continues to grow and joins with other national organizations. They provide webinars as part of the Safe Routes to School program, partner with local groups to host and promote regional conferences, and continue to provide an important voice in the ped-bike safety arena.

2010 America Walks charts a new direction and adopts a new [three-year strategic plan \(https://aw2021.wpenginepowered.com/wp-content/uploads/2021/07/251397189-Strategic-Plan-2011-2013.pdf\)](https://aw2021.wpenginepowered.com/wp-content/uploads/2021/07/251397189-Strategic-Plan-2011-2013.pdf) for the organization focusing on broadening organizational partnerships.

2011 America Walks hires Scott Bricker as the organizations' first Executive Director. Scott helps grow America Walks into the leading national organization it is today. New partnerships and strategic planning allows the organization to become increasingly involved in the national conversation while maintaining its origins as a resource and forum for local advocates working to advance walkability.

2013 Growth in the organization culminates with the 2013 National Walking Summit, hosted by America Walks with support from the [Every Body Walk! \(https://everybodywalk.org/\)](https://everybodywalk.org/) Collaborative, where 400 walking advocates, government representatives and policy professionals came together to discuss the current situation and ways to move forward into the future.

TODAY The America Walks network boasts hundreds of allied organizations who across the nation are working to increase inclusive mobility for all people who walk and move. America Walks continues to make great strides as it works to promote equitable, safe, and accessible walking conditions for every community.

ABOUT US

America Walks is a leading national nonprofit that advances safe, equitable, accessible, and enjoyable places to walk and move by giving people and communities the resources to effectively advocate for change.

We are a national voice on walking and walkable communities and work to increase the visibility and demand for public places that allow all people to move and walk in ways that are safe and make the most sense for them. At the regional, statewide, and neighborhood levels, we provide critical strategic support, training, and technical assistance to partner organizations and individuals, and serve as the convener of a large network of grassroots advocates.

Vision Statement for a Walkable America

By 2030, streets and neighborhoods in all American communities are safe and attractive public places. People of all ages, abilities, ethnicities, and incomes will be able to move and walk in ways that are safe and make the most sense for them. Community policies and practices will promote walking and movement as a means to support health, economic vitality, environmental sustainability, and social equity.

EEO/AA Statement

America Walks is an equal opportunity organization with a strong commitment to diversity and inclusivity. America Walks does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status in any of its activities or operations.

Council Agenda Summary

Title

Reports from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may offer announcements or reports on recent events and happenings. These reports should be a summary of the Councilmember's attendance at assigned board/commission meetings and should include key highlights and points that may require additional decision and discussion by the full Council at a future time.

Council Agenda Summary

Title

Initiatives from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may bring before the Council any business that the member feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting.

Initiatives will generally fall into three categories:

- 1) A policy item for Council deliberation and direction for a future Worksession, Committee meeting, or regular/special Council meeting;
- 2) A request to the City Manager for information or research;
- 3) A request involving administrative processes or procedures.

At the close of this portion of the meeting, the Mayor will confirm Council's consensus that the individual requests be pursued.

Attachments

Status Report of Council Initiatives and Related Information

Greeley City Council**Status Report of Council Initiatives**

Initiative No.	Council Member Initiating	Council Request	Council Meeting or Work Session Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Next Steps & Schedule	Anticipated Deliverable & Date (Report, Council Presentation, etc.)	Assigned to:
15-2021	Olson	Formation of a committee for implementation of a funding strategy for the 35th and 47th interchanges.	December 7, 2021 Council Meeting	Councilmember Olson will be following up with Manager Lee and Director Trombino on next steps	Pending outcome of federal grant application submitted	Update around end of 2022	Paul Trombino
08-2022	Olson	Front Range Passenger Rail District – Council needs to ask the question whether we should be paying into a transportation district that is in Loveland and Fort Collins and doesn't come to the Greeley area.	June 7, 2022 Council Meeting	Would like a presentation on how the rail aligns with the City of Greeley. Councilmember Olson will provide status reports throughout the year.	Councilmember Olson will provide periodic updates	Quarterly	Paul Trombino
09-2022	Butler	Review traffic and safety surrounding 15 acre open area between 71st Avenue and 8th Street	June 7, 2022 Council Meeting	Requested that Public Works review the traffic and to improve safety in this congested area.	Additional signage installed for traffic and parking. Staff worked with School District, builder and GPD to ensure road is passable for school buses. GPD will focus enforcement times to ensure compliance with posted speed limit. Staff developing neighborhood safety improvement options and working with School District on transportation issues to improve coordination and support related to safety and infrastructure around school sites.	Improvements anticipated early 2023 - Report to Council	Paul Trombino
10-2022	Butler	Review costs and strategies to live stream Planning Commission and Water Board meetings for public and Councilmembers	June 7, 2022 Council Meeting	Asked staff to investigate the cost of live streaming Planning Commission and Water and Sewer Board meetings and return to Council with findings			Kelli Johnson
11-2022	Hall	Vendors on City sidewalks – provide update on permit process and code enforcement provisions.	August 2, 2022 Council Meeting	Asked staff to compile a report for Council on vendors we have identified, what the permitting process is (if any) and what enforcement measures the City takes for violations.	Contact made with vendors. Report given to CMO.		Adam Turk/John Karner
12-2022	Butler	Varying Boards & Commissions meeting times	September 6, 2022 Council Meeting	Asked staff to research the ability for alternative meeting times for Boards & Commissions to increase community engagement and recruitment	CCO to contact Boards & Commissions via survey	Report to Council/January 2023	City Clerk's Office
13-2022	Hall	Concerns related to flood in Poudre River Ranch neighborhood	July 19, 2022 & September 6, 2022 Council Meeting	Research flooding concerns with staff.			Becky Safarik
15-2022	Hall	Concerns regarding aftermath of natural disasters	October 4, 2022 Council Meeting	Requested update from Greeley's emergency management team to lessen the aftermath effects from a natural disaster, i.e. water and sewer, electricity, phone services, etc.			Charlie McCartin
16-2022	Gates	Cigar Bar	October 18, 2022 Council Meeting	Review and provide code changes to smoking ban and Development Code to allow private membership Cigar Bars in Greeley			Community Development/City Attorney

Council Agenda Summary

November 1, 2022

Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

Consideration of a motion to call a Special Work Session

Summary:

Motion to call a Special Work Session on November 15, 2022, immediately following the regularly scheduled Council Meeting. The purpose of this meeting is to discuss proposed changes to the Development Fee rates for 2023.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
Is there grant funding for this item?	No

Legal Issues:

None.

Other Issues and Considerations:

None

Decision Options:

- 1) Approve the motion.
- 2) Deny the motion.
- 3) Amend the motion for another date.

Council's Recommended Action:

Approve the motion.

Attachments:

None.

Council Agenda Summary

Title:

Approval of the City Council Proceedings of October 4, 2022

Summary:

A meeting of the City Council was held in the City Council's Chambers on October 4, 2022. The draft proceedings have been prepared and are being presented for the Council's review and approval.

Decision Options:

1. To approve the proceedings as presented; or
2. Amend the proceedings if amendments or corrections are needed, and approve as amended.

Council's Recommended Action:

A motion to approve the City Council proceedings as presented.

Attachments:

Draft Proceedings of October 4, 2022

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
October 04, 2022

1. Call to Order

Mayor Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance.

3. Roll Call

Sarah Jacobsen, Deputy City Clerk, called the roll.

Present:

Mayor John Gates

Mayor Pro Tem Brett Payton

Councilmember Tommy Butler

Councilmember Deb DeBoutez

Councilmember Dale Hall

Councilmember Ed Clark

Councilmember Johnny Olson

4. Approval of the Agenda

There were no changes to the agenda.

5. Recognitions and Proclamations

Mayor Gates presented the "Domestic Violence Awareness Month" Proclamation. Diana Heldt, Executive Director accepted the proclamation.

Mayor Gates read the Proclamation "Bill Webster Day" and Councilmember Clark and Mayor Gates will present Mr. Webster with the Proclamation on his 90th birthday, October 7, 2022.

6. Citizen Input

The following spoke:

1. Steve Teets spoke about individuals abusing the use of service animals.
2. Pastor David Meek spoke about his views on religion.
3. Kimberly Watson (virtual) spoke about overwatering the dog park, individuals not cleaning up after their dogs, intersection at 22nd Street and 1st Avenue sinking, and "affordable housing" isn't affordable.

7. Reports from Mayor and Councilmembers

Councilmember Olson spoke about the 5th Street project and complimented staff on their hard work.

8. Initiatives from Mayor and Councilmembers

Councilmember Clark would like to make an Initiative to figure out enforcement on homelessness. In response, City Manager Lee replied that staff is reporting to City Council on October 25, 2022, with information.

Councilmember Butler asked for a Resolution supporting 4A at the next City Council meeting on October 18, 2022. Council was in consensus on creating the Resolution.

Councilmember Hall requested an Initiative for an updated Emergency Management report from the City.

Consent Agenda

- 9. Acceptance of the Report of the City Council Work Session of September 13, 2022
- 10. Introduction and first reading of an Ordinance Amending Section 6-118 and Section 6 -163 of the Municipal Code to Exempt Certain State Fees
- 11. Introduction and first reading of an Ordinance Amending Chapter 1 of Title 4 of the Greeley Municipal Code Regarding the City's Classification and Salary Plan
- 12. Introduction and first reading of an Ordinance adopting the Classification and Salary Plan for 2023

Councilmember Butler moved to approve the Consent Agenda Items 9-12. Mayor Pro Tem Payton seconded the motion. The motion passed 7-0 at 6:32 p.m.

End of Consent Agenda

- 13. Pulled Consent Agenda Items
None.
- 14. Public hearing, introduction and first reading of an Ordinance adopting the budget for 2023

Finance Director, John Karner introduced the item with a presentation at 6:32 p.m. Mr. Karner explained the 2023 proposed expenditures are allocated to the seven Council Priorities and a few increases were the following:

- Human Resources Operating expenses for compensation and classification
- Utility billing moving to Water and Sewer to increase response time and provide better customer service
- Emergency services cost increases
- Greeley HOPE program and Culture, Parks, and Recreation programs to pre-COVID operations status
- Wastewater Treatment and Reclamation Facility project over the next three years
- PD explosive device response
- Shurview property phase development

Citizen Budget Advisory Committee (CBAC) Chair, Trent Howell presented the recommendations to the City Council at 6:43 p.m. He noted the following:

1. CBAC was concerned about the turnover/vacancy of City staff. The Committee recommended one-time funding for increased hiring and retention methods and then implementation of a plan.
2. CBAC was concerned about unhoused persons throughout the City. CBAC recommended one-time funds above and beyond what is allocated to supplement this work.

Councilmember Butler asked Mr. Howell if CBAC knew the cost of the study and funding amounts for unhoused persons? Specifically, where would the funding go? In response, Mr. Howell replied that the CBAC did not have the information.

Councilmember Deboutez asked if the CBAC had a recommendation on where to pull the requested money for the study and staff support? Mr. Howell did not know the exact fund.

Councilmember Clark asked Assistant City Manager, Juliana Kitten about unhoused people and assisting the City in solving this problem. In response, Ms. Kitten agreed that one person cannot solve these issues and the City was partnering with United Way, and conducting outreach, applying for grants, and looking for other resources for the City to create solutions.

Councilmember DeBoutez noted that the City was in the middle of a compensation and classification analysis and the merit increase and competitive wages are part of the 2023 proposed budget. In response, Mr. Karner explained the breakout of the merit increases and class/comp funds included in the budget.

Councilmember Clark asked about Judge Gonzales' request for more funding. In response, Mr. Karner replied that city staff was looking for formal direction from Council.

Discussion ensued about the funding.

Mayor Gates requested that staff present answers at the next meeting.

The Public Hearing opened at 7:08 p.m.

The following spoke:

1. Steve Teets spoke about working with organizations to get homeless individuals off the streets.
2. Pastor Dave Meek spoke on recognizing staff and the value of utilizing staff knowledge before they leave the City.
3. Donald Yun spoke on the addiction and mental health struggles of the homeless population, and the need for rehab programs.

With no further speakers, the Public Hearing closed at 7:14 p.m.

Councilmember Hall moved to introduce the Ordinance and schedule the public hearing and second reading for October 18, 2022. Councilmember Deboutez seconded the motion. The motion passed 7-0 at 7:15 p.m.

15. Public hearing and consideration of the Annual Action Plan for Program Year 2023 for Community Development Block Grant and HOME Investment Partnership Program Grant with Recommended Budgets

Economic Health and Housing Director, Ben Snow introduced the item with a summary at 7:15 p.m. Mr. Snow spoke about both the Community Development Block Grant (CDBG) and HOME Investment Partnership Program grant. The City is expecting to receive Federal grants from the U.S. Department of Housing and Urban Development.

Councilmember Butler disclosed that he was a board member of the Greeley Habitat for Humanity and although these grants are not for Habitat, they will likely flow to Habitat in the future.

The Public Hearing opened at 7:17 p.m.

With no speakers, the Public Hearing closed at 7:18 p.m.

Mayor Gates spoke of his disappointment that more funds were not dispersed to organizations that support the homeless.

Mayor Gates reopened the Public Hearing at 7:19 p.m.

The following spoke:

1. Enita Hearn-Hout, Director of the Guadalupe Shelter spoke on the importance of her organization for the community. For 12 years the City has found a way to support the Shelter and she asked the City to find a way to support.

With no further speakers, the Public Hearing closed at 7:21 p.m.

Mayor Pro Tem Payton moved to accept the 2023 Annual Action Plan and associated budgets, as presented. Councilmember Clark seconded the motion. The motion passed 7-0 at 7:23 p.m.

16. Public hearing and second reading of an Ordinance removing the Development Concept Master Plan ("DCMP") from the Boomerang Ranch Phase 2 development comprised of 31.26 acres of property located South of 10th Street, East of 83rd Avenue, North of 12th Street, and West of 80th Avenue (ZON2021-0005).

City Planner III, Darrell Gesick introduced the item with a presentation at 7:24 p.m. Mr. Gesick shared that the subject site was annexed in 1994, and in 2007 the site was rezoned to a Development Concept Master Plan (DCMP). The DCMP is no longer allowed under the City's code. The current owner is proposing a different plan that would remove the DCMP. If the DCMP removal is approved the applicant is proposing the development of five commercial lots along 10th street and three tracts for future development.

The Planning Department currently has two site plan applications for a drive-through coffee shop and convenience store with gas sales. Notices were mailed to the surrounding property owners and only one call was received, and one resident attended the Planning Commission (PC) hearing. The PC voted to recommend approval by a vote of 4-0.

Councilmember Butler asked when the DCMP was removed from the code? In response, Mr. Gesick replied that it was removed last year when the new code was adopted.

Councilmember DeBoutez spoke about her concerns with the PC members' lack of participation, noting that the vote was 4-0, and there are seven members on the commission.

The Public Hearing opened at 7:28 p.m.
With no speakers, the Public Hearing closed at 7:28 p.m.

Mayor Pro Tem Payton moved to adopt the Ordinance and publish with reference to title only. Councilmember Olson seconded the motion. The motion passed 7-0 at 7:29 p.m.

17. Scheduling of Meetings, Other Events
None.
18. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Councilmember Olson moved to approve the motion. Councilmember Hall seconded the motion. The motion passed with a voice vote of 7-0 at 7:30 p.m.

19. Adjournment

Mayor Gates adjourned the meeting at 7:30 p.m.

John D. Gates, Mayor

Heidi Leatherwood, City Clerk

Council Agenda Summary

Title:

Acceptance of the Report of the City Council Work Session of October 11, 2022

Summary:

A City Council Work Session was held in the City Council's Chambers on October 11, 2022. The draft report of that work session has been prepared for the Council's review and acceptance.

Decision Options:

1. To accept the Report as presented; or
2. Amend the Report if amendments or corrections are needed, and accept as amended.

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

Draft Report of October 11, 2022

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
October 11, 2022

1. Call to Order
The Mayor called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance
3. Roll Call
City Clerk, Heidi Leatherwood called the roll.
The following members of Council were present.
Councilmember Butler
Councilmember DeBoutez
Councilmember Hall
Mayor Pro Tem Payton
Councilmember Olson
Mayor Gates

Councilmember Ed Clark – excused absence
4. Reports from Mayor and Council Members
None.
5. My Greeley: City of Greeley Image Campaign Update
Jaqueline Villegas, Communications & Engagement Manager and Kelli Johnson, Chief of Staff, and Interim Communications & Engagement Director, presented an update to the My Greeley: City of Greeley Image Campaign at 6:01 p.m.

Ms. Johnson introduced Communication & Engagement Manager, Cheryl Kohl, Ms. Kohl oversees graphic design team and web development.

Ms. Johnson and Ms. Villegas lead a presentation highlighting the status of the image campaign, launched in March 2020, focused on celebrating the Greeley community.

Campaign Goals:
 - Increase civic pride and advocacy among residents
 - Increase positive perceptions of Greeley with visitors
Campaign Milestones:
 - March 2020: My Greeley campaign launch
 - November 2020: Jaqueline Villegas, Communications and Engagement Manager to oversee image and brand

- 2021: Research and Redefine
 - February-April 2021: A new creative agency, Barnhart Communications selected to help relaunch the image campaign.
 - April-May 2021: Campaign audit
 - July-November 2021: Preparation of soft launch August 2020
 - "A Story Best Lived In" tag introduced
 - Two commercials "Unbound" and "Open for Biz" created
 - The city and Barnhart focused on an integrated approach and strategies to boost community engagement through events, virtual video storytelling, social media, and website information
- 2022: Digital and Engagement
 - Awareness strategies, editorial calendar, blog stories, media pitching, commercial development, and execution
 - "Greeley Grub"
 - Working on two new commercials and creating Spanish versions
 - Customized radio advertising with a local band, the Burroughs, inviting listeners to visit mygreeley.com/events for more information

The image campaign aims to show Greeley pride and encourage residents and visitors to participate by sharing their Greeley stories and experience. The 2023 campaign focus is aligned with the City Council's strategic priorities.

6. Scheduling of Meetings, Other Events

Mayor Gates reminded council of the Council Reunion scheduled for October 12, 2022.

7. Adjournment

Mayor Gates adjourned the meeting at 6:23 p.m.

John D. Gates, Mayor

Heidi Leatherwood, City Clerk

Council Agenda Summary

November 1, 2022

Key Staff Contact: Kelli Johnson, Interim Communications and Engagement Director, 350-9702

Title:

Consideration of a motion to approve a change order, in the amount of \$38,250.00, to the contract with Barnhart Communications for the image campaign

Summary:

After evaluating the success of certain marketing tactics at the end of 2021, which was essentially year one of the reimagined image campaign due to the COVID interruption, C&E went to appropriations for monies to develop and produce two commercials for broadcast with various networks and digital connected devices (streaming) including Spanish networks and radio. Council approved this appropriation request [Appropriation #2 – Ordinance #17: Item #09-Lince #025 and #027].

Since these marketing deliverables fall within the work of the image campaign, and since Barnhart has produced quality videos and commercials for the city in the past, for continuity in style, voice, and quality, Barnhart has agreed to produce these commercials.

This change order is presented to City Council based on Greeley Municipal Code §4.20.160 which required change orders over 25% of the contract amount be referred to City Council for approval. This brings the total of the revised contract amount from \$102,000.00 to \$140,250.00

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

None.

Other Issues and Considerations:

Enter Text Here.

Strategic Work Program Item or Applicable Council Priority and Goal:

Business Growth and Image

Decision Options:

- 1) Approve change order as recommended,

Council's Recommended Action:

A motion to approve Change Order #2.

Attachments:

Change Order

Item No. 12.



CHANGE ORDER FORM

Project Information

Change Order #:	1	Date:	September 14, 2022
Project Name:	2022 My Greeley Campaign		
Bid Number:	FL21-01-020-1	Dept/Division:	Communication & Engagement (C&E)
Original Budget Unit #:		PO #:	
New Oracle Charge Number:	100.1090.13302.7418/7435	Project Number:	
Oracle Expenditure Type:		Oracle PO:	P20220364
Expenditure Organization:			
Project Manager:	Cheryl Kohl	Title:	C&E Manager

Contractor/Consultant Information

Contractor/Consultant:	Barnhart Communications Inc	Email:	bkalule@barnhartusa.com
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The CONTRACTOR/CONSULTANT is hereby directed to perform the WORK described in the CONTRACT for design/construction as amended by this CHANGE ORDER.

See attached **3** sheets with full explanation for the change order.

Compensation to Contractor/Consultant

The original contract sum was:	\$102,000.00
The net change by previous change order was:	\$0.00
The contract sum prior to this change order was:	\$102,000.00
The contract sum will be: (See List) Increased	\$38,250.00
The new contract sum, including this change order is:	\$140,250.00
The contract time will be: (See List) Unchanged	
The new date for project completion is:	

This CHANGE ORDER is intended to, and the OWNER agrees that it shall, fairly and adequately compensate the CONTRACTOR/CONSULTANT for the extra direct costs (time and materials, etc.) as well as all expenses and damages which may result from any delays, suspensions, stretch-outs, scheduling, inefficiencies and accelerations in the WORK associated with this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for such expenses and damages.

This CHANGE ORDER is intended to, and the CONTRACTOR/CONSULTANT agrees that it does, provide the CONTRACTOR/CONSULTANT a reasonable and adequate period of time in which to complete the WORK in accordance with the CONTRACT for establishment of policies, as amended by this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for additional time to perform the WORK associated with this CHANGE ORDER.

The Contract Documents may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document. The Contract Documents, including all component parts set forth above, may be executed and delivered by electronic signature by any of the parties and all parties consent to the use of electronic signatures.

Signatures for City Council

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in two (2) original counterparts as of the day and year first above written.

Approved as to Substance

City Manager

Certification of Contract Funds Availability

Director of Finance

Purchasing Official

Reviewed as to Legal Form

City Attorney

Departmental Certification

Department Director

N/A

Project Manager

Certification of Content by Contractor/Consultant

Representative of Contractor/Consultant

Title **Communications**

Additional Approval:

B6
 Budget Supervisor CPC Finance

Cumulative change orders totalling \$38,250 for a total of 37.5%.

CHANGE ORDER FORM



Project Information

Change Order #:	1
Project Name:	2022 My Greeley Campaign
Date:	9/14/2022
Project Manager:	Cheryl Kohl

Change Order Justification

Why was this not in original contract?	Because commercials were not part of the original scope of work created for the image campaign, funds were not available in the budget. After requests from CMO to produce commercials for broadcast and OTT, C&E went to appropriations. Funds were appropriated in Round 2 [Appropriation #2 – Ordinance #17: Item #09-Line #025 and #027] specifically for the purpose of developing and producing 1-2 commercials to be broadcast with various networks and digital connected devices (streaming) including Spanish networks and radio. We are requesting \$34,000 (7418) and \$4,250 (7435) as line items in the PO to cover this expense.
Budget Impact/Funding	Increase \$38,250.00
Impact to project schedule	No impact
Detailed Explanation Of Change Order	Since these deliverables fall within the work of the image campaign, and Barnhart has produced quality videos and commercials for COG in the past, for continuity in style and voice as well as quality, Barnhart has agreed to produce these. Money was appropriated specifically for this purpose and C&E asks that those monies be moved into the existing purchase order.



CITY OF GREELEY

2022 APPROPRIATION REQUEST

*****PLEASE NOTE THAT THE INFORMATION PROVIDED ON THIS FORM WILL BE PRESENTED TO COUNCIL*****

INDIVIDUAL REQUESTING	DEPARTMENT	DIVISION	DATE REQUESTED
Kelli Johnson	Communication & Engagement		Wednesday, February 16, 2022

BRIEF DESCRIPTION			
Funds are needed to further enhance and develop the Image Campaign			
COUNCIL PRIORITY	We are Greeley Proud		
PBB PROGRAM	Communications & Engagement - Image Campaign	Quartile	3
MASTER PLAN	Economic Health & Diversification (ED)		
TYPE	Emergency Items and/or Projects		

DETAILED DESCRIPTION: EXPENDITURES

After evaluating the tactics at the end of what was essentially year one of the Image Campaign due to COVID, monies are being requested to increase audience reach of campaign messaging. Monies are needed to develop and produce 1-2 commercials that will be broadcast with various networks and digital connected devices (streaming) including Spanish networks and radio. Monies are needed for translation and voiceovers to create inclusive materials. Monies are being requested to fund 2 interns to provide support of campaign content to enhance the work that we are doing with limited internal staff.

EXPENDITURES					
New	Oracle ID (Leave Blank if Project)	Account / Fund Balance	Project ID (If Applicable)	Activity/Fund/Project & Account Description (Automatically Populated)	Amount
NO	100109013302	7435		GENERAL FUND COMMUNICATION AND ENGAGEMENT IMAGE CAMPAIGN OTHER PURCHASED SERVICES	11,500
NO	100109013302	7112		GENERAL FUND COMMUNICATION AND ENGAGEMENT IMAGE CAMPAIGN SALARIES & WAGES - SEAS	15,600
NO	100109013302	7418		GENERAL FUND COMMUNICATION AND ENGAGEMENT IMAGE CAMPAIGN ADVERTISING	34,000
NO					
NO					
NO					
NO					
NO					
NO					
NO					
Amount from Additional Expenditures Tab					\$ -
Grand Total					\$ 61,100

DETAILED DESCRIPTION: FUNDING SOURCE(S)

Kelli: provide Funding from as well as overall impact of not funding - C&E had no way of knowing that the new city manager would be looking for an Interim Chief of Staff. When the Director of C&E agreed to the Interim Chief of Staff role, it was with the understanding that the C&E Department would need some support in leadership and continued advancement of C&E operations. Funding this from the professional services budget severely impacts operations of C&E.

FUNDING SOURCE(S)					
New	Oracle ID (1st 12 Digits / No Dashes)	Account / Fund Balance	Project ID (If Applicable)	Activity/Fund/Project & Account Description (Automatically Populated)	Amount
NO	102			CONVENTION AND VISITORS FUND	61,100
NO					
NO					
NO					
NO					
NO					
NO					
NO					
NO					
NO					
Amount from Additional Resources Tab					\$ -
Grand Total					\$ 61,100

Balanced	
Division Supervisor	Department Director
	Kelli Johnson
<p>Before sending this form in an email to finance, please verify Division Supervisor and Director have approved the request.</p>	



Council Item #	Department	BID	Activity Description	Notes	GL	GL Description	Fund Balance Amount	Revenues	Expenditures	Net
9	CE	100109013302	IMAGE CAMPAIGN		6102	CONVENTION AND VISITORS FUND		61,100		61,100
					7112	SALARIES & WAGES - SEAS.			15,600	(15,600)
					7418	ADVERTISING			34,000	(34,000)
					7435	OTHER PURCHASED SERVICES			11,500	(11,500)
					102 Fund Balance					61,100
		102100010206	TAXES	9100	GENERAL FUND			61,100	(61,100)	
		Image Campaign Total							61,100	61,100
10	CE	100 Fund Balance					50,000		50,000	(50,000)
		100109010010	OPERATIONS		7435	OTHER PURCHASED SERVICES			50,000	
		Communications & Engagement Contracting Realignment Total							50,000	
Grand Total							111,100	61,100	172,200	-

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
April 19, 2022

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Charity Campfield, Deputy City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Deb DeBoutez

Council Member Dale Hall

Council Member Brett Payton

Council Member Ed Clark

ABSENT

Council Member Johnny Olson

4. Approval of the Agenda

Item number nine was stricken from the agenda.

5. Recognitions and Proclamations

Mayor Gates presented proclamations for Greeley Children's Chorale Day, Arbor Day, Holocaust Memorial Observances, and National Youth Service Day.

Council Member Hall presented the *What's Great About Greeley* report.

6. Citizen Input

Steve Teets, Greeley, thanked the council for recognizing the members of the boards and commissions. He reported that council has been sponsoring meetings on Housing and Homelessness and appreciates the discussions.

7. Reports from Mayor and Councilmembers

None

8. Initiatives from Mayor and Councilmembers

Council Member Butler requested a baseline of Greeley’s housing market, and a report for housing costs new vs. five years ago.

Council Member Butler requested a worksession to review the G-Hope program to help with home ownership in the community.

9. Greeley Area Chamber of Commerce Update

Stricken from the agenda.

Consent Agenda

Council Member Hall moved, seconded by Council Member Clark, to approve the recommended actions on items 10-15.
The motion carried 6-0 (by roll call vote).

10. Approval of the City Council Proceedings of April 5, 2022

The Council action recommended and approved was to approve the City Council proceedings of April 5, 2022, as presented.

11. Acceptance of the Report of the City Council Work Session of April 12, 2022

The Council action recommended and approved was to accept the report of March 22, 2022, as presented.

12. Consideration of a Resolution approving the name of new parkland dedicated in the Promontory Subdivision as Longview Park

The Council action recommended and adopted the resolution.

13. Consideration of a Resolution approving the name of new parkland dedicated in the Westgate Subdivision as Redtail Park

The Council action recommended and adopted the resolution.

14. Consideration of the City of Greeley’s Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2021 for Submission to the U. S. Department of Housing and Urban Development

The Council action recommended and approved the report.

15. Participation Agreement between Greeley and USFS - Cameron Peak Fire Recovery

The Council action recommended and approved the agreement.

End of Consent Agenda

16. Pulled Consent Agenda Items

None

17. PH - Update 2022 Action Plan (HUD)

Benjamin Snow, Economic Health and Housing Director, came forward to introduce and present the slide deck for this item.

Mayor Gates opened the public hearing at 6:36 p.m.

Steve Teets, Greeley, reported that the funds are being taking away from United Way and Connections for Independent Living.

Benjamin Snow reported that the Connections for Independent Living did not meet the qualifications of the environmental review. The United Way was money previously allocated for Bonell that was returned.

There being no one wishing to be heard in the virtual audience, the public hearing was closed.

Council Member Clark moved, seconded by Council Member Payton, to approve the update to the 2022 Action Plan (HUD).
The motion carried 6-0 by roll call vote.

18. Public hearing to consider a request to rezone from I-M (Industrial Medium Intensity) to R-E (Residential Estate) and I-M (Industrial Medium Intensity) for 82.62 acres of property located at 15756 County Road 66 (southwest corner of AA Street and North 47th Avenue), known as the Leffler Rezone, and final reading of an ordinance changing the official zoning map to reflect the same

Darrell Gesick, Planner III, came forward to introduce and present the slide deck for this item.

Mayor Gates opened the public hearing at 6:41 p.m.

There being no one wishing to be heard in the Chambers or as part of the virtual audience, the public hearing was closed.

Council Member Butler moved, seconded by Council Member DeBoutez, to adopt the ordinance and publish with reference to title only.
The motion carried 6-0 by roll call vote.

19. Public Hearing and second reading of an Ordinance amending and repealing portions of the City of Greeley Municipal Code, all correcting the codification of the entire permanent code to accurately reflect the intent of ordinances passed in the City of Greeley

Stacey Aurzada, Interim City Clerk, came forward to introduce and present the slide deck for this item.

Council Member DeBoutez asked about negotiating reimbursement for Ms. Cranston's time in reviewing the code deficiencies.

Ms. Aurzada reported that the city could look into pursuing reimbursement.

Mayor Gates opened the public hearing at 6:51 p.m.

There being no one wishing to be heard in the Chambers or as part of the virtual audience, the public hearing was closed.

Mayor Gates thanked Ms. Cranston and staff for their work on the code issues.

Council Member Payton moved, seconded by Council Member Butler, to adopt the ordinance and publish with reference to title only.

The motion carried 6-0 by roll call vote.

20. Public hearing and final reading of an Ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2022 and for funds held in reserve for encumbrances at December 31, 2021

John Karner, Finance Director, came forward to introduce and present the slide deck for this item.

Council Member Clark asked about the \$50,000 to the Bright Futures Program.

Mr. Karner reported that these funds are dependent on other entities for additional funds.

Mr. Lee reported that if other entities are unable to raise those funds, then the City cannot provide these funds.

Council Member DeBoutez thanked staff for their work on writing grants and getting funding.

Council Member Butler asked for the timeline for the next appropriation.

Mr. Karner reported they are working on refinements in the budget process, 3 appropriations this year and 2 will be next year.

Mayor Gates opened the public hearing at 7:04 p.m.

Steve Teets, Greeley, reported that three appropriations provide transparency for the community and asked about the bus shelter funding.

Mr. Karner reported it is a new bus shelter. He also reported that fewer appropriations would be done through the budget process through supplementals.

There being no one wishing to be heard in the virtual audience, the public hearing was closed.

Council Member Payton moved, seconded by Council Member Clark, to adopt the ordinance and publish with reference to title only.
The motion carried 6-0 by roll call vote.

21. Appointment of applicants to the Human Relations Commission, Citizen Transportation Advisory Board, Historic Preservation Commission, Citizen Budget Advisory Committee, Youth Commission, and the Rodarte Community Center Advisory Board

Deputy City Clerk Charity Campfield reported the following appointments were made by the Council by written ballot:

- Human Relations Commission – Jeanne Lipman
- Citizen Transportation Advisory Board – Wendi Young
- Historic Preservation Commission – Melissa Sizemore
- Citizen Budget Advisory Committee – Jamie Wood
- Youth Commission – Isaac Bearden and Mackenzie Franks
- Rodarte Community Center Advisory Board – Darren Dunn and Daniel Reyez

22. Scheduling of Meetings, Other Events

No other meetings or events were scheduled.

23. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council Member Payton moved, seconded by Council Member Hall, to approve the above authorizations.

The motion carried 6-0.

24. Adjournment

Charity Campfield

Charity Campfield, Deputy City Clerk



John D. Gates, Mayor

Council Agenda Summary

April 19, 2022

Agenda Item Number

Key Staff Contact: John Karner, Finance Director, 350-9732

Title:

Public hearing and final reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2022 and for funds held in reserve for encumbrances at December 31, 2021.

Summary:

This is the second supplemental appropriation ordinance modifying the 2022 budget. This appropriation ensures that existing commitments in progress at 2021 year end can be completed in 2022, designates funds for additional commitments, and appropriates new grants that have been awarded.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$ 37,614,474
What is the annual impact?	\$ 37,614,474
What fund of the City will provide Funding?	See Ordinance
What is the source of revenue within the fund?	Fund Balance, Grant, Expense Reimbursement, Intergovernmental Agreement, Operating Transfer
Is there grant funding for this item?	Yes, Item 1, 2, 27, 38, 46
If yes, does this grant require a match?	Yes, Item 1, 2, 27, 38, 46
Is this grant onetime or ongoing?	Onetime
Additional Comments:	Total appropriations made by this ordinance, excluding transfers, are \$37,614,474. The following funding sources will be used to cover the appropriations made by this ordinance.

Legal Issues:

City Charter prohibits actual expenditures from exceeding appropriations at the fund level. This ordinance will ensure that this does not occur.

Other Issues and Considerations:

Applicable Council Priority and Goal:

Image: Reinforce Greeley's vision as an attractive and vibrant community in which to live, learn, work and play.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Detail Supporting Schedule
PowerPoint Presentation

**THE CITY OF GREELEY
ORDINANCE NO. _____, 2022**

AN ORDINANCE APPROPRIATING ADDITIONAL SUMS TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF GREELEY FOR THE BALANCE OF THE FISCAL YEAR OF 2022 AND FOR FUNDS HELD IN RESERVE FOR ENCUMBRANCES AT DECEMBER 31, 2021.

WHEREAS, the City of Greeley has or will incur expenses for certain activities described below during the 2022 fiscal year, and

WHEREAS, the revenues received in the City of Greeley in 2021, exceeded the amount of revenues estimated in the 2021 Budget by more than the total amount of the expenditures in the same year;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. In accordance with section 5-17 of the Greeley Charter, from actual and anticipated revenues which exceed the revenue estimates in the 2022 budget and amounts held in fund balance reserves from 2021, there is hereby appropriated the following designated sums to be allocated for use during the remainder of 2022:

Fund	Amount	Transfers	Total
100 GENERAL FUND	\$ 2,308,096	\$ 9,582,800	\$ 11,890,896
102 CONVENTION AND VISITORS FUND	-	61,100	61,100
171 ARPA	2,000,000	-	2,000,000
301 PUBLIC IMPROVEMENT	2,977,746	-	2,977,746
303 PUBLIC ART	-	-	-
304 FOOD TAX	316,595	-	316,595
318 QUALITY OF LIFE	25,167	-	25,167
321 STREET INFRASTRUCTURE IMPROVEMENTS	2,000,000	-	2,000,000
334 ROAD DEVELOPMENT	520,197	500,000	1,020,197
400 CEMETERY	59,915	-	59,915
412 SEWER CONSTRUCTION	3,929,843	-	3,929,843
413 SEWER CAPITAL REPLACEMENT	800,000	-	800,000
421 WATER OPERATIONS	16,877,500	-	16,877,500
423 WATER CAPITAL REPLACEMENT	4,484,965	-	4,484,965
424 WATER RIGHTS ACQUISITION	728,700	-	728,700
431 STORMWATER OPERATIONS	870	-	870
432 STORMWATER CONSTRUCTION	250,000	-	250,000
521 IT OPERATIONS	334,880	-	334,880
Grand Total	37,614,474	10,143,900	47,758,374

Section 2. All actions heretofore taken (not inconsistent with the provisions of this ordinance) by the officers, agents and employees of the City in connection with this appropriation are hereby ratified, approved and confirmed.

Section 3. This Ordinance shall become effective five (5) days after its final publication as is provided by Section 3-16 of the Greeley Charter,

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 19TH DAY OF APRIL, 2022.

ATTEST:



THE CITY OF GREELEY

Nancy Azada

[Handwritten Signature]

Interim City Clerk

BY _____
Mayor



City of Greeley 2022 Appropriation - April City Council Meetings: April 5th & 19th

Fund	Funding Source	Description	Fund Balance	Revenue	Expenditures	Net Impact
100 - GENERAL FUND						
1	Grant	The Natural Areas & Trails (NAT) division within CPRD applied to Great Outdoors Colorado (GOCO) for a two-year fellowship contracted benefited position to assist with several priority initiatives within NAT's recently adopted strategic plan. The GOCO grant provides \$71,500 for 2022 and 2023, for a total of \$143,000 over the two-year term.	-	71,500	71,500	-
2	Grant	The Greeley Fire Department received grant funding from the Federal Emergency Management Agency (FEMA) for improving the Code Red emergency communications project. These funds will be used to improve participation in these important emergency communication tools.	-	5,000	5,000	-
3	Expense Reimbursement	Funding is being requested for new Firefighting foam as part of the new United States Environmental Protection Agency (EPA) restrictions. The Greeley Fire Department had two large totes of foam that are no longer allowed under current regulations. As part of the State of Colorado buy-back program, the City is being reimbursed for the replacement of foam.	-	21,200	21,200	-
4	Expense Reimbursement	The Fire Departments' new partnership with UCHealth ambulance requires UCHealth personnel and computers to have access to the Computer-Aided-dispatch (CAD) for emergency response. Until UCHealth has access to these services, this is a reimbursement for unexpected expenses to cover these items in the interim.	-	2,565	2,565	-
5	Expense Reimbursement	The Greeley Fire Department responded to a hazmat incident that included carbon-based product release into the Poudre River. Funding is being appropriated from the US Coast Guard for reimbursement of unexpected expenses associated with the call.	-	3,251	3,251	-
6	Expense Reimbursement	The Greeley Fire Department deployed apparatus and personnel to the Marshall fire in Superior. Funding is being appropriated for the reimbursement of these expenditures from the State of Colorado.	-	11,784	11,784	-
7	Expense Reimbursement	Funding is being appropriated for the Greeley Fire Departments' Hazmat response to the University of Northern Colorado (UNC) which required one-time use and disposal of supplies and equipment. These services will be reimbursed by UNC.	-	1,188	1,188	-
8	Expense Reimbursement	Funding is being appropriated for the purchase and installation of six Transit Bus Shelters. These expenses will be reimbursed by the 10th Street Tax Increment Financing (TIF). The installation of these six shelters will be along the 10th Street corridor between 23rd Avenue and 35th Avenue. These shelters will not only improve shelter from the elements for riders but also increase safety through shelter lighting. Additionally, as these shelters will be facilitate advertising opportunities, they will increase revenue received by the city through an established advertising contract for our bus benches and shelters.	-	153,659	153,659	-
9	Operating Transfer	Funding is requested to support the Image Campaign. After evaluating the tactics at the end of what CONVENTION AND VISITORS FUND was essentially year one of the Image Campaign due to COVID, funds are being requested to increase the inclusive audience reach of campaign messaging through the production of commercials that will be broadcast with various inclusive networks and digitally connected devices (streaming). Additionally, funds are needed for two interns to provide support of campaign content and department assistance due to limited internal staff.	-	61,100	61,100	-
10	Fund Balance	Funding is requested for the continued staffing development and infrastructure of the Communications & Engagement department. Originally intended to conclude this work in 2020 efforts were sidelined as the pandemic set in and work shifted to urgent, critical needs. Contracting funds will be used for leadership support allowing organizational flexibility and execution.	50,000	-	50,000	-
11	Fund Balance	Funding is being appropriated to support the Bright Futures program. A program focused on creating a strong and sustainable Weld County workforce.	50,000	-	50,000	-
12	Fund Balance	Funding is being appropriated to cover associated costs regarding the City Council retreat.	35,760	-	35,760	-
13	Fund Balance	Funding is being appropriated to support the Downtown Development Authority (DDA) fostering economic development and revitalization within the Greeley downtown area.	15,000	-	15,000	-
14	Fund Balance	In response to strong population growth funding is being appropriated to support the Downtown Master Plan which is focused on the revitalization of the downtown.	150,000	-	150,000	-
15	Fund Balance	Funding is requested for developing and maintaining a market-based compensation system. Additionally, funding will support the implementation of an organizational development strategy to drive organizational change. This will provide a focus on supporting the management of the compensation and classification plan per the Colorado Pay Equity Law and the governmental performance of the organization.	410,928	-	410,928	-

Fund	Item No. 12.	Description	Fund Balance	Revenue	Expenditures	Net Impact
16	Fund Balance	This request is to fund the following positions and contracted services, including additional legal council and associated costs, to meet desired service levels and as identified in assessments for the following departments: City Attorney's Office, City Clerk's Office, City Manager's Office, Communications & Engagement, Finance, Human Resources, and Municipal Court.	874,000	-	874,000	-
17	Fund Balance	Funding is being appropriated for executive search services.	150,000	-	150,000	-
18	Fund Balance	Funding requested for the Greeley Home Ownership Incentive Program.	121,161	-	121,161	-
19	Fund Balance	Funding is being appropriated for a Municipal Court assessment. As part of the 2022 Budget Municipal Court was provided funding for one Court Marshal with the caveat that additional staffing would be dependent on the outcome of a department assessment.	30,000	-	30,000	-
20	Fund Balance	The remaining funding received from JBS in 2020 for COVID-related expenditures is being appropriated for truck equipment, Western Hills shelter shelving/supplies, and other related expenditures.	90,000	-	90,000	-
100 - GENERAL FUND			1,976,849	331,247	2,308,096	-
171 - ARPA						
21	American Rescue Plan Act (ARPA)	Funds received as part of the American Rescue Plan Act (ARPA) are being appropriated for City incentives and administrative support.	2,000,000	-	2,000,000	-
171 - ARPA			2,000,000	-	2,000,000	-
301 - PUBLIC IMPROVEMENT						
22	Fund Balance / Expense Reimbursement	Additional Funding from Greeley Urban Renewal Authority (GURA) is being appropriated to support New Sidewalk Installation. City contribution covers reimbursement of ineligible GURA expenditures of \$110,024.	110,024	217,722	327,746	-
23	Intergovernmental Agreement / Operating Transfer: ROAD DEVELOPMENT	Funding is being requested for the 16th Street Enhancement Project. Funding is needed to complete the final design of the project. The project will improve the safety and aesthetics on 16th St with traffic calming measures and streetscape design. Funding in the amount of \$2,000,000 is derived from an intergovernmental agreement with the Colorado Department of Transportation (CDOT). An additional \$500,000 in funding is being transferred from the Road Development Fund (334).	-	2,500,000	2,500,000	-
24	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the remodel of Firestation 7 regarding the conversion of the current training room into a dorm and office area, complete with ADA compliant bathroom and shower.	150,000	-	150,000	-
301 - PUBLIC IMPROVEMENT			260,024	2,717,722	2,977,746	-
304 - FOOD TAX						
25	Intergovernmental Agreement	Funding is requested to assist the Natural Areas & Trails division with maintenance and repair to sections of the Poudre River Trail in unincorporated Weld County. This maintenance is part of an intergovernmental agreement between the City of Greeley, Town of Windsor, Weld County, and the Poudre River Trail Corridor, Inc. non-profit.	-	200,000	200,000	-
26	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Irrigation Redesign & Replacement at Bittersweet Park project. The funding, per City Council's recommendation, will be used towards community engagement, and to finalize the project based upon further analysis and research.	116,595	-	116,595	-
304 - FOOD TAX			116,595	200,000	316,595	-
318 - QUALITY OF LIFE						
27	Grant	Funding is being reappropriated, as part of the three-year appropriation limit, for the McCloskey Natural Area Trailhead Improvements project. The Natural Areas & Trails (NAT) division received a State Trails grant in 2019 to construct improvements to the McCloskey Natural Area trailhead. Due to the pandemic, the project paused these funds will allow the project to come to completion.	14,583	-	14,583	-
28	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Trails at Sheep Draw Neighborhood Park project. The final component of the park is a new trail connection from the playground to a new pedestrian bridge connecting the park to the Sheep Draw Trail. Delays in Federal Emergency Management Agency's (FEMA) floodplain analysis caused a change in the original design from a low-water crossing to a pedestrian bridge in a new location.	10,584	-	10,584	-
318 - QUALITY OF LIFE			25,167	-	25,167	-

Fund	Item No. 12.	Description	Fund Balance	Revenue	Expenditures	Net Impact
321 - STREET INFRASTRUCTURE IMPROVEMENTS						
29	Fund Balance	This is being appropriated to address the additional Overlay needs for the 2022 Keep Greeley Moving Program.	2,000,000	-	2,000,000	-
321 - STREET INFRASTRUCTURE IMPROVEMENTS			2,000,000	-	2,000,000	-
334 - ROAD DEVELOPMENT						
30	Intergovernmental Agreement	Grant funding from the Highway Safety Improvement Project (HSIP) is being appropriated for an intergovernmental agreement (IGA) with the Colorado Department of Transportation (CDOT) that was approved for the installation of the dynamic advance warning flashers on Highway 34 Bypass at the County Road 17 intersection. This project will alert motorists of the impending traffic signal changes mitigating the number of rear-end crashes at this intersection.	-	125,800	125,800	-
31	Fund Balance	Funding is being appropriated for the improvement of 71st Avenue between 12th and 22nd Streets to align with arterial street standards. The native grass seeding of areas behind the sidewalks was not successful. Approximately three acres will need to be reseeded. A more detailed soil analysis will be made to determine the needed soil amendment. Temporary irrigation for some areas is proposed to assure successful germination and the establishment of grasses.	200,000	-	200,000	-
32	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Sidewalk 10th Street Sheepdraw project. The project consists of a new sidewalk connection and a pedestrian bridge crossing. Additionally, the project will require a floodplain map revision according to Federal Emergency Management Agency (FEMA).	194,397	-	194,397	-
334 - ROAD DEVELOPMENT			394,397	125,800	520,197	-
400 - CEMETERY						
33	Fund Balance	This request is for a Linn Grove Cemetery Technician Position and related supplies as a result of the increase in services being provided at the Cemetery.	59,915	-	59,915	-
400 - CEMETERY			59,915	-	59,915	-
412 - SEWER CONSTRUCTION						
34	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Ashcroft Draw Basin Lift Station project. The project is approximately fifty percent complete, with construction expected to end in July 2022. Easement negotiations and acquisitions are not complete with one property owner, and a final cost for permanent easements is not yet established. The project has experienced delays and cost escalations due to material supply chain and procurement problems, which have significantly increased the costs and time to finish construction.	3,564,843	-	3,564,843	-
35	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Collection Line Extension & Oversizing project. Due to the pandemic and staff shortages, only a portion of the most challenging sewer pipeline was completed during 2021. All supplies are purchased and procured, however, construction of the remaining sewer pipeline will be completed in 2022. Completion of the project will provide critical infrastructure to the Johnson subdivision by providing a means to connect to the City's sewer system and abandon the existing septic and leach fields that currently serve these homes.	365,000	-	365,000	-
412 - SEWER CONSTRUCTION			3,929,843	-	3,929,843	-
413 - SEWER CAPITAL REPLACEMENT						
36	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Trenchless Main and Collector Rehabilitation project. Due to the pandemic and staff shortages in both the Water & Sewer engineering and operations divisions the associated projects were not completed in 2021.	550,000	-	550,000	-
37	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Sewer Collection System Rehabilitation project. Due to the pandemic and staff shortages, a majority of the funding allocated for the sewer collection system rehabilitation was not spent. Funding will be used for the disconnection of the existing storm drains from the sanitary sewer system, sewer rehabilitation work done in correlation with potable water system upgrades.	250,000	-	250,000	-
413 - SEWER CAPITAL REPLACEMENT			800,000	-	800,000	-

Fund	Item No. 12.	Description	Fund Balance	Revenue	Expenditures	Net Impact
421 - WATER OPERATIONS						
38	Fund Balance / Grant	Funding is requested for the mitigation of damages from the Cameron Peak Fire. Watershed mitigation activities will include installation of sediment basins at Chambers, Barnes, Comanche, Hourglass, and Peterson reservoirs, as well as wattles and log jam debris prevention structures on several slopes throughout the burn area to minimize erosion. Additionally, aerial mulching will be required on as many acres as possible to minimize erosion and sedimentation impacts. Funding is being reappropriated from 2021 along with the appropriation of additional grant funding received from the Colorado Water Conservation Board (CWCB).	540,000	14,660,000	15,200,000	-
39	Fund Balance	Funding is being appropriated for the Windy Gap Firming project; a project that will make more reliable Greeley's Windy Gap water supply. The Firming project involves the Chimney Hollow Reservoir near Carter Lake and will allow the twelve firming participants the ability to store Windy Gap water on the East Slope when it is available. Greeley is responsible for our portion of the pooled resources required for the debt service payments surrounding this project.	1,677,500	-	1,677,500	-
421 - WATER OPERATIONS			2,217,500	14,660,000	16,877,500	-
423 - WATER CAPITAL REPLACEMENT						
40	Fund Balance	Funding is being appropriated to support the advanced metering project. Due to the consistent and ongoing meter communication failures, this project has reached an emergency or critical status. It is prudent to accelerate the schedule and have the contractor return to water meter installations in the fall of 2022 as discussed with City Council and Water & Sewer Board.	2,895,000	-	2,895,000	-
41	Fund Balance	Funding is being appropriated for the emergency replacement of the filter effluent pipe at the Bellvue water treatment plant due to ground water intrusion. The repair needs to be completed soon to support peak season the potable water demand.	516,965	-	516,965	-
42	Fund Balance	This request is for additional funding to meet Greeley's obligations for a Customer Transfer and Interconnect Operations Intergovernmental Agreement (IGA). Historically, Greeley allowed customers to connect to nearby pipelines located between the Bellvue and Boyd Treatment plants. This was done on a hardship basis as there were no other options for treated water supply. A majority of customers are in other water districts and can be transferred to the more appropriate water service provider. Greeley has the opportunity in partnership with West Fort Collins (WFCWD) to transfer services by providing an interconnection between the two water providers.	480,000	-	480,000	-
43	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Treated Water Reservoir Rehabilitation project. Funds are required due to a pump failure that prevented the investigation and design necessary to complete a construction plan. The pump failure and the inability for timely pump replacement prevented the plan to drain the supporting zone. Funding will allow for the proper investigation into the coating problem and design for repairs.	593,000	-	593,000	-
423 - WATER CAPITAL REPLACEMENT			4,484,965	-	4,484,965	-
424 - WATER RIGHTS ACQUISITION						
44	Fund Balance	Funding is being reappropriated, as part of the three-year appropriation limit, for the Development of Parcel B, Poudre Ponds project. The Poudre Ponds site is an important non-potable water storage facility that enables Greeley to meet return flow obligations to the Poudre River and supplies non-potable water for irrigation needs. Funding will be used to complete construction and provide funding for professional services.	728,700	-	728,700	-
424 - WATER RIGHTS ACQUISITION			728,700	-	728,700	-
431 - STORMWATER OPERATIONS						
45	Expense Reimbursement	The Greeley Fire Department responded to a hazmat incident that included carbon-based product release into the Poudre River. Funding is being appropriated from the US Coast Guard for reimbursement of unexpected expenses associated with the call.	-	870	870	-
431 - STORMWATER OPERATIONS			-	870	870	-

Council Agenda Summary

November 1, 2022

Key Staff Contact: Paul Trombino, Public Works Director, 970-350-9795
Brian Hathaway, Water Quality and Regulatory Compliance Manager, 970-381-7473

Title:

Introduction and first reading of an Ordinance amending Title 12, Chapter 3 and Title 20, Chapter 3 and Chapter 4 of the Greeley Municipal Code Relating to the City of Greeley's Municipal Separate Storm Sewer System

Summary:

The City of Greeley holds a Municipal Separate Storm Sewer System (MS4) permit mandated by the Environmental Protection Agency (EPA) and Colorado Department of Public Health and Safety (CDPHE). The MS4 permit is a general permit under the National Pollution Discharge Elimination System (NPDES) that authorizes the City of Greeley to discharge uncontaminated stormwater from their storm sewer system to Waters of the State and Waters of the United States.

The MS4 permit requires the City to have enforcement capabilities in their construction, post construction, and illicit discharge programs. In 2019, the City adopted enforcement capabilities for these programs. However, CAO reviewed the language that was adopted during an enforcement proceeding and found that changes to the code were needed to adequately enforce administrative violations. These changes are intended to rectify those issues identified by CAO. The new violations designated as misdemeanor offenses were added to enhance enforcement of the requirements of the MS4 permit.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process.

Other Issues and Considerations:

N/A

Strategic Work Program Item or Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Decision Options:

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and second reading for November 15, 2022.

Attachments:

Ordinance
Appendix A

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 45, 2022**

**AN ORDINANCE AMENDING TITLE 12, CHAPTER 3 AND TITLE 20, CHAPTER 3 AND
CHAPTER 4 OF THE GREELEY MUNICIPAL CODE RELATING TO THE CITY OF GREELEY'S
MUNICIPAL SEPARATE STORM SEWER SYSTEM**

WHEREAS, the City of Greeley is a Municipal Separate Storm Sewer System ("MS4") Phase II general permit holder, as required by the Colorado Department of Public Health and Environment and the Environmental Protection Agency; and

WHEREAS, the City of Greeley controls and limits the pollutants to better protect and enhance the quality of stormwater that is discharged from the City's MS4; and

WHEREAS, the recommended amendments to the Greeley Municipal Code would ensure compliance to protect the health, property, safety and welfare of the city and its inhabitants.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. Sections 12-204 and 12-206 of Chapter 3, Grading and Soil Erosion Control, of Title 12, Public Health and Environmental Control, shall be amended as shown in Appendix A.

Section 2. Sections 20-566, 20-567 and 20-568 of Division 1, In General, Article VII, Storm Sewers, Chapter 3, Water and Sanitary Sewer Service, of Title 20, Public Works and Utilities, shall be amended and the same Division shall be amended by adding thereto new sections 20-570, 20-571 and 20-572 as shown in Appendix A.

Section 3. Section 20-639 of Chapter 4, Stormwater Management Program, of Title 20, Public Works and Utilities, shall be amended as shown in Appendix A.

Section 4. This ordinance shall become effective five (5) days following its final publication as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2022.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

Appendix A

Section 1. Sections 12-204 and 12-206 of Chapter 3, Grading and Soil Erosion Control, of Title 12, Public Health and Environmental Control, shall be amended to read as follows:

Sec. 12-204. Inspection, control and stop-work orders.

(a) The requirements of this chapter shall be enforced by the director of public works. The director of public works or designee shall have the authority to inspect the work and require the property owner and/or developer to obtain services for adequate on-site inspection, including compaction testing by an acceptable soil engineer, if determined necessary.

(b) If the director of public works finds that eroded soils are leaving the area where construction activities are occurring, the director of public works or designee may order the property owner and/or developer to install any and all erosion controls that are deemed necessary to prevent said soil erosion from migrating off-site.

(c) Stop-work orders. When any construction activities are being performed in noncompliance with any provisions of this chapter or any other applicable law, rule or regulation, the director of public works or designee may order the work stopped by serving written notice describing the violation upon the person performing the construction activities. The person should immediately stop work and not proceed with any work until written approval to proceed has been obtained from the director of public works. If the person cannot be located, the notice may be posted in a conspicuous place upon the site of the construction activities. The notice shall not be removed until the violation has been cured or authorization to remove the notice has been issued by the director of public works.

(d) Developed property. Oversight of developed property from which pollutants, sediment, concrete wastes and other materials are allowed to spread are addressed and enforced pursuant to article VII of chapter 73 of title 20 of this Code.

Sec. 12-206. ~~Code~~ Violations.

(a) A violation noticed under this chapter shall be deemed an administrative code violation, unless otherwise designated, and shall proceed in accordance with chapter 12 of title 2 of this Code and shall be subject to penalties set forth in Chapter 10 of title 1 of this Code.

(b) It is unlawful to continue work after a stop-work order has been issued, a violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of the code.

(c) It shall be unlawful to make any false statements, representations, certifications in any application, record, report, plan or other documentation filed or required to be maintained pursuant to this Chapter. A violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of the code.

(d) The city may seek and obtain remedies, including, but not limited to, civil and administrative sanctions and temporary or permanent injunctive relief against persons for noncompliance with provisions, standards and requirements of this chapter.

(be) In addition, if a permit holder violates a condition of a city-issued grading permit, this chapter or applicable state or federal laws or regulations regarding construction activities, the city shall revoke the grading permit. The city may reinstate the permit upon a showing of proof that the noncompliance has been corrected.

(f) Authorized employees of the city shall, at all reasonable times, have access to any premises served by the city for inspection, repair, or the enforcement of the provisions of this chapter.

Section 2. Sections 20-566, 20-567 and 20-568 of Division 1, In General, Article VII, Storm Sewers, Chapter 3, Water and Sanitary Sewer Service, of Title 20, Public Works and Utilities, shall be amended and the same Division shall be amended by adding thereto new sections 20-570, 20-571 and 20-572 to read as follows:

Sec. 20-566. Notice of violation; stop work orders; permit termination.

(a) The director of public works or designee may issue a notice of violation to any owner/user who discharges material as described in this Code into the stormwater drainage system. Such notice of violation shall be issued in accordance with ~~section 2-1032~~ chapter 12 of title 2.

(b) When any construction activities, as defined in section 12-191, are being performed in noncompliance with any provisions of this chapter or Code or other applicable law, rule, or regulation, the director of public works or designee can order the work stopped by serving written notice upon the person performing the construction activities. The person shall immediately stop work until authorized in writing by the director of public works or designee to proceed with the work or until approval to proceed has been obtained by legal process. If the person cannot be located, the notice may be posted in a conspicuous place upon the site where construction activities are taking place. The notice shall not be removed until the violation has been cured or authorization to remove the notice has been issued by the city.

(c) Any violation of a condition of a city-issued permits is a violation of this chapter, Code, or other applicable law, rule, or regulation, including performing noncompliant construction activities, shall be sufficient cause for revocation of the city-issued permit. The city may reinstate the permit upon proof of the correction of the noncompliance.

Sec. 20-567. Violations. ~~Code infraction and administrative hearing procedures.~~

A notice of violation issued under section 20-566 is an misdemeanor infraction administrative code violation and shall proceed in accordance with ~~section 2-1032~~ chapter 12 of Title 2, and shall be subject to the provisions of this chapter and penalties as set forth in chapter 10 of title 1 of this Code.

Sec. 20-568. Connecting to storm sewer without permit unlawful.

It is unlawful for any person to tap or make any connection with the stormwater drainage system without first having obtained a permit as provided in this chapter. A violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of the code.

Sec. 20-570. Unlawful discharge causing personal injury or damage.

It is unlawful for any person to introduce any substance into the MS4 that causes personal injury or damage. A violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of the code.

Sec. 20-571. Violation of stop-work order.

It is unlawful to continue work after a stop-work order has been issued. A violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of the code.

Sec. 20-572. False representation.

It shall be unlawful to make any false statements, representations, certifications in any application, record, report, plan or other documentation filed or required to be maintained pursuant to this Chapter. A violation is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1 of the code.

Secs. 20-573 – 20-586, Reserved.

Section 3. Section 20-639 of Chapter 4, Stormwater Management Program, of Title 20, Public Works and Utilities, shall be amended to read as follows:

Sec. 20-639. Enforcement.

(a) Any fee which has not ~~be~~ been paid when due may be recovered in an action at law by the city, in addition to any other remedies or penalties provided by this chapter or this Code.

(b) Authorized employees of the city shall, at all reasonable times, have access to any premises served by the city for inspection, repair, or the enforcement of the provisions of this chapter.

(c) The director of public works or designee may issue a notice of violation to any property owner and/or developer who has not installed and maintained permanent stormwater control measures in accordance with this chapter.

(d) A violation ~~noticed~~ under this chapter shall be deemed an misdemeanor infraction administrative code violation, and shall proceed in accordance with ~~section 2-1032 chapter 12 of Title 2,~~ and shall be subject to penalties set forth in chapter 10 of title 1 of this Code.

Council Agenda Summary

November 1, 2022

Key Staff Contact: Stacey Aurzada, Deputy City Attorney, 970-350-9757

Heidi Leatherwood, City Clerk, 970-350-9742

Adam Turk, Police Chief, 970-351-5381

Title:

Public hearing and second reading of an Ordinance repealing and replacing Article V of Title 18 and enacting a new Article V of Title 18 regarding Event and Demonstration Permits; and Making changes to Section 12-357 regarding Amplified Sound Permits

Summary:

In 2019 the City implemented a new process for granting permits to use public spaces for events. This ordinance clarifies that process in the Municipal Code and ensures that a process to obtain a permit for demonstrations remains in place. The proposed ordinance will allow City departments to streamline the event permit process to make it easier for the public to apply for and obtain event permits.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process.

Other Issues and Considerations:

None.

Strategic Work Program Item or Applicable Council Priority and Goal:

Image: Reinforce Greeley's vision as an attractive and vibrant community in which to live, learn, work and play.

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Presentation

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 41, 2022**

**AN ORDINANCE REPEALING AND REPLACING ARTICLE V OF TITLE 18 AND
ENACTING A NEW ARTICLE V OF TITLE 18 REGARDING EVENT AND DEMONSTRATION
PERMITS; AND MAKING CHANGES TO SECTION 12-357 REGARDING AMPLIFIED
SOUND PERMITS**

WHEREAS, the City of Greeley ("City") is a Colorado home rule municipality, with all powers and authority vested under Colorado law; and

WHEREAS, the City Council is authorized to manage activities occurring on public property and in public right of way; and

WHEREAS, many groups wish to use public spaces to host community events and the City wants to provide a clear process by which to permit these activities; and

WHEREAS, the City Council recognizes and supports the right of citizens to engage in first amendment activities on public spaces and wishes to distinguish these activities from other events occurring on public spaces; and

WHEREAS, after review of these recommended changes, Council believes that it is in the best interests of the citizens of the City of Greeley that this ordinance be adopted.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. Sections 18-147, 18-148, 18-149, 18-150 and 18-151 located in Article V, Title 18 are hereby repealed in their entirety as shown on Appendix A attached hereto and incorporated herein by this reference.

Section 2. Article V of Title 18 shall be amended by the adoption of Sections 18-146, 18-147, 18-148, 18-149, 18-150, 18-151, 18-152, 18-153, and 18-154 as shown on Appendix B attached hereto and incorporated herein by this reference.

Section 3. Section 12-357 shall be amended as set forth on Appendix C attached hereto and incorporated herein by this reference.

Section 4. This ordinance shall become effective five (5) days following its final publication, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ___ DAY OF NOVEMBER, 2022.

ATTEST

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor John Gates

ARTICLE V. PARADE, MEETING AND ASSEMBLY PERMITS~~Sec. 18-147. Permit and conformance to terms required.~~

~~It is unlawful for any person to organize, sponsor or participate in a meeting, assembly or parade attended by ten or more persons in or upon the public streets, sidewalks or public parks within the city unless and until a permit to conduct such parade, meeting or assembly has been applied for and obtained, as provided in this article, and unless such event is conducted in accordance with the terms set forth in such permit.~~

~~Sec. 18-148. Application for permit; forms; filing deadline; contents.~~

~~Application for a permit contemplated at section 18-147 shall be made on a form prepared and made available by the city manager. The form, filled in with the requested information and signed by at least one of the organizers of the proposed parade, meeting or assembly, shall be filed with the chief of police at least three full days, exclusive of Sundays and legal holidays, before the event for which a permit is requested. The application form may require a disclosure of the name or names of the individuals who are the principal organizers or sponsors or who are officers of any sponsoring organization; the parks, streets or sidewalks to be utilized; the date and hour of the event; the number of persons expected to participate in and attend the event; and such additional information as the city manager deems pertinent to proper police planning for the event.~~

~~Sec. 18-149. Action on application; deadline for decision; alternatives.~~

~~Within 24 hours following the filing of the application provided for in section 18-148, the chief of police shall either issue the permit for the time and place proposed in the application, deny the application or issue a permit for a different time, place or on conditions different than proposed in the application. The chief of police shall issue the permit for the time and place set forth in the application unless he finds that the proposed meeting, assembly or parade would likely:~~

- ~~(1) — Conflict as to time or place with a meeting, assembly or parade for which a permit previously has been granted;~~
- ~~(2) — Prevent the safe and orderly movement of traffic contiguous to the parade route or contiguous to the place of the meeting or assembly; or~~
- ~~(3) — Require the diversion of so great a number of police officers in order to properly police the parade, meeting or assembly as to prevent normal police protection to the city, considering all available police personnel.~~

~~Sec. 18-150. Denial or issuance of changed permit; form and content.~~

~~If the chief of police finds that the proposed event for which a permit was applied for as provided at section 18-148 likely would cause any of the conditions specified in section 18-149, the chief of police shall deny the application or shall issue a permit for a different time or place or on conditions different than proposed in the application. All permits shall be in writing, signed by the chief of police and shall contain the names of all persons who signed the application and names of all organizations listed in the application, the type of event authorized and when and where it shall occur. All denials shall be in writing and signed by the chief of police and shall set forth the reasons for denial.~~

~~Sec. 18-151. Appeals.~~

Any applicant not satisfied with the action taken by the chief of police with regard to the application made as provided at section 18-148 shall have the right to take successive appeals; first to the city manager, then to the city council and then to the municipal court, or the applicant may, if he desires, appeal directly from the chief of police to the municipal court.

(1) — Filing. An appeal to the city manager shall be taken by filing with the city clerk a signed statement that the applicant desires to appeal to the city manager, and by filing also a copy of the application and the written denial or the permit objected to. An appeal to the city council shall be taken by filing with the city clerk copies of the application, denial or permit and, in addition, the written decision issued by the city manager and a signed statement that the applicant desires to appeal to the city council. An appeal to the municipal court shall be taken by filing all of such documents, or copies thereof, with the clerk of the municipal court together with the decision issued by the city manager and a signed statement that the applicant desires to appeal to the municipal court.

(2) — Deadlines. Each appeal must be taken within two days, exclusive of Saturdays, Sundays and legal holidays, of the action appealed from and the city manager, city council and municipal court, respectively, shall render final decisions within two days, exclusive of Saturdays, Sundays and legal holidays, of the filing of any such appeal.

(3) — Hearings. A hearing shall precede a decision by either the city manager, city council or municipal court and advance notice of the hearing shall be given to the applicant and the chief of police as soon as practicable after the appeal is filed. At the hearing, the chief of police shall have the burden of justifying the denial of the application or the granting of the permit on conditions different than those proposed in the application.

(4) — Decisions. The decision of the city manager, city council or municipal court shall be in writing and either shall affirm the action of the chief of police or shall order him to issue the permit as applied for, or for a different time or place or on conditions different than those proposed in the application. Each decision shall be communicated as soon as practicable to the applicant and the chief of police.

(5) — Further appeal. Nothing in this section prohibits a further appeal by the applicant to the county court.

Secs. 18-152—18-170. Reserved.

ARTICLE V. - EVENT AND DEMONSTRATION PERMITS

Sec. 18-146- Definitions

As used in this Article, the following words and terms shall be defined as follows, unless the context requires otherwise:

Applicant shall mean any person or organization that seeks a permit from the City to conduct a demonstration or event governed by this Article. If a person, an applicant must be eighteen (18) years of age or older.

Demonstration shall mean a rally, picketing, speech, march, vigil, religious service or any similar gathering expected to be attended by 10 or more people that primarily involves the communication or expression of views or grievances engaged in by more than one person, that occurs on the public streets, sidewalks or public parks within the City, which does not comply with traffic laws and controls or which may, in the reasonable judgment of the Police Chief, obstruct, delay or interfere with the normal activities, operations or flow of pedestrian or vehicular traffic on public property or which may create a significant risk of injury to the general public or participants in the event.

Demonstration Permit means a permit issued by the Chief of Police for a Demonstration pursuant to this Article.

Event shall mean any gathering, special event, block party, parade, street fair, festival, outdoor concert, art and craft show, carnival, fun run or walk, bike ride or race or foot race, or other outdoor event which is not a demonstration as defined in this Chapter, that

- (a) occurs on the public streets, public right of way, public sidewalks within the City;
or
- (b) occurs on any property, including private property and property owned or leased by the City and involves amplified noise; or
- (c) occurs on any property and may obstruct, delay or interfere with the normal operation or flow of pedestrian or vehicular traffic.

Event Permit means a permit issued by the City Manager for an Event pursuant to this Article.

Permittee means any person or organization that has been issued a permit pursuant to this Article.

Sec. 18-147- Demonstration without permit unlawful.

It is unlawful for any person to organize, sponsor or participate in a Demonstration attended by ten (10) or more persons in or upon the public streets, sidewalks or public parks within the city unless and until a permit to conduct such Demonstration has been applied for and obtained, as provided in this article, and unless such event is conducted in accordance with the terms set forth in such permit.

Sec. 18-148- Demonstration Permit and conformance to terms required; Exceptions.

- (a) Any person desiring to conduct a Demonstration in the City attended by ten (10) or more persons, including on private property where the activity impacts a public right-of-way or adjacent public property use, shall file a notification of demonstration with the Chief of Police at least seventy-two (72) hours prior to the demonstration and receive a Demonstration Permit.
- (b) Failure to provide such notice may result in the restriction, relocation, or prohibition of the activity.
- (c) All Demonstration Permits shall be in writing, signed by the Chief of Police or designee and shall contain the names of all persons who signed the application and names of all organizations listed in the application, and when and where the Demonstration shall occur.

Sec. 18-149- Denial of Demonstration Permit.

- (a) The Chief of Police may deny the application or shall issue a Demonstration Permit for a different time or place or on conditions different than proposed in the application if the Chief of Police finds that the proposed Demonstration would likely:
 - (1) Conflict as to time or place with a Demonstration or Event for which a permit previously has been granted;
 - (2) Prevent the safe and orderly movement of traffic contiguous to the route or place of the Demonstration; or
 - (3) Require the diversion of so great a number of police officers in order to properly police the Demonstration as to prevent normal police protection to the city, considering all available police personnel.
- (b) All denials shall be in writing and signed by the Chief of Police or designee and shall set forth the reasons for denial.
- (c) An applicant may appeal the denial of a Demonstration Permit pursuant to Sec. 18-154.

Sec. 18-150- Event without Permit unlawful

It is unlawful for any person to organize, sponsor or participate in an Event unless and until an Event Permit to conduct such Event has been applied for and obtained, as provided in this article, and unless such event is conducted in accordance with the terms set forth in such Event Permit.

Sec. 18-151- Event Permit and conformance to terms required; Exceptions.

- (a) Any person desiring to sponsor an Event as defined herein must file a complete application, including all required attachments, with the City Manager or designee on a form supplied by the City Manager. Applications must be submitted no less than sixty (60) days nor more than one (1) year prior to the date of the Event.
- (b) Upon delivery of the Event Permit application, the applicant shall pay to the City all applicable fees and deposits in an amount set by the City Manager.
- (c) The application for an Event Permit shall be on a form prescribed by the City Manager and may include but not be limited to a request for any or all of the following information:
 - (1) The name, address, and telephone number of the applicant;
 - (2) The date(s), time(s), and purpose of the Event, a description of the Event venue and the number and type of participants and spectators expected at the Event;
 - (3) A proposed traffic plan and/or street closure plan for the Event venue and surrounding areas affected by the Event;
 - (4) A proposed Site plan;
 - (5) A proposed Security plan;
 - (6) Information detailing whether the Event will include amplified noise, and if it will, detailing the type of amplification to be used, and the time that amplified noise will be present during the Event;
 - (7) The number and location of portable sanitation facilities and a schedule for delivery, removal, and cleanup;
 - (8) A description of the public safety or other public facilities or resources requested to accommodate the Event;
 - (9) Other equipment or services requested to conduct the Event with due regard to participant and public health, safety, and welfare;
 - (10) The number of persons proposed or required to monitor or facilitate the Event and provide spectator and participant control for the Event;
 - (11) A medical plan containing provisions for first aid or emergency medical services, or both, based on the Event's risk factors;
 - (12) An estimate of the time and resources needed to clean the venue area after the Event;

- (13) Proof of public liability insurance if required by the City;
- (14) If the applicant is a corporate entity or other organization, a Certificate of Good Standing issued by the Secretary of State for the State of Colorado;
- (15) If alcohol is to be served, proof of a pending or granted liquor license application;
- (16) If the sale of merchandise or food is planned, a copy of the current City sales tax license for each vendor at the Event and a copy of the current license from the Weld County Health Department for each food vendor;
- (17) Any other information reasonably requested by the City, including any other relevant necessary permits.

Sec. 18-152. - Action on Event Permit application; deadline for decision; alternatives.

- (a) Within forty-five (45) days-following the filing of the full and complete application for an Event Permit, the City Manager or designee shall either issue the Event Permit for the time and place proposed in the application, deny the application or issue an Event Permit for a different time, place or on conditions different than proposed in the application.
- (b) The Event Permit shall be in writing, signed by the City Manager or designee and shall contain the names of all persons who signed the application and names of all organizations listed in the application, the type of event authorized and when and where it shall occur.
- (c) The City Manager or designee may deny an Event Permit application if the City Manager or designee finds that the proposed Event poses a danger to the public health, safety or welfare. In making this determination the City Manager may consider the following factors:
 - (1) Whether the applicant failed to provide for the services of a sufficient number of public safety employees, emergency medical personnel or other monitors;
 - (2) Whether the applicant failed to provide sufficient safety, health or sanitation equipment, services or facilities;
 - (3) Whether the applicant failed to provide sufficient off-site parking or shuttle service to minimize any adverse impacts on general parking and traffic circulation;
 - (4) Whether the applicant failed to provide all required information or otherwise meet all requirements of the application;

- (5) Whether the applicant failed to conduct a previously permitted Event in accordance with the law or the terms and conditions of a prior Event Permit;
- (6) Whether the same previously permitted-Event was conducted in violation of the law or the terms and conditions of the Event Permit;
- (7) Whether the applicant demonstrates an inability or unwillingness to conduct the Event pursuant to the terms and conditions of the Event Permit, Federal, State and local law, or other required government approvals;
- (8) Another Event or Demonstration Permit or application has been received prior in time, or has already been approved, to hold another Event or Demonstration at the same time and place requested by the applicant, or so close in time and places as to cause undue traffic congestion;
- (9) Whether the Event cannot be conducted in such a way as to preserve public safety and allow for the orderly movement of traffic contiguous to the place of the Event; or
- (10) Whether the-Event would require the diversion of so great a number of police officers in order to properly police the-Event as to prevent normal police protection to the City, considering all available police personnel.

Sec. 18-153. - Denial or issuance of changed permit; form and content.

If the City Manager or designee finds that the proposed Event for which a Permit was applied for likely would cause any of the conditions specified in Section 18-152, the City Manager or designee shall deny the application or shall issue an Event Permit for a different time or place or on conditions different than proposed in the application. All denials shall be in writing and signed by the City Manager or designee and shall set forth the reasons for denial.

Sec. 18-154. - Appeals.

- (a) Any applicant not satisfied with the action submitted with regard to the application made as provided at Sections 18-148 or 18-151 shall have the right to appeal to the City Manager.
- (b) An appeal to the City Manager shall be taken by filing with the City Clerk a signed statement that the applicant desires to appeal to the City Manager with a copy of the application and the written denial or the Permit objected to.
- (c) The appeal must be taken within two days, exclusive of Saturdays, Sundays and legal holidays, of the action appealed from.
- (d) The City Manager may hold a hearing regarding the appeal if, in their sole discretion, the City Manager determines that a hearing would assist in making a

determination on the appeal. Such hearing shall be held within five (5) days of the date the appeal was filed, exclusive of Saturdays, Sundays, and legal holidays. Advance notice of the hearing shall be given to the applicant as soon as practicable after the appeal is filed.

(e) The decision of the City Manager shall be in writing and shall:

(1) affirm the action of the City; or

(2) order the issuance of the Permit as applied for; or

(3) order the issuance of a Permit for a different time or place or on conditions different than those proposed in the application.

(f) The City Manager's decision shall be provided no later than two (2) days, exclusive of Saturdays, Sundays and legal holidays, after the filing of any such appeal or from the conclusion of a hearing, if applicable.

(g) Nothing herein prohibits a further appeal by the applicant to the county court.

Sec. 18-154 — Revocation.

(a) A Demonstration Permit or an Event Permit may be revoked at any time if the Chief of Police, the City Manager or their designees determines:

(1) That the Demonstration or Event is being conducted in violation of any term or condition of the Permit or of any other law or ordinance;

(2) The Demonstration or Event poses an imminent threat to the public health, safety or welfare; or

(3) The Event Permit applicant, event organizer or any person associated with the Event has failed to obtain any other permit or license required by law.

(b) If the Demonstration or Event Permit is revoked after issuance but prior to the commencement of the Demonstration or Event, the Chief of Police, the City Manager or their designee shall provide the permittee written notice of revocation. The written notice shall set forth the reasons for the revocation.

(c) If the Demonstration Permit or Event Permit is revoked after the commencement of the Demonstration or Event, the Chief of Police, the City Manager or their designee may notify the permittee verbally of the revocation and order the permittee to cease the Demonstration or Event. It shall be unlawful for a permittee to fail to comply with a verbal notice of revocation and order to cease the Demonstration or Event.

(d) An applicant or permittee may appeal a revocation of the Demonstration or Event Permit in accordance with the appeals process contained in this Chapter.

Secs. 18-155—18-170. - Reserved.

CHAPTER 6. - NOISE CONTROL**ARTICLE III. - SOUND-AMPLIFYING EQUIPMENT****Sec. 12-357. - Permit application.**

(a) An application for a permit shall be directed to the chief of police or their designee and shall provide the following information:

- (1) The name, address and telephone number of both the owner and user of the sound-amplifying equipment;
- (2) The license number of a vehicle which is to be used;
- (3) The general description of the sound-amplifying equipment which is to be used;
- (4) Whether the sound-amplifying equipment will be used for commercial or noncommercial purposes; and
- (5) The dates and times upon which and the streets over which the equipment is proposed to be operated.

(b) An event permit granted by the city manager pursuant to section 18-150 shall substitute for a sound amplifying permit granted by the chief of police or their designee. All requirements of Title 12, Chapter 6, Article III shall apply to amplified noise used in association with an Event.



Demonstration and Event Permits

November 1, 2022



Background

- **Historically, Police Department issued permits for any “assembly” occurring on public property over 10 people**
- **Permits had no fee regardless of the size of the event or the City resources required**



Background

- **In 2019, the City started a new permitting process for events**
- **This process allows individuals and groups to apply for a Revocable Event Permit**
- **Fee is \$150.00**
 - **Regardless of the size of the event or the resources involved**
- **Applies to any event or assembly over 10 people**
- **No ordinance changes were made at that time**



Legal basis

- **Use of public spaces to express speech is protected by the US and Colorado constitutions**
- **Permit requirements are acceptable to regulate competing uses of public spaces and defray costs incurred by the City**
- **Permit system must be applied equally**
- **Permit system may not suppress a particular point of view**

New ordinance

- **The new ordinance is designed to clarify the permit process**
- **Demonstration permits will still be handled by GPD**
- **Event permits will be handled by the City Clerk's Office**
 - **Feedback will be gathered from the Administrative Review team**

Fees

- **Demonstration permit**
 - **No fee**
- **Revocable Event permit**
 - **Block parties- no fee**
 - **Small events (Tier 1)- \$25.00**
 - **Mid-size events (Tier 2)- \$100.00**
 - **Large events (Tier 3)- \$200.00**
- **City Manager has authority to waive or reduce fees**

Amplified Noise Permit

- **The Police Department currently issues Amplified Noise permits**
- **The proposed ordinance would allow the Event permit to also serve as the Amplified Noise permit**
 - **streamline the permit process for those holding events**
- **Police Department will still issue Amplified Noise permits when there is no Event permit.**
- **No fee for the Amplified Noise Permit.**

Any
Questions?



Council Agenda Summary

November 1, 2022

Key Staff Contact: Becky Safarik, Interim Community Development Director, 970-350-9786

Title:

Public hearing and second reading of an Ordinance amending Article II, Section 2-60 of the Greeley Municipal Code regarding election wards

Summary:

The Greeley City Charter describes the manner in which the city is organized for the purpose of electing the Mayor and members of City Council. As described, there "...shall be six (6) Councilmembers and a Mayor nominated and elected by the qualified electors of the City of Greeley..."

The Charter also describes that the city will be divided into four election wards of, as nearly as possible, an equal number of residents. Further, that no more often than once in four years, by ordinance, the Council should readjust the ward boundaries to "...comprise compact and contiguous territory..." to balance the population in each ward.

The most recent ward boundary modification took place on May 6, 2012 and since then, based upon the decennial federal census counts, it was found that Wards III and IV have grown to the extent that they are much larger than Wards I & II. To realign boundaries to meet the Charter directive and consider expected growth over the next decade, staff presented options for realignment of the wards at the Council's March 22, 2022 work session.

Council selected a preferred ward boundary alignment. This ordinance reflects and creates those modified boundaries. City Council introduced this ordinance at its October 18, 2022 meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

Other Issues and Considerations:

None.

Strategic Work Program Item or Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Existing Ward Boundary Map
Proposed Ward Boundary Map
Presentation slides

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 42, 2022**

**AN ORDINANCE AMENDING ARTICLE II, SECTION 2-60 OF THE GREELEY MUNICIPAL CODE
REGARDING ELECTION WARDS**

WHEREAS, Section 2-2 of the City of Greeley Charter provides that the City shall be divided into four (4) election wards; and,

WHEREAS, this Section of the Charter also provides that the Greeley City Council shall adjust the ward boundaries, but not more often than once in four (4) years, so as to comprise compact and contiguous territory, and so as to contain, as nearly as possible, an equal number of inhabitants; and,

WHEREAS, the most recent adjustment to ward boundaries was made in 2012; and,

WHEREAS, following receipt and review of the 2020 federal Census population estimates it becomes timely and appropriate to adjust the ward boundaries in order to comply with the provisions of Section 2-2 of the Greeley City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. Section 2-60 of the Greeley Code of Ordinances is hereby repealed and replaced in its entirety as follows:

Section 2-60. – Election wards established.

The city is divided into four election wards, and the boundaries thereof are fixed, determined and established as follows:

Ward One shall be and include all that part of the city lying north and east of the line described as follows: commencing at the intersection of the east city limit boundary line with the centerline of East Sixteenth Street; thence west along said centerline to the centerline of Twenty-third Avenue; thence south along said centerline to the centerline of Twentieth Street; thence west along said centerline to the centerline of Thirty-fifth Avenue; thence north along said centerline to the centerline of the Greeley Irrigation Company Number 3 Ditch; thence northwesterly along said centerline to the southerly extension of the west boundary line of Stoneybrook Subdivision Filing Number 1, a subdivision of the city; thence north along said west boundary line extended northerly to the centerline of F Street; thence east along said centerline to the centerline of Thirty-fifth Avenue; thence north along said centerline to the north city limit boundary line.

Ward Two shall be and include all that part of the city lying south and east of the line described as follows: commencing at the intersection of the east city limit boundary line with the centerline of East Sixteenth Street; thence west along said centerline to the centerline of Twenty-third Avenue; thence south along said centerline to the centerline

of Twentieth Street; thence west along said centerline to the centerline of Thirty-fifth Avenue; thence south along said centerline to the south city limit boundary line.

Three shall be and include all that part of the city lying south and west of the line described as follows: commencing at the intersection of the west city limit boundary with the centerline of U.S. Highway 34; thence east along said centerline to the centerline of U.S. Highway 34 Bypass; thence east on said centerline to the centerline of Ninety-fifth Avenue; thence north along said centerline to the centerline of Twentieth Street; thence east along said centerline to the southerly extension of the east boundary line of Highland Park, a subdivision of the city, said line also being the west boundary of the Aims Community College Campus; thence northerly along said west boundary line of Aims Community College Campus to the intersection of the southerly boundary line of Country Club West Fourth Filing, a subdivision of the city; thence northeasterly along said southerly boundary line to a boundary corner of said Country Club West Fourth Filing; thence southeasterly to the southern corner of said Country Club West Fourth Filing; thence northerly along the east boundary line of Country Club West Fourth Filing, to the Center Quarter corner of section 10, Township 5 North, Range 66 West of the 6th P.M., City of Greeley, County of Weld, State of Colorado, said point also being the northeast boundary corner of Country Club West Fourth Filing; thence easterly along the east-west quarter line of said section 10 to the centerline of Forty-seventh Avenue; thence north along said centerline to the centerline of U.S. Highway 34 Business (Tenth Street); thence east along said centerline to the centerline of Thirty-fifth Avenue; thence south along said centerline to the south city limit boundary line.

Ward Four shall be and include all that part of the city lying north and west of the line described as follows: commencing at the intersection of the west city limit boundary with the centerline of U.S. Highway 34; thence east along said centerline to the centerline of U.S. Highway 34 Bypass; thence east on said centerline to the centerline of Ninety-fifth Avenue; thence north along said centerline to the centerline of Twentieth Street; thence east along said centerline to the southerly extension of the east boundary line of Highland Park, a subdivision of the city, said line also being the west boundary of the Aims Community College Campus; thence northerly along said west boundary line of Aims Community College Campus to the intersection of the southerly boundary line of Country Club West Fourth Filing, a subdivision of the city; thence northeasterly along said southerly boundary line to a boundary corner of said Country Club West Fourth Filing; thence southeasterly to the southern corner of said Country Club West Fourth Filing; thence northerly along the east boundary line of Country Club West Fourth Filing, to the Center Quarter corner of section 10, Township 5 North, Range 66 West of the 6th P.M., City of Greeley, County of Weld, State of Colorado, said point also being the northeast boundary corner of Country Club West Fourth Filing; thence easterly along the east-west quarter line of said section 10 to the centerline of Forty-seventh Avenue; thence north along said centerline to the centerline of U.S. Highway 34 Business (Tenth Street); thence east along said centerline to the centerline of Thirty-fifth Avenue; thence north along said centerline to the centerline of the Greeley Irrigation Company Number 3 Ditch; thence northwesterly along said centerline to the southerly extension of the west boundary line of Stoneybrook Subdivision Filing Number 1, a subdivision of the city; thence north along said west boundary line extended northerly to the centerline of F Street; thence east

along said centerline to the centerline of Thirty-fifth Avenue; thence north along said centerline to the north city limit boundary line.

Section 2: This ordinance shall become effective five (5) days following its final publication, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ DAY OF NOVEMBER, 2022.

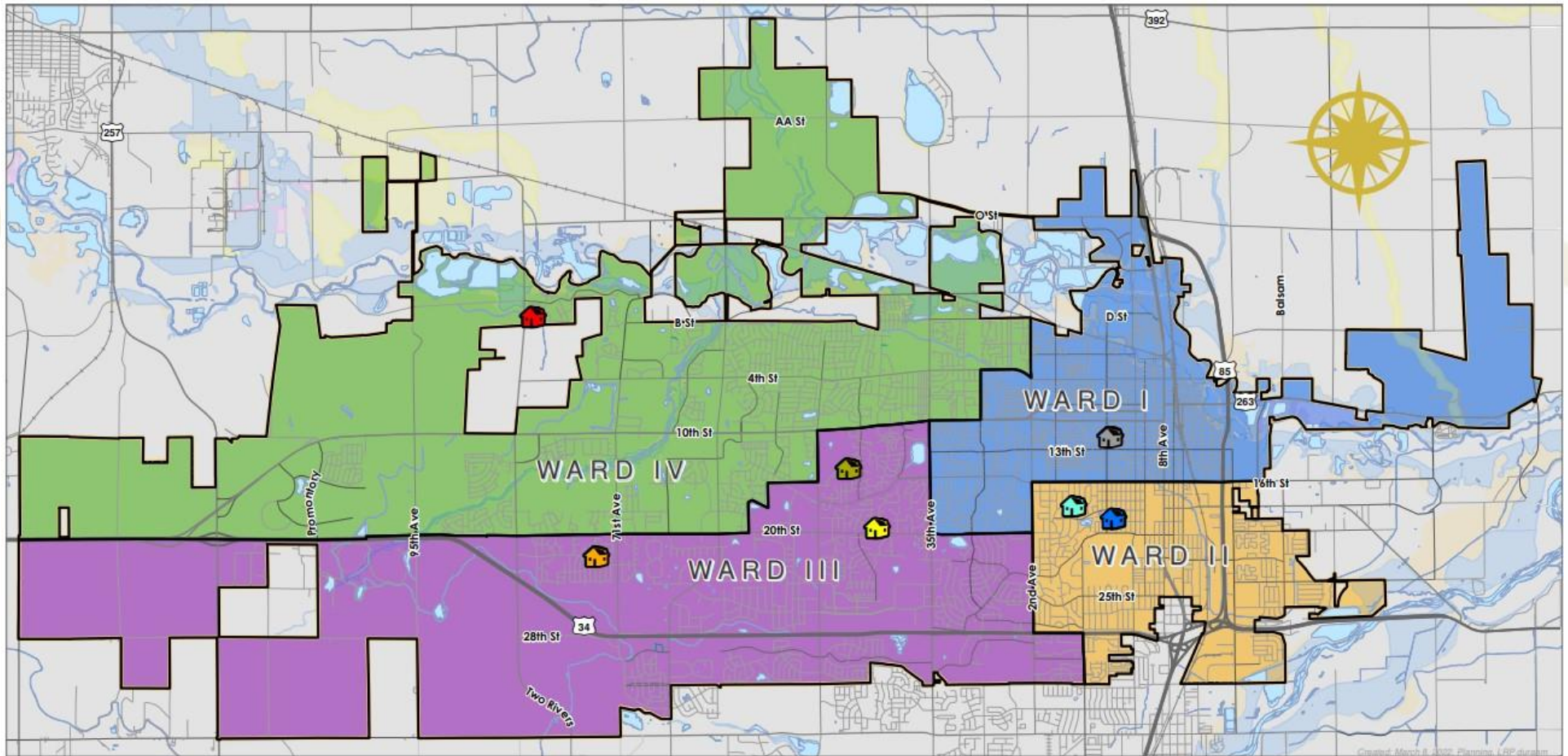
ATTEST:

CITY OF GREELEY, COLORADO

City Clerk

Mayor

2022 Exiting Ward Boundaries



Existing - Council Ward Boundaries



Source: U.S. 2020 Census Bureau Data. Population numbers derived from block data which generally follows, but does not coincide with Ward or Municipal boundaries.

Source: <https://demography.dola.colorado.gov/census-acs/2020-census-data/#census-data-for-colorado-2020>

* Deviation

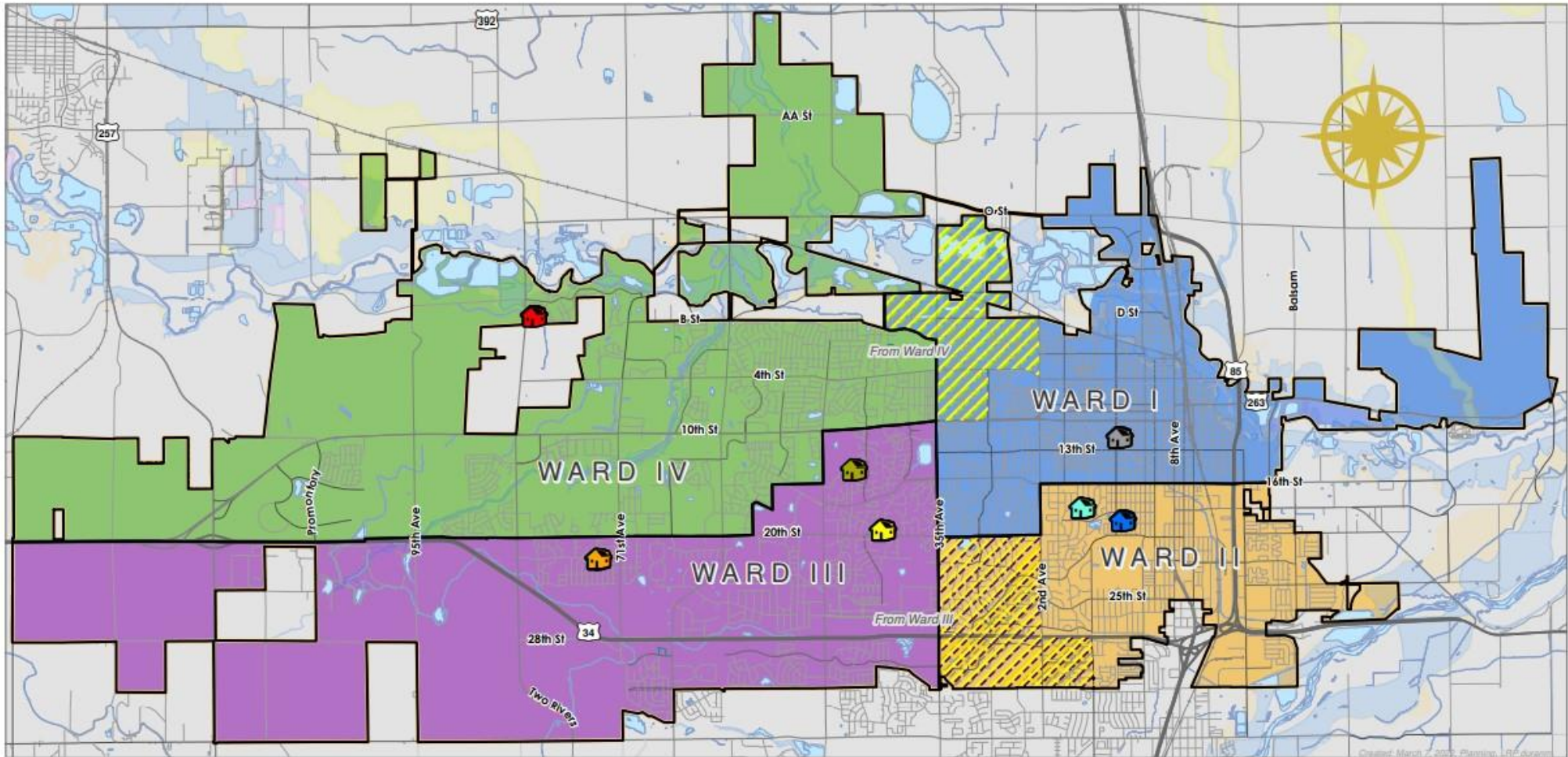
%C = Percent of group within city
%W = Percent of group within ward

Ward	Size & Population			
	Square Miles		Pop >18	
	Size	%C	Size	%C
I	8.1	16.3%	22,248	22.9%
II	4.5	9.1%	21,255	21.9%
III	17.0	34.1%	27,370	28.2%
IV	20.1	40.4%	26,160	27.0%
Total	49.8		97,033	6.3% *

Ward	Ethnicity					
	Non-Hispanic >18			Hispanic >18		
	Pop	%W	%C	Pop	%W	%C
I	12,382	55.7%	12.8%	9,866	44.3%	10%
II	12,632	59.4%	13.0%	8,623	40.6%	9%
III	20,036	73.2%	20.6%	7,334	26.8%	8%
IV	18,266	69.8%	18.8%	7,894	30.2%	8%
Total	63,316			33,717		

Ward	Age Breakdown		
	<18		
	Pop	%W	%C
I	7,211	32.4%	7.4%
II	7,008	33.0%	7.2%
III	8,739	31.9%	9.0%
IV	8,990	34%	9.3%
Total	31,948		

2022 Proposed Ward Boundaries



Scenario B - Council Ward Boundaries



Source: U.S. 2020 Census Bureau Data. Population numbers derived from block data which generally follows, but does not coincide with Ward or Municipal boundaries.

Source: <https://demography.dola.colorado.gov/census-acs-2020-census-data/#census-data-for-colorado-2020>

* Deviation
 %C = Percent of group within city
 %W = Percent of group within ward

Ward	Size & Population			
	Square Miles		Pop >18	
	Size	%C	Size	%C
I	9.7	19.4%	26,945	27.8%
II	6.3	12.6%	26,692	27.5%
III	15.2	30.6%	21,933	22.6%
IV	18.6	37.3%	21,463	22.1%
	49.8		97,033	5.6%*

Ward	Ethnicity					
	Non-Hispanic >18			Hispanic >18		
	Pop	%W	%C	Pop	%W	%C
I	14,319	53.1%	14.8%	12,626	46.9%	13%
II	16,182	60.6%	16.7%	10,510	39.4%	11%
III	18,125	82.6%	18.7%	3,808	17.4%	4%
IV	16,329	76.1%	16.8%	5,134	23.9%	5%
	64,955			32,078		

Ward	Age Breakdown		
	<18		
	Pop	%W	%C
I	9,450	35.1%	9.7%
II	8,879	33.3%	9.2%
III	6,868	31.3%	7.1%
IV	6,751	31%	7.0%
	31,948		

Ward Boundary Review

**City Council Meeting
November 1, 2022**



Background

- **The Greeley Charter and Municipal Code describe manner for establishing and maintaining Council representation represented by wards:**
 - **Four wards**, numbered consecutively in clockwise fashion starting with the northeast ward (Ward I);
 - **Ward boundaries** shall not be changed more often than once every 4 years;
 - **The area** included in wards should comprise compact and contiguous territory and an equal number of inhabitants as much as possible

Practice

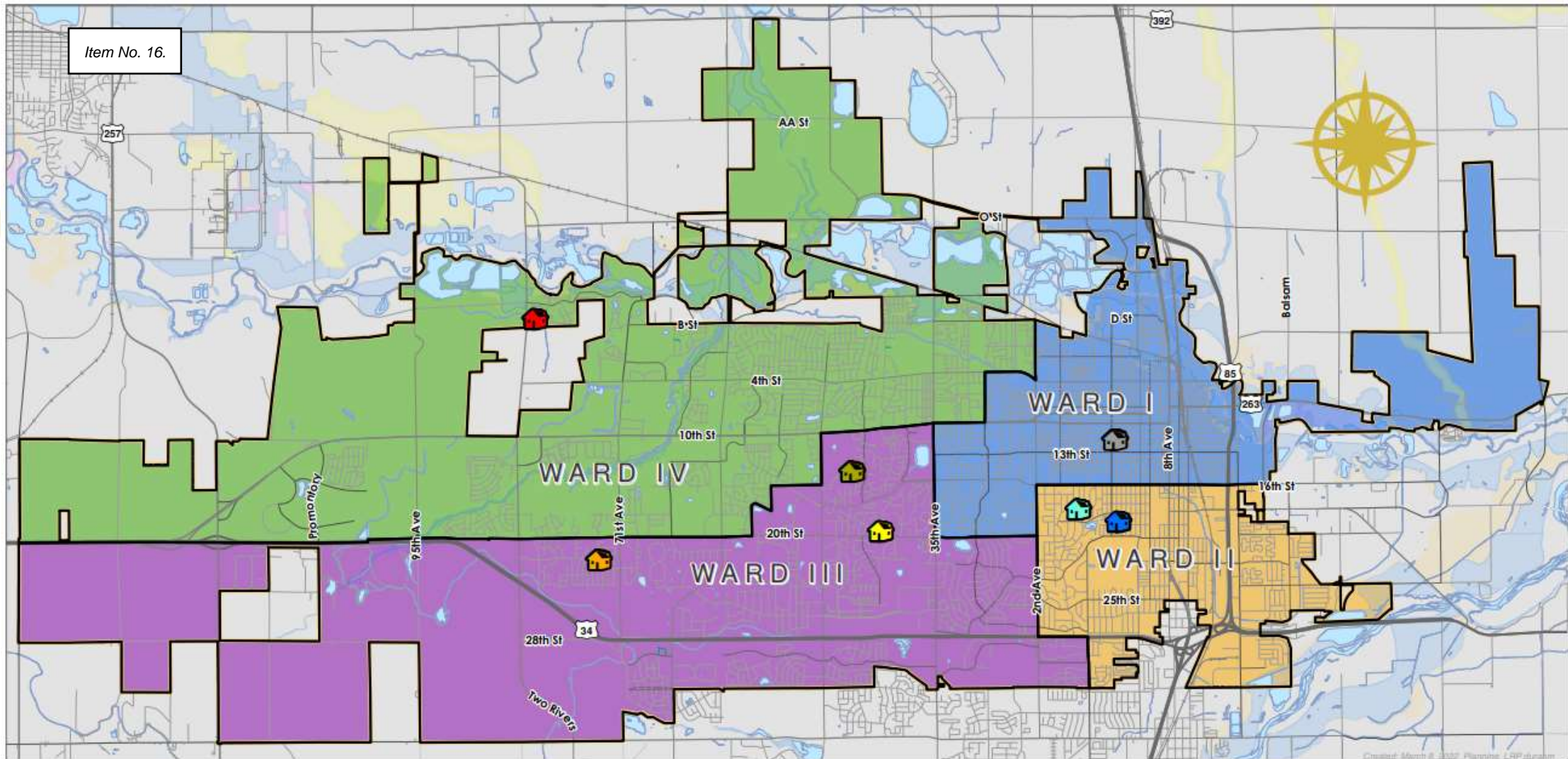
Council has regularly reviewed its ward populations and boundaries following each decennial census

When ward boundary populations appear to be trending toward greater than a 7% deviation in size between areas, Council has adjusted the boundaries to meet the Charter and Municipal Code objectives.



- **Boundaries are set by ordinance**
- **Based upon city growth and community composition, the City modified its ward representation from 3 to 4 wards in 1995**
- **Subsequent ward boundary modifications occurred in 2003 and 2012, following decennial census counts**

Item No. 16.



Existing - Council Ward Boundaries



Source: U.S. 2020 Census Bureau Data. Population numbers derived from block data which generally follows, but does not coincide with Ward or Municipal boundaries.

Source: <https://demography.dola.colorado.gov/census-acs/2020-census-data/#census-data-for-colorado-2020>

* Deviation
%C = Percent of group within city
%W = Percent of group within ward

Ward	Size & Population			
	Square Miles		Pop >18	
	Size	%C	Size	%C
I	8.1	16.3%	22,248	22.9%
II	4.5	9.1%	21,255	21.9%
III	17.0	34.1%	27,370	28.2%
IV	20.1	40.4%	26,160	27.0%
Total	49.8		97,033	6.3% *

Ward	Ethnicity					
	Non-Hispanic >18			Hispanic >18		
	Pop	%W	%C	Pop	%W	%C
I	12,382	55.7%	12.8%	9,866	44.3%	10%
II	12,632	59.4%	13.0%	8,623	40.6%	9%
III	20,036	73.2%	20.6%	7,334	26.8%	8%
IV	18,266	69.8%	18.8%	7,894	30.2%	8%
Total	63,316			33,717		

Ward	Age Breakdown		
	<18		
	Pop	%W	%C
I	7,211	32.4%	7.4%
II	7,008	33.0%	7.2%
III	8,739	31.9%	9.0%
IV	8,990	34%	9.3%
Total	31,948		

Observations

- **Wards III & IV are now greater in population size than Wards I & II and are expected to continue to be high growth areas**
- **The largest disparity in ward populations are between the **smallest (Ward II)** with 21.9% of the city's 18yrs + population and the **largest (Ward III)** with 28.2% of the city's 18yrs + population representing a **6.3% difference** in population.**

- **Ward I: highest number and concentration of persons who identify as Hispanic**
- **Ward II: smallest in geographic size (4.5 sq. miles) but the densest in population (4,723 persons/sq. mile)**
- **Ward III: greatest number of total residents with 27,370 persons but is the second lowest in terms of density (1,610 persons/sq. mile)**
- **Ward IV: highest number of persons younger than 18 yrs.**



Current Status

Using the 2020 Census information and the 2022 Annual Growth Report and Projections, staff developed maps that would address the ward boundary objectives noted in the Greeley Charter and Municipal Code.

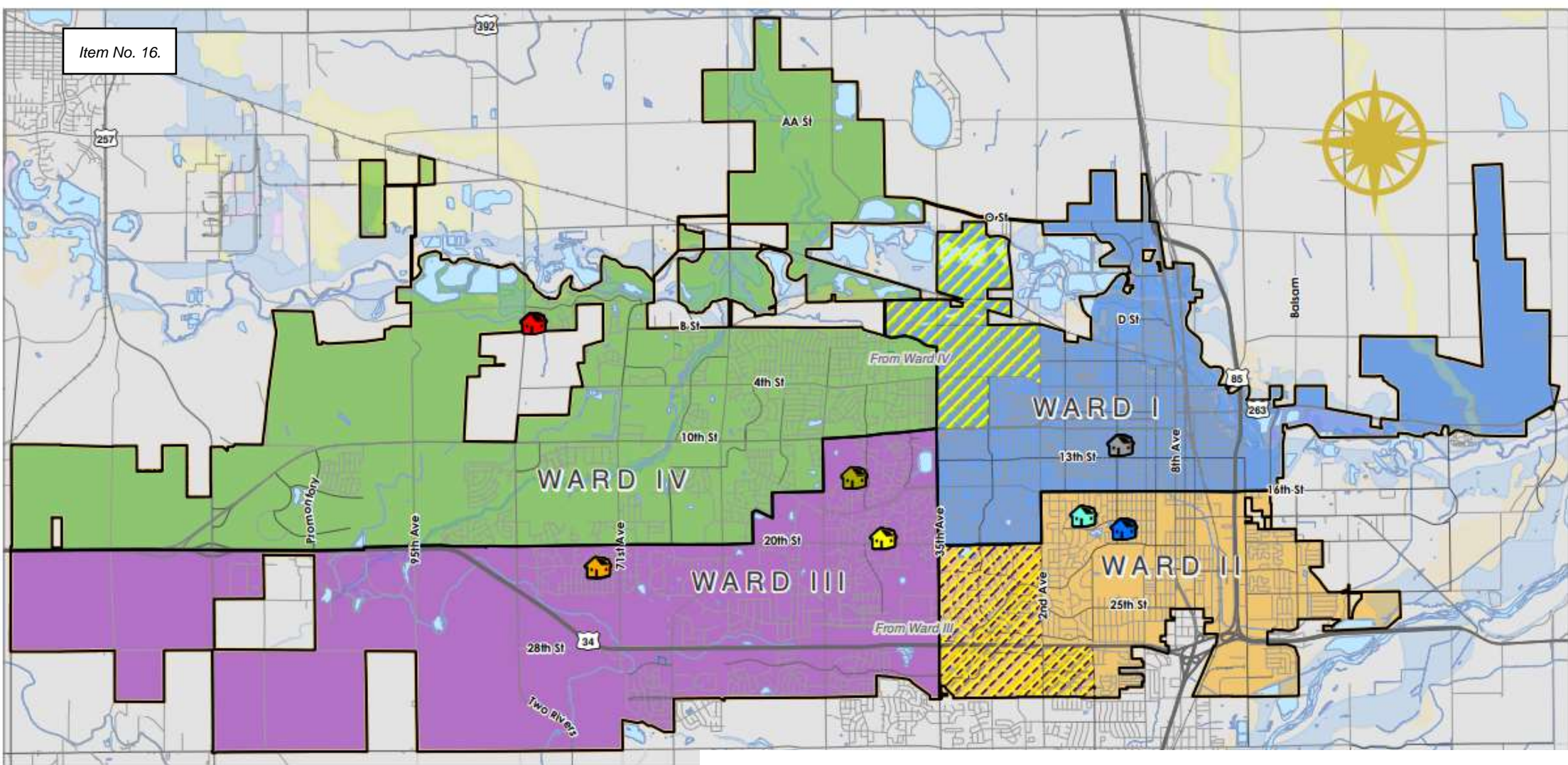


- Ward boundaries relatively **equal in size**
- Wards reasonably **compact and follow logical and easily recognized boundaries;**
- Adjusted boundaries reflect recent **population growth shifts;**
- Ward dimensions configured in a way that **anticipates population growth in the next decade;** and,
- Adjusted boundaries scaled such that the wards will grow closer in size over the next several years to **limit the need for another adjustment** before the next decennial census

Direction by Council

- **Council reviewed options presented by staff at its March 22, 2022 work session and selected amended boundaries that would recalibrate the population to accommodate current population and expected growth over the next decade**
- **Projecting 10 years of population growth between the 4 wards results in Wards III and IV slightly exceeding the size of Wards I & II by 2032. The differential between the highest and lowest ward population at that time would be about 3%, still well within tolerance ranges**

Item No. 16.



PROPOSED 2022 CITY COUNCIL WARD BOUNDARIES



Source: U.S. 2020 Census Bureau Data. Population numbers derived from block data which generally follows, but does not coincide with Ward or Municipal boundaries.

Source: <https://demography.dola.colorado.gov/census-acs/2020-census-data/#census-data-for-colorado-2020>

* Deviation
 %C = Percent of group within city
 %W = Percent of group within ward

Ward	Size & Population			
	Square Miles		Pop >18	
	Size	%C	Size	%C
I	9.7	19.4%	26,945	27.8%
II	6.3	12.6%	26,692	27.5%
III	15.2	30.6%	21,933	22.6%
IV	18.6	37.3%	21,463	22.1%
	49.8		97,033	5.6% *

Ward	Ethnicity					
	Non-Hispanic >18			Hispanic >18		
	Pop	%W	%C	Pop	%W	%C
I	14,319	53.1%	14.8%	12,626	46.9%	13%
II	16,182	60.6%	16.7%	10,510	39.4%	11%
III	18,125	82.6%	18.7%	3,808	17.4%	4%
IV	16,329	76.1%	16.8%	5,134	23.9%	5%
	64,955			32,078		

Ward	Age Breakdown		
	<18		
	Pop	%W	%C
I	9,450	35.1%	9.7%
II	8,879	33.3%	9.2%
III	6,868	31.3%	7.1%
IV	6,751	31%	7.0%
	31,948		

- **Upon adoption, new wards would be established and in place well before the 2023 Municipal Election**

QUESTIONS ?

Council Agenda Summary

November 1, 2022

Key Staff Contact: Becky Safarik, Community Development Director, 970-350-9786
Meg Oren, Planner II, 970-350-9824

Title:

Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from Holding-Agriculture (H-A) to Residential-High Density (R-H), changing the underlying land use designations for approximately 31.19 acres of property located north of and adjacent to 13th Street and the Fox Run Neighborhood, approximately 500' west of 59th Avenue, and approximately 580' south of 10th Street (ZON2021-0016)(13th Street Apartments Rezone).

Summary:

The property owner, Bear Rock, LLC, represented by Sam Coutts and Klara Rossouw of Ripley Design, requests a rezone of the subject property to allow for residential development options. The applicant is looking to incorporate residential density in the area to support existing and future commercial properties located adjacent to the property to the north along 10th Street and to the east along 59th Avenue.

The Planning Commission considered this request on September 27, 2022, conducted a public hearing, and voted to recommend approval to rezone the property by a vote of 5-0. City Council introduced this ordinance at its October 18, 2022 meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a quasi-judicial process which includes the following public hearing steps:

- 1) City staff presentation
- 2) Council questions of staff
- 3) Applicant presentation
- 4) Council questions of applicant

- 5) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 6) Rebuttal, if requested
- 7) Council discussion
- 8) Council decision

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:

Conformance with the policies of the City of Greeley Comprehensive Plan

Economic Health & Development: Foster and maintain public and private investment in business development.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion that, based on the application received, the preceding analysis and Planning Commission recommendation, the proposed rezoning from Holding-Agriculture (H-A) to Residential-High Density (R-H) is in compliance with Title 24-204(b) and is therefore approved

Attachments:

Ordinance

Planning Commission Minutes (draft, September 27, 2022)

Planning Commission Summary (Staff Report) (September 27, 2022)

PowerPoint presentations

Neighbor Letter

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 43, 2022
CASE NO. ZON2021-0016**

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM HOLDING AGRICULTURE (H-A) TO RESIDENTIAL HIGH DENSITY (R-H) CHANGING THE UNDERLYING LAND USE DESIGNATIONS FOR APPROXIMATELY 31.19 ACRES OF PROPERTY LOCATED NORTH OF AND ADJACENT TO 13TH STREET AND THE FOX RUN NEIGHBORHOOD, APPROXIMATELY FIVE HUNDRED FEET (500') WEST OF 59TH AVENUE AND APPROXIMATELY FIVE HUNDRED AND EIGHTY FEET (580') SOUTH OF 10TH STREET.

BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as Residential Estate (R-E) and Commercial Low Intensity (C-L) TO Residential High Density (R-H), in the City of Greeley, County of Weld, State of Colorado:

Legal Description

MULTIPLE PARCELS OF LAND FOR REZONING PURPOSES ALL SITUATE WITHIN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) OF SECTION NINE (9), TOWNSHIP FIVE NORTH (T.5N.), RANGE SIXTY-SIX WEST (R.66W.), OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 9 AND ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 TO BEAR SOUTH 89°24' 44" EAST A DISTANCE OF 2658.31 FEET WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO:

THENCE SOUTH 00° 03' 21" EAST ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2N1/2NE1/4) OF SAID SECTION 9 A DISTANCE OF 659.27 FEET TO THE NORTH SIXTY-FOURTH CORNER OF SECTION 9 AND TO THE **POINT OF BEGINNING.**

THENCE SOUTH 89° 26' 43" EAST ALONG THE SOUTH LINE OF THE N1/2N1/2NE1/4 OF SAID SECTION 9 A DISTANCE OF 500.03 FEET TO THE EASTERLY LINE OF THE WEST 500.00 FEET OF THE N1/2N1/2NE1/4 SECTION 9.

THENCE SOUTH 89° 26' 43" EAST ALONG SAID SOUTH LINE OF THE N1/2N1/2NE1/4 OF SECTION 9 A DISTANCE OF 268.63 FEET TO THE NORTHEAST CORNER OF PARCEL NO. 2 AS DESCRIBED IN QUIET TITLE DECREE RECORDED MARCH 11, 2022 AS RECEPTION NO. 4809527 OF THE RECORDS OF WELD COUNTY.

THENCE SOUTH 00° 22' 29" EAST ALONG THE EASTERLY LINE OF SAID PARCEL NO. 2 AS DESCRIBED IN QUIET TITLE DECREE A DISTANCE OF 4.49 FEET TO THE NORTHWEST CORNER OF TRACT A, BEAR ROCK SUBDIVISION RECORDED SEPTEMBER 10, 2020 AS RECEPTION NO. 4628668 OF THE RECORDS OF WELD COUNTY.

THENCE SOUTH 89° 38' 14" EAST ALONG THE NORTHERLY LINE OF SAID TRACT A, BEAR ROCK SUBDIVISION A DISTANCE OF 1291.92 FEET TO THE NORTHEAST CORNER OF TRACT A, BEAR ROCK SUBDIVISION.

THENCE SOUTH 00° 22' 29" EAST ALONG THE EASTERLY LINE OF SAID TRACT A, BEAR ROCK SUBDIVISION A DISTANCE OF 501.80 FEET;

THENCE SOUTH 89° 24' 44" EAST A DISTANCE OF 20.41 FEET TO THE WESTERLY LINE OF TRACT 1, SHOPS AT SUNSET RIDGE SUBDIVISION RECORDED AUGUST 13, 2007 AS RECEPTION NO. 3496647 OF THE RECORDS OF WELD COUNTY.

THENCE SOUTH 00° 22' 58" EAST ALONG THE WESTERLY LINE OF SAID TRACT 1 A DISTANCE OF 156.14 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) OF SAID SECTION 9.

THENCE NORTH 89° 28' 35" WEST ALONG SAID SOUTH LINE OF THE N1/2NE1/4 OF SECTION 9 A DISTANCE OF 2084.73 FEET TO THE CENTER-NORTH SIXTEENTH (C-N1/16) CORNER OF SAID SECTION 9.

THENCE NORTH 00° 03' 21" WEST ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 659.20 FEET TO THE NORTH SIXTY-FOURTH CORNER OF SECTION 9 AND TO THE **POINT OF BEGINNING**.

SAID DESCRIBED PARCELS OF LAND CONTAIN 31.19 ACRES, MORE OR LESS.

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS _____ DAY OF NOVEMBER, 2022.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
September 27, 2022

1. Call to Order

Vice Chair Briscoe called the meeting to order at 1:16 PM.

2. Roll Call

The hearing clerk called the roll.

PRESENT

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

ABSENT

Commissioner Brian Franzen

3. Approval of Agenda

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

4. Approval of September 13, 2022, Minutes

Commissioner Briscoe moved to approve the minutes dated September 13, 2022. Commissioner Modlin seconded the motion. Motion carried 5-0. (Commissioner Franzen absent.)

5. A Public Hearing to consider a rezone from H-A (Holding Agricultural) to the R-H (Residential High Density) zone district. The properties consist of approximately 31.19 acres of property and are located south of 10th Street, north of 13th Street and west of 59th Avenue (ZON2021-0016).

Meg Oren, Planner II, explained the property and described the nearby zoning and land uses. She gave the historic timeline of the site, noting past annexations and a special use review for an oil and gas facility. Ms. Oren discussed the reason for requesting a rezone on this property and what the applicant is proposing. She then stated that the proposed residential high rezoning would have the potential to create a transition between nearby residential neighborhoods, along with commercial activity on 10th Street. Ms. Oren stated that the developer of the site would be required to construct the 63rd / 65th Avenue, from 13th Street to 10th Street, widen portions of 13th Street, and construct 11th Street through the property. She said that as part of the review process, a neighborhood meeting was virtually held on January 5th of this year. A total of 388 notice letters were sent to surrounding property owners

within 1000 feet of the subject site. In response to the letters, she received three phone calls from nearby citizens, who shared concerns regarding traffic, congestion, and a curiosity of what was being proposed.

Commissioner Schulte asked if anyone still has a right to put the use by special review for drilling into effect. Ms. Oren stated that she believed it was expired but wanted to confirm with Becky Safarik, Community Development Director.

Ms. Safarik said that the special use had expired and would no longer be able to drill on the site unless they could meet certain setback requirements and obtain approval by the Planning Commission.

Commissioner Schulte was curious if a past RV park request in the area was still a concern. Ms. Oren said that it was not. .

Chair Yeater stated he knew they are only considering rezoning at this point but wondered if any building on the property would require further construction of 63rd and 65th avenue, and then 11th and 13th street development. Ms. Oren stated that if any future development occurs then it would indeed require the roadway construction.

Commissioner Modlin asked if the intersection of 10th Street and 63rd Avenue would warrant a traffic light with the change in zoning. Ms. Oren stated that Thomas Gilbert, Engineer III, would be able to answer that question.

Mr. Gilbert specified that CDOT and the City's Transportation Planner reviewed the project and had no concerns. He told Commissioner Modlin that a traffic light would definitely need to be added to that location with future development.

Commissioner Modlin asked if there will be a signal by 13th Street and 59th Avenue. Mr. Gilbert stated that in the short term it does not warrant adding a signal, but there is some concern about it failing with or without the development in the long term. The applicant should address the specific uses in the long-range site plan when that happens.

Clara Russo, 419 Canyon Avenue, Ft. Collins, presented on behalf of Ripley Design Inc. along with Stephanie Thomas with Northern Engineering. She stated a preliminary application was submitted in 2021 and a neighborhood meeting was held in 2022. She also explained how rezoning would align with the intent of the Comprehensive Plan to provide horizontal mixed use in that area. Ms. Russo said that it would provide a nice transition from the commercial uses to the north and single-family residences to the south. She wrapped up but explaining a market study was completed for this proposal, which outlined the need for additional high density housing within the next three years, which would not impact the existing properties.

Chair Yeater opened the public hearing at 1:32 PM.

Roger Richman, 6120 West 15th Street, spoke on behalf of the Fox Run Homeowner's Association. He stated they are already surrounded by problems that come with high-density residential properties and adding more high density would only add to the existing problems. Mr. Richman also spoke about the traffic concerns and the high

school students' speeding issues.

Commissioner Andersen joined the meeting.

Suzanne Mall, 6319 13th Street Road, stated that 13th Street is directly behind her home. She said that the noise is already too much and hopes the city will add a noise abatement in the area. Ms. Mall is also concerned about the congestion this will cause, due to the large number of apartments and additional vehicles.

Heather Boss, 6339 13th Street Road, believes that she will lose privacy due to the tenants being able to view her home and backyard from the tall apartments. She said that the traffic and noise concern is already a huge problem. Ms. Boss reiterated that point, by sharing a recent story of a truck that crashed into her neighbor's yard. She feels the road has become a racetrack and shared her concern for the high school students' safety since they frequently jog along that road.

Donna Richman, 6120 15th Street, voiced her concern regarding property values going down. Previous buildings have been built in the area but were set too close to Fox Run development. Consequently, many people sold their homes. Ms. Richman requested that an adequate buffer be placed between the existing single-family homes and the apartments.

Chair Yeater closed the public hearing at 1:42 PM.

Ms. Russo noted that at this time, they do not yet have a site plan since they are in the first phase of their land use approval request. She said however, when they get a site plan that it will meet the code as outlined in the R-H zone district. The connection of 63rd / 65th Avenue (from 13th Street to 10th Street) will be developed in the future.

Commissioner Briscoe specified the Planning Commission hearing is only for the rezone request, moving from C-H to R-H to R-L seems like the proper transition. He noted that the R-H zone district would allow for three-story apartments. He also believes that a signalized intersection at 63rd / 65th Avenue at 10th Street will alleviate some of the traffic concerns.

Commissioner Briscoe moved that, based on the application received and the preceding analysis, the Planning Commission find that the request to rezone from Holding Agriculture to Residential High Density is in compliance with Development Code section 24-204b; and therefore, recommends approval. Commissioner Schulte seconded the motion.

Commissioner Schulte wanted to make sure it was clear to the public that there are more steps between today's decision and the project being built. Before the applicants break ground, they will have to approach the city again with a completed site plan. He stated there will be another opportunity for the public to give their feedback.

Chair Yeater said that this will be a nice transition and will open up possibilities for what could be situated there. He also believes that with the addition of roads a lot of traffic concerns could be mitigated.

Commissioner Schulte believes that new developments should help the open country roads feel more like city roads thus reducing the temptation to drive haphazardly.

Commissioner Modlin stated the developer is also using some alternative dwellings in that same zone. He believes it is already very wise in terms of spreading the noise and buffering the high density on the north side.

Motion carried 6-0. (Commissioner Franzen absent).

6. Staff Report

Ms. Safarik stated that there were no business items to report but reintroduced the returning Planner on staff, Caleb Jackson, Planner III.

7. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 1:50 PM.

Justin Yeater, Chair

Becky Safarik, Secretary

PLANNING COMMISSION SUMMARY

ITEMS: Rezoning

FILE NUMBER: ZON2021-0016

PROJECT: 13th Street Apartments Rezone

LOCATION: North of and adjacent to 13th Street, west of 59th Avenue and south of the commercial properties along 10th Street

APPLICANT: Sam Coutts, Ripley Design, on behalf of the Owner, Bear Rock LLC

CASE PLANNER: Meg Simonds, Planner II

PLANNING COMMISSION HEARING DATE: September 27, 2022

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-204(b) of the 2021 Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request by the property owner, Bear Rock LLC, represented by Sam Coutts and Klara Rossouw of Ripley Design, to rezone an approximately 31.19-acre property from Holdings Agricultural (H-A) to Residential High Density (R-H). The property is located north of and adjacent to 13th Street and the Fox Run neighborhood, approximately five hundred feet (500') west of 59th Avenue and approximately five hundred and eighty feet (580') south of 10th Street. Please reference the enclosed Vicinity Map.

A. REQUEST

The proposed request is for an approval to rezone 31.19 acres from H-A to R-H zone district. The applicant is looking to incorporate residential density in the area to support existing and future commercial properties located adjacent to the property to the north along 10th Street and to the east along 59th Avenue. The property is located within walking distance of the Funplex recreation facility, Twin Rivers Community Park and the Sheep Draw Trail system. The R-H zone district allows for single-family detached, single-family attached and multi-family dwelling units.

B. STAFF RECOMMENDATION

Approval

C. LOCATION **Abutting Zoning/Land Use:**

North: C-H (Commercial High Intensity) / existing commercial uses

South: R-L (Residential Low Density) / residential development
 East: C-H / undeveloped, future commercial uses
 West: H-A / open space (City owned)

Site Characteristics:

The site is predominately undeveloped with an older home and sheds placed near the eastern edge of the property. The overall topography follows that of 13th Street and is higher at the eastern end and falls from the west towards the Sheep Draw.

D. BACKGROUND

The subject property was annexed into the city as part of the West 10th Street Annexation (*Rec. No. 0003430086*) [Case No. A 5:06; Ordinance No. 51:06] on October 25, 2006. Prior to that, the property had been an enclave since 2001.

Establishment of zoning for the subject site with the West 10th Street Annexation [Case No. Z 8:06; Ordinance No. 52:06] was also approved by the City Council on October 25, 2006. The subject property was designated as C-H (Commercial High Intensity) along 10th Street and H-A (Holding Agriculture) zoning along 13th Street.

The subject property had a proposed Use by Special Review for oil and gas wells, known as the Sheep Draw Directional Project USR (*Case No. 0003959996*) [Case No. USR 2:13]. The application was reviewed by the Planning Commission on March 12, 2013, continued to March 26, 2013, and was approved by Planning Commission on May 7, 2013. The Final Approval Document was recorded on August 29, 2013. The approved project was never implemented, and the subject site remains vacant to today.

APPROVAL CRITERIA

Standards for Rezoning (ZON2021-0016):

In reaching recommendations and decisions as to rezoning land, the Planning Commission and the City Council shall apply the review criteria established in Section 24-204(b) of the Development Code:

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

Staff Comment: The subject property is identified in the Comprehensive Plan as part of a Mixed-Use High Intensity area that extends from 10th Street to 13th Street and from 59th Avenue to the Sheep Draw Trail corridor. The R-H zone district encourage a variety of densities and range of housing options.

The proposal to add higher residential density adjacent to the existing commercial property along 10th Street and 59th Avenue should help support existing businesses and the expansion of new businesses and redevelopment along the 10th Street corridor. Additional residential density on the subject property would also provide a transition between the single-family detached residences in the Fox Run neighborhood to the south and the commercial properties to the north (along 10th Street). Future residents, generated by the development of the site, would be located within walking distance of recreational facilities, amenities, and local and regional commercial centers.

The request complies with this criterion.

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

Staff Comment: The proposed rezone would provide opportunities to add residential densities adjacent to and within walking distance of current and future commercial uses along 10th Street and 59th Avenue. The future development of this property has the potential to create a transition between the Fox Run neighborhood to the south and the commercial activity along 10th Street to the north.

The request complies with this criterion.

3. Whether the area changed or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area.

Staff Comment: The rezone request would help support current commercial businesses within the area and encourage redevelopment of properties along the 10th Street corridor. As part of the future development of the site, the developer would be required to construct the 63rd and 65th Avenue connections, widen areas of 13th Street and construct 11th Street through the property.

This request complies with this criterion.

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

Staff Comment: The existing H-A zone district is intended to serve as a “pre-development” district to hold areas until a coordinated development plan is in place. The R-H district provides transitions between lower-density neighborhoods (such as the Fox Run neighborhood to the south) and non-residential uses (such as the commercial district along 10th Street).

The request complies with this criterion.

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

Staff Comment: The applicant noted in their narrative that the future development would include the construction of additional roadway infrastructure to serve the property, completing missing segments of the urban street grid in this area. Higher density residential development in this area could also serve as an appropriate transition between the Fox Run neighborhood to the south and the commercial uses along 10th Street to the north. Site plan details including buffering and on-site transitions, as well as architectural character would be reviewed in greater detail as part of a formal site development plan application.

The request complies with this criterion.

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

Staff Comment: Staff and referral agencies have reviewed the proposal and have no concerns at this time. At the time of subdivision, the applicant would need to provide final reports and analysis that conform with City and agency requirements. There are existing water and sewer utilities adjacent to the property that would be extended to serve the future development.

The request complies with this criterion.

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

Staff Comment: The proposed rezoning would not allow the applicant to develop the property as it is currently zoned H-A, which is intended as a “pre-

development” district. The rezoning request to Residential-High Density is consistent with the goals and intent of the zoning regulations and Comprehensive Plan to provide a transition between residential densities and commercial districts. A market study was commissioned for this rezone by the developer and is included for reference and review. Additional details would be reviewed as part of the subdivision and applicable site plan processes, consistent with the Development Code design criteria.

The request complies with this criterion.

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

Staff Comment: Any development proposal will be required to meet Development Code, Subdivision and Design criteria and will be evaluated against those criteria as part of the review process. The applicant did complete a preliminary traffic analysis as part of the rezoning request. The proposed roadway improvements and connections are intended to mitigate congestion and will be reviewed in greater detail as part of the subdivision and site plan processes.

The request generally complies with this criterion and will be evaluated in greater detail with formal development plans.

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

Staff Comment: Staff and referral agencies have reviewed the rezoning request and have no concerns at this time. Further analysis would be conducted at the time of subdivision and site planning, as applicable. Development plans must meet the subdivision and design criteria established under the Development Code.

The request generally complies with this criterion and will be evaluated in greater detail with formal development plans.

Consistency with the Land Use Chapter of the Comprehensive Plan. *A rezoning proposal shall be found to be in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.*

The following Comprehensive Plan goals are met with this PUD proposal:

- GC-1: Manage growth effectively.
 - The proposed development is located adjacent to existing developed areas within the city and is adjacent to existing utility infrastructure that can serve the proposal.

- GC-2: Promote a balanced mix and distribution of land uses.
 - The proposed rezoning and future development provide a mix of land uses in the area and transitions between land uses of varying intensities and densities.
- GC-4: Prioritize infill and redevelopment
 - The property serves as an infill site surrounded by existing developments. Adding additional residential densities in the area could promote the redevelopment and development of vacant or underutilized commercial properties adjacent to the site.
- HO-2: Encourage a broad diversity of housing options.
 - The rezoning request and future development could provide a variety of housing options to the area adjacent to existing single-family detached residences.

F. PHYSICAL SITE CHARACTERISTICS

HAZARDS

The site's proximity to the Sheep Draw, wetlands and open space corridor will require careful final design and construction of adjacent infrastructure to mitigate any impacts to these natural areas.

WILDLIFE

A current biologist report would be required with the subdivision application to identify wildlife observed on-site and in the vicinity of the property.

FLOODPLAIN

The intended development area is not located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

DRAINAGE AND EROSION

The applicant will be required to submit final engineering reports and design the site to meet City criteria. Once construction documents are created, the applicant would be required to meet the City's current MS4 permit requirements as well as the City of Greeley Design Criteria and Construction Specifications.

TRANSPORTATION

The applicant's narrative describes the construction of 63rd/65th Avenue, widening of 13th Street and the construction of 11th Street as part of the future development of the site. The City of Greeley Transportation Planner and Engineering Development Review have reviewed the Traffic Study and have no significant concerns at this point. Further traffic analysis would occur at time of Subdivision.

G. SERVICES

WATER

The City of Greeley provides water services to the area. Water lines would need to be extended and looped from the existing 12" and 10" water lines located along 13th Street. Water

provisions, including non-potable, within the development would be reviewed at time of Subdivision.

SANITATION

The City of Greeley would provide sanitary services to the area. Additional infrastructure will be required to serve this property to connect to the existing infrastructure.

Sanitary Sewer and any applicable agreements would be reviewed at time of Subdivision.

EMERGENCY SERVICES

The property is served by the City of Greeley's Police and Fire Departments. Fire Stations #7 is located approximately 0.25 miles west of the site and north of 10th Street.

PARKS AND OPEN SPACES

Parks and Open Space details have not been provided for at this time. Final details will be provided at the time of Subdivision.

SCHOOLS

The subject property is located within the Greeley-Evans School District. A school site is not required to be dedicated with this project; however, the applicant will be required to pay cash-in-lieu to the district for school land dedication requirements at time of Subdivision.

METROPOLITAN DISTRICT

The subject property is not associated with a Metropolitan District.

H. NEIGHBORHOOD IMPACTS

VISUAL

Visual impacts will be reviewed for at time of subdivision against landscape and buffer requirements set forth in Code.

NOISE

Any potential noise created by future development will be regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

A neighborhood meeting was held virtually via Zoom on January 5, 2022. Notice for the meeting was mailed to addresses within 500' of the subject site on December 22, 2021. Nine individuals from the public attended the meeting and no concerns were communicated.

Notice for the Planning Commission meeting was mailed as per 24-201. f.3 of Greeley Municipal Code on September 12, 2022, to addresses within 1,000' of the subject site, and a notice was published on the City's website per Development Code requirements. Two signs were posted on the site on September 09, 2022, by the applicant as per City requirements.

As of the finalization of this report no written comments have been received and one phone call from a neighbor with concerns for the potential of increased traffic due to future development that could occur with the proposed rezoning.

J. PLANNING COMMISSION RECOMMENDED MOTIONS

Based on the application received and the preceding analysis, the Planning Commission finds that the request to rezone from Holding-Agriculture (H-A) to Residential High Density (R-H) is in compliance with Development Code Section 24-204(b) and therefore recommends approval.

ALTERNATIVE MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the request to rezone from Holding-Agriculture (H-A) to Residential High Density (R-H) is not in compliance with Development Code Section 24-204(b) and therefore recommends denial.

ATTACHMENTS

Attachment A – Zoning/Vicinity Map

Attachment B – Application

Attachment C – Project Narrative

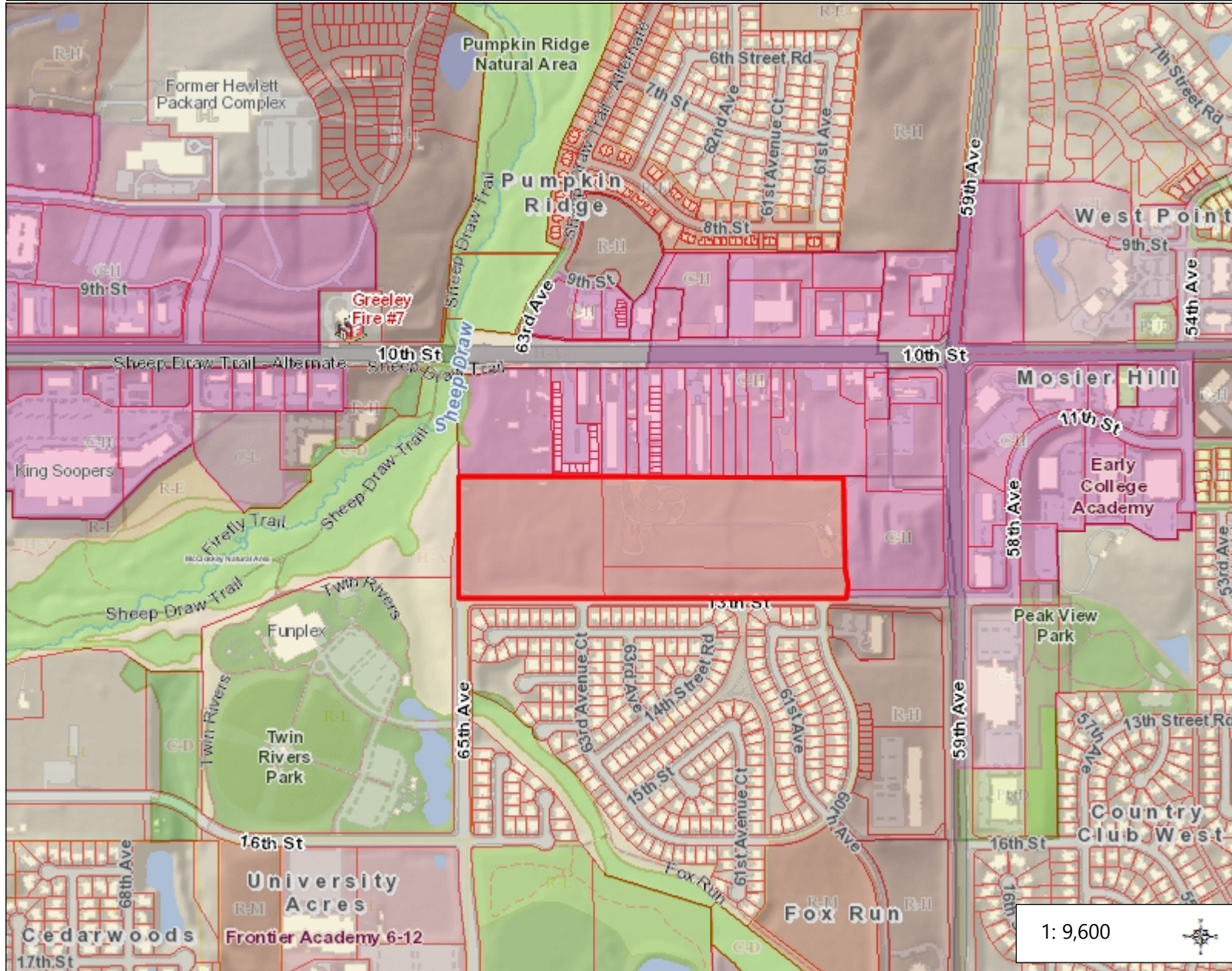
Attachment D – Market Study

Attachment E – Rezoning Plat

ZON2021-0016 Staff Report
Attachment A: Zoning/Vicinity Map



13th Street Apartments Rezone Vicinity Map



Legend

- City Voting Wards
- GreeleyBaseData.DBO.FIRMn
- Greeley Fire Response Areas
- Weld Subdivisions
- Zoning**
 - Conservation District (C-D)
 - Commercial Low Intensity (C-L)
 - Commercial High Intensity (C-H)
 - Holding Agriculture (H-A)
 - Industrial Low Intensity (I-L)
 - Industrial Medium Intensity (I-M)
 - Industrial High Intensity (I-H)
 - Planned Unit Development (PUD)
 - Residential Estate (R-E)
 - Residential Low Density (R-L)
 - Residential Medium Density (R-M)
 - Residential High Density (R-H)
 - Residential Mobile Home (RMH)
- Colorado School Districts
 - High School Attendance Areas
 - Middle School Attendance Areas
 - Elementary School Attendance Areas
- GreeleyBaseData.DBO.Parcel
- Greeley City Outline
- Other City Outlines
- Fire Stations

1: 9,600

0.3 0 0.15 0.3 Miles

Notes

ZON2021-0016 Staff Report
Attachment B: Application



Land Use Application

1 Please print or type all required information. This form is **NOT** the complete submittal. The application fee and all associated materials are to be provided with this form. Staff will review the submittal and advise you of its completeness for processing.

2 Project Name: Apartments on 13th Street Rezone

Land Use Request: **Rezone**

Address/Location: **6450 W 10th Street; 6314 W 10th Street**

	Existing		Proposed (if different)	
Zoning	H-A and C-H		MU-H	
Site Use	Vacant		Determined at Site Plan Review	
Site Area	Acres: 38.99	Sq. Ft.: 1,698,229	Acres: 38.99	Sq. Ft.: 1,698,229

3

	Owner	Submittal Contact (if different)
Name	Bear Rock, LLC; Jannis Mitchell	Sam Coutts
Business	See owner's authorization form	Ripley Design Inc
Address	See owner's authorization form	419 Canyon Ave, Suite 200
Phone #	See owner's authorization form	970.224.5828
Fax #	See owner's authorization form	
E-Mail	See owner's authorization form	sam.coutts@ripleydesigninc.com

4 This application must be signed by **all owner(s)** of record or the authorized officer, if a corporation; current proof of ownership, such as a warranty deed, is to be submitted with this application. A letter of authorization should be submitted if the authorized representative will be acting on the owner's behalf.

I/We, the owner(s), depose and state under penalties of perjury that the application and support materials provided to the City of Greeley for the identified request(s) are true and accurate. I/We am/are fully aware of all requests being made to the City of Greeley and authorize individuals or firms to represent our interest in this/these request(s).

Name: **Jack Schragger**

Name:

Signature: *Jack Schragger*

Signature:

Date: **10/29/21**

Date:

ZON2021-0016 Staff Report
Attachment C: Project Narrative



13th Street Apartments Rezone

Rezoning Analysis | 11-12-2021

Project Narrative and Relationship to Surrounding Uses

This memo is being provided for the purpose of showing compliance with Greeley Development Code criteria for rezoning the property from C-H (Commercial High Intensity) and H-A (Holding Agriculture) to R-H (Residential High Density) per Sec. 24-204(b). The R-H district *"provides multi-family residential living in a moderate-density pattern in suburban neighborhoods or higher-density, and larger scale projects in strategic locations for walkable and urban neighborhoods."* The R-H intent is for the zoning to be *"located in areas that have transitions between lower-density neighborhoods or more intense non-residential uses and where a high level of accessibility, public amenity and support services are immediately available."* The subject parcels of this application total roughly 37 acres located south of 10th Street, north of 13th Street and east of 65th Avenue. Residential zoning such as R-L (Residential Low Density), R-H (Residential High Density), and R-M (Residential Medium Density) exist to the South and West while the adjacent areas to the North and East of the site are zoned C-H (Commercial High Intensity). The site proposed to be rezoned is located perfectly in between these differing zoning districts and can serve as a transitional buffer between vehicle intensive C-H and lower density residential zoning.

This transitional buffering can be done while adding a variety of higher density housing developments to the rezoned parcel. The R-H district is intended for higher density residential, such as multi-family dwellings, row house dwellings, and mixed-use dwellings (when granted use by special review). Increasing land use intensity from the existing single-family communities to the commercial developments along a major arterial provides excellent buffering from commercial zoning. Additionally, the rezone opens the land to a variety of housing options to ensure that the land is primed for the type of development that Greeley needs as it grows.

The Greeley MSA ranked as the No. 3 fastest growing nationwide from July 2018 to June 2019 and the No. 6 fastest growing in the country from 2010-2019 per data from the U.S. Census Bureau. Greeley also currently ranks No. 6 in Jobs & Economy and No. 48 overall on Wallethub's Fastest-Growing Cities in the U.S., ranking ahead of all other Colorado MSA's except for Denver. The applicant is currently commissioning a complete market study to better analyze this site specifically as it relates to the supply and demand of high density housing. The study will be provided for Staff's review upon its completion.



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o: 970.224.5828 | w: ripleydesigninc.com

RIPLEY DESIGN, INC. | 419 Canyon Avenue, Suite 200 | Fort Collins, CO 80521



The proximity to the Sheep Draw Trail allows for the opportunity that future development be a multi-modal community. With AIMS Community College in close proximity, added rentable housing stock to the area would increase the ability for students to live close to campus and not be reliant on vehicular transportation to attend classes. The Sheep Draw Trail also continues north from this site and eventually connects to the Poudre River Regional Trail. This connection to a regional trail that currently spans 21.8 miles East/ West from East Greeley to West Windsor will provide a viable alternative commuting route and recreation options for users of a future development. Lastly, the parcel part of this rezone is adjacent to Twin Rivers Community Park and the Greeley Family FunPlex. These existing public amenities would immediately support residents of the future development and provide space for recreation.

The applicant team believes the parcels part of this rezoning application fit the intent of the R-H zoning district and the rezoning will have beneficial impacts to development on site and the Greeley community.

Vehicular and Pedestrian Connectivity

A traffic study has been included with this application which studies a potential residential development for the site in order to assess what the highest traffic demand for the site could be in the R-H zone district. Numerous connectivity improvements are proposed with this application. This piece of ground completes a key connection between 10th Street and 13th Street by linking 63rd Avenue and 65th Avenue along the western portion of the site. The entirety of 11th Street right-of-way is dedicated along the northern boundary and will connect to future developments to the east. 11th Street will act as the primary entrance to the development, as well as future access to commercial developments along 10th Street as it redevelops. While this project will not be responsible for the construction of 11th Street past the access point on the western portion, the right-of-way dedication provides a mechanism for the rest of the road to be built as redevelopment occurs along 10th Street. Other connections to local infrastructure include adding accessory access points to the property along 13th Street, which will have additional right-of-way dedicated and improvements installed. The public street sections include pedestrian facilities which will complete the pedestrian framework in the area and increase pedestrian circulation between communities. Sidewalk connections within the interior of the site to connect buildings/ amenities will also be required at the time of site development.

In addition to access and circulation on site, the parcels are also adjacent to the Sheep Draw Trail. This trail would connect the site to Twin Rivers Community Park and the Greeley Family FunPlex (1/4mile to the southwest). The Sheep Draw Trail also connects to the regional Poudre River Trail which would





allow the end users of this site to have an accessible east-west connection from Island Grove Regional Park in East Greeley to River Bluffs Open Space in West Windsor.

Rezone Review Criteria 24-204(b)

1. *The proposal is in accordance with the goals and objectives the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan*
 - The proposed rezone follows the framework outlined in the Imagine Greeley Comprehensive Plan and is supported by many Goals and Principles of the plan. Rezoning this property to R-H district will allow future developers to better accomplish objectives of the Comprehensive Plan. The following Imagine Greeley objectives support the rezoning of these properties: **ED-2.2 Assets and Amenities**, **EH-2.3 Active Living**, **EH-2.4 Land Use**, **EH-2.5 Walkability & Bikability**, **EH-2.6 Built Environment**, **GC-1.2 Form of Growth**, **GC-1.6 Transitions to Parks and Open Lands**, **GC-2.1 Land Use Guidance Map**, **GC-2.2 Jobs/Housing Balance**, **GC-2.3 Pedestrian and Bicycle Oriented Development**, **GC-4.1 Infill/ Redevelopment Areas**, **GC-4.3 Infill Compatibility**, **GC-5.4 Residential Development**, **HO-2.1 Diversity in New Development**, **HO-2.2 Rental Housing**, **NR-2.7 Stormwater Management**, and **TM-2.2 Bikeway System**.
2. *The proposal can fulfill the intent of the zoning district considering the relationship to the surrounding areas*
 - As stated above, this site exemplifies the intent of the R-H zoning district considering the relationship to adjacent land uses, opportunity to transition from and buffer existing residential uses and ability to connect to surrounding infrastructure.
3. *Whether the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area*
 - Between the final build out of the Fox Run Subdivision to the south occurring within the last five years, CDOT's access plan for 10th Street, and the new development proposal expected along 59th Avenue, has changed substantially and is expected to continue to change. With the rapid growth of the Greeley community and need for a variety of housing types within City limits and the Front Range, rezoning the infill parcels from the limited C-H and H-A zone districts to the more inclusive R-H zone district will encourage development that will set up the community for success regardless of market conditions and trends.





4. *Whether the existing zoning has been in place for a substantial time without development or redevelopment, and if this indicates the existing zoning is appropriate given the development trends of the area*
 - The existing zoning has been in place for a substantial time without redevelopment that follows the objectives outlined in the Comprehensive Plan. This is likely due to the large infrastructure burden the property carries. The combination of the acreage left for agricultural uses and the small portion of commercial zoning do not support land uses that drive enough revenue to fund such a large infrastructure burden. A denser or more intense use or mix of uses is required to justify the development of three new public roads.
5. *The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.*
 - The requested zoning will allow for a mix of uses and housing types which allows for development to transition from lower density residential zoning districts to high vehicle use commercial zoning while adding amenities that both surrounding districts will be able to use. Any development that occurs within this zone will be required to meet zone specific and general standards regarding open space, street design, and architectural compatibility.
6. *The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district*
 - Since the subject properties are bounded on nearly all sides by existing development, there are no issues providing services to the proposed district. A utility and drainage study have been submitted with this application to further study the public services.
7. *The change will serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.*
 - The change of zoning will provide additional housing stock for the Greeley community with the R-H zoning. Outdoor amenity areas will also be part of the development. These types of improvements serving the Greeley community needs are not permitted within the current H-A zoning. In addition, numerous public infrastructure projects will be completed by developing this property, which serves a community need.





8. *Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.*
- While the site plan is still being designed, the applicant team is considering best practices for the site that utilizes sound planning, design, and engineering. It is not the intent of this rezone to negatively affect the surrounding land and its uses rather complement and improve those uses with this new zoning district.



ZON2021-0016 Staff Report
Attachment D: Market Study



Apartment Appraisers & Consultants, Inc.

MARKET STUDY

Proposed 13th Street Phase I Apartments
NE corner W. 13th St. & 65th Ave.
Greeley, Colorado 80634

EFFECTIVE DATE OF ANALYSIS

February 8, 2022

DATE OF REPORT

February 10, 2022

Mr. Jack Schragger
Loge Properties
Aspen, CO

PREPARED BY

Apartment Appraisers & Consultants, Inc.
1660 South Albion Street, Suite 1002
Denver, Colorado 80222
303.722.4222





Apartment Appraisers & Consultants

1660 South Albion Street, Suite 1002 • Denver, Colorado 80222 • 303.722.4222
www.ApartmentAppraisers.com

February 10, 2022

Mr. Jack Schrager
Loge Properties
414 AABC, Unit A
Aspen, CO 81611

Re: Proposed 13th Street Phase I Apartments
NE corner W. 13th St. & 65th Ave.
Greeley, Colorado 80634
Our File No. 222012

Dear Mr. Schrager:

At your request, we have completed a market study for the real property named above. The subject site is currently vacant land in the western part of Greeley, Colorado. Various existing uses are found in the surrounding blocks. In this market study, we have examined the potential of the site for rental apartment development only.

The purpose of this market study was to analyze market conditions, including metropolitan and submarket rents, vacancy, new supply, and demand. Based on our analysis, the Greeley market is not expected to experience oversupply during the next 3 years, and the anticipated new supply is not expected to impact existing apartment properties in the market area.

The intended users of the market study include the addressee above, design consultants engaged for this property, and interested equity investors and/or construction lenders. The intended use of the market study is to provide guidance to the developer and other interested parties. No other use of this report is intended or permitted. This market study is subject to the Assumptions and Limiting Conditions described in the accompanying report.

The scope of work included an analysis of the subject's location as well as supply and demand conditions in the northern Colorado region and in the Greeley submarket. The primary market area is considered to be the cities of Greeley and Evans. The secondary market is considered to be the northern Colorado region. This market study is based on existing and anticipated real estate activity. The scope of the analysis does not include user surveys or other consumer oriented research, which could also be performed to further identify renter preferences.

The analyses, opinions, and conclusions were developed, and this report has been prepared in conformance with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by The Appraisal Foundation, and with the requirements of the State of Colorado for State Certified Appraisers.

Mr. Schrager
February 10, 2022
Page 2

USPAP requires that an appraiser must have the knowledge and experience necessary to complete an assignment competently. The appraisers have extensive experience appraising and performing market studies of this type and size of property in this geographic area as described in the qualifications and shown in the list of selected assignments at the end of this report. Therefore, no additional steps were necessary to comply with this USPAP provision.

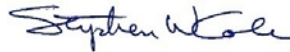
Engagement in this assignment and compensation for completing the assignment were not contingent upon developing or reporting predetermined results. We certify that we have no present or prospective interest in the property, and we have no personal interest with respect to the parties involved. The appraisers have performed no services, as appraisers or in any other capacity, regarding the property that is the subject of this report within the 3-year period immediately preceding acceptance of this assignment.

This report contains a total of 23 pages. All pertinent data we have gathered and our methods of estimating supply and demand are summarized in the report.

Respectfully submitted,
Apartment Appraisers & Consultants, Inc.



Cary W. Bruteig, MAI
Colorado State Certified General Appraiser
License No. CG1313164



Stephen W. Cole, MAI
Colorado State Certified General Appraiser
License No. CG1313502

APARTMENT MARKET OVERVIEW

In our analysis of the northern Colorado apartment market, we have relied primarily on the *Apartment Insights* survey (AI). It is prepared by Colorado Apartment Insights LLC, a joint effort between AA&C and RealData, which began surveying every property over 50 units in northern Colorado in the 3rd quarter of 2006. The 170+ properties surveyed each quarter contain over 25,000 units and provide the most accurate and consistent statistics for rents and vacancies for large apartment properties. All recent rents and vacancy rates presented in this report are quoted from this source.

Impact of the COVID-19 Pandemic

In the United States, the economy and real estate markets are recovering from the COVID-19 pandemic, though it remains a serious public health threat. Nevertheless, employment has not yet returned to pre-pandemic levels, and there are backlogs in the production of many construction materials and services. There are still delays in government and private investment functions.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) has addressed economic impacts of the pandemic, replacing lost wages for many unemployed renters in the short term, allowing them to continue to pay rent. Increased unemployment benefits have also helped limit deterioration in the multifamily market. An eviction moratorium first issued by the Centers for Disease Control and Prevention (CDC) in September 2020, and later extended, has been declared unconstitutional and is no longer in effect. We cannot predict with any certainty how the rental market will be impacted as the CDC eviction moratorium and other similar policies expire.

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021, also called the COVID-19 Stimulus Package. It is a \$1.9 trillion economic stimulus bill intended to speed up the country's recovery from the economic and health effects of the pandemic and the ongoing recession. The stimulus package includes numerous provisions that should continue to assist renters.

Renter payment statistics indicate that these programs and regulations have been effective. According to the National Multifamily Housing Council (NMHC) and the Colorado Apartment Association (CAA), rent collections nationally and in Colorado have been stronger than anticipated. The most recent data from the NMHC indicate that 92.0% of apartment households nationally made a full or partial rent payment as of the end of December 2021, down from 93.1% of renters who had paid by the end of November 2021. There has been a slight trend of decline during the last 3 months, which appears to reflect reductions in renter and business subsidies.

The CAA reported that 96.3% of Colorado renters made their payments in August 2021 (the most recent data available), which was well above the national average in August 2021. According to the CAA, Colorado collections have outperformed national collections in every month since tracking the numbers began in April 2020. In addition to government assistance, the statistics reflect the willingness of renters to prioritize their rent obligations and continue making payments.

The CAA also reported that eviction filings in Colorado remained at record lows in September 2021, reaching only 66.3% of September 2019 levels (pre-COVID). "Rent payments have remained strong and steady, and eviction filings have been abnormally low throughout the pandemic," said Drew Hamrick, senior vice president and general counsel at the Colorado Apartment Association. "The expiration of the eviction moratorium allowed our housing markets to return to normal, and that return hasn't brought a surge in eviction filings. Colorado's numbers remain well below pre-pandemic levels."

APARTMENT MARKET OVERVIEW - Continued

It appears that job growth and economic recovery are occurring just as government support is reaching its limits and eviction moratoriums are coming to an end. We are continually monitoring the situation, as well as relevant market data, and our estimates throughout this report reflect the best data and analysis currently available.

Northern Colorado Region

During the 1990s, the Fort Collins-Loveland-Greeley apartment market benefited from an expanding local economy with several years of low vacancy, increasing rents, and only limited new supply. However, the local supply increased significantly in the early 2000s, just as the economy slowed, resulting in high vacancy and minimal rent growth for 4 years. The local economy improved from the 2nd half of 2004 through the 1st half of 2008, and there was little new apartment supply, resulting in declining vacancy and increasing rents. In 2009, vacancy increased and effective rents declined in response to the national economic downturn beginning in late 2008. Strong market recovery occurred after mid-2010, with vacancy dropping to a record low 2.1% in late 2014 and early 2015 and rent growth exceeding 11% during this time period. Since then, vacancy has been moderately higher as new supply was delivered.

During the pandemic (2nd quarter of 2020 to present) vacancy peaked at 6.0% in the 1st quarter of 2021, but it has averaged only 4.6% during this 7-quarter period. Rents changed little during the early quarters of the pandemic, but they increased sharply during the 2nd half of 2021.

According to the *Apartment Insights* (AI) survey, the average vacancy rate for the Fort Collins-Loveland-Greeley region is 4.1% in the most recent 4th quarter 2021 survey, down from a rate of 4.6% in the same period a year earlier. Even during the pandemic year of 2020, regional vacancy averaged only 4.6%. During the last 5 years, vacancy has averaged only 4.3%, well below a stabilized 5% to 6% and indicating chronic pent-up demand.

The region's average gross rent of \$1,536 is a substantial increase of 15.3% over the same period a year ago. The current average concession in the region is just \$1, or 0.1% of the gross rent. The resulting average effective rent (net of concessions) is \$1,535, an even higher increase of 17.9% over the same period a year ago. Both the gross and effective average rents are at record high levels.

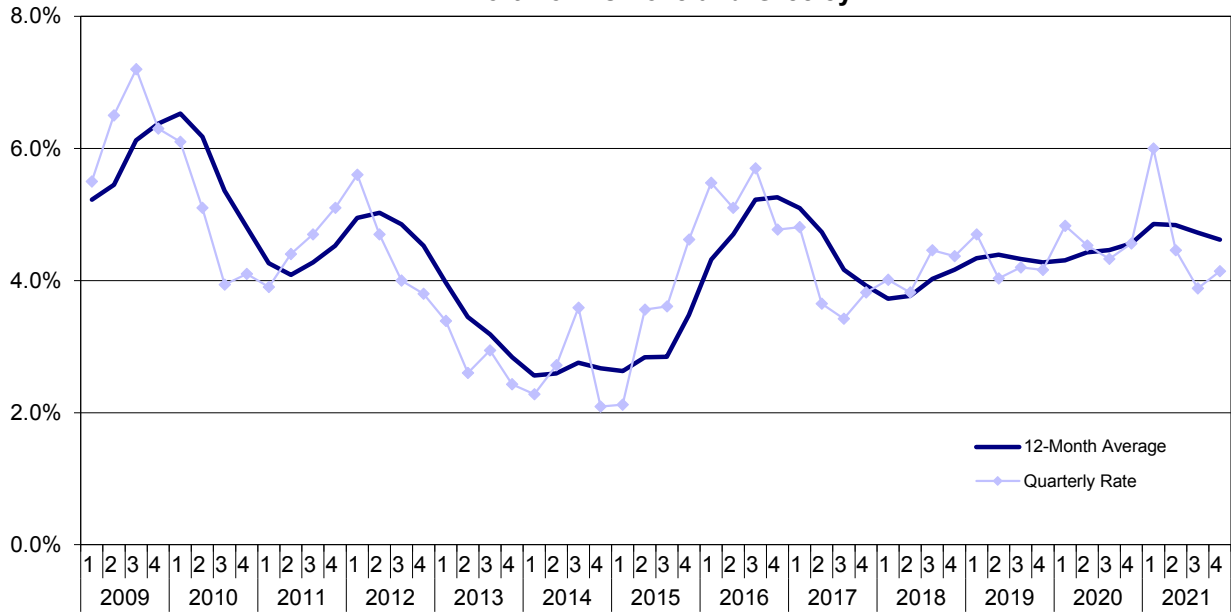
While the downturn in the oil and gas industry in Weld County was an influence several years ago, recent market fluctuations mostly reflect the increase in new supply, with recovery occurring as it has been absorbed. The pandemic was a minor influence in 2020 and the 1st quarter of 2021. Please refer to the table and graphs on the following pages for trends in vacancy and rents.

APARTMENT MARKET OVERVIEW - Continued

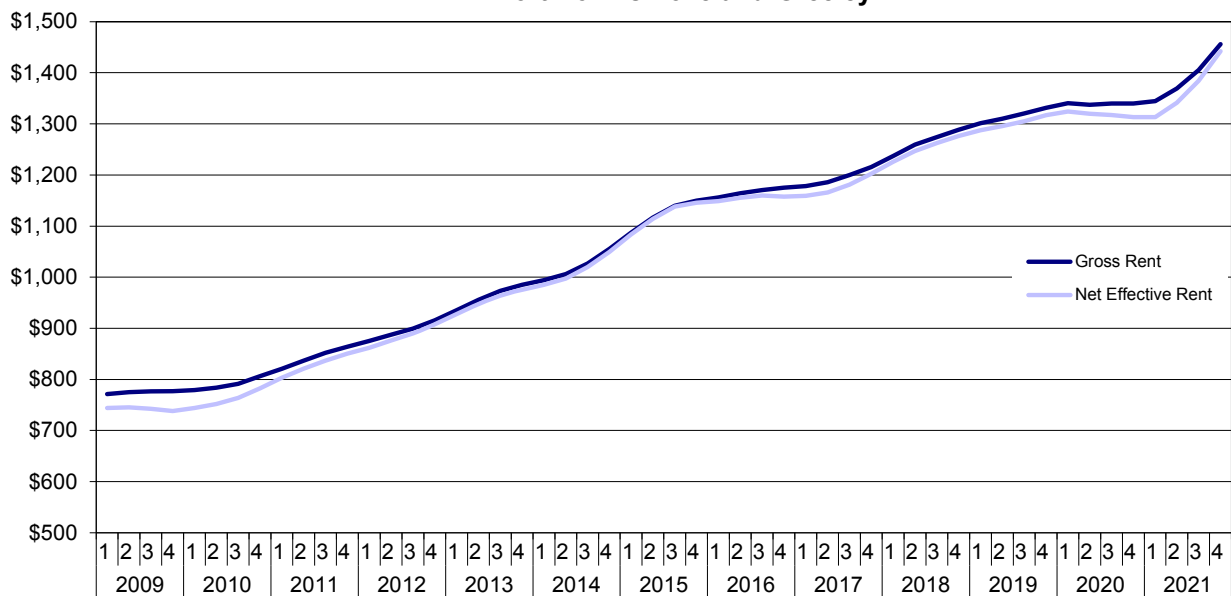
VACANCY AND RENTS										
Fort Collins-Loveland-Greeley										
Year	Quarter	Average Monthly Rents*					Overall Avg. Rent		Con- cession	Vacancy Rate
		Studio	1BD/1BA	2BD/1BA	2BD/2BA	3BD/2BA	Gross	Net		
2010	1	\$547	\$670	\$677	\$855	\$936	\$784	\$747	(\$37)	6.1%
	2	\$550	\$694	\$702	\$881	\$980	\$793	\$770	(\$23)	5.1%
	3	\$565	\$717	\$717	\$927	\$1,014	\$813	\$799	(\$14)	3.9%
	4	\$572	\$720	\$719	\$947	\$1,046	\$835	\$815	(\$20)	4.1%
2011	1	\$575	\$733	\$741	\$956	\$1,052	\$842	\$828	(\$14)	3.9%
	2	\$591	\$741	\$741	\$982	\$1,067	\$857	\$842	(\$15)	4.4%
	3	\$593	\$765	\$750	\$1,014	\$1,079	\$875	\$862	(\$13)	4.7%
	4	\$610	\$772	\$775	\$1,004	\$1,092	\$881	\$870	(\$11)	5.1%
2012	1	\$614	\$771	\$788	\$997	\$1,110	\$887	\$872	(\$15)	5.6%
	2	\$635	\$792	\$801	\$1,044	\$1,131	\$907	\$900	(\$7)	4.7%
	3	\$663	\$808	\$815	\$1,055	\$1,164	\$921	\$917	(\$4)	4.0%
	4	\$683	\$821	\$833	\$1,072	\$1,254	\$948	\$940	(\$8)	3.8%
2013	1	\$703	\$836	\$845	\$1,088	\$1,265	\$965	\$954	(\$11)	3.4%
	2	\$722	\$856	\$859	\$1,132	\$1,269	\$989	\$979	(\$10)	2.6%
	3	\$712	\$858	\$870	\$1,120	\$1,285	\$991	\$980	(\$11)	2.9%
	4	\$717	\$859	\$875	\$1,141	\$1,276	\$994	\$987	(\$7)	2.4%
2014	1	\$732	\$866	\$878	\$1,144	\$1,315	\$1,003	\$994	(\$9)	2.3%
	2	\$756	\$915	\$903	\$1,177	\$1,333	\$1,036	\$1,029	(\$7)	2.7%
	3	\$777	\$945	\$929	\$1,236	\$1,386	\$1,074	\$1,069	(\$5)	3.6%
	4	\$804	\$982	\$958	\$1,281	\$1,417	\$1,108	\$1,107	(\$1)	2.1%
2015	1	\$843	\$1,008	\$973	\$1,296	\$1,463	\$1,131	\$1,130	(\$1)	2.1%
	2	\$861	\$1,032	\$1,003	\$1,292	\$1,504	\$1,152	\$1,149	(\$3)	3.6%
	3	\$905	\$1,051	\$999	\$1,326	\$1,507	\$1,168	\$1,166	(\$2)	3.6%
	4	\$916	\$1,022	\$998	\$1,278	\$1,486	\$1,149	\$1,138	(\$11)	4.6%
2016	1	\$896	\$1,037	\$1,004	\$1,275	\$1,460	\$1,156	\$1,143	(\$13)	5.5%
	2	\$913	\$1,073	\$1,031	\$1,332	\$1,510	\$1,184	\$1,176	(\$8)	5.1%
	3	\$951	\$1,081	\$1,024	\$1,325	\$1,469	\$1,193	\$1,181	(\$12)	5.7%
	4	\$889	\$1,015	\$1,023	\$1,246	\$1,458	\$1,168	\$1,131	(\$37)	4.8%
2017	1	\$934	\$1,045	\$1,034	\$1,256	\$1,464	\$1,168	\$1,149	(\$19)	4.8%
	2	\$975	\$1,096	\$1,054	\$1,343	\$1,495	\$1,214	\$1,203	(\$11)	3.7%
	3	\$1,026	\$1,143	\$1,100	\$1,364	\$1,542	\$1,249	\$1,241	(\$8)	3.4%
	4	\$966	\$1,101	\$1,101	\$1,336	\$1,526	\$1,232	\$1,216	(\$16)	3.8%
2018	1	\$1,008	\$1,139	\$1,123	\$1,363	\$1,525	\$1,253	\$1,244	(\$9)	4.0%
	2	\$1,048	\$1,179	\$1,122	\$1,422	\$1,607	\$1,302	\$1,287	(\$15)	3.8%
	3	\$1,072	\$1,184	\$1,155	\$1,434	\$1,649	\$1,310	\$1,303	(\$7)	4.5%
	4	\$1,041	\$1,163	\$1,162	\$1,374	\$1,590	\$1,289	\$1,271	(\$18)	4.4%
2019	1	\$1,063	\$1,180	\$1,176	\$1,397	\$1,604	\$1,304	\$1,289	(\$15)	4.7%
	2	\$1,135	\$1,192	\$1,195	\$1,445	\$1,645	\$1,337	\$1,320	(\$17)	4.0%
	3	\$1,191	\$1,223	\$1,200	\$1,460	\$1,673	\$1,352	\$1,339	(\$13)	4.2%
	4	\$1,170	\$1,211	\$1,196	\$1,429	\$1,639	\$1,332	\$1,319	(\$13)	4.2%
2020	1	\$1,177	\$1,204	\$1,161	\$1,444	\$1,655	\$1,340	\$1,318	(\$22)	4.8%
	2	\$1,143	\$1,185	\$1,162	\$1,430	\$1,650	\$1,326	\$1,304	(\$22)	4.5%
	3	\$1,176	\$1,217	\$1,154	\$1,463	\$1,670	\$1,361	\$1,329	(\$32)	4.3%
	4	\$1,161	\$1,185	\$1,184	\$1,410	\$1,643	\$1,332	\$1,302	(\$30)	4.6%
2021	1	\$1,132	\$1,205	\$1,178	\$1,424	\$1,692	\$1,358	\$1,318	(\$40)	6.0%
	2	\$1,229	\$1,276	\$1,620	\$1,564	\$1,821	\$1,425	\$1,416	(\$9)	4.5%
	3	\$1,309	\$1,365	\$1,620	\$1,667	\$1,881	\$1,505	\$1,500	(\$5)	3.9%
	4	\$1,355	\$1,400	\$1,341	\$1,685	\$1,939	\$1,536	\$1,535	(\$1)	4.1%

APARTMENT MARKET OVERVIEW - Continued

AVERAGE APARTMENT VACANCY RATE Fort Collins-Loveland-Greeley

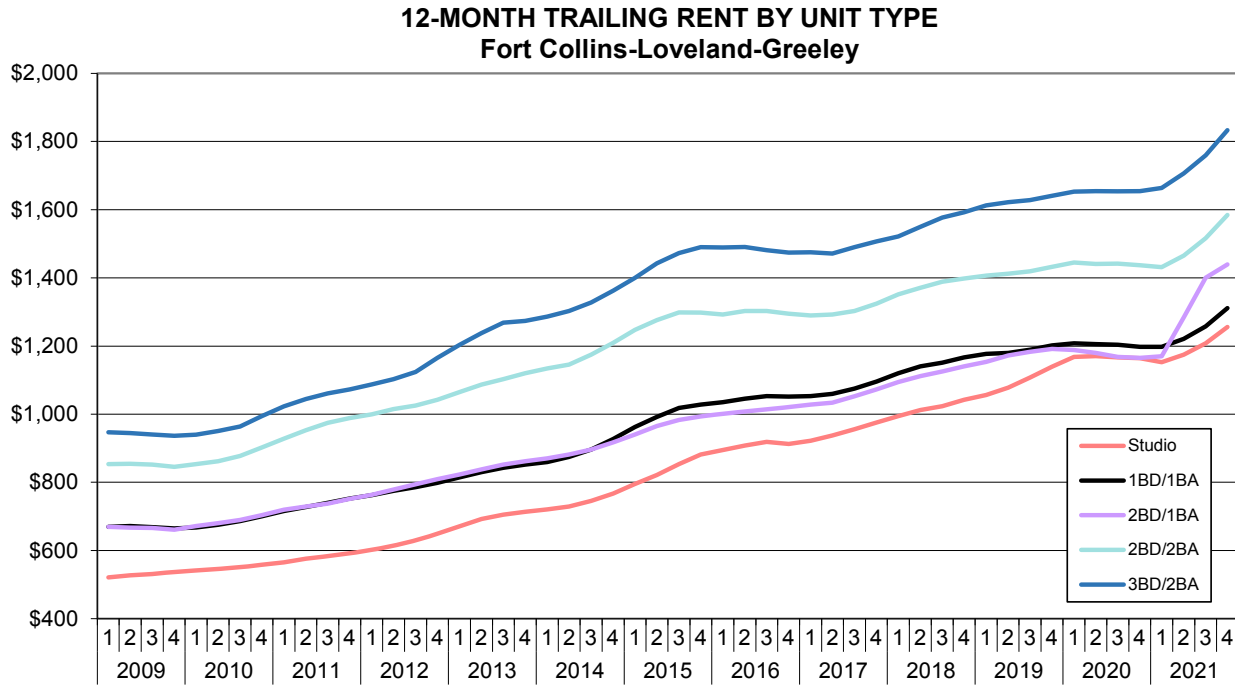


12-MONTH TRAILING AVERAGE MONTHLY RENT Fort Collins-Loveland-Greeley



A graph of effective rents by unit type, based on 12-month trailing averages, is shown below. There is minimal difference in the total monthly rents between the 1-bedroom and 2-bedroom/1-bathroom units because the 2-bedroom/1-bathroom type was mostly found in older, lower quality properties, until recent quarters when it was provided in new developments.

APARTMENT MARKET OVERVIEW - Continued



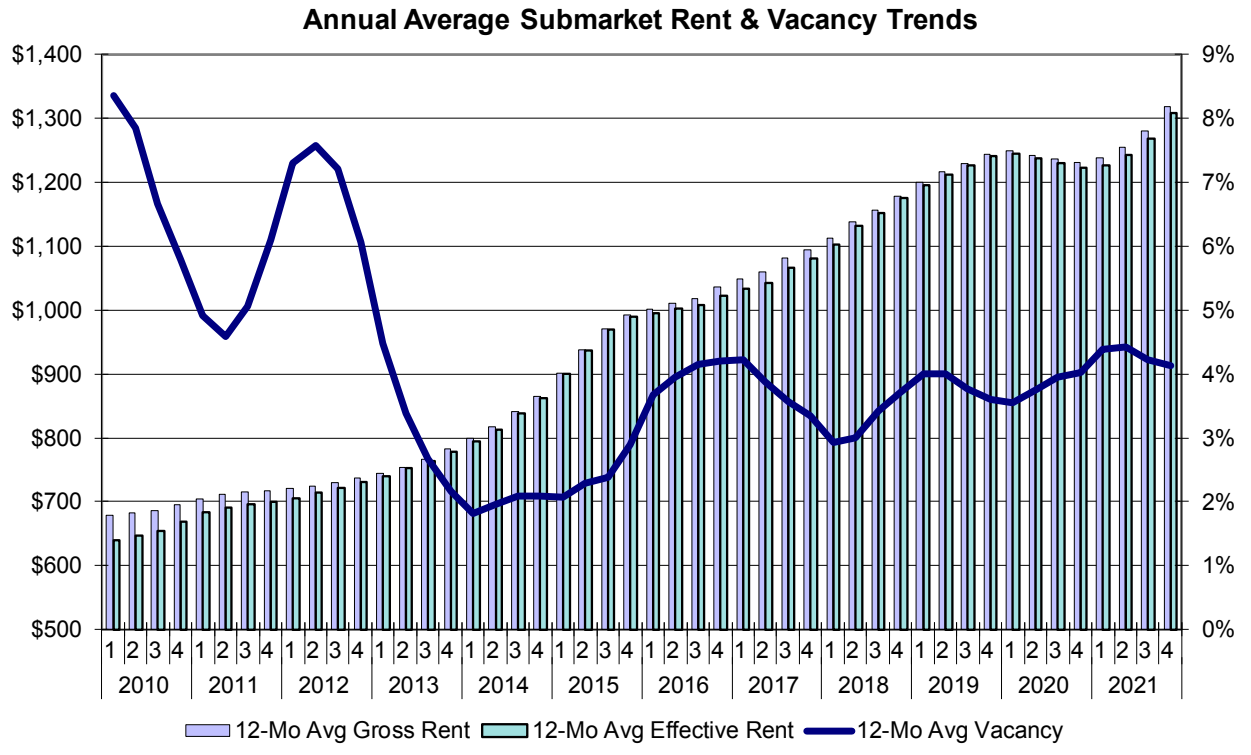
Submarket

In the *Apartment Insights* survey, the subject property is located in the Greeley submarket. The subject property is located in the northwestern part of the submarket. The historical trends in vacancy rates and rents in this submarket have generally followed the regional trends.

According to *Apartment Insights*, the 4th quarter 2021 vacancy rate in the Greeley submarket is 3.5%, down from the rate a year before of 3.8%. During the last 5 years, vacancy has averaged only 3.8%, indicating chronic pent-up demand. Submarket vacancy is even lower than the northern Colorado regional average for this time period.

The survey reports a monthly average gross rent for the submarket of \$1,389 with just \$1 (0.1%) in concessions, resulting in an effective rent of \$1,388 per month. The average effective submarket rent has increased by 13.0% during the past 12 months. Both the gross and effective submarket rents are at record highs. The trends in vacancy and effective rents are shown in the following graph and table.

APARTMENT MARKET OVERVIEW - Continued



APARTMENT MARKET OVERVIEW - Continued

RENT AND VACANCY TABLE										
Greeley										
Year	Qtr.	Average Monthly Rents					Overall Avg. Rent		Con- cession	Vacancy Rate
		Studio	1BD/1BA	2BD/1BA	2BD/2BA	3BD	Gross	Net		
2010	1	\$433	\$571	\$598	\$730	\$818	\$680	\$637	(\$43)	7.9%
	2	\$433	\$599	\$597	\$773	\$819	\$691	\$662	(\$29)	6.3%
	3	\$433	\$624	\$608	\$798	\$872	\$698	\$685	(\$13)	4.6%
	4	\$436	\$622	\$589	\$831	\$900	\$710	\$691	(\$19)	4.4%
2011	1	\$444	\$632	\$625	\$811	\$869	\$717	\$696	(\$21)	4.4%
	2	\$444	\$611	\$613	\$827	\$902	\$719	\$692	(\$27)	5.0%
	3	\$444	\$626	\$646	\$837	\$891	\$716	\$708	(\$8)	6.5%
	4	\$438	\$623	\$648	\$830	\$890	\$718	\$705	(\$13)	8.5%
2012	1	\$442	\$640	\$648	\$847	\$907	\$728	\$717	(\$11)	9.3%
	2	\$451	\$649	\$667	\$852	\$921	\$735	\$728	(\$7)	6.1%
	3	\$454	\$655	\$671	\$860	\$931	\$740	\$735	(\$5)	5.0%
	4	\$433	\$663	\$679	\$878	\$948	\$746	\$746	\$0	3.9%
2013	1	\$436	\$660	\$687	\$902	\$947	\$754	\$753	(\$1)	2.9%
	2	\$446	\$674	\$709	\$937	\$989	\$778	\$777	(\$1)	1.7%
	3	\$449	\$683	\$727	\$915	\$999	\$787	\$780	(\$7)	2.2%
	4	\$488	\$723	\$741	\$942	\$1,024	\$810	\$806	(\$4)	1.8%
2014	1	\$494	\$723	\$770	\$951	\$1,050	\$823	\$819	(\$4)	1.6%
	2	\$529	\$747	\$791	\$991	\$1,079	\$849	\$847	(\$2)	2.3%
	3	\$541	\$777	\$834	\$1,017	\$1,135	\$883	\$882	(\$1)	2.7%
	4	\$579	\$791	\$839	\$1,037	\$1,186	\$904	\$903	(\$1)	1.8%
2015	1	\$602	\$842	\$865	\$1,138	\$1,235	\$969	\$969	\$0	1.5%
	2	\$595	\$869	\$890	\$1,153	\$1,304	\$995	\$995	\$0	3.2%
	3	\$592	\$874	\$904	\$1,179	\$1,298	\$1,012	\$1,008	(\$4)	3.1%
	4	\$576	\$850	\$911	\$1,138	\$1,259	\$991	\$985	(\$6)	3.8%
2016	1	\$588	\$858	\$904	\$1,150	\$1,242	\$1,009	\$992	(\$17)	4.7%
	2	\$606	\$914	\$899	\$1,183	\$1,299	\$1,031	\$1,025	(\$6)	4.3%
	3	\$601	\$926	\$910	\$1,174	\$1,276	\$1,044	\$1,030	(\$14)	3.8%
	4	\$603	\$918	\$936	\$1,187	\$1,316	\$1,059	\$1,045	(\$14)	4.0%
2017	1	\$601	\$918	\$936	\$1,161	\$1,288	\$1,062	\$1,036	(\$26)	4.8%
	2	\$641	\$952	\$944	\$1,188	\$1,310	\$1,078	\$1,061	(\$17)	2.9%
	3	\$684	\$1,009	\$986	\$1,264	\$1,399	\$1,129	\$1,125	(\$4)	2.7%
	4	\$654	\$940	\$997	\$1,257	\$1,390	\$1,108	\$1,101	(\$7)	3.1%
2018	1	\$654	\$1,015	\$1,008	\$1,255	\$1,390	\$1,134	\$1,127	(\$7)	3.1%
	2	\$752	\$1,055	\$1,042	\$1,313	\$1,427	\$1,180	\$1,174	(\$6)	3.2%
	3	\$760	\$1,079	\$1,070	\$1,353	\$1,441	\$1,204	\$1,204	\$0	4.4%
	4	\$760	\$1,074	\$1,075	\$1,334	\$1,412	\$1,198	\$1,194	(\$4)	4.2%
2019	1	\$785	\$1,107	\$1,106	\$1,328	\$1,478	\$1,216	\$1,214	(\$2)	4.3%
	2	\$982	\$1,093	\$1,099	\$1,380	\$1,541	\$1,245	\$1,238	(\$7)	3.2%
	3	\$1,025	\$1,136	\$1,103	\$1,389	\$1,556	\$1,259	\$1,259	\$0	3.4%
	4	\$1,032	\$1,148	\$1,102	\$1,377	\$1,503	\$1,259	\$1,255	(\$4)	3.5%
2020	1	\$1,016	\$1,089	\$1,076	\$1,358	\$1,522	\$1,232	\$1,224	(\$8)	4.1%
	2	\$971	\$1,078	\$1,093	\$1,333	\$1,488	\$1,221	\$1,210	(\$11)	3.9%
	3	\$992	\$1,103	\$1,094	\$1,355	\$1,536	\$1,238	\$1,230	(\$8)	4.2%
	4	\$998	\$1,085	\$1,119	\$1,352	\$1,506	\$1,234	\$1,228	(\$6)	3.8%
2021	1	\$987	\$1,116	\$1,099	\$1,358	\$1,557	\$1,259	\$1,240	(\$19)	5.6%
	2	\$991	\$1,129	\$1,127	\$1,412	\$1,606	\$1,287	\$1,274	(\$13)	4.1%
	3	\$989	\$1,200	\$1,171	\$1,470	\$1,628	\$1,340	\$1,330	(\$10)	3.5%
	4	\$1,091	\$1,266	\$1,206	\$1,530	\$1,703	\$1,389	\$1,388	(\$1)	3.5%

APARTMENT MARKET OVERVIEW - Continued

A search of 8-unit and larger communities within the subject property's submarket, as defined by the *Apartment Insights* survey, shows there are 75 communities with a total of 8,888 apartments, including all of the units in 6 properties still under construction. The breakdown by decade of construction is summarized as follows:

YEAR BUILT	NO. OF PROPERTIES	NO. OF UNITS
1960s	5	207
1970s	23	2,475
1980s	6	655
1990s	4	277
2000s	8	1,143
2010s	14	1,861
<u>2020s</u>	<u>15</u>	<u>2,218</u>
Total	75	8,888

Demand Analysis – Primary Market Area (PMA)

The primary market for the subject property consists of the adjacent cities of Greeley and Evans. Virtually all developed areas of the PMA are within 6 miles of the subject site, so residents have convenient access to employment, shopping, services, and entertainment throughout the area.

The ESRI report projects average population growth of 1.59% annually, or 2,250 persons per year within the primary market during the next 5 years. This projection does not accurately reflect actual long-term growth. From 2014 through 2017, growth averaged 2.4% per year, or an average of 2,947 new residents per year. Slower growth from 2018 through 2020 apparently resulted from limited new housing supply, since job growth was strong prior to the pandemic. Weld County is projected by the Colorado Demography Office to grow at rates of 2.3% to 4.9% during the next 3 years, though Greeley/Evans is expected to grow at a lower rate. Based on this information, we have projected annual PMA growth during the next 3 years of 1.8%, which equates to an average of **2,551 persons** per year, below the actual annual growth from 2014 through 2017.

Information from the most recent 2015-2019 American Community Survey (ACS) 5-year estimates indicates that the ratio of multifamily renters to the total population is 21.6%, as shown in the table below.

TOTAL POPULATION IN OCCUPIED HOUSING UNITS BY TENURE BY UNITS IN STRUCTURE	
<u>Renter Occupied - Structure</u>	<u>Total</u>
1, detached or attached	18,703
2 to 4	9,579
5 or more	16,409
Mobile home	3,024
Boat, RV, van, etc.	0
Total population	120,181
Total renter population	47,715
Total renter population in 2+ unit structures	25,988
Ratio renter to total population	39.7%
Ratio multifamily renter to total population	21.6%
Source: 2019 American Community Survey 5-year estimates	

APARTMENT MARKET OVERVIEW - Continued

The allocation of renter households by structure type from the 2019 ACS is shown below. The data indicate the average multifamily renter household size is 2.28, calculated by dividing the 25,988 multifamily renter population in 2+ structures by the 11,387 multifamily renter households. According to the 2019 ACS, the average multifamily renter household size for all of Weld County was 2.16 persons, which supports the PMA statistics. After considering the indicators from these sources, we have used an average multifamily renter household size of 2.28 in this analysis.

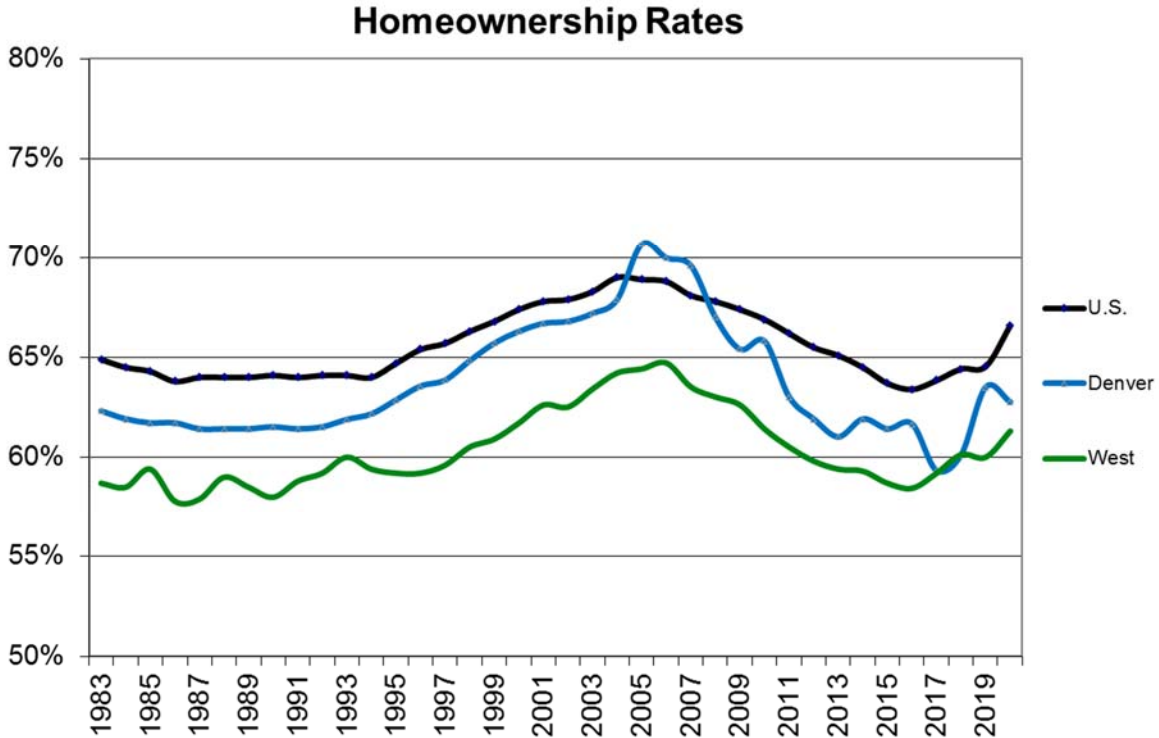
TENURE BY UNITS IN STRUCTURE	
<u>Renter Occupied - Structure</u>	<u>Total</u>
1, detached	4,230
1, attached	973
2	1,387
3 or 4	2,103
5 to 9	2,656
10 to 19	2,359
20 to 49	1,684
50 or more	1,198
Mobile home	758
Boat, RV, van, etc.	0
Total households	43,314
Total renter households	17,348
Total renter households in 2+ unit structures	11,387
Ratio renter to total households	40.1%
Ratio multifamily renter to total renter households	65.6%
Source: 2018 American Community Survey 5-year estimates	

As noted above, the ratio of multifamily renters to the total population was estimated at 21.6% in the 2019 ACS, which reflects existing households, rather than the proportion of new households choosing multifamily rental units. If households in single family homes are included, the total renter population is 39.7% of the PMA total population. Because of the subject's suburban location and recommended ratio of 3-bedroom units, it is expected to attract households that might otherwise choose to rent single family homes.

In addition, the supply of new single family homes has been constrained in recent years. In the City of Greeley, permits for multifamily residences, including condominiums, have exceeded permits for single family homes from 2013 through 2020, except for 2018, and the ratio has been particularly high during the last 3 years. From 2019 through 2021, multifamily unit permits ranged from 67% to 82%, and they averaged 75% of all permits during this period.

The overall decline in homeownership rates since 2005 has benefitted the apartment market, although the trend has reversed recently. The following chart shows homeownership rate trends both locally and nationally based on data from the U.S. Department of Housing and Urban Development. Figures for the Greeley MSA are not available, but they would most likely be similar to the statistics for the West.

APARTMENT MARKET OVERVIEW - Continued



Source: Dept of HUD, US Housing Mkt Conditions. Denver interpolated prior to 2005. Updated April 2020

Several additional trends further support demand for apartments. These factors, listed below, include both demographic trends toward smaller households that prefer to rent and economic conditions that limit the ability of households to purchase homes.

- Increasing number of persons aged 20 to 35, the most common renter age. In the PMA, this Millennial group now outnumbers Baby Boomers.
- Generally tight credit conditions for 1st time home buyers.
- Increasing student debt, which limits the ability of the renter age demographic to purchase a home.
- High current percentage of adult children living with parents, creating pent up demand.
- The declining fertility rate and later female age of 1st birth support rental, since growing families are a major motivation to purchase for persons under 35.
- Increasing percentage of unmarried and divorced mothers of small children who prefer the simplicity of renting to owning.
- Home prices increasing faster than personal income, plus limited condominium and detached home construction starts, which normally provide affordable entry into homeownership.

Based on these various sources, we have projected that 50% of the new population will choose multifamily rental apartments during the next 3 years. Using this projection, the forecasted population growth of 2,551 persons per year, and assuming that the average apartment household

APARTMENT MARKET OVERVIEW - Continued

size remains at approximately 2.28 persons, the annual demand for apartments is calculated to average **559 units per year**. The calculations are shown below.

$$\text{PMA: } 2,551 \times 50\% \div 2.28 = 559 \text{ units per year}$$

As a second methodology, we have reviewed actual new supply and absorption in the PMA during the last 7 years. Absorption is defined as the change in the number of occupied units. Absorption has fluctuated due both to economic changes and to the availability of new supply, as shown in the following table.

ANNUAL NEW SUPPLY AND ABSORPTION HISTORY						
Primary Market Area (Greeley and Evans)						
<u>Time Period</u>	<u>Total Units</u>	<u>Total Units Annual Change</u>	<u>Occupied Units</u>	<u>Annual Absorption</u>	<u>Overall Vacancy Rate *</u>	<u>Overall Vacant Units</u>
4th Quarter 2015	5,355	548	5,034	320	5.99%	321
4th Quarter 2016	5,648	293	5,328	294	5.67%	320
4th Quarter 2017	5,748	100	5,569	241	3.11%	179
4th Quarter 2018	5,854	106	5,470	-99	6.56%	384
4th Quarter 2019	5,895	41	5,662	192	3.95%	233
4th Quarter 2020	6,870	975	6,060	398	11.79%	810
4th Quarter 2021	7,062	<u>192</u>	6,815	<u>755</u>	3.50%	247
Total 2015Q4 - 2021Q4		2,255		2,101		
Avg. Absorption 2015Q4 - 2021Q4				300		
Avg. Absorption 2020Q4 - 2021Q4				577		

* Includes subsidized/affordable properties and properties still in lease-up

The highest absorption occurred during the last 2 years, despite pandemic conditions, because a large number of new units were delivered to the market. The 3rd highest absorption amount occurred in 2015, again due to new supply becoming available. Low absorption occurred during years with little new supply.

Overall, the PMA is able to absorb substantial new supply, as demonstrated by an occupancy increase of 755 units during 2021. Based on these methodologies, we project demand for **600 units per year** during the next 3 years.

Supply Analysis – Primary Market Area

At the present time, there are 5 properties under construction that will deliver a total of 892 units. One of these properties (Wildhorse at Tuscany) has completed buildings, with 48 units already occupied. There are also 17 developments proposed within the PMA, with a total of 3,604 units that could begin adding new units to the area within the next 1 to 2 years, including 282 units in the subject Phase I. One of the properties under construction is market rate age restricted (senior), and 1 of the proposed developments is affordable.

New developments typically face a wide range of issues regarding municipal approvals, financing, and construction, so not all proposed communities proceed. Historically, about half of the developments proposed at any given time were actually completed within 3 years. With increasing construction costs and other issues, this figure in metropolitan Denver dropped to 37% in 2019 and to just 28% in 2020. Preliminary information indicates that it increased to about 40%

APARTMENT MARKET OVERVIEW - Continued

in 2021. In Greeley, there were 2,778 proposed units during the 4th quarter of 2020. A year later, only 1,060 units were under construction, indicating a developer success rate of 38%. Rapidly escalating construction costs, as well as labor and material shortages caused by the pandemic, are expected to create even more challenges to proposed developments.

Based on this information, we have assigned a probability of 30% to most of the proposed developments. Reserve at Crescent Cove and Copper Platte are reportedly about to break ground, so they are included in the analysis at 100%. The subject is also included in the analysis at a 100% probability.

Combining the developments in earlier and later stages of planning, the blended probability of the proposed supply is 45%, consistent with recent developer success rates in the market. The table below summarizes the apartment developments that are now under construction and proposed in the PMA.

APARTMENT MARKET OVERVIEW - Continued

NEW SUPPLY - UNDER CONSTRUCTION AND PROPOSED								
Primary Market Area (Greeley and Evans)								
<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Developer</u>	<u>Miles</u>	<u>Direction</u>	<u>Total Units</u>	<u>Completion Date</u>	<u>Units to Absorb</u>
Trails at Sheep Draw II	Market	Under Const.	Journey Homes, LLC	2.2	W	252	Sep-22	252
Centerplace	Market	Under Const.	McWhinney	2.4	SE	304	Dec-23	304
Poudre Trails II	Market	Under Const.	Hargrave Construction Inc.	2.9	E	80	Aug-22	80
Wildhorse at Tuscany	Market	Under Const.	Mountain Regions RE Services	2.9	SE	171	Apr-22	123
55 Resort at the Maddie	Mkt./Age Restr.	Under Const.	L3 Communities	4.8	E	<u>85</u>	Jul-22	<u>85</u>
Subtotal Under Construction						892		844
<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Developer</u>	<u>Miles</u>	<u>Direction</u>	<u>Total Units</u>	<u>Probability</u>	<u>Probable Units</u>
<i>13th Street Phase I</i>	<i>Market</i>	<i>Proposed</i>	<i>Loge Properties LLC</i>	--	--	282	100%	282
Fox Run	Market	Proposed	Schuman Companies Inc.	0.3	SE	118	30%	35
City Center West	Market	Proposed	Hensel Phelps	0.9	NW	200	30%	60
Alpine Flats	Market	Proposed	Richmark Holdings, Inc.	1.3	SE	200	30%	60
Westgate	Market	Proposed	Continental Properties	1.7	SW	288	30%	86
Westgate SFR	Market	Proposed	Continental Properties	1.8	SW	191	30%	57
Rock Ridge PH I & II	Market	Proposed	Edward Rose & Sons	1.9	S	288	30%	86
Reserve at West T-Bone III	Market	Proposed	Ancon II Constructors Inc.	2.0	S	120	30%	36
Trails at Sheep Draw III	Market	Proposed	Journey Homes, LLC	2.1	W	84	30%	25
Watermark at Centerplace	Market	Proposed	Watermark Residential	2.6	SE	336	30%	101
Wildhorse at Tuscany II	Market	Proposed	Mountain Regions RE Services	2.9	SE	263	30%	79
Promontory PH I	Market	Proposed	Journey Homes, LLC	3.4	W	261	30%	78
Promontory PH II	Market	Proposed	Journey Homes, LLC	3.5	W	219	30%	66
Reserve at Crescent Cove	Market	Proposed	M. Timm Development	3.8	SE	288	100%	288
Rockies	Market	Proposed	E&T Electric	3.8	E	50	30%	15
Copper Platte	Affordable	Proposed	Inland Group	4.3	SE	224	100%	224
Confidential	Market	Proposed	Confidential	--	--	<u>192</u>	30%	<u>58</u>
Subtotal Proposed						3,604		1,637
Total New & Proposed Construction In PMA						4,496		2,481
Stabilized Occupancy (95%)								2,357
Estimated Demand								600
Years Supply in the PMA								3.9

APARTMENT MARKET OVERVIEW - Continued

The probable new supply in the PMA totals about 2,481 units. After deducting stabilized vacancy, approximately 2,357 new apartments must be absorbed. Demand has been estimated to average 600 units per year, indicating 3.9 years of supply in the pipeline during the next 3 years. After deducting affordable and age restricted developments, which are less dependent for demand on normal population growth, there are 3.4 years of supply in the pipeline during the next 3 years.

The anticipated supply is moderately in excess of the projected demand. However, the Greeley submarket currently has a vacancy rate of only 3.5%, well below a stabilized vacancy level of 5% to 6%. Vacancy has averaged only 3.8% for the last 5 years, indicating chronic pent-up demand. Pent-up demand is further indicated by the current record high rents. With minimal concessions, effective rents have increased 13.0% during the last year.

The new supply in the PMA is expected to ease pent-up demand, slowing the record rent growth, as vacancy increases slightly toward a stabilized level of 5% to 6%. The market is expected to remain in balance during the next 3 years, and the new supply is not expected to impact existing apartment properties in the market area.

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, unbiased professional analyses, opinions, and conclusions.
- We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest with respect to the parties involved.
- The appraisers have performed no services, as appraisers or in any other capacity, regarding the property that is the subject of this report within the 3-year period immediately preceding acceptance of this assignment.
- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and the Standards of Professional Appraisal Practice, which include the Uniform Standards of Professional Appraisal Practice.
- Stephen W. Cole made a personal inspection of the property that is the subject of this report. Cary W. Bruteig did not inspect the property.
- No one provided significant real property appraisal assistance to the persons signing this certification.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, Cary W. Bruteig and Stephen W. Cole have completed the continuing education program of the Appraisal Institute.
- The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.



Stephen W. Cole, MAI
Colorado State Certified General Appraiser
License No. CG1313502



Cary W. Bruteig, MAI
Colorado State Certified General Appraiser
License No. CG1313164

ASSUMPTIONS AND LIMITING CONDITIONS

The certification of the appraiser appearing in this appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth in the report.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the appraiser render an opinion as to the title, which is assumed to be good and marketable. The property is appraised as if free and clear of any and all liens or encumbrances unless otherwise specified. The property is appraised as though under responsible ownership and management.
2. The appraiser is not required to give testimony or appear in court because of having made this appraisal with reference to the property in question, unless arrangements have been made previously.
3. Plats, maps, and exhibits included herein are for illustration only, as an aid in visualizing matters discussed within the report. They should not be relied upon for any other purpose. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraiser has made no survey of the property.
4. The appraiser assumes there are no hidden or unapparent conditions of the property, subsoil, or structures that would render it more or less valuable. The appraiser assumes no responsibility for such conditions or for engineering that might be required to discover such factors. No opinion is expressed as to the value of subsurface oil, gas, or mineral rights and the property is not subject to surface entry for the exploration or removal of such materials except as is expressly stated.
5. Information, estimates, financial statements, rent rolls, construction budgets, and opinions furnished to the appraiser, and contained in this report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the appraiser can be assumed by the appraiser. The appraiser assumes no responsibility for independently verifying this information.
6. The appraiser assumes no responsibility for economic or physical factors occurring after the date of the estimate of value. The appraiser has no obligation to update the report or revise it in any manner because of events or transactions occurring subsequent to the date of this report.
7. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, the MAI designation, or the firm with which the appraiser is connected), shall be disseminated to the public through advertising, public relations, news, sales or other media, without the written consent and approval of the appraiser. Further, the appraiser or firm assumes no obligation, liability, or accountability to any third party.
8. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser and, in any event, only with proper written qualification, and only in its entirety. The appraiser or firm assumes no obligation, liability, or accountability to any third party.
9. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
10. It is assumed that all applicable zoning and use regulations and restrictions have been complied with unless a nonconformity has been stated, defined, and considered in the appraisal report.
11. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or

ASSUMPTIONS AND LIMITING CONDITIONS - Continued

organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

12. The appraiser has made no investigation into the existence of hazardous materials such as asbestos, PCBs, urea-formaldehyde foam insulation, lead based paint, or other potentially hazardous materials. The appraiser is not qualified to detect such materials. The presence of hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such materials on, in, or nearby the property that would cause a loss in value. No responsibility is assumed for such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
13. The Americans with Disabilities Act (ADA) became effective January 26, 1992 and the Fair Housing Act's accessibility requirements apply to properties built for first occupancy after March 13, 1991. The appraiser has not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA or FHA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA and FHA could reveal that the property is not in compliance with one or more of the requirements of these acts. If so, this fact could have a negative effect upon the value of the property. Since the appraiser has no direct evidence relating to this issue, possible noncompliance with the requirements of ADA or FHA was not considered in estimating the value of the property. Generally, ADA applies only to the clubhouse and amenities, while Fair Housing laws control the apartment units.
14. Loss or removal of any portion of this report invalidates the entire report.
15. Other Assumptions and Limiting Conditions may be specified in the report.

QUALIFICATIONS

CARY W. BRUTEIG, MAI

EMPLOYMENT HISTORY

1992 - Present	Apartment Appraisers & Consultants, Inc. Denver, Colorado Founder & President Emeritus (2021 - Present); Founder & President (1992 - 2021)
1986 - 1991	Joseph Farber and Company, Inc. Denver, Colorado Associate Appraiser
1985 - 1986	Willman & Associates Colorado Springs, Colorado Real Estate Appraiser

PROFESSIONAL EXPERIENCE

Cary W. Bruteig has experience in the valuation of a wide variety of of property types, from regional malls to office buildings, but has specialized exclusively in the valuation and evaluation of apartments since 1992. He has analyzed over 600,000 apartment units in 2,700 communities with a combined value in excess of \$40 billion.

PROFESSIONAL ASSOCIATIONS

Designated Member of the Appraisal Institute (MAI), Member #8360. Presently has completed the requirements of the continuing education program of the Appraisal Institute.

Member of the Apartment Association of Metro Denver, past board member 7/2013 – 6/2015. Interviewed by 9 News, 7 News, Channel 31, Channel 2, and Fox News as an industry expert.

STATE LICENSING

State of Colorado, Certified General Appraiser,
License No. CG1313164, expires December 31, 2023

ADVANCED EDUCATION

Degrees	1985	Bachelor of Science Degree Business Administration, Major - Finance University of Wyoming, Laramie, Wyoming
Courses - Appraisal Institute		
	2021	National USPAP - Update Course
	2019	National USPAP - Update Course
	2017	National USPAP - Update Course
	2015	National USPAP - Update Course
	2013	National USPAP - Update Course
	2012	Appraisal Curriculum Overview - General & Residential
	2011	National USPAP - Update Course
	2011	Online Analyzing Distressed Real Estate
	2010	An Introduction to Valuing Commercial Green Buildings

QUALIFICATIONS - Continued

ADVANCED EDUCATION - Continued

Seminars	2022	AAMD ECON 2022: Economic Livestream Event, Speaker
	2021	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2020	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2019	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2018	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2018	IREM Economic Forecast Breakfast, Speaker
	2017	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2016	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2015	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2014	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2014	Changing Dynamics in the Multifamily Market, Speaker – A.I.
	2013	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2012	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2011	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2011	Winter Economic Conference - Apt. Assoc. of Metro Denver
	2010	Economic Overview & Forecast – Appraisal Institute
	2010	CREJ Multifamily Conference, Speaker - Colo R.E. Journal
	2009	Valuing High Performance Residential Prop. – Appraisal Institute
	2009	Summer Economic Conference - Apt. Assoc. of Metro Denver
	2008	Winter Economic Conference - Apt. Assoc. of Metro Denver
	2007	2007 Economic Conference – Apt. Assoc. of Metro Denver
	2007	Apartment Realty Advisors Investor Symposium - Speaker
	2006	Apartment Realty Advisors Investor Symposium - Speaker
	2006	2006 Economic Conference–Apt. Assoc. of Metro Denver
	2005	2005 Economic Conference–Apt. Assoc. of Metro Denver
	2004	Transit Oriented Development –Appraisal Institute
	2004	Summer Economic Conference–Apt. Assoc. of Metro Denver
	2004	Winter Economic Conference–Apt. Assoc. of Metro Denver
	2003	Economic Overview & Forecast in Colorado
	2003	Economic Conference–Apartment Assoc. of Metro Denver
	2003	Dichotomy or Dementia - The Apartment Market in 2003
	2003	Easements for High Tension Lines

COURT EXPERIENCE

State of Utah, Salt Lake County, Third Judicial District Court
 Deposed on March 5, 2015 as an expert witness
 Thomas D. Williamson, et al vs. David Farrell, et al

QUALIFICATIONS

STEPHEN W. COLE, MAI

EMPLOYMENT HISTORY

1996 - Present	Apartment Appraisers & Consultants, Inc. Denver, Colorado Appraiser
1990-1995	Cushman & Wakefield Denver, Colorado Associate Director
1988-1990	Joseph Farber and Company, Inc. Denver, Colorado Associate Appraiser
1976-1988	Several architecture/planning firms in Denver, Colorado and Chicago, Illinois

PROFESSIONAL EXPERIENCE

Stephen W. Cole has experience as both an architect and a commercial real estate appraiser. He has designed and appraised a wide variety of residential, office, retail, industrial, and institutional property types and has emphasized multi-family residential work in both professions.

PROFESSIONAL ASSOCIATIONS

Designated Member of the Appraisal Institute (MAI), Member #10363. Presently has completed the requirements of the continuing education program of the Appraisal Institute.

STATE LICENSING

State of Colorado, Certified General Appraiser,
License No. CG1313502, expires December 31, 2023
State of Colorado, Licensed Architect, License No. B-1924

ADVANCED EDUCATION

Degrees	1988	MBA in Real Estate and Finance University of Denver, Denver, Colorado
	1978	Bachelor of Architecture Rice University Houston, Texas
	1976	BA in Architecture and Fine Arts Rice University Houston, Texas

Courses – Appraisal Institute (partial list)

2020	7-Hour National USPAP Update Course (also previous years)
2019	Business Practices and Ethics (also previous years)
1994	Standards of Professional Practice, Part A Standards of Professional Practice, Part B
1992	Course 2-2, Report Writing
1991	Course 2-1, Case Studies

QUALIFICATIONS - Continued**ADVANCED EDUCATION - Continued**

Courses - American Institute of Real Estate Appraisers

- 1988 Course 1B-A Capitalization Theory and Techniques Part A
- Course 1B-B Capitalization Theory and Techniques Part B
- Course 1A-2 Basic Valuation Procedures
- Course 1A-1 Real Estate Appraisal Principles

Seminars (partial list)

- 2021 Colorado Economic & Real Estate Update (also previous years)
- 2021 Colorado Annual Demography Summit (also previous years)
- 2021 Emerging Trends in Alternative Lodging in 2021
- 2021 2021 Colorado Litigation Seminar
- 2021 RTD, TOD, and the Pandemic
- 2020 Colorado Post-COVID Submarket Update
- 2019 Artificial Intelligence, AVMs, and Blockchain
- 2019 Introduction to Green Buildings: Principles & Concepts
- 2019 Valuation Resources for Solar Photovoltaic Systems
- 2018 Slots, Cars, Green Roofs!
- 2018 High Performance Homes
- 2018 Nice House-Who Can Afford It?
- 2017 CDOT Reports
- 2017 Impacts of Tax Reform on Real Estate and Appraisal
- 2017 Retail 2020
- 2017 Update from the Division of Real Estate
- 2017 Real Estate Valuation Policy Update
- 2016 Challenges Appraising Resort and Mountain Properties
- 2016 Hot Topics and Myths in Appraiser Liability
- 2016 Drone Technology and Its Impact on the Appraisal Industry
- 2016 It's A Small World After All – Alternative Housing
- 2015 Metropolitan Denver Development and Construction Summit
- 2014 The Real Estate Valuation Side of Marijuana
- 2013 HOAs, What Appraisers Need to Know
- 2013 Oil and Gas Fracking and its Effect on Property Values

COURT EXPERIENCE

Arapahoe County, Colorado, District Court
 Deposed on May 15, 2019 as an expert witness
 Trial testimony on June 26-27, 2019 as an expert witness
 Stephen A. Grove, et al. vs. Centennial Leased Housing Assoc., et al.

Cary W Bruteig
1660 S. Albion Street
Suite 1002
Denver, CO 80222

State of Colorado
Department of Regulatory Agencies
Division of Real Estate



Board of Real Estate Appraisers

Cary W Bruteig

Certified General Appraiser

Marcia Waters

Director: Marcia Waters

License #: CG1313164
Status: Active
Expires: 12/31/2023

COPY

For the most up to date information regarding this credential, visit <http://dora.colorado.gov/dre>

Stephen Cole
1660 S. Albion St., Suite 1002
Denver, CO 80222

State of Colorado
Department of Regulatory Agencies
Division of Real Estate



Board of Real Estate Appraisers

Stephen Cole

Certified General Appraiser

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Director: Marcia Waters

License #: CG1313502
Status: Active
Expires: 12/31/2023

COPY

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SELECTED ASSIGNMENTS**Proposed Construction**

<u>Client</u>	<u>Property</u>
Bank of America	Horizons at Rock Creek II & III, 946 units
Bank United	Stonebridge, 172 units
Berkadia (Capmark, GMAC)	Legacy at Highlands Ranch, 422 units
Compass Bank	Talon Hill, 276 units
Guaranty Bank	Briargate on Main, 325 units
JP Morgan Chase	The Renaissance, 560 units
KeyBank	Jefferson Estates at Lowry, 414 units
Regions Bank	Pinnacle Station at Diamond Hill, 340 units
US Bank	Jefferson at Meridian, 652 units
Wachovia Bank	The Boulevard, 290 units
Wells Fargo	Crest at Lone Tree, 400 units

Fannie Mac/Freddie Mac/HUD

<u>Client</u>	<u>Property</u>
AmeriSphere	Crestmoor Downs, 710 units
ARBOR National Commercial Mortgage	Overlook at the Shores, 210 units
AMI Capital	Castle Highlands, 358 units
ARCS Commercial Mortgage	Riata at Bel Mar Park, 1,120 units
Capmark (GMAC)	The Fairways, 956 units
Deutsche Bank Berkshire Mortgage	Quincy Ridge, 424 units
EF&A	Western Terrace, 216 units
Green Park Financial	Glenlake, 206 units
Greystone Servicing Corporation, Inc.	The Traditions, 96 units
Johnson Capital/Huntoon Hastings	Sterling Point, 143 units
KeyCommercial Mortgage	Zuni Square, 131 units
Love Funding	Camelot, 216 units
Red Mortgage Capital	Sterling Pointe, 496 units
Prudential Mortgage Capital Company	Woodstream Village, 318 units
PW Funding	Partridge Court, 90 Units

Bond Financing/Tax Credits

<u>Client</u>	<u>Property</u>
Bank of America	Autumn Creek, 187 units
Capmark (GMAC)	Broadway Plaza Lofts, 223 units
Capri Capital	Brittany Downs, 464 units
Colorado Housing & Finance Authority	South Oneida Club, 112 units
KeyBank	Globeville Townhomes, 41 units
US Bank	Terrace Park, 179 units
Wells Fargo	Sunset Park Senior Housing, 242 units

Sales/Refinancing

<u>Client</u>	<u>Property</u>
AEGON USA Realty Advisors, Inc.	The Breakers, 1,523 units
AMRESO	Peppercorn, 317 units
Associated Bank	Bradburn Row, 310 units
Berkadia (Capmark, GMAC)	Crestmoor Downs, 710 units
CitiBank	Highland Square Lofts, 10 units
Guaranty Bank	Promenade Place, 387 units
Holliday Fenoglio Fowler, LP	Champions at Norwood, 332, units
IDS Life Insurance Co.	The Orchards, 360 units
John Hancock Real Estate	Alexan Castle Pines, 356 units
JP Morgan Chase	Cloverhill, 108 units
Merrill Lynch	Commons at Briargate, 194 units
Metlife Real Estate Investments	The Metro, 415 units
National City Bank	Estates at Mira Vista, 240 units
Washington Mutual	Bella Springs, 354 units
Wells Fargo	Spyglass Hill, 573 units

ZON2021-0016 Staff Report
Attachment E: Rezoning Plat

PROPERTY DESCRIPTION:

Multiple parcels of land for rezoning purposes all situate within the North Half of the Northeast Quarter (N1/2NE1/4) of Section Nine (9), Township Five North (T.5N.), Range Sixty-six West (R.66W.), of the Sixth Principal Meridian (6th P.M.), City of Greeley, County of Weld, State of Colorado, more particularly described as follows:

COMMENCING at the North Quarter Corner of Section 9 and assuming the North line of the Northeast Quarter of said Section 9 to bear South 89°24'44" East a distance of 2658.31 feet with all other bearings contained herein relative thereto:

THENCE South 00° 03' 21" East along the West line of the North Half of the North Half of the Northeast Quarter (N1/2N1/2NE1/4) of said Section 9 a distance of 659.27 feet to the North Sixty-fourth Corner of Section 9 and to the POINT OF BEGINNING.

THENCE South 89° 26' 43" East along the South line of the North Half of the North Half of the Northeast Quarter (N1/2N1/2NE1/4) of said Section 9 a distance of 500.03 feet to the Easterly line of the West 500.00 feet of the N1/2N1/2NE1/4 of Section 9.

THENCE South 89° 26' 43" East along said South line of the N1/2N1/2NE1/4 of Section 9 a distance of 268.63 feet to the Northeast corner of Parcel No. 2 as described in Quiet Title Decree recorded March 11, 2022 as Reception No. 4809527 of the Records of Weld County.

THENCE South 00° 22' 29" East along the Easterly line of said Parcel No. 2 as described in Quiet Title Decree a distance of 4.49 feet to the Northwest corner of Tract A, Bear Rock Subdivision recorded September 10, 2020 as Reception No. 4628668 of the Records of Weld County.

THENCE South 89° 38' 14" East along the Northerly line of said Tract A, Bear Rock Subdivision a distance of 1291.92 feet to the Northeast corner of Tract A, Bear Rock Subdivision.

THENCE South 00° 22' 29" East along the Easterly line of said Tract A, Bear Rock Subdivision a distance of 501.80 feet; THENCE South 89° 24' 44" East a distance of 20.41 feet to the Westerly line of Tract 1, Shops at Sunset Ridge Subdivision recorded August 13, 2007 as reception No. 3496647 of the Records of Weld County.

THENCE South 00° 22' 58" East along the Westerly line of said Tract 1 a distance of 156.14 feet to the South line of the North Half of the Northeast Quarter (N1/2NE1/4) of said Section 9.

THENCE North 89° 28' 35" West along said South line of the N1/2NE1/4 of Section 9 a distance of 2084.73 feet to the Center-North Sixteenth (C-N1/16) corner of said Section 9.

THENCE North 00° 03' 21" West along the West line of the North Half of the Northeast Quarter of said Section 9 a distance of 659.20 feet to the North Sixty-fourth Corner of Section 9 and to the POINT OF BEGINNING.

Said described parcels of land contain 31.19 acres, more or less.

13TH STREET APARTMENTS REZONE MAP

MULTIPLE TRACTS OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO (6450 10TH STREET) TOTAL ACREAGE: 31.19 ACRES. PROJECT NO. ZON2021-0016

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that the undersigned, being all the owners, lienholders, and holders of any ownership interest as defined by the City of Greeley, of the land described herein, have caused such land to be rezoned as indicated on this plat. The within rezoning plat is submitted in accordance with the Greeley Municipal Code. It is hereby acknowledged that all construction, use and development of this property will be in strict accordance with this rezoning plat. It is further acknowledged that deviation from this rezoning plat without the express written consent of the City of Greeley may result in revocation of the City's approval of the rezoning plat, denial of building permits, refusal to issue certificates of occupancy, injunctive relief prohibiting use of the property and other remedies available to the City under the Greeley Municipal Code and other applicable laws of the State of Colorado. Know all men by these presents that the undersigned have caused said land to be laid out and rezoned under the name of 13TH STREET APARTMENTS REZONE MAP.

In witness whereof, we have hereunto set our hands and seals this _____ day of _____, 20____.

BEAR ROCK LLC

JANIS I MITCHELL, TRUSTEE OF THE JANIS I. MITCHELL TRUST DATED OCTOBER 20, 2003

NOTARIAL CERTIFICATE

STATE OF COLORADO)
ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me by _____, this _____ day of _____, 20____.

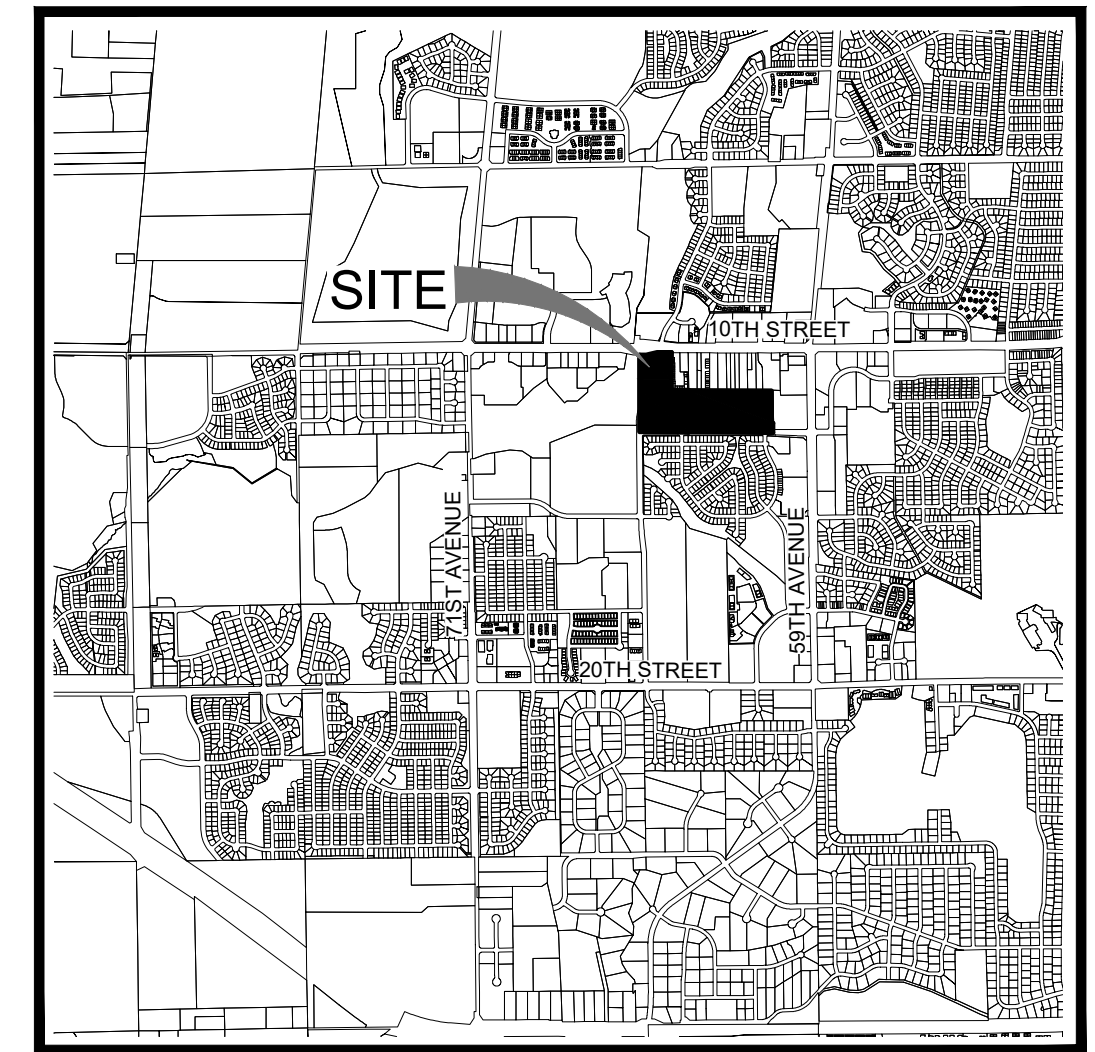
My commission expires: _____ Notary Public

(SEAL)

SURVEYING CERTIFICATE

I, Aaron M. Lund, a Registered Professional Land Surveyor in the State of Colorado, do hereby state that the PROPERTY BOUNDARY MAP was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

DRAFT
08-11-2022
PRELIMINARY - NOT FOR CONSTRUCTION, RECORDING PURPOSES OR IMPLEMENTATION
Prepared on behalf of Northern Engineering Services, Inc.
Aaron M. Lund
Registered Professional Land Surveyor LS 38670



VICINITY MAP
1" = 3000'

NOTICE:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 9
TOWNSHIP: 5 N
RANGE: 66 W of the 6th PM

NORTHERN ENGINEERING
SURVEY | MUNICIPAL | LAND DEVELOPMENT
FORT COLLINS | GREELEY
970.221.4188
NORTHERNENGINEERING.COM

COMMUNITY DEVELOPMENT DIRECTOR

Director of Community Development

Date

PLANNING COMMISSION APPROVAL

Recommended for approval this _____ day of _____, 20____.

Chairman,
Greeley Planning Commission

CITY COUNCIL APPROVAL

Approved by the Greeley City Council on this _____ day of _____, 20____.

Greeley City Council

NOTES:

- The lineal unit of measurement for this survey is U. S. Survey Feet.
- The Basis of Bearings is the North line of the Northeast Quarter of Section 9 as bearing South 89°24'44" East, and monumented as shown on drawing.
- The intent of this map is to rezone several parcels of land to Zone "R-H" (Residential High Intensity).
- Horizontal Datum: Coordinate system is a Northern Engineering local coordinate system based on NGS "RULLI" (400000,800000). Known internally as "greeley local".
- Approval of site construction plans by the City of Greeley shall be required (as applicable) prior to issuance of building permits.
- 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 planned in accordance with the City's Subdivision Regulations (Chapter 3).
- All elevations on these plans are tied to NAVD 88 datum.

SYMBOL LEGEND

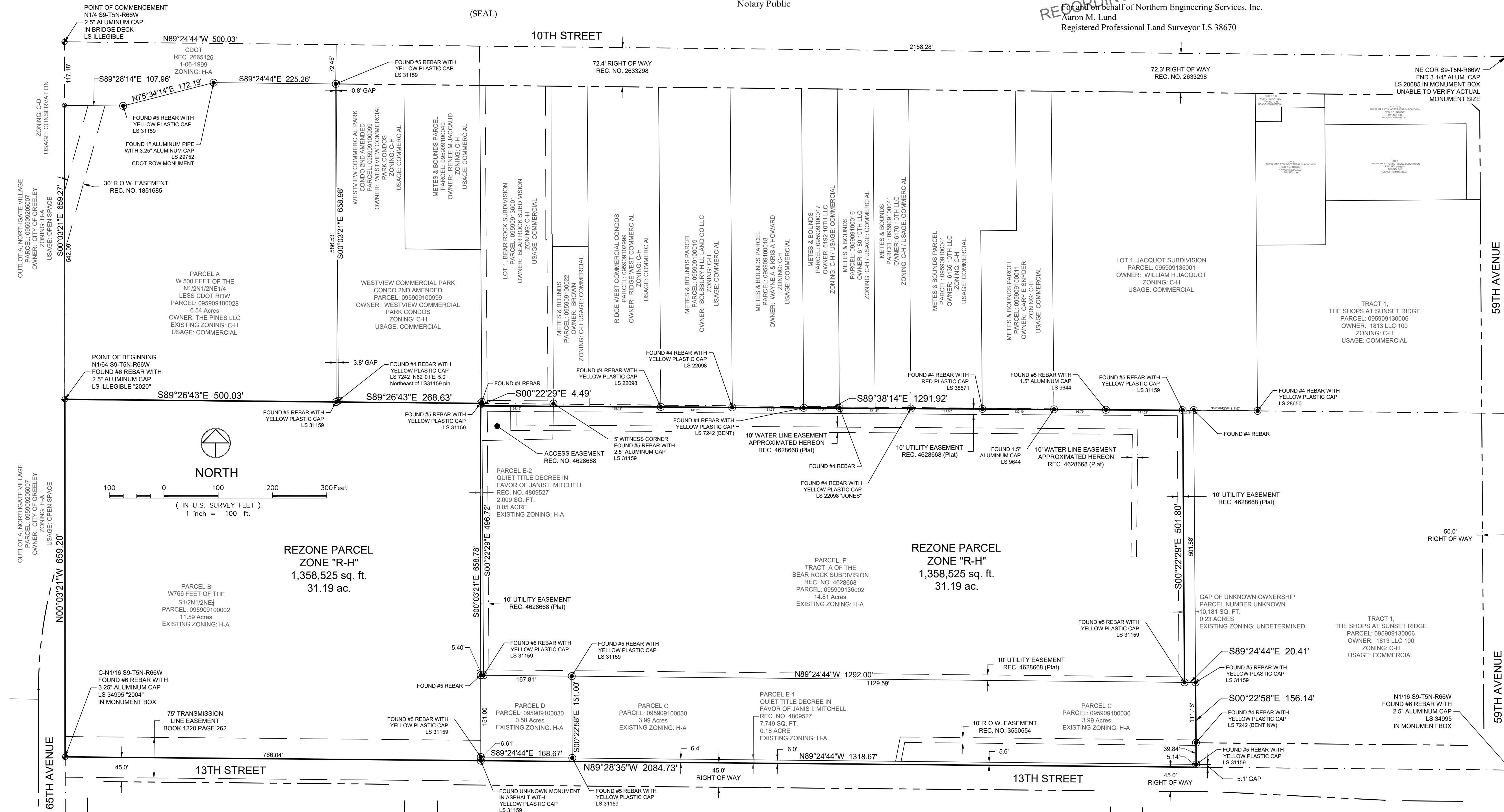
- FOUND PROPERTY MONUMENT
- SECTION CORNER
- CALCULATED POSITION

LINE LEGEND

- SECTION LINE
- RIGHT OF WAY LINE
- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT LINE

13TH STREET APARTMENTS REZONE MAP
MULTIPLE PARCELS OF LAND
GREELEY, COLORADO

Sheet
1
Of 1 Sheets



13th Street Apartments Rezone ZON2021-0016

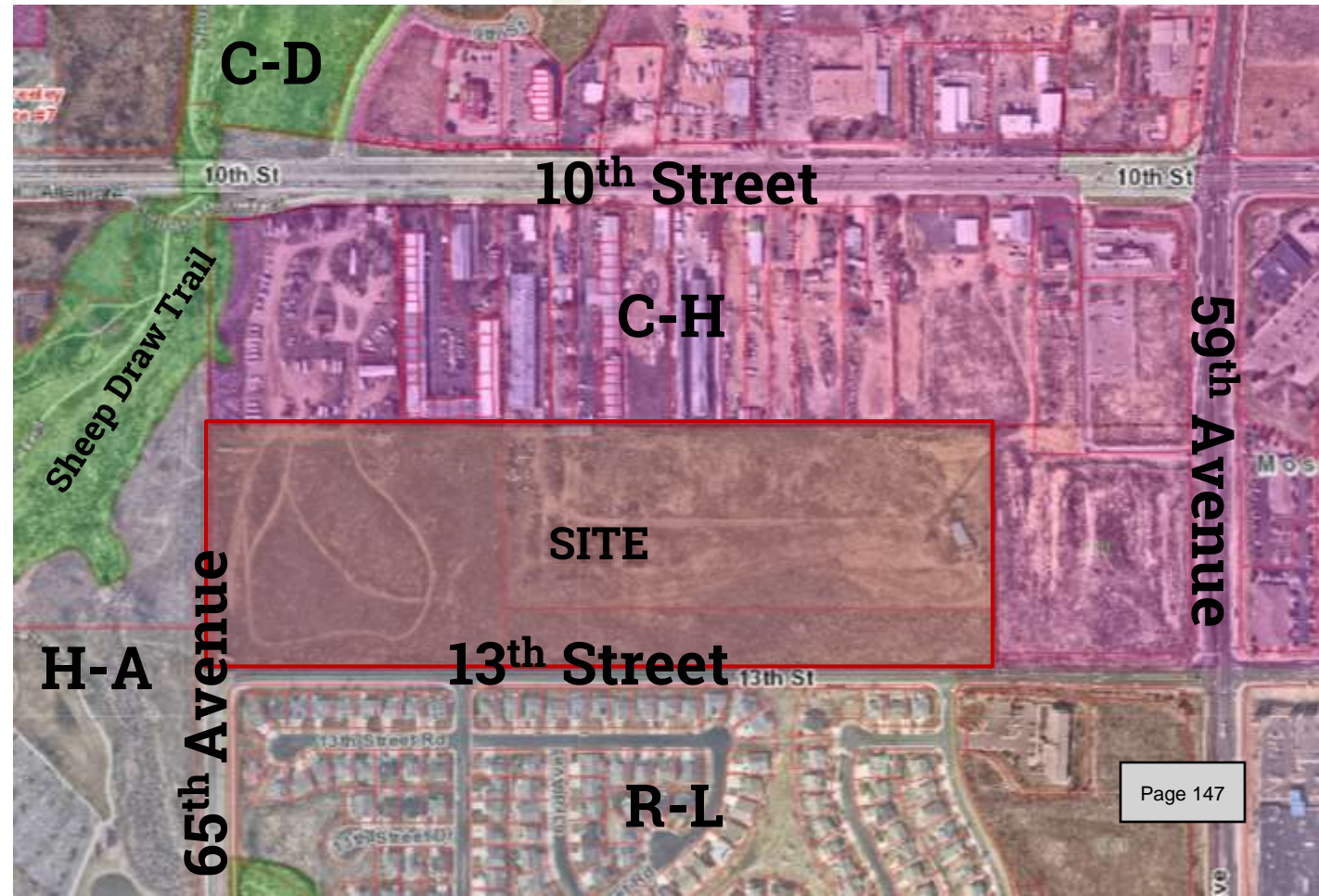
City Council

November 1, 2022

Meg Oren, Planner II

Location

- North of and adjacent to 13th Street, west of 59th Avenue, and south of the commercial properties along 10th Street
- **Surrounding Zoning and Land uses:**
 - North: C-H – existing commercial uses.
 - East: C-H – undeveloped, future commercial uses.
 - South: R-L – residential development.
 - West: H-A – open space (City owned).



Site Background & Request

- **Background:**

- In 2006, the property was annexed and zoned Holding-Agriculture (H-A)
- In 2013, the site had a proposed Use by Special Review (USR 2:13) for oil and gas wells. It was approved by the Planning Commission. The approved project was never implemented, and the subject site remains vacant to today.

- **Request:**

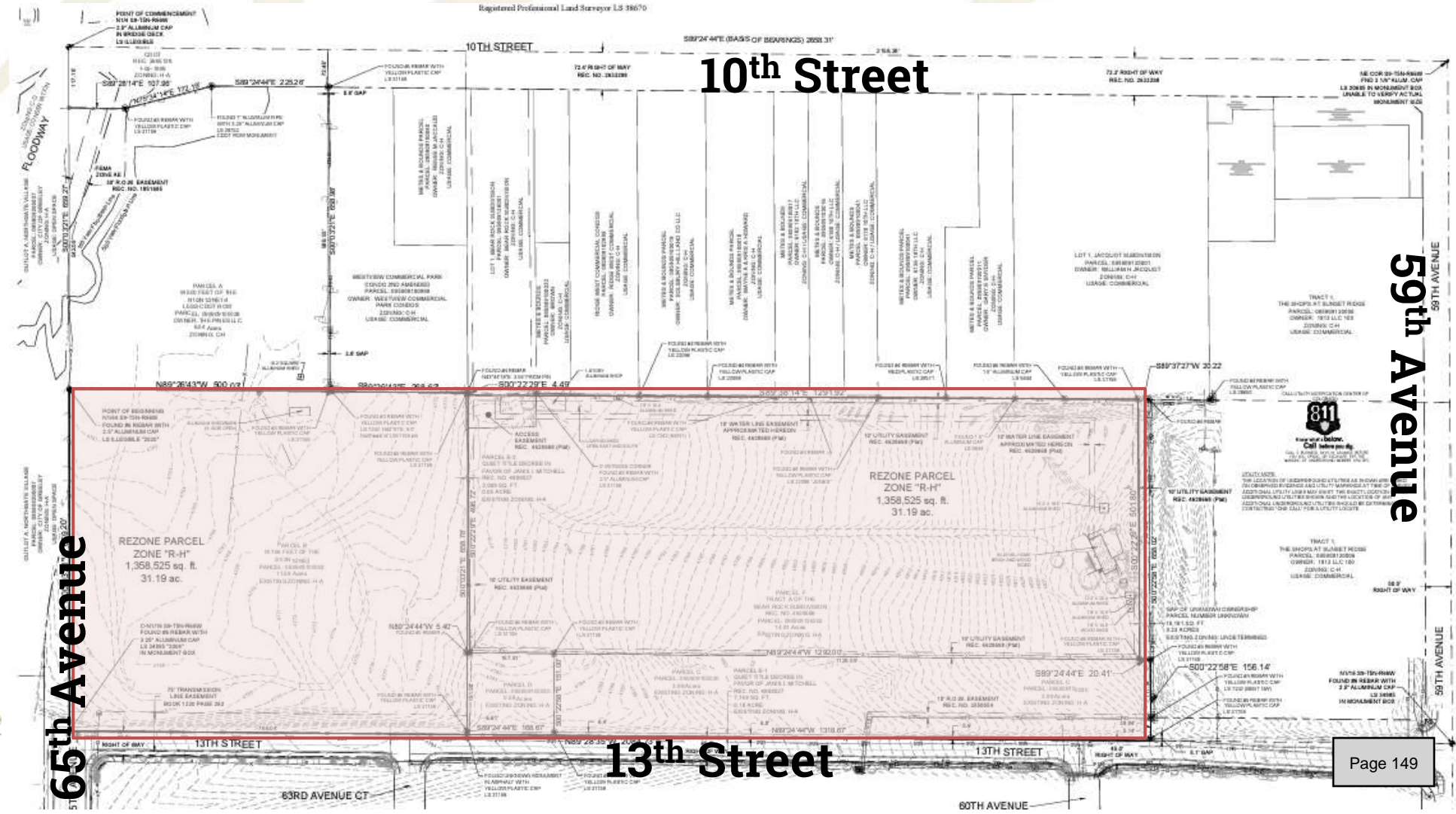
- Rezone 31.19 acres from Holding-Agriculture (H-A) to Residential-High Density (R-H)
- Applicant is looking to incorporate residential density in the area to support existing and future commercial properties located adjacent to the property to the north and to the east.

Site Analysis Map

Item No. 17.

Existing Conditions:

- Predominately undeveloped
- Topography is higher on the eastern end and falls towards the Sheep Draw to the west



Item No. 17.

10th Street

59th Avenue

65th Avenue

13th Street

N

LEGEND

-  BOUNDARY OF AREA REZONED
 -  EXISTING LOT LINES
 -  EXISTING EASEMENTS
 -  EXISTING FLOODWAY
 -  EXISTING 100-YEAR FLOODPLAIN
 -  EXISTING 100-YEAR FLOODPLAIN
 -  PROPOSED RESIDENTIAL HIGH DENSITY (R-H) ZONING
 -  PROPOSED OPEN SPACE
 -  CONNECTION TO ADJACENT LANE
- NOTE: RIGHT OF WAY TO BE ADEQUATELY DEDICATED ON FINAL PLAT AS NECESSARY TO ENSURE MINIMUM ROADWAY WIDTH FOR ALL ROADWAYS THAT SERVE THIS DEVELOPMENT

Zoning Suitability Map



Approval Criteria

Rezone Criteria – 24-204(b): Nine Criteria Used to Evaluate Rezone applications

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

Notification

- Neighborhood Meeting was held virtually via Zoom on January 5, 2022
- A total of 388 notice letters were mailed to property owners within 1,000 feet
- Two signs posted on the property
- Five phone calls received – Wanted to know what was being proposed, concerns about traffic and opposition to having apartments
- One letter was emailed with concerns pertaining to traffic congestion, safety and opposition to apartments

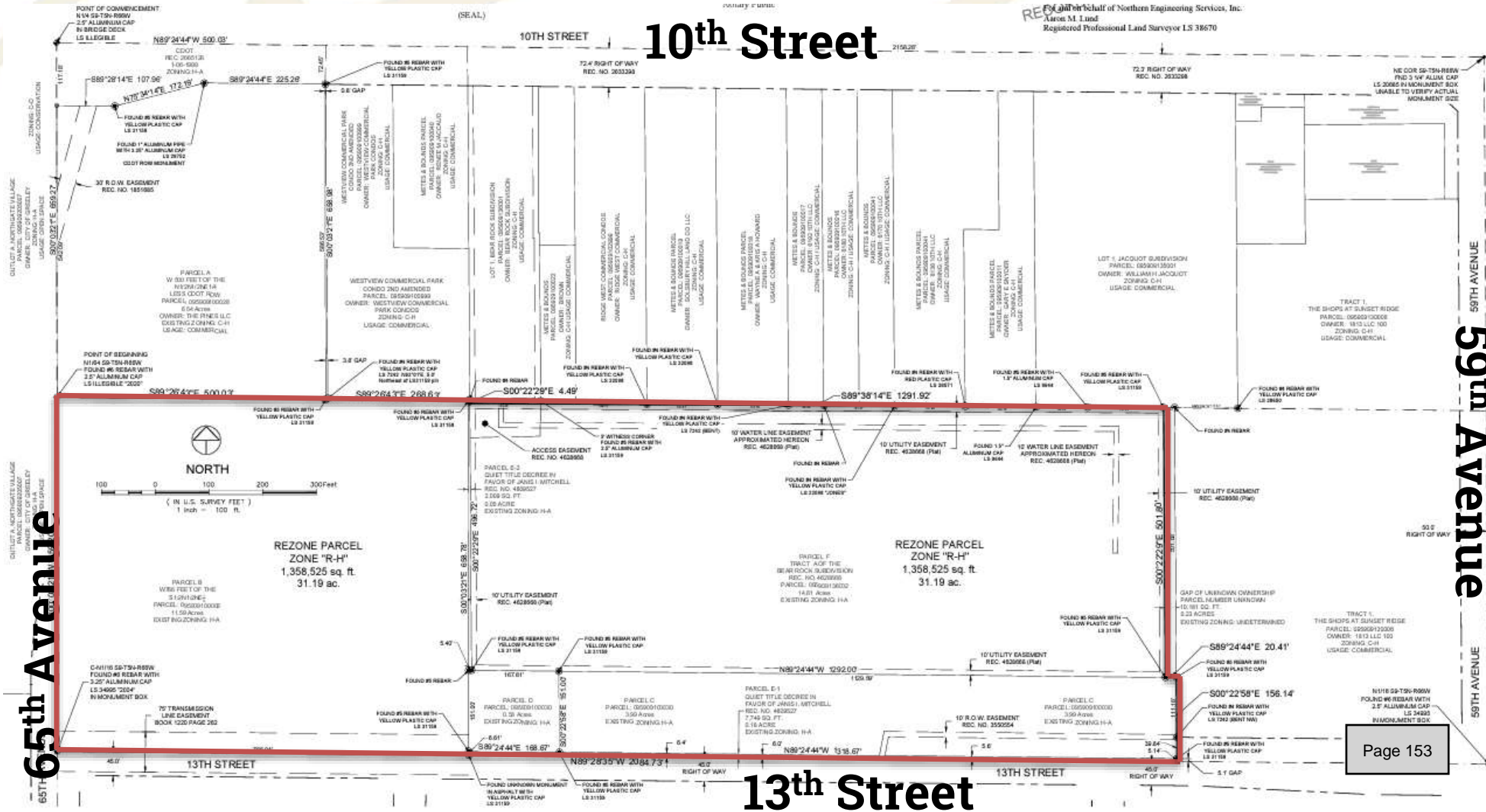
Recommendation

- Complies with Section 24-204(b) 1-9
- Planning Commission reviewed the request and conducted a public hearing on September 27, 2022, voted unanimously to recommend approval (5-0)
 - Four individuals spoke in opposition at the public hearing
 - Traffic, density, noise, privacy and safety concerns

Rezone Boundary Map

Item No. 17.

31.19 acres
Rezone request



Approval Criteria

Item No. 17.

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

1)	The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.
	<ul style="list-style-type: none">• <i>Subject site identified in the Comprehensive Plan as part of a Mixed-Use High Intensity area</i>• <i>R-H zone district encourages a variety of densities and range of housing options</i>• <i>R-H zone provides a transition between single-family residences to the south and commercial properties to the north</i>
2)	The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.
	<ul style="list-style-type: none">• <i>Proposed rezone would provide opportunities to add residential densities adjacent to and within walking distance of current and future commercial uses</i>• <i>Future development of this property has potential to create a transition between neighborhood to the south and commercial activity to the north</i>

Approval Criteria

Item No. 17.

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

3) Whether the area changed or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area.

- Rezone request would help support current commercial businesses within the area and encourage redevelopment of properties along 10th Street corridor*
- Developer would be required with future development of the site to construct the 63rd and 65th Avenue connections, widen areas of 13th Street and construct 11th Street through the property*

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

- Existing H-A zone district is intended to serve as a “pre-development” district to hold areas until a coordinated development plan is in place*
- R-H zone district provides transition between lower-density neighborhoods (Fox Run to the south) and non-residential uses (commercial district along 10th Street)*

Approval Criteria

Item No. 17.

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

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

- *Applicant narrative noted future development would include construction of additional roadway infrastructure to serve the property; completing missing segments of the urban street grid*
- *Site plan details, including buffering and on-site transitions, as well as architectural character, would be reviewed in greater detail as part of a formal site development plan application*

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

- *Staff and referral agencies have reviewed the proposal and have no concerns at this time*
- *At the time of Subdivision, the applicant would need to provide final reports and analysis that conform with City and agency requirements*
- *There are existing water and sewer utilities adjacent to the property that would be extended to future development*

Approval Criteria

Item No. 17.

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

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

- *Current zoning as Holding Agriculture would not allow the applicant to develop the property*
- *H-A zone district is intended as a “pre-development” district*
- *Rezone request is consistent with the goals and intent of the zoning regulations and Comprehensive Plan to provide a transition between residential densities and commercial districts*
- *Market study was commissioned by the developer and included for review*

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

- *Any development proposal will be required to meet Development Code, Subdivision and Design criteria and will be evaluated against those criteria as part of the review process*
- *Applicant did complete a preliminary traffic analysis as part of the rezoning request*
- *Proposed roadway improvements and connections are intended to mitigate congestion and will be reviewed in greater detail as part of the subdivision and site plan processes*

Approval Criteria

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

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

- Staff and referral agencies have reviewed the rezoning request and have no concerns at this time. Further analysis would be conducted at the time of subdivision and site planning, as applicable. Development plans must meet the subdivision and design criteria established under the Development Code.*

Zone District H-A

Table 24-4-1: Zoning Districts and Intent	
District & Intent	Relationship to Comprehensive Plan
<p>H-A — Holding-Agriculture. The H-A district is intended for properties which have been annexed to the City and are either being used for agricultural purposes or have little or no immediate development potential. Due to the development patterns and inefficiency of providing City services, this area receives only limited infrastructure investment and is therefore used as a "pre-development" district to either preserve open and rural lands and agriculture uses, or hold areas until more coordinated planning for infrastructure, land uses, and design can occur.</p>	<p>Limited application as a pre-development area or for agriculture uses in Rural Neighborhoods.</p>

Zone District R-H

Table 24-4-1: Zoning Districts and Intent	
District & Intent	Relationship to Comprehensive Plan
<p>R-H — Residential High Density. The R-H district provides multi-family residential living in a moderate-density pattern in suburban neighborhoods or higher-density, and larger-scale projects in strategic locations for walkable and urban neighborhoods. It is located in areas that have transitions between lower-density neighborhoods or more intense non-residential uses and where a high level of accessibility, public amenity and support services are immediately available.</p>	<p>General application the Mixed-use, Legacy Urban, and Downtown Neighborhoods; Multi-modal Corridors; and Mixed-use High-intensity Areas.</p> <p>Limited Application in Suburban Neighborhoods, as part of housing mix or creating walkable neighborhoods.</p>

13TH STREET APARTMENTS REZONE

CITY COUNCIL

NOVEMBER 1ST, 2022

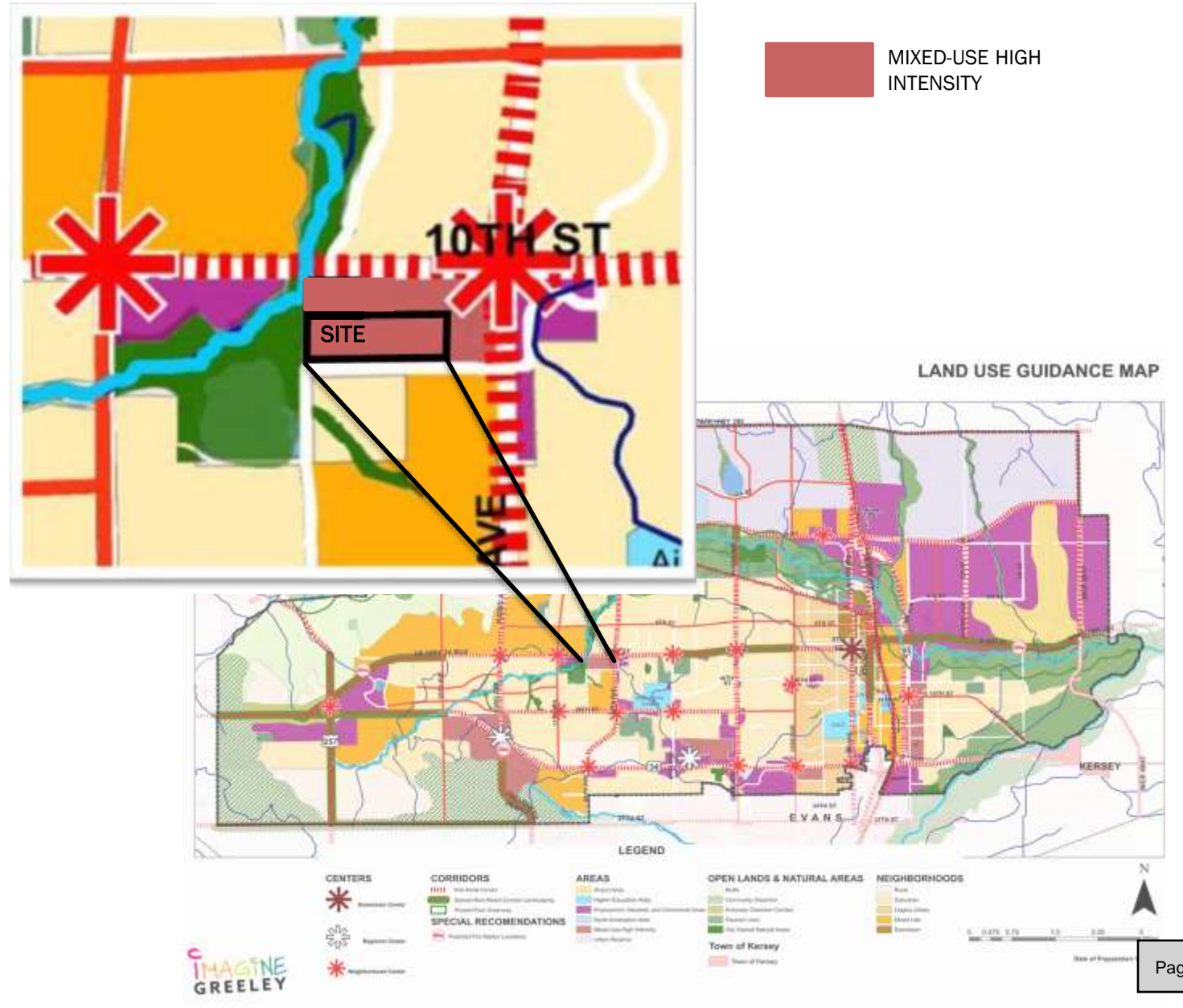
LOGE PROPERTIES

IN ASSOCIATION WITH:



WHY DO WE NEED TO REZONE?

- Allows future development to better accomplish objectives of the Imagine Greeley Comprehensive Plan (2018)



MIXED-USE HIGH INTENSITY

Outlined in the ‘Special Considerations’ for the Mixed-use High Intensity Area:

“Existing development within mixed-use high intensity areas are likely to contain a single use or a narrow range of uses (such as a mall or strip commercial center). As such, redevelopment of these areas should be encouraged to include a wider range of uses, particularly when these areas are located along existing transit lines. **Introducing residential uses in such areas should be a particular focus, either as stand-alone uses, or as part of a mixed-use building (e.g., ground-floor retail uses with apartments above).** “

R-H DISTRICT

(RESIDENTIAL HIGH DENSITY)

R-H – Residential High Density.

“The R-H district provides multi-family residential living in a moderate-density pattern in suburban neighborhoods or higher-density, and larger-scale projects in strategic locations for walkable and urban neighborhoods. It is located in areas that have transitions between lower-density neighborhoods or more intense non-residential uses and where a high level of accessibility, public amenity and support services are immediately available”

Relationship to Comprehensive Plan

- General application the Mixed-use, Legacy Urban, and Downtown Neighborhoods; Multi-modal Corridors; and Mixed-use High-intensity Areas

BENEFITS OF A REZONE?

- Rezoning will allow a use that can support the construction of a connection of 65th Avenue to 10th Street and build out public infrastructure along 13th Street.
- Provides a transition and buffer between single-family homes and C-H uses along 10th Street



MARKET ANALYSIS – MULTIFAMILY RESIDENTIAL

In summary:

“The Greeley market is not expected to experience oversupply during the next 3 years, and the anticipated new supply is not expected to impact existing apartment properties in the market area,”

13TH STREET APARTMENTS REZONE

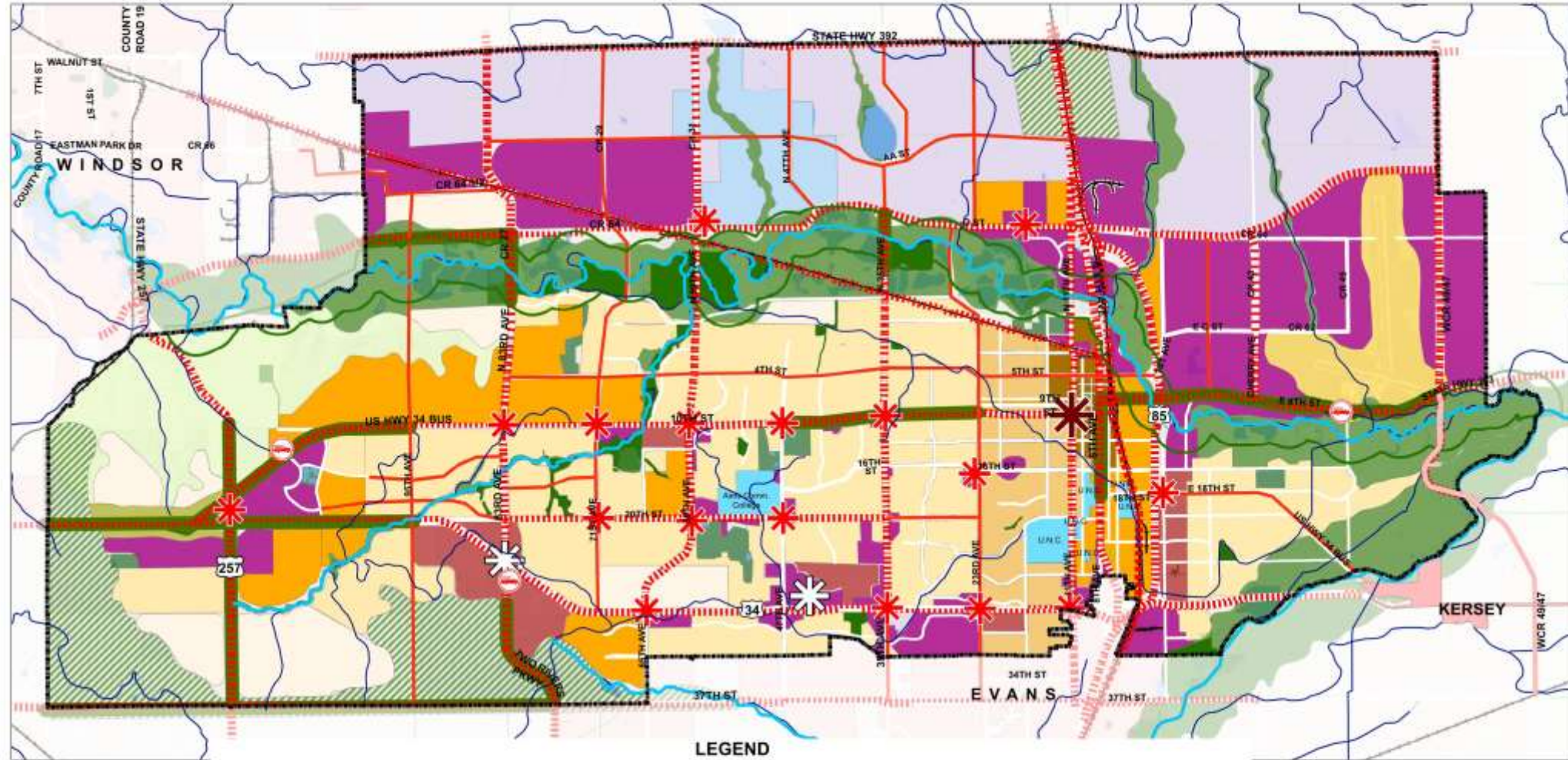
CITY COUNCIL

NOVEMBER 1ST, 2022



R-H ALLOWED USES

- Residential Uses
 - Single-family Dwelling
 - Two-family dwellings
 - Row House dwellings
 - Multi-family Dwellings
 - Mixed-use dwelling
 - Accessory Dwelling Units
 - Boarding Houses
 - Residential Care
- Public & Civic Uses
 - Assembly
 - Golf Course & Country Clubs (no lights)
 - Libraries, Museums, Public or Quasi-public
 - Police, Fire Stations, Ambulance Dispatch & Storage
 - Parks, Open Spaces & Common Areas
 - Schools
 - Public Transportation
 - Utilities
- Commercial Uses
 - Childcare
 - Short-term rental
 - Bed & Breakfast





LEGEND

CENTERS

-  Downtown Center
-  Regional Center
-  Neighborhood Center

CORRIDORS

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

SPECIAL RECOMMENDATIONS

-  Potential Fire Station Locations

AREAS

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




OPEN LANDS & NATURAL AREAS

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

Town of Kersey

-  Town of Kersey

NEIGHBORHOODS

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



Date of Preparation 12/1/17



Mixed-Use High Intensity



Range of Densities: 5 to 20 units per acre

Description: Mixed-use high intensity areas are distinctly urban in character; however, the density and intensity of development varies depending on location. Higher density and intensity development is encouraged along existing and planned transit routes, particularly adjacent to transit stations. Such areas contain a mix of uses that are either located next to each other (on one site or across multiple sites, also referred to as horizontal mixed-use) or found within the same building (also referred to as vertical mixed-use). Supported uses include residential, commercial, retail, office, and civic/institutional uses (such as schools, recreational facilities, parks, religious institutions, etc.). Building facades, entry-ways oriented towards the street, public spaces, street trees and street furniture are prominent features of the public realm which help these areas to be vibrant and walkable places. Parking areas are located behind buildings where they are less visible from the public right-of-way, and signs are appropriately sized to be visible to pedestrians, bicycles, and other slow-moving traffic rather than being large elevated signs or billboards.

Street Pattern and Mobility: Circulation networks within these areas give priority to pedestrians and bicyclists. While automobiles are accommodated, they do not dominate the landscape (particularly on local streets). When located along multi-modal corridors, development should be transit-oriented or transit-supportive. In new mixed-use high intensity areas, block sizes are designed to be no longer than around 600 feet, and street networks aim to maximize connectivity to facilitate walkability and permeability for pedestrians. Within individual developments, connectivity to adjacent mixed-use high intensity properties is maximized to the extent possible.

SPECIAL CONSIDERATIONS
Existing development within mixed-use high intensity areas are likely to contain a single use or a narrow range of uses (such as a mall or strip commercial center). As such, redevelopment of these areas should be encouraged to include a wider range of uses, particularly when these areas are located along existing transit lines. Introducing residential uses in such areas should be a particular focus, either as stand-alone uses, or as part of a mixed-use building (e.g., ground-floor retail uses with apartments above).

13TH STREET APARTMENTS REZONE MAP

MULTIPLE TRACTS OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO (6450 WEST 10TH STREET)

PROPERTY DESCRIPTION

Multiple parcels of land for rezoning purposes of which situate within the North Half of the Northeast Quarter (N1/2NE1/4) of Section 9, Township 5 North, Range 66 West of the 6th P.M., City of Greeley, County of Weld, State of Colorado, more particularly described as follows:

REZONING as the North Quarter Corner of Section 9 and adjoining the North Half of Northeast Quarter of said Section 9 to have South 89°23'31" East a distance of 2495.31 Feet with all other bearings contained herein relative thereto.

TRENDLINE South 89°23'41" East along the North line of the Northeast Quarter of said Section 9 a distance of 380.00 feet to the Northern prolongation of the East line of the Quarter 380.00 feet of the North Half of the North Half of the Northeast Quarter (N1/2NE1/4) of said Section 9.

TRENDLINE South 89°47'27" East along said Easterly line of the Quarter 480.00 feet of the N1/2NE1/4 of Section 9 a distance of 659.89 feet to the South line of the North Half of the Northeast Quarter (N1/2NE1/4) of Section 9.

TRENDLINE South 89°26'47" East along said South line of the N1/2NE1/4 of Section 9 a distance of 266.02 feet to the Easterly line of the West 700.00 feet of the North Half of the Northeast Quarter (N1/2NE1/4) of said Section 9.

TRENDLINE South 89°47'27" East along the West 700.00 feet of the N1/2NE1/4 of Section 9 a distance of 4.58 feet to the Northeast corner of Tract A, Bear Rock Subdivision recorded September 18, 2009 as Reception No. 402868 of the Records of Weld County.

TRENDLINE South 89°38'14" East along the Northerly line of said Tract A, Bear Rock Subdivision a distance of 1314.94 feet to the Westerly line of Tract C, Steps at Steam Ridge Subdivision recorded August 13, 2007 as Reception No. 548667 of the Records of Weld County.

TRENDLINE South 89°27'48" East along the Westerly line of said Tract C a distance of 609.02 feet to the South line of the North Half of the Northeast Quarter (N1/2NE1/4) of said Section 9.

TRENDLINE South 89°28'29" West along said South line of the N1/2NE1/4 of Section 9 a distance of 284.75 feet to the Corner-North Street (C.M. 1754) corner of said Section 9.

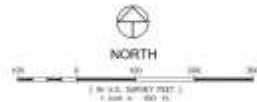
TRENDLINE South 89°47'49" West along the West line of the North Half of the Northeast Quarter of said Section 9 a distance of 1116.47 feet to the North Quarter Corner of Section 9 and to the POINT OF BEGINNING.

Said described parcels of land contain 34.99 acres, more or less.

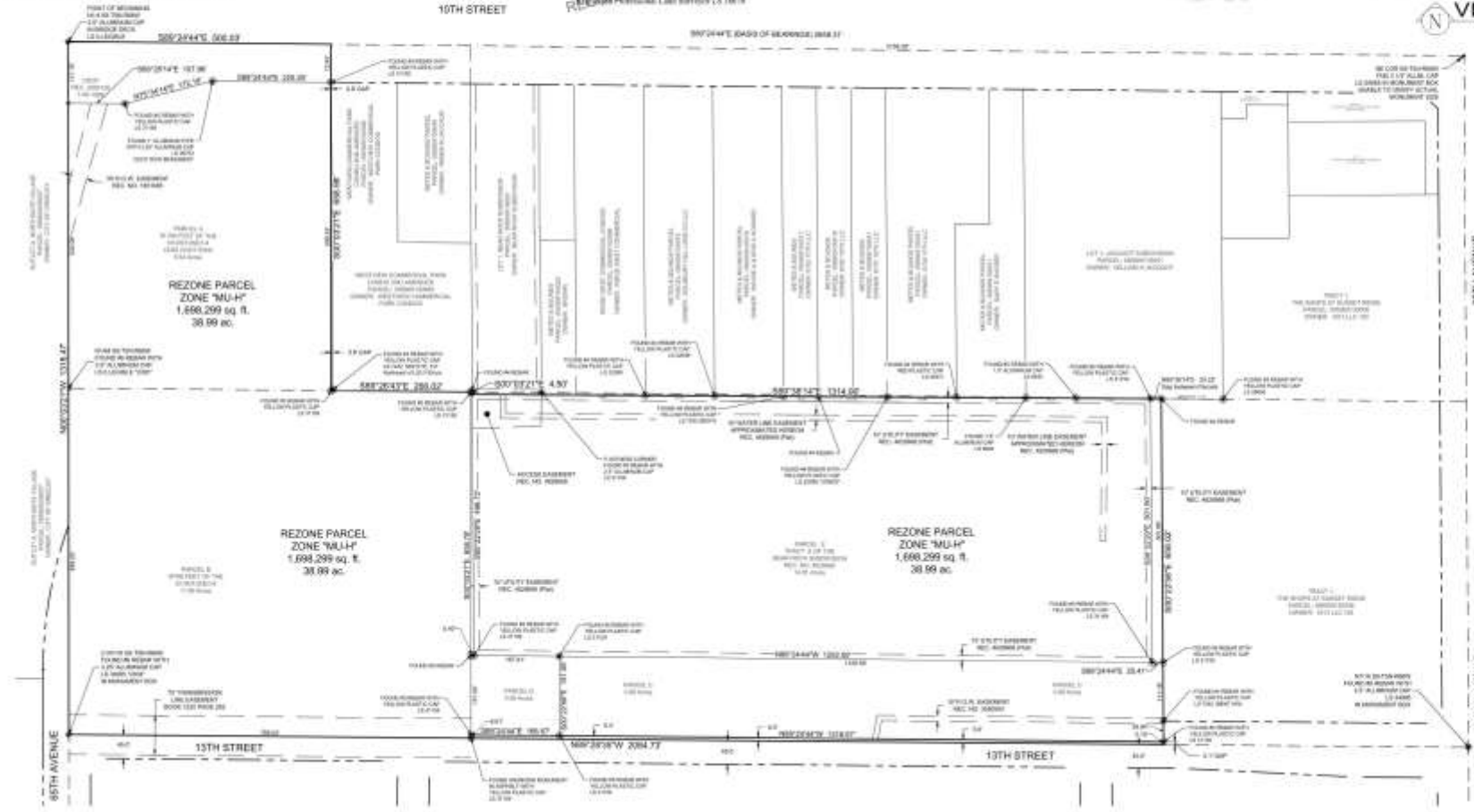
SUBVENSING OFFICER

I, Anne M. Lund, a duly Licensed Professional Land Surveyor in the State of Colorado, do hereby state that this PROPERTY BOUNDARY MAP was prepared in accordance with the laws and regulations of the State of Colorado and that I am a duly Licensed Professional Land Surveyor in the State of Colorado.

DRAFT
10-27-2021
PROVISIONARY - NOT FOR CONSTRUCTION,
REZONING PURPOSES OR IMPLEMENTATION



VICINITY MAP
1" = 3000'



- NOTES:**
- The base unit of measurement for this survey is U.S. Survey Feet.
 - The Dates of Readings in the North Half of the Northeast Quarter of Section 9 as bearing South 89°23'41" East, and measured as shown on drawing.
 - The intent of this map is to convey several parcels of land to Zone "MU-H" (Mixed Use High Density).
 - Horizontal Datum: Coordinate system is a Northern Engineering local coordinate system based on NAD 83 "BLLS" (4800400,600000). Known internally as "gridly foot".

SYMBOL LEGEND

[Symbol]	FOUND PROPERTY BOUNDARY
[Symbol]	REZONING BOUNDARY
[Symbol]	EXISTING PROPERTY

LINE LEGEND

[Line Style]	SECTION LINE
[Line Style]	RIGHT OF WAY LINE
[Line Style]	PROPERTY LINE
[Line Style]	BOUNDARY LINE

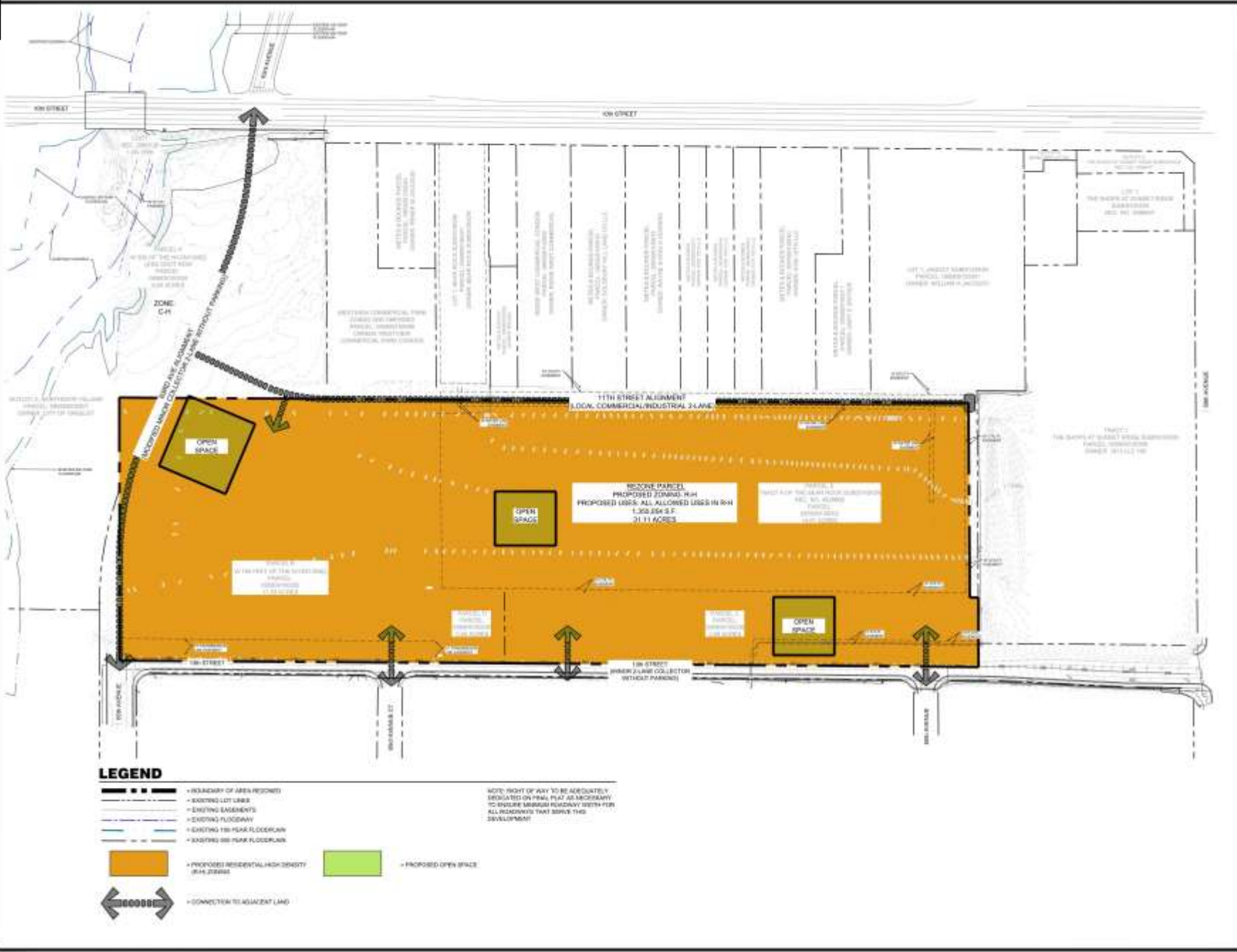
NOTICE:
This map is a preliminary map and is not intended to be used for any other purpose than the one for which it is prepared. It is not to be used for any other purpose without the written consent of the Surveyor.

DATE: 10/27/2021
BY: Anne M. Lund
SCALE: 1" = 3000'



PROJECT:	13TH STREET APARTMENTS REZONE MAP
DATE:	10/27/2021
BY:	ANNE M. LUND
CHECKED BY:	ANNE M. LUND

13TH STREET APARTMENTS REZONE MAP
MULTIPLE PARCELS OF LAND
GREELEY, COLORADO



Prepared By: Riploy Design Group, Inc. Date: 08/11/2023. Project No: 23-001. Title: 13th Street Apartments - Zoning Suitability Map.

13TH STREET APARTMENTS

REZONE SUBMITTAL

PREPARED BY:

riploymdesign
 LANDSCAPE ARCHITECTURE, LAND PLANNING
 11111 13TH STREET, SUITE 100
 DENVER, CO 80233

LAND PLANNING:
 Riploy Design Group, Inc.
 11111 13th Street, Suite 100
 Denver, CO 80233
 P: 303.733.1313

APPLICANT:
 LOGIC DEVELOPMENT
 1400 S. W. 13TH
 DENVER, CO 80202

ENGINEER:
 NORTHWEST ENGINEERING
 11111 13th Street, Suite 100
 Denver, CO 80233
 P: 303.733.1313


 NORTH
 SCALE: 1"=50'-0"

NO.	DESCRIPTION	DATE
01	REZONE SUBMITTAL	08/11/2023
02	REZONE SUBMITTAL	08/11/2023
03	REZONE SUBMITTAL	08/11/2023

REZONE SUITABILITY MAP

SCALE



PROJECT NO.: 23-001
 DRAWING NO.: 17
 REVISIONS: 01
 DRAWING NAME:

1 OF 1

WHO IS LOGE PROPERTIES AND WHY ARE WE HERE?



Founded in 2019, Loge Properties is focused on developing Class A multi-family and mixed-use projects in Colorado and Nebraska.



We believe in building good development teams to produce the best possible results and are very involved in every stage of the development process, from initial permitting through obtaining a CO.

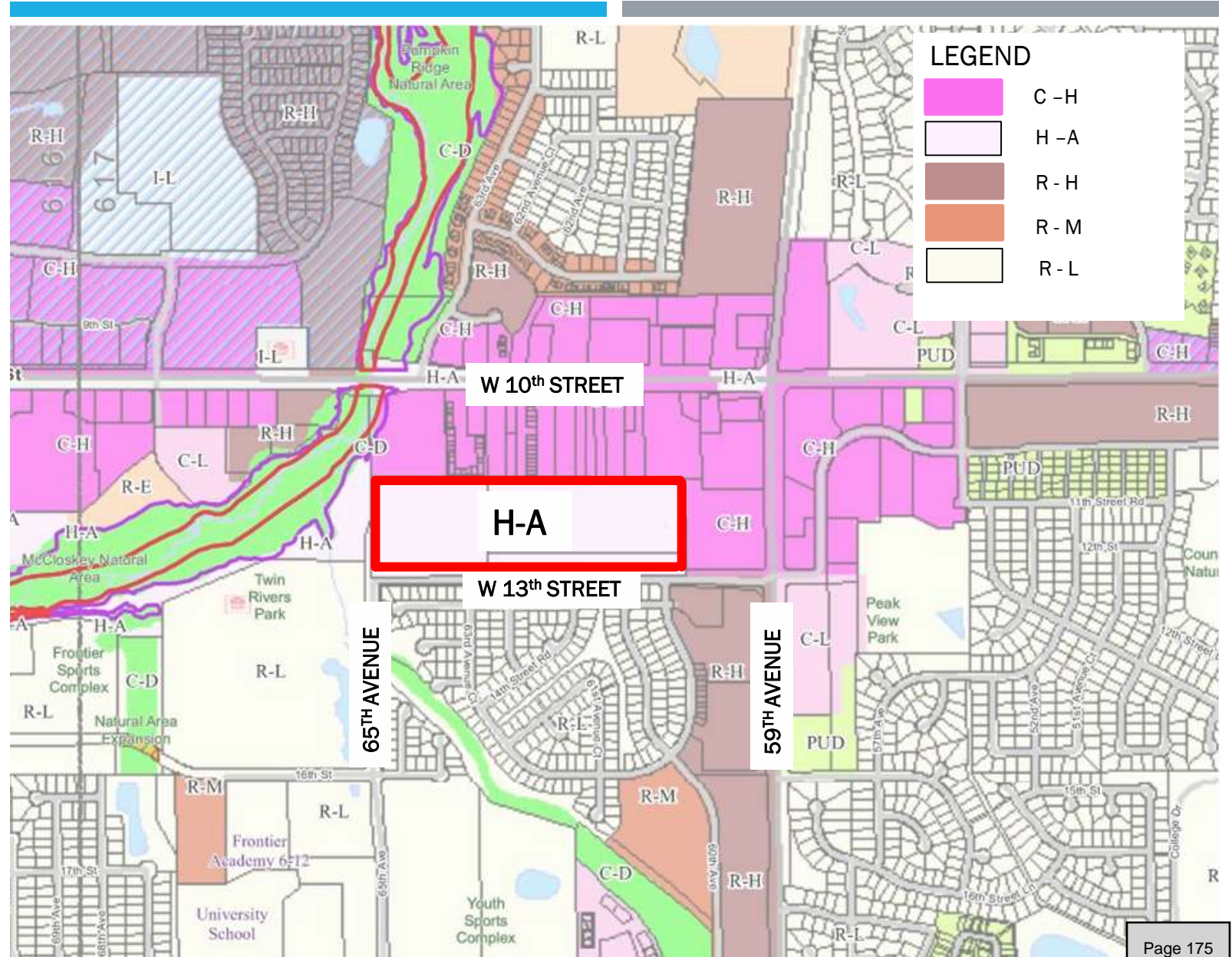
SITE LOCATION

- 31.19 acres
- Located south of 10th Street, North of 13th Street and east of 65th Avenue
- Currently four parcels
- Land is mostly vacant



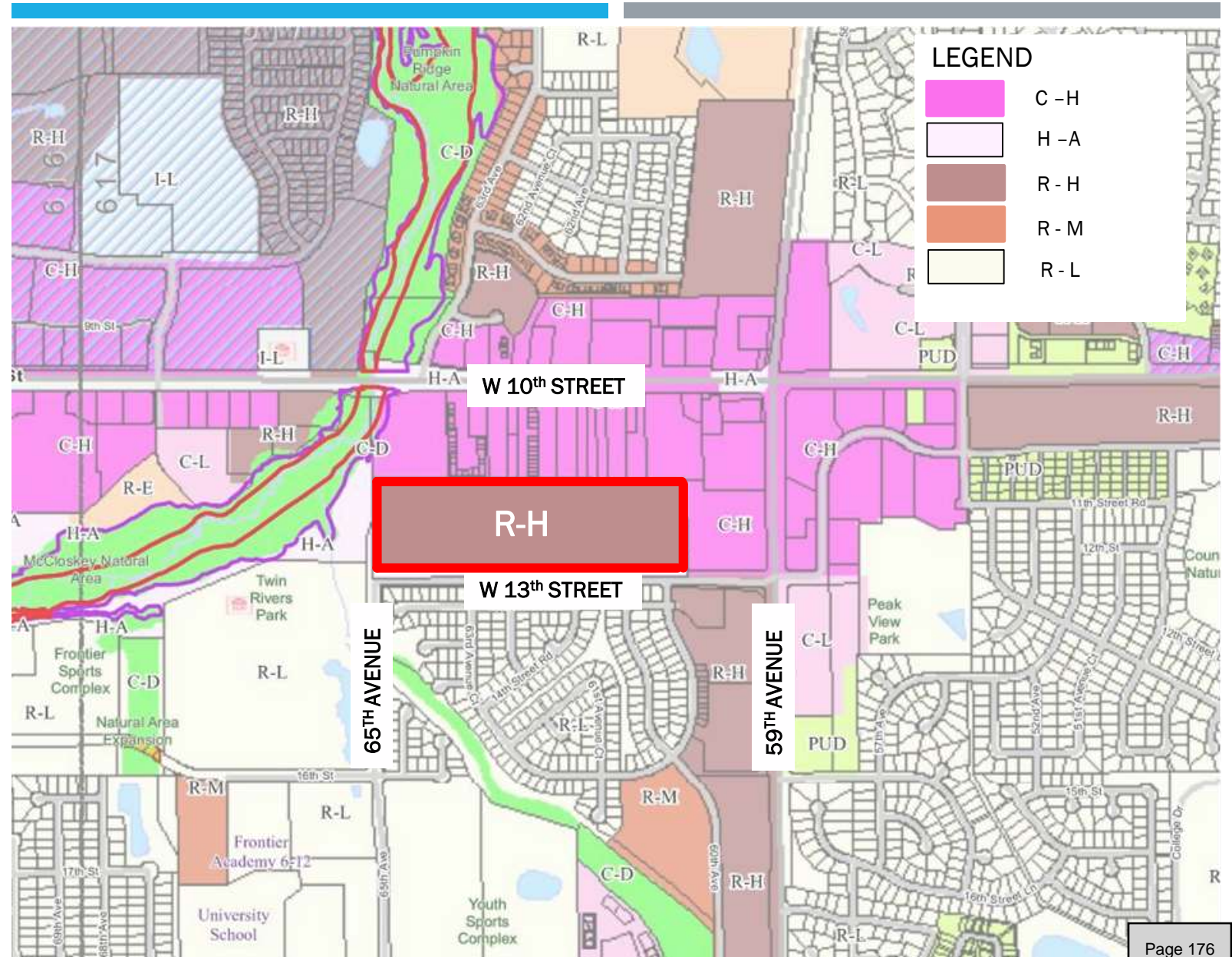
EXISTING ZONING

- Current zoning is H-A (*Holdings Agriculture*)
- Surrounding zoning:
 - C-H (*Commercial High Intensity*)
 - R-H (*Residential High Density*)
 - R-M (*Residential Medium Density*)
 - R-L (*Residential Low Density*)



PROPOSED ZONING

- Rezone all four parcels to R-H (Residential High Density)



Sherri & Mike Zuhlke

[REDACTED]
Greeley, CO

September 22, 2022

RE: Case # ZON2021-0016

Resident of Fox Run – Concerns for Development of Apartments

Our Subdivision was developed as a single-family home subdivision not a multi-use high density populated subdivision with transition apartments, 55 + apartments, and modern industrial homes all built on 13th street. We have lived here since 2005 and the traffic has gotten worse over the last 5 years. The City should do a speed and traffic assessment to see for themselves.

There is a major blind spot where the road curves in front of our home, constant speeders, city route with bus traffic, now people use it as a through the street. Used by those not even living in our subdivision. Zoning this for apartment living is pure asinine and greed. Greeley doesn't need more apartments, just look around, they are being built everywhere in our communities.

Young children can't even play on our street. It's really sad.

I know money talks, so the developers have already sealed the deal, but I would hope you consider using this forum as a way of understanding community concerns. This was never written into our HOA and the congestion is already out of control on 60th street. This will magnify the issue.

Do the right thing... I was born and raised in Greeley Colorado... 51 years later and yes growth has happened... it's inevitable, but too much growth and apartments popping up all over the city is not the answer.

Thank you for your time.

Mike and Sherri Zuhlke

[REDACTED]

Council Agenda Summary

November 1, 2022

Key Staff Contact: Becky Safarik, Community Development Director, 970-350-9786

Kristin Cote, Planner III, 970-350-9876

Title:

Public hearing to establish a Planned Unit Development plan to allow all C-H (Commercial High Intensity) uses and manufacturing food and beverage major use on approximately 19.995 acres of land located West of 23rd Avenue and South of 29th Street (Project No. PUD2022-0002)(Colorado Premium PUD)

Summary:

The property owner, K2D, Inc. dba Colorado Premium Foods, represented by Doug Kayl, applicant, requests a Planned Unit Development Plan on approximately 19.995 acres of land located West of 23rd Avenue and South of 29th Street.

The parcel currently has a 172,520 square foot vacant former big box retail store on-site. The plan proposes to allow the use of manufacturing Food and Beverage – Major use on this site, along with all C-H (Commercial High Intensity) uses.

The Planning Commission considered this request on October 11, 2022, conducted a public hearing, and voted to recommend approval of this PUD plan by a vote of 7-0.

This item will be presented in conjunction with the following agenda item which includes an ordinance to change the official zoning map to reflect the change of zone to PUD. That ordinance was introduced by City Council at its October 18, 2022 meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a quasi-judicial process which includes the following public hearing steps:

- 1) City staff presentation

- 2) Council questions of staff
- 3) Applicant presentation
- 4) Council questions of applicant
- 5) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 6) Rebuttal, if requested
- 7) Council discussion
- 8) Council decision

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:

Conformance with the policies of the City of Greeley Comprehensive Plan

Economic Health & Development: Foster and maintain public and private investment in business development.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion that, based on the application received, the preceding analysis and Planning Commission recommendation, find that the Colorado Premium Planned Unit Development ("Colorado Premium PUD") plan is in compliance with Title 24-205(c) and is therefore approved, subject to approval of an ordinance changing the official zoning map of the City of Greeley reflected said change of zone.

Attachments:

Planning Commission Minutes (draft, October 11, 2022)
Planning Commission Summary (Staff Report) (October 11, 2022)
PUD and Rezone Presentation

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
October 11, 2022

1. Call to Order

Vice Chair Briscoe called the meeting to order at 1:16 PM.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Louisa Andersen
Commissioner Erik Briscoe
Commissioner Jeff Carlson
Commissioner Brian Franzen
Commissioner Larry Modlin
Commissioner Christian Schulte

ABSENT

None

3. Approval of Agenda

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

EXPEDITED AGENDA

- 4.** A public hearing to consider a request to rezone approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street from Commercial High Intensity (C-H) to Planned Unit Development (PUD) (Project No. ZON2022-0014)

Kendra Shirley, 1703 61st Avenue, Suite 101, thanked the Commission for considering their application and stated they were available for any questions.

Commissioner Andersen asked the Planning staff about why the proposed use is not included in a commercial high intensity zone district. Kristin Cote, Planner III, stated that the proposed use of the food and beverage - major, is typically only allowed in industrial zone districts. Therefore, a PUD was proposed to add this specific use instead of an industrial zoning that would allow a full range of uses.

Commissioner Anderson then asked if the use is considered as industrial. Ms. Cote said that was correct.

Commissioner Anderson further inquired if the use would be more for wholesale rather than retail sales. Ms. Cote said that this use would be geared more towards a large-scale butchering operation, describing the operation where the meat comes on site and is processed into products that are then shipped to distributors.

Mike Garrott, Planning Manager, clarified that the site is proposed to be more of an industrial operation versus something you would typically see in a grocery store, due to its scale and lack of a retail or commercial component.

Becky Safarik, Interim Community Development Director, said that another way to look at the use in commercial zones is that the butchering that occurs as part of a grocery store is incidental to the sale of the product.

Chair Yeater invited comment from the applicant, who indicated that they were available to answer questions. Chair Yeater then opened and closed the public hearing at 1:21 PM.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from Commercial High Density (C-H) to Planned Unit Development (PUD) is in compliance with Title 24-204(b) and therefore, recommends approval. Commissioner Schulte seconded the motion.

Motion carried 7-0.

5. A public hearing to consider a request to establish a PUD on approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street to establish the use of Manufacturing Food and Beverage – Major and Warehouse/Storage – Limited & General (Project No. PUD2022-0002)

Chair Yeater opened and closed the public hearing at 1:23 PM.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed Planned Unit Development (PUD) plan is in compliance with Title 24-205(c) and therefore, recommends approval. Commissioner Franzen seconded the motion.

Motion carried 7-0.

END OF EXPEDITED AGENDA

6. Staff Report

Ms. Safarik stated there were no items for the staff report.

7. Adjournment

With no further business before the Commission, Vice Chair Briscoe adjourned the meeting at 1:24 PM.

Justin Yeater, Chair

Becky Safarik, Secretary

PLANNING COMMISSION SUMMARY

ITEMS: Rezone from C-H (Commercial High Intensity) to PUD (Planned Unit Development), and a PUD Plan

FILE NUMBER: PUD2022-0002 & ZON2022-0014

PROJECT: Colorado Premium PUD

LOCATION: 2400 29th Street

APPLICANT: Doug Kayl on behalf of K2D Inc., dba Colorado Premium Foods

CASE PLANNER: Kristin Cote, Planner III

PLANNING COMMISSION HEARING DATE: October 11, 2022

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-205(c) and 24-204(b) of the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request to rezone approximately 19.995 acres of property from Commercial High Intensity (C-H) to Planned Unit Development (PUD) and to establish a PUD Plan. The property is located at 2400 29th Street west of 23rd Avenue and south of 29th Street.

A. REQUEST

This request is for the approval of a planned unit development and rezoning on the above-described property. The proposed PUD would allow for all C-H uses and the use of manufacturing food and beverage on this property. The applicant (Colorado Premium Foods) is a high-volume manufacturer of custom beef, pork, and chicken consumer ready protein products for U.S. retailers, restaurant chains, and food service companies. Colorado Premium is not a slaughter operation and would not be allowed to slaughter on this site. The applicant purchases bulk proteins from large beef, pork, and chicken slaughter operations across the country. They then offer customers two different process options based on the product specification requirements.

The existing building footprint would initially provide approximately 35,000 square feet of office, employee welfare, and food grade production space in the existing approximately 172,520 square foot building that also contains an existing telemarketing tenant. Colorado Premiums’ plan is to grow into the existing footprint and eventually expand the facility to an estimated 100,000 square feet of commercial food production space. The facility would have approximately 120 full-time employees. The majority of the employees would be in production, shipping, and support. Over

time, the applicant intends to change operations from one shift into a second shift. A smaller maintenance staff of approximately 14 employees would work proportionately across three standard shifts for maintenance and repair duties. Ultimately, the facility would have approximately 300 full-time employees, following the same skill allocation and shift disbursement to support two shifts of production and shipping and three shifts of maintenance. Density. All uses proposed as part of this Planned Unit Development are those allowed in the Commercial High Density, according to the Greeley Development Code. In addition, to the commercial uses, the applicant would request to add Food and Beverage – Major and Warehouse/Storage – Limited & General to Planning Area 3 (*Attachment C – Planned Unit Development document*).

B. STAFF RECOMMENDATION

Approval

C. LOCATION **Abutting Zoning/Land Use:**

North: C-H / hotel

South: C-H / big box retailer

East: C-H / commercial retailer

West: C-H and C-L / warehouse storage and vacant undeveloped land

Site Characteristics:

The site currently has a predominantly vacant former retail store on site and a large parking lot.

D. BACKGROUND

The subject property was annexed into the city as part of the Gallery Green annexation in 1975 (Recordation No. 1652285), which consisted of an area of approximately 67.90 acres. A rezone of Commercial High Intensity was established on this property in approximately the late 1980's. In 1979, a Street and Easement Dedication Plat for Gallery Green was recorded (Recordation No. 1713117). In 1994, a big box retail development was established on this property. The business ceased operations in 2008, and the property has had several tenants since then

APPROVAL CRITERIA

Standards for Rezoning (ZON2022-0014):

In reaching recommendations and decisions as to rezoning land, the Planning Commission and the City Council shall apply the review criteria established in Section 24-204(b) of the Development Code:

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

Staff Comment: The subject property is identified in the Comprehensive Plan for neighborhood commercial. This rezoning to PUD implements all Commercial High Intensity Uses and adds the allowance for Manufacturing Food and Beverage – Major and Warehouse/Storage –

Limited & General. This rezone would allow a commercial tenant to utilize an existing space in an area that is predominantly utilized for commercial purposes.

The request complies with this criterion.

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

Staff Comment: The proposed rezone to PUD with the allowance for Commercial High Intensity Uses would fulfill the intent of the surrounding zoning districts, which are Commercial High Intensity to the north, east, northwest, and south, with a small area of Commercial Low Intensity to the southwest. The use proposed fulfills the intent of the zoning district given the fact that if this site were smaller, less than three acres, this use would be considered a minor use and would be permitted in a C-H zone. The actual use itself, while classified as a “major” use has limited potential to cause any effect on the surrounding area. While the area is Commercially zoned, to the west of this site is an existing warehousing/storage facility, which is a use that is also permitted in an Industrial zone thus contributing to the overall compatibility of this use.

The request complies with this criterion.

3. Whether the area changed or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area.

Staff Comment: The rezone would help support the use of vacant retail space within an existing commercial corridor and quasi-industrial uses.

This request complies with this criterion.

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

Staff Comment: The existing zoning has been in place for a substantial period of time and is appropriate for the area. The rezone to PUD allows for the addition of Manufacturing Food and Beverage – Major and Warehouse/Storage – Limited & General use, which is complimentary to the zone.

This criterion is not applicable.

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

Staff Comment: The proposed site overall will change very little with this development. The site itself will only be modernized and brought into alignment with current development standards.

The request complies with this criterion.

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

Staff Comment: Existing City water and sewer utilities currently service this property.

The request complies with this criterion.

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

Staff Comment: The proposed rezoning would allow the applicant to make use of an existing vacant building, enabling the use to complement the existing Commercial High Intensity zone district with a business that fits the character of the area. As stated previously, if this property were smaller in size, this use proposed would be permitted in its current zone district.

The request complies with this criterion.

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

Staff Comment: No negative impacts are anticipated upon the area or adjacent properties. The food processing that is proposed to occur on site is not anticipated to cause any noticeable smells or generate waste that would negatively impact the surrounding area. There would be no animal care or slaughtering of animals allowed on-site. There would be no expected vibrations caused by this operation. This project would also remove a significantly sized deteriorating retail space from the community.

A Traffic Impact Study was submitted with this application. In accordance with that study, the intersections within the study area currently operate at overall accepted levels of service or better during the weekday AM and PM peak hours. Under total future 2025 and 2030 traffic conditions, with development of this site as proposed, the signalized and unsignalized intersections would operate at accepted levels of service.

The request complies with this criterion.

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

Staff Comment: Staff and referral agencies have reviewed the rezoning request and have no concerns at this time. Further analysis would be conducted at the time of the site plan, as applicable. Development plans would be required to meet the design criteria established under the Development Code.

The request complies with this criterion.

Standards for Planned Unit Developments (PUD2022-0002):

In reaching recommendations and decisions as approval of Planned Unit Developments, the Planning Commission and the City Council shall apply the review criteria established in Section 24-205(c) of the Development Code:

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

The following Comprehensive Plan goals are met with this PUD proposal:

- GC-2.2: Jobs/Housing Balance.
 - Support zoning and development patterns that expand opportunities for people who live in Greeley to also work in Greeley (or vice versa).
- GC-4.2: Reinvestment/Adaptive Use.
 - Encourage reinvestment in established areas of Greeley to maximize the use of existing public infrastructure. Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings through adaptive reuse.
- ED-2.7: Business Attraction.
 - Attract and retain business and industry that align with the City's target industries and support economic diversity. Support proposals to cluster or co-locate related primary businesses and industries in order to facilitate collaboration among business interests and to market such areas as magnets for capital, research talent, and high-skill manufacturing jobs.

The request complies with this criterion.

(b) **The benefits from any flexibility in the proposed plan:**

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

This proposed Planned Unit Development involves both innovative concepts that were not anticipated by the development code for a Commercial High Intensity zone and applies to a unique or specific context in a manner that allows the project to better meet the intent or design objectives of the base zoning districts and standards. Therefore, the business proposed is very compatible within the Commercial High Intensity Zone District but adds the specialty niche of integrating Manufacturing Food and Beverage – Major and Warehouse/Storage – Limited & General, which, given the operation of this business, fits cohesively into this commercial area.

The request complies with this criterion.

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

This proposed Planned Unit Development meets this criterion as detailed in letter a above.

The request complies with this criterion.

(d) **The plan meets all of the review criteria for zoning map amendments in Section 24-204.**

As per the previously detailed rezoning standards, this request is in compliance with Section 24-204, Review Criteria for Rezoning.

The request complies with this criterion.

E. PHYSICAL SITE CHARACTERISTICS

WILDLIFE

No wildlife has been identified on-site that would be impacted by this proposal.

FLOODPLAIN

The intended development area is not located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

DRAINAGE AND EROSION

The stormwater runoff from this site flows south to an existing detention pond. The detention pond was inspected and found to be compliant. Routine maintenance will be necessary to remove trees and clean debris from pond structures.

TRANSPORTATION

The property is located west of 23rd Avenue and receives primary access from 29th Street as well as existing access via 29th Street Road. Site access is being proposed via the existing two full movement accesses along 29th Street as well as the existing access via 29th Street Road. The City of Greeley Transportation Planner and Engineering Development Review have reviewed the Traffic Study and have no significant concerns at this point.

F. SERVICES

WATER

The City of Greeley provides water services to the area.

SANITATION

The City of Greeley provides sanitary services to the area. Sanitary sewer flow monitoring will be required in the 29th Street line and at the 10"/12" transition manhole in 23rd Avenue. Flow monitors shall be installed prior to the issuance of the Certificate of Substantial Completion.

EMERGENCY SERVICES

The property is served by the City of Greeley's Police and Fire Departments. Fire Station #2 is located approximately 1 mile north of the site.

G. NEIGHBORHOOD IMPACTS

VISUAL

There are no substantial proposed site changes corresponding to the request. Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

NOISE

There are no substantial proposed site changes corresponding to this request. Any potential noise created by future development would be regulated by the Municipal Code.

H. PUBLIC NOTICE AND COMMENT

Notices were mailed as per Greeley Municipal Code on September 20, 2022, and a notice was published on the City's website per Development Code requirements. A sign was posted on the site on September 20, 2022, by the applicant as per City requirements. A neighborhood meeting was held on September 8, 2022. One neighboring property owner attended this meeting and had questions regarding the business operations but, did not express any concerns with said PUD or rezoning. As of the finalization of this report, no comments have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION (ZON2022-0014)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-H (Commercial High Density (C-H) to Planned Unit Development (PUD) is in compliance with Title 24-204(b) and therefore, recommends approval.

ALTERNATIVE MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-H (Commercial High Density (C-H) to Planned Unit Development (PUD) is not in compliance with Title 24-204(b) and therefore, recommends denial.

PLANNING COMMISSION RECOMMENDED MOTION (PUD2022-0002)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Planned Unit Development (PUD) plan is in compliance with Title24-205(c) and therefore, recommends approval.

ALTERNATIVE MOTION

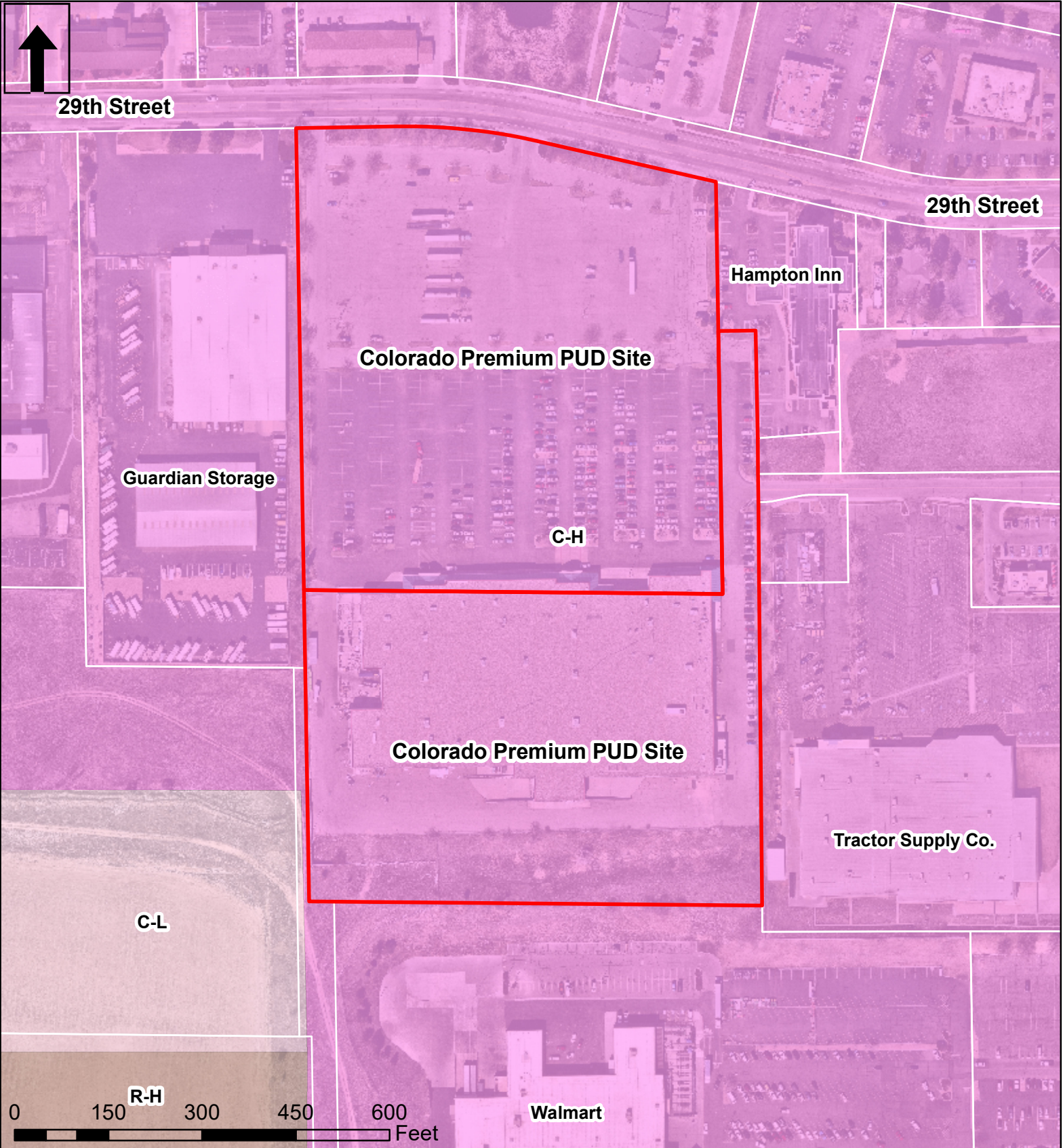
Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Planned Unit Development (PUD) plan is not in compliance with Title24-205(c) and therefore, recommends denial.

ATTACHMENTS

Attachment A – Zoning/Vicinity Map

Attachment B – Project Narrative

Attachment C – Planned Unit Development document



- | | | | |
|------------------------------|---------------------------|-----------------------------|----------------------------|
| Colorado Premium Site Zoning | Conservation District** | Industrial Low Intensity | Residential Low Density |
| Greeley Parcels | 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 | |

Colorado Premium PUD

Submittal 3

PUD2022-0002

August 9, 2022

Project Narrative

Size: The existing footprint will initially provide approximately 35,000 square feet of office, employee welfare, and food grade productions space in the existing approximately 172,520 sf building that also contains an existing telecommunications tenant. Colorado Premium plans to grow into the existing footprint and take the facility to an estimated 100,000 square feet of commercial food production space.

Scale: The facility will see approximately 120 fulltime employees. A majority of these would be production/shipping/support employees, evenly dispersed across a standard industry first and second shifts. A smaller maintenance staff of approximately 14 employees would work proportionately across three standard shifts for maintenance and repair duties. Ultimately, the facility would see approximately 300 fulltime employees, following the same skill allocation and shift disbursement to support two shifts of production/shipping and three shifts of maintenance.

Density: This project will use the existing footprint of an existing defunct and deteriorating retail space and its adjoining parking lots. There will be no need for additional earthwork, nor will it displace neighboring properties. The facility fits adequately on the property and within the surrounding area.

Design: This project represents the redesign and conversion of a large, abandoned commercial retail space into an industrial food processing facility (Manufacturing - Food & Beverage Major and Warehouse / Storage – Limited & General allowed uses). This will involve the installation of new industrial processing equipment. The food processing that will occur on site will not cause any noticeable smells or waste that would negatively impact the surrounding area. There will be no animal care or slaughtering of animals allowed on-site. This project also removes a significantly sized defunct and deteriorating retail space and replaces it with a vibrant option that provides customers, taxes, and revenue opportunities to the community.

Compatibility with Surrounding Area: This project is highly compatible with the surrounding mixed-use C-H area. Retail and restaurants benefit from the additional customer traffic to the area, convenience hotels benefit from our high customer interactions, and the area overall benefits from the occupation of a currently vacant space. Residential elements close to the area enjoy the convenience of well-paying, light industrial job opportunities that offer comprehensive benefits. The existing building height and size are similar to several of the directly neighboring buildings and fit nicely into the landscape of the surrounding buildings.

Other Pertinent Operating Information: Colorado Premium is a high-volume, state of the art manufacturer of custom beef, pork, and chicken consumer ready protein products for major U.S retailers, restaurant chains, and food service companies. Colorado Premium is not a slaughter operation. Rather, Colorado Premium purchases large primal or bulk proteins from large beef, pork, and chicken slaughter operations across the country. They then offer customers two different process options based on the customer's product specification requirements. The first process involves reducing the purchased primal proteins to the customer cut specifications, marinating the product to the customer proprietary recipes, and packaging the finished product as specified. The second process option involves a sous vide process. Sous

vide, (French for 'under vacuum'), also known as low temperature long time (LTLT) cooking, is a method of cooking in which food is placed in (a vacuum-sealing pouch and cooked in a to a very precise temperature water bath for longer than usual cooking times at a precisely regulated temperature. The intent is to cook the item evenly, ensuring that the product is properly cooked without overcooking the outside, and to retain moisture. Similar to the first process, Colorado Premium portions and marinades the chosen protein before the sous vide process, then cook the protein, and package the finished product as the customer specifies. The aforementioned processes will not create a negative impact on the surrounding areas with noticeable smells, waste, or noise. As previously mentioned, the proposed food processing facility will benefit the surrounding area with a new revenue source, the revitalization of a vacant property, and multiple customer and career opportunities.

Consistency with the Comprehensive Plan: This PUD would allow for greater consistency and better implementation of the Comprehensive Plan by allowing a user that will bring economic growth, increase the tax base, provide jobs and more economic opportunities to the community, promotes redevelopment / infill development, and allows for the revitalization of an abandoned property. It would also allow for a use that has less of an impact on the local traffic and infrastructure than the highest current C-H uses allow for. This PUD will provide a user that will improve and maintain the open space, landscaping, and detention pond in accordance with the proposed standards which will improve upon a site that is currently unmaintained and does not meet the current standards of the City. This PUD will be a low impact development.

Flexibility: The flexibility in the proposed plan will allow for more opportunities to revitalize and develop a currently abandoned building. This PUD makes the site more attractive to potential users, increases the opportunity for improving the aesthetics and cleanliness of the area, and provide more opportunities for the local community to have access to well paying, local jobs. There are also two planning areas proposed to remain zoned C-H to allow for buffering between the newly proposed uses and the surrounding C-H zones. This will also allow for greater flexibility in the potential development of this PUD.

General Public Health, Safety, and Welfare of the Community: This project will promote the general health, safety, and welfare of the community through revitalizing an abandoned building, redeveloping an existing property, allowing an occupant with a rich history in the community to improve the exiting condition of the site, and provide a user who will maintain the improvements of the property. It will also provide a greater tax base, job opportunities, and overall economic improvement to the underutilized area.

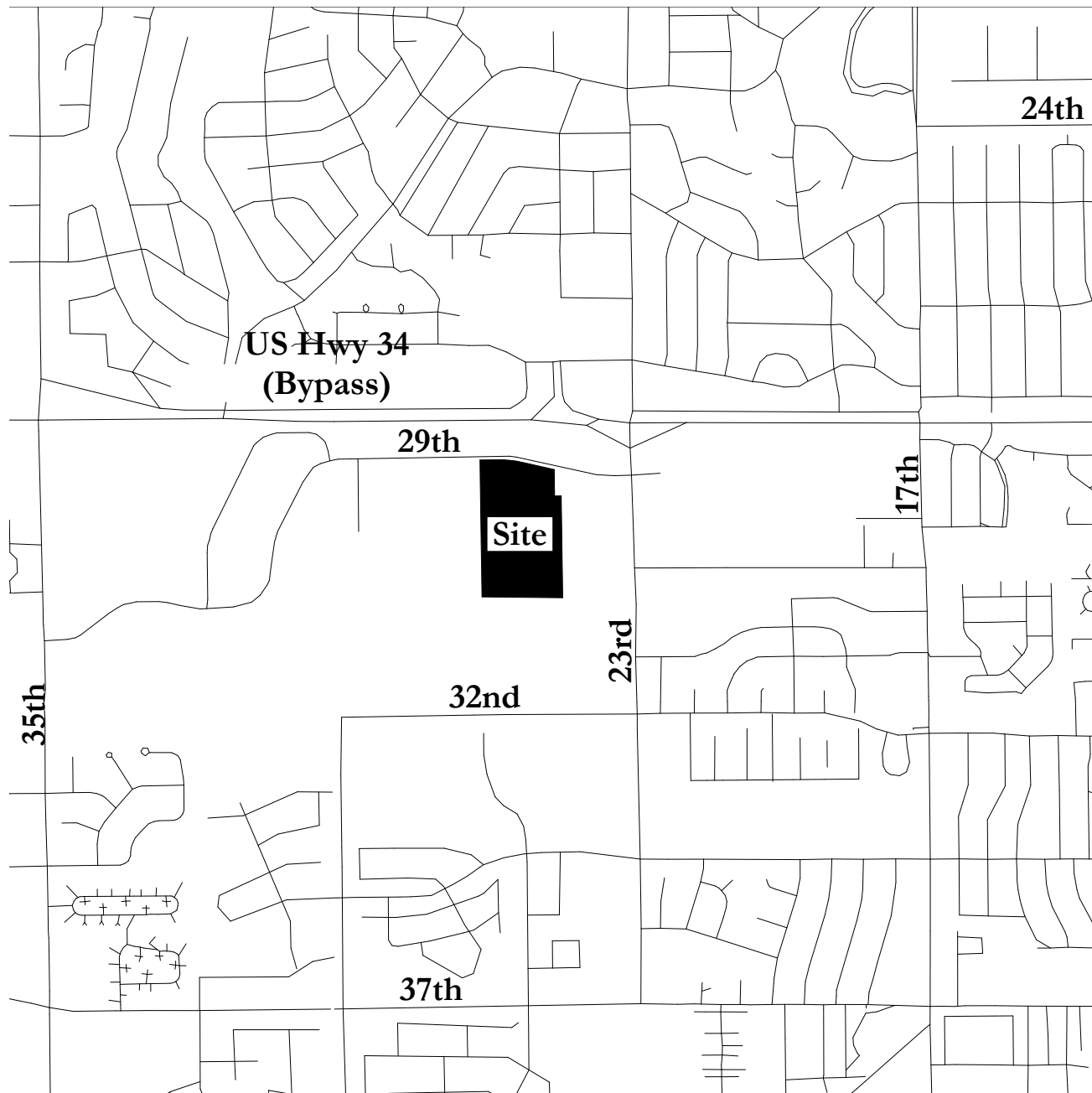
Meeting the Intent or Design Objectives of the Base Zoning Districts and Standards: Under the current zoning the majority of the existing property is abandoned and unkept due to a lack of users looking to fill the space. (There is a telemarketing company using part of the building.) This PUD will allow for new uses that broadens the marketability for keeping the property developed while still maintaining the integrity of the uses in the area and fitting with the context of the neighborhood. It will allow for the redevelopment and infill of an existing property with a user that will bring the site up into compliance with the proposed standards.

Goals and Objectives of the Comprehensive Plan: This PUD reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area. As stated previously, this project promotes the infill / redevelopment of an existing abandoned property, enhances the economic opportunities for the community, improves the natural landscape of the

existing property, is a low impact development, and expands the opportunities and well-being of the occupants in the surrounding area.

Review Criteria in Section 24-204: The proposed plan meets all the review criteria for zoning map amendments found in Section 24-204 of the City of Greeley's Development Code. This PUD is in accordance with the goals and objectives of the Comprehensive Plan and fulfills the intent of the zoning district in consideration of the relationship to surrounding areas, as stated above. The area of the proposed PUD already allows for a variety of uses similar to the proposed uses allowed with this PUD so the proposed plan fits within the context of the surrounding areas. The existing zoning has been in place for a substantial time without development and would be revitalized with the approval of this PUD. The proposed plan enables development similar in scale, format, and size with the neighboring areas which makes it a compatible and complimentary plan. The City of Greeley and other agencies have the ability to provide all the services and / or facilities that may be necessary for anticipated uses in this PUD. This PUD will allow the redevelopment and infill of this abandoned property that is not possible under the current zoning. All reasonably anticipated negative impacts on the area or adjacent property will be mitigated and the broader public benefits to the surrounding community far outweigh any potential negative impacts. Finally, with the recommendations of professional staff or advisory review bodies, the approval of this PUD will greatly improve the condition and future of the existing site.

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
19.995 ACRES
PROJECT NUMBER: PUD2022-0002



LEGAL DESCRIPTION

A: A PARCEL OF LAND BEING A PART OF TRACT 3 OF GALLERY GREEN ANNEXATION (GGA) TO THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AS RECORDED JANUARY 17, 1975 IN BOOK 730 UNDER RECEPTION NO. 1652285 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER (WCCR), AND BEING PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-FOUR (24);

B: A PARCEL OF LAND BEING PART OF THE NE1/4 OF SAID SECTION 24:

ALL IN TOWNSHIP FIVE NORTH (T.5N), RANGE SIXTY-SIX WEST (R.66W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 13/24 - T.5N. - R.66W. AND SECTIONS 18/19 - T.5N. - R.66W. AS MONUMENTED BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED MCRAE & SHORT LS 7242 WITH THE QUARTER CORNER COMMON TO SECTION 24 - T.5N. - R.66W. AND SECTION 19 - T.5N. - R.66W. AS MONUMENTED BY A FOUND STANDARD BLM TYPE MONUMENT WITH ALUMINUM CAP STAMPED JONES LS 22098 TO BEAR SOUTH 00°00'20" WEST, AS PLATTED WITHIN SAID GGA, A DISTANCE OF 2,661.00 FEET WITH ALL OF THE BEARINGS CONTAINED HEREIN RELATIVE THERETO:

- #1: THENCE SOUTH 00°00'20" WEST ALONG THE EAST LINE OF SAID NE1/4, ALSO BEING THE EAST LINE OF SAID GGA A DISTANCE OF 688.18 FEET (CALCULATED (CALC.)) (RECORDED (REC.) 688.26 FEET) TO THE SOUTHEAST CORNER (SE COR) OF TRACT 5 OF SAID GGA. SAID POINT BEING UNMONUMENTED;
#2: THENCE DEPARTING SAID EAST LINE NORTH 89°53'01" WEST (REC. NORTH 89°53'40" WEST) ALONG THE SOUTH LINE OF TRACT 5 AND 3 OF SAID GGA, A DISTANCE OF 610.77 FEET (REC. 610.67) TO A POINT BEING MONUMENTED BY A SET 24" OF #4 REBAR WITH YELLOW PLASTIC CAP STAMPED JONES LS 22098, SAID MONUMENT TYPE (MT) HEREINAFTER REFERRED TO AS MT#1, SAID POINT BEING THE NORTHWEST CORNER (NW COR) OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 708 AS RECEPTION NO. 1630275 AS RECORDED FEBRUARY 14, 1974 IN THE RECORDS OF THE WCCR, AND BEING THE TRUE POINT OF BEGINNING OF SAID PARCEL, DESCRIPTION;
#3: THENCE SOUTH 00°03'03" EAST (REC. SOUTH 00°02'03" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF 179.83 FEET (REC. 180.00 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED NUL LS 19617, SAID POINT BEING THE SOUTHWEST CORNER (SW COR) OF SAID PARCEL, AND ALSO BEING THE MOST WESTERLY AND NORTHERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1104 AS RECEPTION NO. 02044411 AS RECORDED FEBRUARY 27, 1986 IN THE RECORDS OF THE WCCR;
#4: THENCE SOUTH 00°02'24" EAST (REC. SOUTH 00°01'48" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND A DISTANCE OF 741.37 FEET (REC. 740.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED LS 14966 TO A POINT BEING THE MOST NORTHERLY AND EASTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1417 AS RECEPTION NO. 02365063 AS RECORDED DECEMBER 21, 1993 IN THE RECORDS OF THE WCCR;
#5: THENCE NORTH 88°37'26" WEST (REC. NORTH 88°36'39" WEST) ALONG THE NORTH LINE OF SAID PARCEL OF LAND A DISTANCE OF 729.58 FEET (REC. 729.43 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED CLC LS 24966, SAID POINT BEING ON THE EASTERLY LINE OF GALLERY GREEN FOURTH ANNEXATION (GG4A) AS RECORDED FEBRUARY 24, 1987 IN BOOK 1147 AS RECEPTION NO. 02085935 OF THE RECORDS OF THE WCCR;
#6: THENCE NORTH 00°06'24" WEST (REC. NORTH 00°05'27" WEST) ALONG THE EASTERLY LINE OF SAID GG4A A DISTANCE OF 498.33 FEET (CALC. 497.99) FEET TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED 16415, SAID POINT BEING THE NORTHEAST CORNER OF SAID GG4A, AND ALSO BEING THE SOUTHWEST CORNER OF TRACT 3 OF SAID GGA AND BEING ON THE SOUTH LINE OF SAID GGA;
#7: THENCE NORTH 00°04'12" WEST (REC. NORTH 00°05'27" WEST) ON A LINE BEING THE WESTERLY LINE OF SAID TRACT 3 A DISTANCE OF 739.77 FEET (REC. 739.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED FLATRONS LS 16406, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY (ROW) LINE OF 29TH STREET AS DEDICATED IN THAT DOCUMENT AS RECORDED MARCH 8, 1977 IN BOOK 791 AS RECEPTION NO. 1713117 OF THE RECORDS OF THE WCCR; THENCE ALONG THE SOUTHERLY ROW LINE OF SAID 29TH STREET BY THE FOLLOWING THREE (3) COURSES AND DISTANCES:
#8: NORTH 89°50'33" EAST (REC. NORTH 89°51'14" EAST A DISTANCE OF 158.07 FEET (REC. 157.99 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED RLS 4845, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE (REC. AS A TANGENT CURVE);
#9: ALONG THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH A DISTANCE OF 229.98 FEET (REC. 230.38 FEET), WHOSE DELTA IS 13°43'34" (REC. 13°45'00"), WHOSE RADIUS IS 960.00 FEET (CALC. & REC.), AND WHOSE LONG CHORD BEARS SOUTH 83°17'33" EAST (REC. SOUTH 83°16'16" EAST) A DISTANCE OF 229.43 FEET (REC. 229.83 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR, SAID POINT BEING THE END OF SAID NON-TANGENT CURVE;
#10: SOUTH 76°24'04" EAST (REC. SOUTH 76°23'46" EAST) A DISTANCE OF 292.90 FEET (CALC. 292.72 FEET) TO A POINT BEING MONUMENTED BY AMT#1;
#11: THENCE SOUTH 00°02'30" EAST A DISTANCE OF 239.08 FEET (CALC. 239.18 FEET) TO A POINT BEING MONUMENTED BY MT#1, SAID POINT BEING ON THE SOUTH LINE OF THE AFORESAID TRACT 3;
#12: THENCE SOUTH 89°53'01" EAST (REC. SOUTH 89°53'40" EAST) ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 59.73 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO.

SAID DESCRIBED PARCEL CONTAINS 870, 966 SQUARE FEET OR 19.995 ACRES, MOORE OR LESS (+ OR -)

PLANNED UNIT DEVELOPMENT STANDARD NOTES:

- 1. APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
2. SIGNAGE SHOWN ON THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY. A SEPARATE SIGN PERMIT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
3. ALL EXISTING AND PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
4. NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE UNLESS THE PROPERTY HAS BEEN PLATTED IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS (CHAPTER 3).
5. ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.

PLANNED UNIT DEVELOPMENT CERTIFICATION BLOCK

THIS PLANNED UNIT DEVELOPMENT (PUD) HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH THE CITY OF GREELEY DEVELOPMENT CODE REGULATIONS.

JKL Development LLC

By: (Kevin LaFleur)

Title:

Date:

ATTEST: (if corporation)

Secretary/Treasurer

COMMUNITY DEVELOPMENT DIRECTOR

Director of Community Development Date

PLANNING COMMISSION RECOMMENDATION

Recommended / not recommended by the City of Greeley Planning Commission, this ___ day of ___, 20__.

CITY COUNCIL APPROVAL

Approved by the Greeley City Council on this ___ day of ___, 20__.

INTENT STATEMENT:

THE INTENT OF THIS PUD IS TO ALLOW THE USER TO CONDUCT A MANUFACTURING FOOD & BEVERAGE MAJOR USE IN THE VACANT FORMER K MART BUILDING. THIS PROPOSED FACILITY WILL BRING NEW LIFE TO A CURRENTLY DETERIORATING AND EMPTY BUILDING AND LOT, PROVIDE SEVERAL HUNDRED NEW JOBS TO THE AREA, ADDED TAX REVENUE FOR THE CITY, AND ALLOW THE EXPANSION OF A PROMINENT LOCAL BUSINESS TO GROW IN THE COMMUNITY.

THE PROJECT IS PROPOSING TO ALLOW MANUFACTURING FOOD AND BEVERAGE MAJOR (3+ ACRES), WAREHOUSE / STORAGE - LIMITED & GENERAL, AND ALL C-H USES AND ALLOWANCES IN PA-3 ONLY. PA-1 AND PA-2 ARE PROPOSED TO REMAIN ALLOWABLE FOR C-H USES PER THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED. THERE ARE NO CURRENT PLANS FOR RETAIL OPERATION ON THE SITE, BUT THE PUD IS INTENDED TO ALLOW FOR FUTURE RETAIL OPERATIONS PER CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED.

THERE ARE NO REQUIRED IMPROVEMENTS OR COMMITMENTS FOR THIS PUD APPLICATION SO A STATEMENT OF COMMITMENTS SHEET HAS NOT BEEN INCLUDED IN THIS PLAN SET.

Table with 6 columns: PLANNING AREA, USE, TOTAL ACRES, AMOUNT OF COMMERCIAL / INDUSTRIAL, DENSITY, ACRES %. Rows include PA-1, PA-2, PA-3, and TOTAL.



VICINITY MAP- 2400 W 29TH 1:8,800

APPLICANT: DOUG KAYL 2035 2ND AVE GREELEY, CO 80631 970.313.4400

PROPERTY OWNER: JKL DEVELOPMENT LLC 4051 ROARING FORK DR LOVELAND, CO 80538 970.669.9499

ARCHITECT: studio | R.E.D., p.c. 1703 61ST AVE, SUITE 101 GREELEY, CO 80634 970.515.6675 970.556.8869 (CELL) CO LICENSE #402739

SURVEYOR: KING SURVEYORS 650 E GARDEN DR WINDSOR, CO 80550 970.686.5011 CO LICENSE #38105

TRAFFIC ENGINEER: Galloway 6162 S WILLOW DR, SUITE 320 GREENWOOD VILLAGE, CO 80111 303.770.8884 203.641.6879 (CELL) CO LICENSE #0053042

FOR REVIEW

Table with 3 columns: No., Description, Date. Rows 1-3 showing PUD - ROUND 1, 2, and 3 with dates 2022-03-28, 2022-07-13, and 2022-08-09.

Project number 20-19 Date 2022-08-09 Drawn by KAS / RLD Checked by RLD

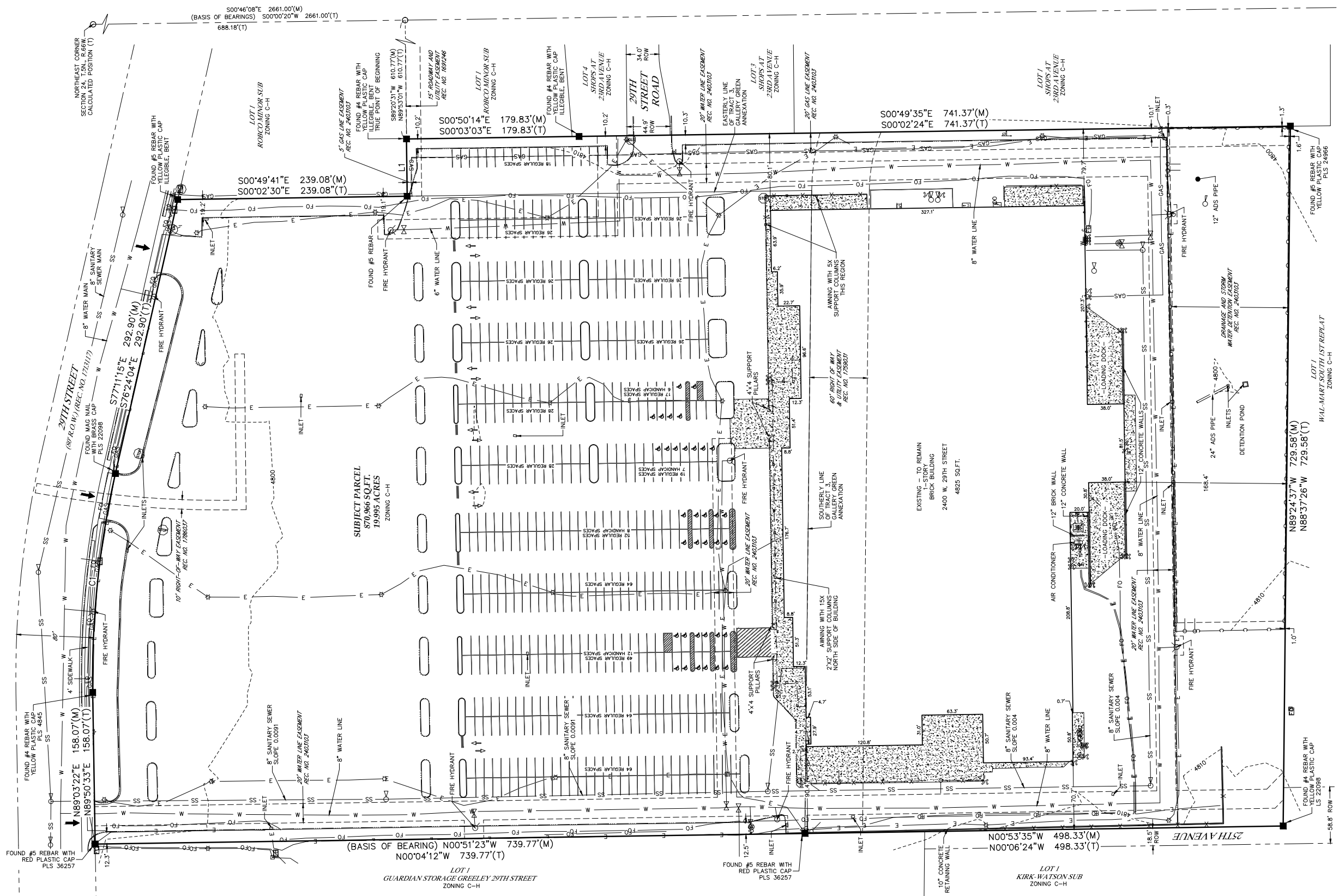
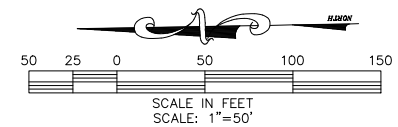
COVER SHEET / PAGE 1 OF

SHEET INDEX table listing page numbers for COVER SHEET, EXISTING CONDITIONS MAP, MASTER DEVELOPMENT PLAN, and DETAIL PLANS.

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
 OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
 NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 19.995 ACRES
 PROJECT NUMBER: PUD2022-0002

LINE TABLE		
LINE	BEARING	LENGTH
L1(M)	N89°19'48"E	59.73'
L1(T)	S89°53'01"E	59.73'

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CH BEARING
C1(M)	229.98'	960.00'	13°43'33"	S84°04'51"E
C1(T)	229.98'	960.00'	13°43'34"	S83°17'33"E



LEGEND

	FLOWLINE
	CHAIN LINK FENCE
	FENCE LINE
	GUARD RAIL
	PIPE
	FIBER OPTIC LINE
	GAS LINE
	WATER LINE
	UNDERGROUND POWER LINE
	EASEMENT LINE
	SECTION LINE
	RIGHT-OF-WAY LINE
	PROPERTY LINE
	FOUND MONUMENT AS DESCRIBED
	CALCULATED POSITION
	EXISTING ACCESS POINT
	MEASURED
	TITLE COMMITMENT LAND DESCRIPTION
	AIR CONDITIONER UNIT
	CABLE TV PEDESTAL
	DRAINAGE MANHOLE
	ELECTRIC BOX
	ELECTRIC METER
	LIGHT POLE
	FIBER OPTIC VAULT
	FIBER OPTIC MARKER
	TELEPHONE PEDESTAL
	GAS SERVICE
	GAS MARKER
	SANITARY MANHOLE
	CLEAN OUT
	STEEL POST
	FIRE HYDRANT
	WATER VALVE
	WATER SHUTOFF
	WATER METER

APPLICANT:
DOUG KAYL

2035 2ND AVE
GREELEY, CO 80631
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PROPERTY OWNER:
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GREENWOOD VILLAGE, CO 80111
303.770.8884
203.641.6879 (CELL)

FOR REVIEW

No.	Description	Date
1	PUD - ROUND 1	2022-03-28
2	PUD - ROUND 2	2022-07-07

Project number	20-19
Date	2022-08-09
Drawn by	RLD / KAS
Checked by	RLD

Project number 20-19
Date 2022-08-09
Drawn by RLD / KAS
Checked by RLD

EXISTING CONDITIONS MAP
/ PA Page 196

Scale

PROPERTY DESC: **Item No. 18.**

A: A PARCEL OF LAND BEING PART OF THE NE1/4 OF SAID SECTION 24; GALLERY GREEN ANNEXATION (GGA) TO THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AS RECORDED JANUARY 17, 1975 IN BOOK 730 UNDER RECEPTION NO. 1652285 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER (WCOR), AND BEING PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-FOUR (24);

B: A PARCEL OF LAND BEING PART OF THE NE1/4 OF SAID SECTION 24;

ALL IN TOWNSHIP FIVE NORTH (T.5N), RANGE SIXTY-SIX WEST (R.66W) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 1324 - T.5N - R.66W, AND SECTIONS 1819 - T.5N - R.66W AS MONUMENTED BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED MCRAE & SHORT LS 7242 WITH THE QUARTER CORNER COMMON TO SECTION 24 - T.5N - R.66W, AND SECTION 19 - T.5N - R.66W, AS MONUMENTED BY A FOUND STANDARD BLM TYPE MONUMENT WITH ALUMINUM CAP STAMPED JONES LS 22098 TO BEAR SOUTH 00°00'20" WEST, AS PLATTED WITHIN SAID GGA, A DISTANCE OF 2,661.00 FEET WITH ALL OF THE BEARINGS CONTAINED HEREIN RELATIVE THERETO;

#1: THENCE SOUTH 00°00'20" WEST ALONG THE EAST LINE OF SAID NE1/4, ALSO BEING THE EAST LINE OF SAID GGA A DISTANCE OF 688.18 FEET (CALCULATED (CALC.)) (RECORDED (REC.) 688.26 FEET) TO THE SOUTHEAST CORNER (SE COR.) OF TRACT 5 OF SAID GGA, SAID POINT BEING UNMONUMENTED;

#2: THENCE DEPARTING SAID EAST LINE NORTH 89°53'01" WEST (REC. NORTH 89°54'00" WEST) ALONG THE SOUTH LINE OF TRACTS 5 AND 3 OF SAID GGA, A DISTANCE OF 610.77 FEET (REC. 610.67) TO A POINT BEING MONUMENTED BY A SET 24" OF #4 REBAR WITH YELLOW PLASTIC CAP STAMPED JONES LS 22098, SAID MONUMENT TYPE (MT) HEREINAFTER REFERRED TOO AS MT#1, SAID POINT BEING THE NORTHWEST CORNER (NW COR.) OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 708 AS RECEPTION NO. 1630275 AS RECORDED FEBRUARY 14, 1974 IN THE RECORDS OF THE WCOR, AND BEING THE TRUE POINT OF BEGINNING OF SAID PARCEL DESCRIPTION;

#3: THENCE SOUTH 00°03'03" EAST (REC. SOUTH 00°02'03" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 179.83 FEET (REC. 180.00 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED NUL LS 19617, SAID POINT BEING THE SOUTHWEST CORNER (SW COR.) OF SAID PARCEL, AND ALSO BEING THE MOST WESTERLY AND NORTHERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1104 AS RECEPTION NO. 02044411 AS RECORDED FEBRUARY 27, 1986 IN THE RECORDS OF THE WCOR;

#4: THENCE SOUTH 00°02'24" EAST (REC. SOUTH 00°14'49" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND A DISTANCE OF 741.37 FEET (REC. 740.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED LS 14086 TO A POINT BEING THE MOST NORTHERLY AND EASTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1417 AS RECEPTION NO. 02365063 AS RECORDED DECEMBER 21, 1993 IN THE RECORDS OF THE WCOR;

#5: THENCE NORTH 89°37'20" WEST (REC. NORTH 89°38'39" WEST) ALONG THE NORTH LINE OF SAID PARCEL OF LAND A DISTANCE OF 729.98 FEET (REC. 729.43 FEET) TO A POINT BEING MONUMENTED BY A FOUND # 4 REBAR WITH YELLOW PLASTIC CAP STAMPED CLC LS 24866, SAID POINT BEING ON THE EASTERLY LINE OF GALLERY GREEN FOURTH ANNEXATION (GG4A) AS RECORDED FEBRUARY 24, 1987 IN BOOK 1147 AS RECEPTION NO. 02089393 OF THE RECORDS OF THE WCOR;

#6: THENCE NORTH 00°06'24" WEST (REC. NORTH 00°05'27" WEST) ALONG THE EASTERLY LINE OF SAID GG4A A DISTANCE OF 498.33 FEET (CALC. 497.99) FEET TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED 18415, SAID POINT BEING THE NORTHEAST CORNER OF SAID GG4A, AND ALSO BEING THE SOUTHWEST CORNER OF TRACT 3 OF SAID GGA AND BEING ON THE SOUTH LINE OF SAID GGA;

#7: THENCE NORTH 00°04'12" WEST (REC. NORTH 00°05'27" WEST) ON A LINE BEING THE WESTERLY LINE OF SAID TRACT 3 A DISTANCE OF 739.77 FEET (REC. 739.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED FLATIRON LS 16406, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY (ROW) LINE OF 29TH STREET AS DEDICATED IN THAT DOCUMENT AS RECORDED MARCH 8, 1977 IN BOOK 791 AS RECEPTION NO. 1713117 OF THE RECORDS OF THE WCOR, THENCE ALONG THE SOUTHERLY ROW LINE OF SAID 29TH STREET BY THE FOLLOWING THREE (3) COURSES AND DISTANCES;

#8: NORTH 89°50'33" EAST (REC. NORTH 89°51'14" EAST A DISTANCE OF 158.07 FEET (REC. 157.99 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED RLS 4845, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE (REC. AS A TANGENT CURVE);

#9: ALONG THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH A DISTANCE OF 239.88 FEET (REC. 239.38 FEET), WHOSE DELTA IS 13°43'34" (REC. 13°45'00"), WHOSE RADIUS IS 960.00 FEET (CALC. & REC.), AND WHOSE LONG CHORD BEARS SOUTH 83°17'33" EAST (REC. SOUTH 83°16'16" EAST) A DISTANCE OF 229.43 FEET (REC. 229.83 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR, SAID POINT BEING THE END OF SAID NON-TANGENT CURVE;

#10: SOUTH 76°24'04" EAST (REC. SOUTH 76°23'46" EAST) A DISTANCE OF 292.90 FEET (CALC. 292.72 FEET) TO A POINT BEING MONUMENTED BY AMT#1;

#11: THENCE SOUTH 00°02'30" EAST A DISTANCE OF 239.08 FEET (CALC 239.18 FEET) TO A POINT BEING MONUMENTED BY MT#1, SAID POINT BEING ON THE SOUTH LINE OF THE AFORESAID TRACT 3;

#12: THENCE SOUTH 89°53'01" EAST (REC. SOUTH 89°54'00" EAST) ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 59.73 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO.

SAID DESCRIBED PARCEL CONTAINS 870, 966 SQUARE FEET OR 19.995 ACRES, MOORE OR LESS (+ OR -)

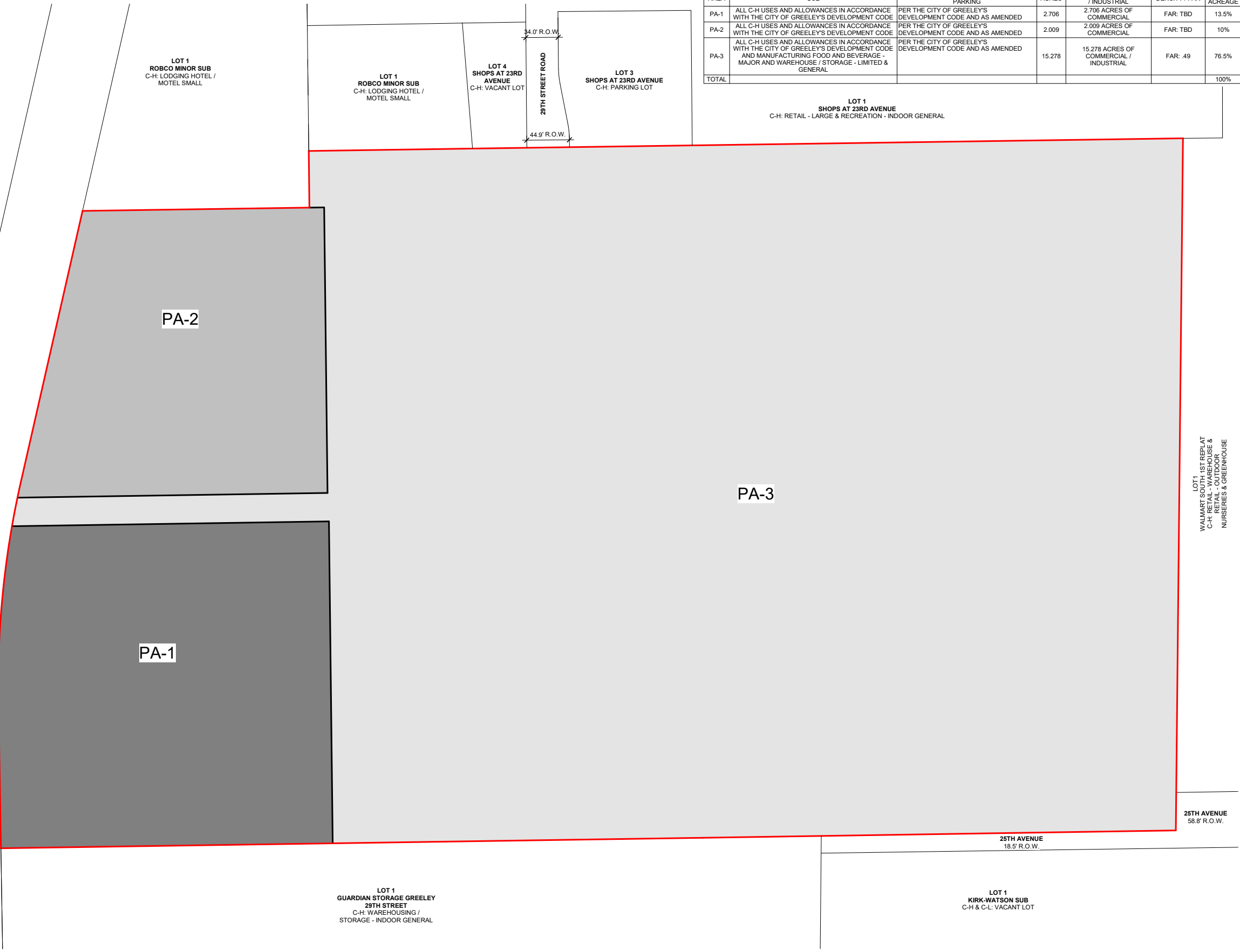
MANUFACTURING FOOD AND BEVERAGE MAJOR (2+ ACRES)
A MANUFACTURING ESTABLISHMENT PACKAGING, PRODUCING OR PROCESSING FOODS FOR HUMAN CONSUMPTION AND CERTAIN RELATED PRODUCTS AND INCLUDES, BUT IS NOT LIMITED TO THE FOLLOWING: (1) BAKERY PRODUCTS, SUGAR, AND CONFECTIONARY PRODUCTS (EXCEPT FACILITIES THAT PRODUCE GOODS ONLY FOR ON-SITE SALES AND NOT WIDER DISTRIBUTION); (2) DAIRY PRODUCTS PROCESSING; (3) FATS AND OIL PRODUCTS (NOT INCLUDING RENDERING PLANTS); (4) FRUIT AND VEGETABLE CANNING, PRESERVING AND RELATED PROCESSING; (5) GRAIN MILL PRODUCTS AND BY-PRODUCTS; (6) MEAT, POULTRY, AND FISH CANNING, CURING AND BYPRODUCT PROCESSING (NOT INCLUDING FACILITIES THAT ALSO SLAUGHTER ANIMALS); AND (7) MISCELLANEOUS FOOD PREPARATION FROM RAW PRODUCTS, INCLUDING CATERING SERVICES THAT ARE INDEPENDENT FROM FOOD STORES OR RESTAURANTS, AND AS AMENDED.

WAREHOUSE/STORAGE - INDOOR LIMITED (< 50K, UP TO 1 ACRE)
A WAREHOUSE/STORAGE USE WHERE INDIVIDUALS STORE PERSONAL PROPERTY UNITS OR SPACE LEASED OR RENTED ON A PERIODIC BASIS AND WHERE ALL STORAGE ARE ACCESSED FROM WITHIN THE PRINCIPAL BUILDING, EXAMPLES INCLUDE SMALL INDOOR SELF-STORAGE MINI-WAREHOUSES, OR SMALL COMMERCIAL WAREHOUSE, AND AS AMENDED.

WAREHOUSE/STORAGE - INDOOR/GENERAL (50K-200K; 1-5 ACRES)
A WAREHOUSE/STORAGE USE FOR BUSINESSES OR LARGER PERSONAL PRODUCTS WHERE ALL ITEMS ARE STORED INDOORS. EXAMPLES INCLUDE LARGE INDOOR SELF-STORAGE MINI-WAREHOUSE, LARGE COMMERCIAL WAREHOUSES, AND LONG-TERM GARAGES, AND AS AMENDED.

29TH STREET
80' R.O.W.

- LEGEND**
- PUD BOUNDARY AREA
 - PA-1:** C-H: ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED
 - PA-2:** C-H: ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED
 - PA-3:** C-H: ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED; MANUFACTURING FOOD AND BEVERAGE - MAJOR AND WAREHOUSE / STORAGE - LIMITED & GENERAL



LOT 1
ROBCO MINOR SUB
C-H: LODGING HOTEL /
MOTEL SMALL

LOT 1
ROBCO MINOR SUB
C-H: LODGING HOTEL /
MOTEL SMALL

LOT 4
SHOPS AT 23RD
AVENUE
C-H: VACANT LOT

LOT 3
SHOPS AT 23RD AVENUE
C-H: PARKING LOT

LOT 1
SHOPS AT 23RD AVENUE
C-H: RETAIL - LARGE & RECREATION - INDOOR GENERAL

SITE SUMMARY						
AREA	USE	PARKING	ACRES	AMOUNT OF COMMERCIAL / INDUSTRIAL	DENSITY / FAR	% OF ACREAGE
PA-1	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE	PER THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED	2.706	2.706 ACRES OF COMMERCIAL	FAR: TBD	13.5%
PA-2	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE	PER THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED	2.009	2.009 ACRES OF COMMERCIAL	FAR: TBD	10%
PA-3	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND MANUFACTURING FOOD AND BEVERAGE - MAJOR AND WAREHOUSE / STORAGE - LIMITED & GENERAL	PER THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED	15.278	15.278 ACRES OF COMMERCIAL / INDUSTRIAL	FAR: 49	76.5%
TOTAL						100%

PA-2

PA-3

PA-1

25TH AVENUE
18.5' R.O.W.

LOT 1
GUARDIAN STORAGE GREELEY
29TH STREET
C-H: WAREHOUSING /
STORAGE - INDOOR GENERAL

LOT 1
KIRK-WATSON SUB
C-H & C-L: VACANT LOT

APPLICANT:

DOUG KAYL

2035 2ND AVE
GREELEY, CO 80631
970.313.4400

PROPERTY OWNER:

JKL DEVELOPMENT LLC

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ARCHITECT:

studio | **R.E.D.** ,p.c.

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CO LICENSE #0053042

FOR REVIEW

No.	Description	Date
1	PUD - ROUND 1	2022-03-28
2	PUD - ROUND 2	2022-07-13
3	PUD - ROUND 3	2022-08-09

Project number 20-19
Date 2022-08-09
Drawn by RLD / KAS
Checked by RLD

MASTER DEVELOPMENT PLAN /
PAGE 3 OF Page 197
Scale As indicated



COLORADO PREMIUM PLANNED UNIT DEVELOPMENT

OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
19.995 ACRES
PROJECT NUMBER: PUD2022-0002

ADMINISTRATIVE PROCESS FOR VARIATIONS AND CHANGES TO PUD MASTER PLAN

THE PUD MASTER PLAN EXHIBITS AND DRAWINGS ASSOCIATED WITH THIS PUD DEMONSTRATE GENERAL LOCATIONS OF ROADS, LAND USE LOCATIONS, OPEN SPACE AREAS, AND OTHER MASTER PLAN ELEMENTS. THE LINES, NOTES, AND GRAPHICS SHOWN REPRESENT DESIGN CONCEPTS AND IDEAS THAT WILL EVOLVE AND CHANGE UNTIL FINAL BUILDOUT. UNTIL FINAL BUILDOUT OF THIS PROJECT, THIS PUD DOCUMENT WITH EXHIBITS WILL SERVE AS THE GUIDING DOCUMENT FOR THE PROJECT. WITH THE APPROVAL OF THIS PUD, SOME FLEXIBILITY WILL BE ALLOWED AS DESCRIBED IN THIS DOCUMENT AS DEFINED IN THIS SECTION.

THEREFORE, THE PROPOSED LAND USE BOUNDARIES, FINAL PARCEL BOUNDARIES (I.E. CONFIGURATIONS AND SHAPES), LOT LINES, ROAD LOCATIONS, SIGNAGE LOCATIONS, OPEN SPACE AREAS AND LOCATIONS, DENSITIES, PARCEL ACREAGES, PARCEL LINES, AND FLOOR AREA RATIOS (FARS) WILL BE ALLOWED TO CHANGE BY UP TO 30% WITHOUT THE NEED TO AMEND THIS PUD.

MANUFACTURING FOOD AND BEVERAGE MAJOR (3+ ACRES)

A MANUFACTURING ESTABLISHMENT PACKAGING, PRODUCING OR PROCESSING FOODS FOR HUMAN CONSUMPTION AND CERTAIN RELATED PRODUCTS AND INCLUDES, BUT IS NOT LIMITED TO THE FOLLOWING: (1) BAKERY PRODUCTS, SUGAR, AND CONFECTIONARY PRODUCTS (EXCEPT FACILITIES THAT PRODUCE GOODS ONLY FOR ON-SITE SALES AND NOT WIDER DISTRIBUTION); (2) DAIRY PRODUCTS PROCESSING; (3) FATS AND OIL PRODUCTS (NOT INCLUDING RENDERING PLANTS); (4) FRUIT AND VEGETABLE CANNING, PRESERVING AND RELATED PROCESSING; (5) GRAIN MILL PRODUCTS AND BY-PRODUCTS; (6) MEAT, POULTRY, AND FISH CANNING, CURING AND BY-PRODUCT PROCESSING (NOT INCLUDING FACILITIES THAT ALSO SLAUGHTER ANIMALS); AND (7) MISCELLANEOUS FOOD PREPARATION FROM RAW PRODUCTS, INCLUDING CATERING SERVICES THAT ARE INDEPENDENT FROM FOOD STORES OR RESTAURANTS, AND AS AMENDED.

WAREHOUSE/STORAGE — INDOOR LIMITED (< 50K; UP TO 1 ACRE)

A WAREHOUSE/STORAGE USE WHERE INDIVIDUALS STORE PERSONAL PROPERTY IN UNITS OR SPACE LEASED OR RENTED ON A PERIODIC BASIS AND WHERE ALL STORAGE ARE ACCESSED FROM WITHIN THE PRINCIPAL BUILDING. EXAMPLES INCLUDE SMALL INDOOR SELF-STORAGE MINI-WAREHOUSES, OR SMALL COMMERCIAL WAREHOUSE, AND AS AMENDED.

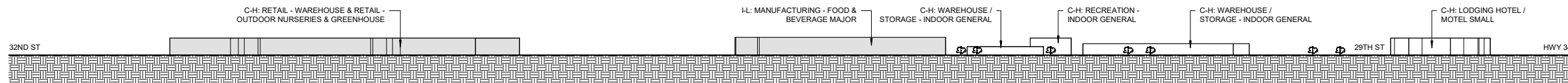
WAREHOUSE/STORAGE — INDOOR/GENERAL (50K—200K; 1—5 ACRES)

A WAREHOUSE/STORAGE USE FOR BUSINESSES OR LARGER PERSONAL PRODUCTS WHERE ALL ITEMS ARE STORED INDOORS. EXAMPLES INCLUDE LARGE INDOOR SELF-STORAGE MINI-WAREHOUSE, LARGE COMMERCIAL WAREHOUSES, AND LONG-TERM GARAGES, AND AS AMENDED.

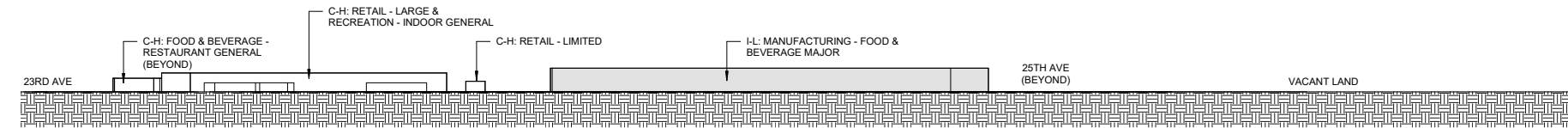
DEVELOPMENT STANDARDS	
DESCRIPTION	PROPOSED
PLANNING AREA	PA-1
PERMITTED USES	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
USES NOT ALLOWED	ALL USES AND ALLOWANCES NOT LISTED AS PERMITTED ABOVE; ANIMAL CARE AND THE SLAUGHTERING OF ANIMALS IS NOT ALLOWED.
MINIMUM LOT AREA	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
DENSITY	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
BUILDING COVERAGE	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
DRIVE, PARKING, & WALKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
OPEN SPACE	5% MIN
MAXIMUM LOT COVERAGE	95% MAX
PARKING	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
MINIMUM SETBACKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
ACCESSORY STRUCTURE SETBACKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
ENCROACHMENTS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
BUILDING HEIGHT	TBD PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
SIGN STANDARDS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
OTHER	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
PLANNING AREA	PA-2
PERMITTED USES	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
USES NOT ALLOWED	ALL USES AND ALLOWANCES NOT LISTED AS PERMITTED ABOVE; ANIMAL CARE AND THE SLAUGHTERING OF ANIMALS IS NOT ALLOWED.
MINIMUM LOT AREA	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
DENSITY	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
BUILDING COVERAGE	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
DRIVE, PARKING, & WALKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
OPEN SPACE	5% MIN
MAXIMUM LOT COVERAGE	95% MAX
PARKING	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
MINIMUM SETBACKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
ACCESSORY STRUCTURE SETBACKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
ENCROACHMENTS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
BUILDING HEIGHT	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
SIGN STANDARDS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
OTHER	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
PLANNING AREA	PA-3
PERMITTED USES	MANUFACTURING: FOOD & BEVERAGE - MAJOR, WAREHOUSE / STORAGE: LIMITED & GENERAL, AND ALL C-H USE AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
USES NOT ALLOWED	ALL USES AND ALLOWANCES NOT LISTED AS PERMITTED ABOVE; ANIMAL CARE AND THE SLAUGHTERING OF ANIMALS IS NOT ALLOWED.
MINIMUM LOT AREA	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
DENSITY	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
BUILDING COVERAGE	UP TO 50%
DRIVE, PARKING, & WALKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
OPEN SPACE	10% MIN
MAXIMUM LOT COVERAGE	90% MAX
PARKING	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
MINIMUM SETBACKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
ACCESSORY STRUCTURE SETBACKS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
ENCROACHMENTS	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
BUILDING HEIGHT	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
SIGN STANDARDS	ALL NEW SIGNS TO MEET CHAPTER 9 OF THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED
OTHER	PER THE CITY OF GREELEY'S DEVELOPMENT CODE, AND AS AMENDED

GENERAL NOTE

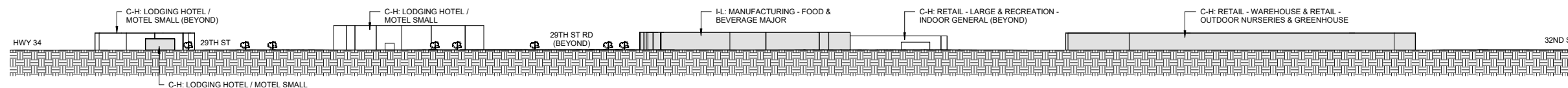
ALL SECTIONS AND BUILDING ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY. ELEVATIONS WILL BE PART OF THE SCOPE OF THE ADMINISTRATIVE SITE PLAN REVIEW AND ARE NOT FOR PUD REVIEW.



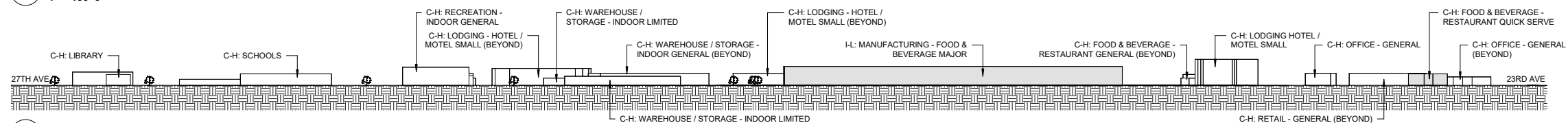
4 CONCEPTUAL PUD SECTION 4 - LOOKING W (FOR ILLUSTRATIVE PURPOSES ONLY)
1" = 100'-0"



3 CONCEPTUAL PUD SECTION 3 - LOOKING S (FOR ILLUSTRATIVE PURPOSES ONLY)
1" = 100'-0"



2 CONCEPTUAL PUD SECTION 2 - LOOKING E (FOR ILLUSTRATIVE PURPOSES ONLY)
1" = 100'-0"



1 CONCEPTUAL PUD SECTION 1 - LOOKING N (FOR ILLUSTRATIVE PURPOSES ONLY)
1" = 100'-0"

APPLICANT:
DOUG KAYL

2035 2ND AVE
GREELEY, CO 80631
970.313.4400

PROPERTY OWNER:
JKL DEVELOPMENT LLC

4051 ROARING FORK DR
LOVELAND, CO 80538
970.669.9499

ARCHITECT:
studio | R.E.D., p.c.

1703 61ST AVE, SUITE 101
GREELEY, CO 80634

970.515.6675
970.556.8869 (CELL)

CO LICENSE #402739

SURVEYOR:
KING SURVEYORS

650 E GARDEN DR
WINDSOR, CO 80550

970.686.5011

CO LICENSE #38105

TRAFFIC ENGINEER:
Galloway

6162 S WILLOW DR, SUITE 320
GREENWOOD VILLAGE, CO 80111

303.770.8884
203.641.6879 (CELL)

CO LICENSE #0053042

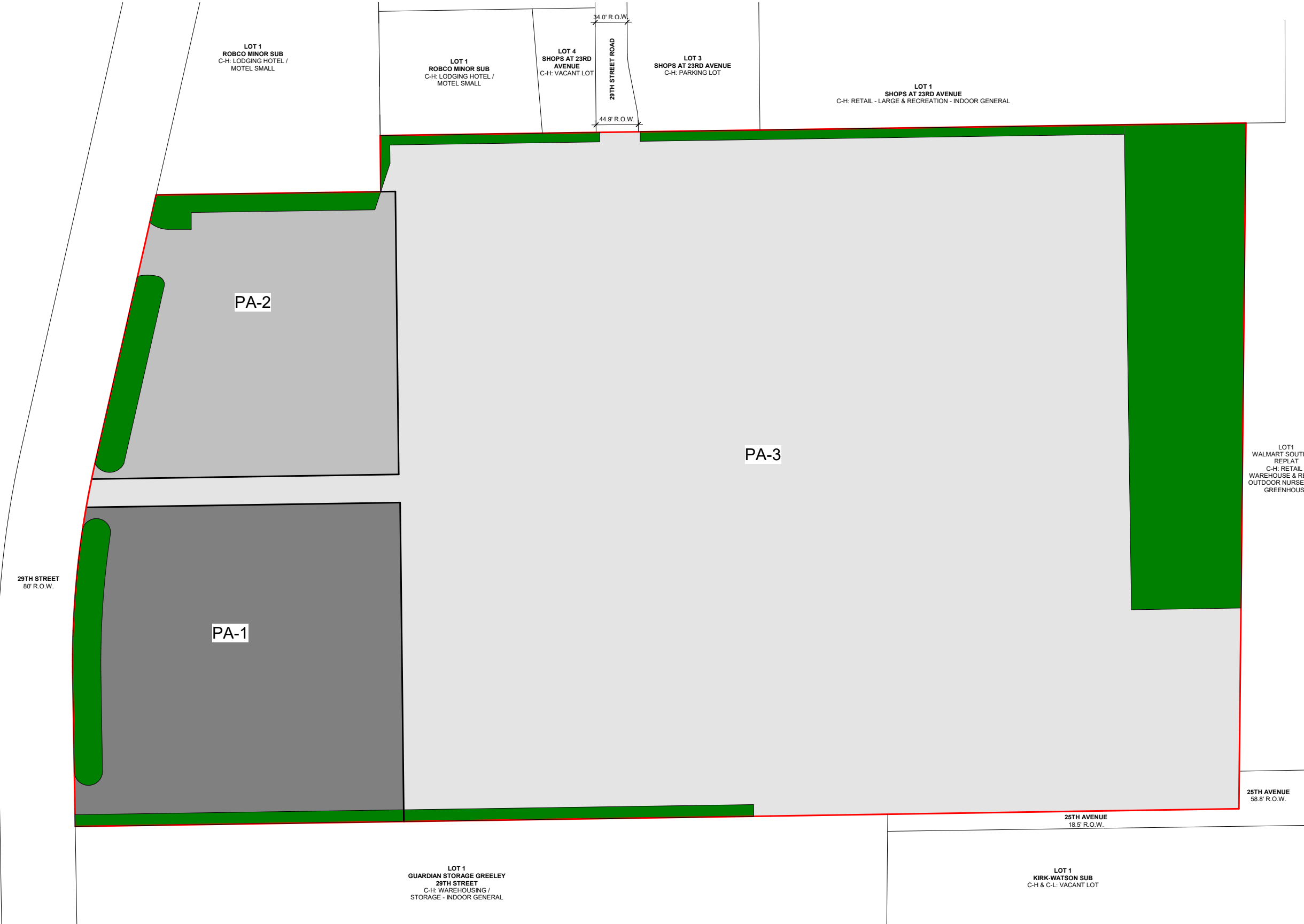
FOR REVIEW

No.	Description	Date
1	PUD - ROUND 1	2022-03-28
2	PUD - ROUND 2	2022-07-13
3	PUD - ROUND 3	2022-08-09

Project number 20-19
Date 2022-08-09
Drawn by KAS
Checked by

MASTER DEVELOPMENT PLAN / PAGE 4 OF
Page 198
Scale 1" = 100'-0"

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
 OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
 NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 19.995 ACRES
 PROJECT NUMBER: PUD2022-0002



- LEGEND**
- PUD BOUNDARY AREA
 - PA-1: C-H: ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED
 - PA-2: C-H: ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED
 - PA-3: C-H: ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED; MANUFACTURING FOOD AND BEVERAGE MAJOR, AND WAREHOUSE / STORAGE - LIMITED & GENERAL
 - EXISTING OPEN SPACE / LANDSCAPING: MIN. 10% OF PUD AREA; FOR ILLUSTRATIVE PURPOSES ONLY. LANDSCAPING TBD DURING SITE PLAN REVIEW

APPLICANT:
DOUG KAYL

2035 2ND AVE
GREELEY, CO 80631
970.313.4400

PROPERTY OWNER:
JKL DEVELOPMENT LLC

4051 ROARING FORK DR
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303.770.8884
203.641.6879 (CELL)
CO LICENSE #0053042

FOR REVIEW

No.	Description	Date
1	PUD - ROUND 1	2022-03-28
2	PUD - ROUND 2	2022-07-13
3	PUD - ROUND 3	2022-08-09

Project number 20-19
Date 2022-08-09
Drawn by KAS
Checked by

DETAIL PLANS /
PAGE 5 OF

Scale As indicated

Colorado Premium Rezone and PUD ZON2022-0014 & PUD2022-0002

City Council
November 1, 2022
Kristin Cote, Planner III



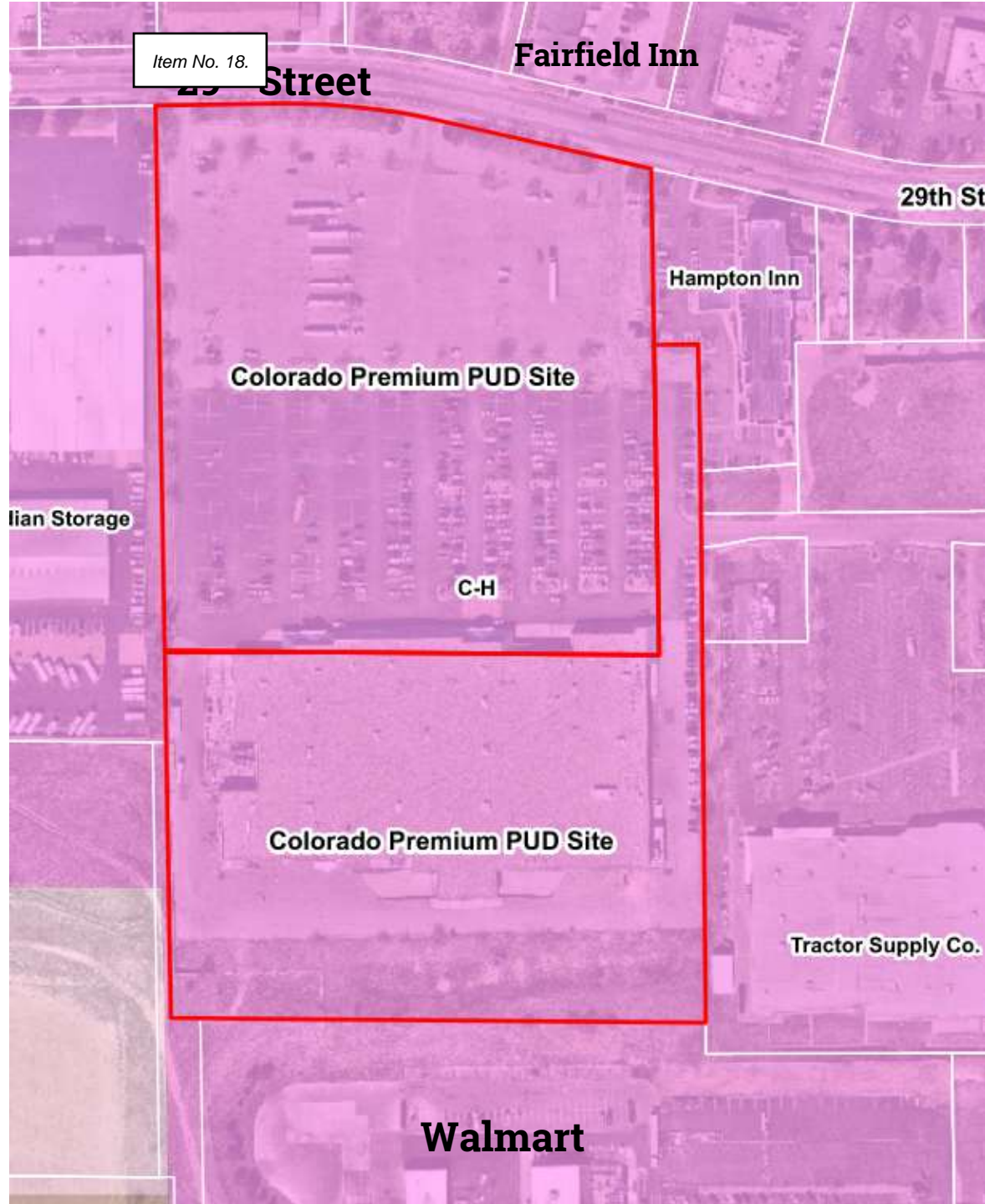
Request & Site Background

- **Request:**

- **Rezone 19.995 acres to Planned Unit Development from Commercial High Intensity and establish a Planned Unit Development Plan to allow for the added use of Manufacturing Food and Beverage – Major**

- **Background:**

- **In 1975 the property was annexed**
- **Was rezoned Commercial High Intensity in the late 1980's**
- **In 1994 a big box retail development was established on this property. That business ceased operation in 2008**



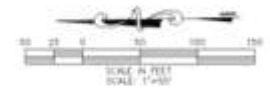
Location

- **South of 29th Street and East of 23rd Avenue**
- **Surrounding Zoning and Land Uses:**
 - **North: Commercial High Intensity/ hotel**
 - **East: Commercial High Intensity/ commercial retailer**
 - **South: Commercial High Intensity/ big box retailer**
 - **West: Commercial High Intensity and Commercial Low Intensity/ warehouse-storage and undeveloped land**



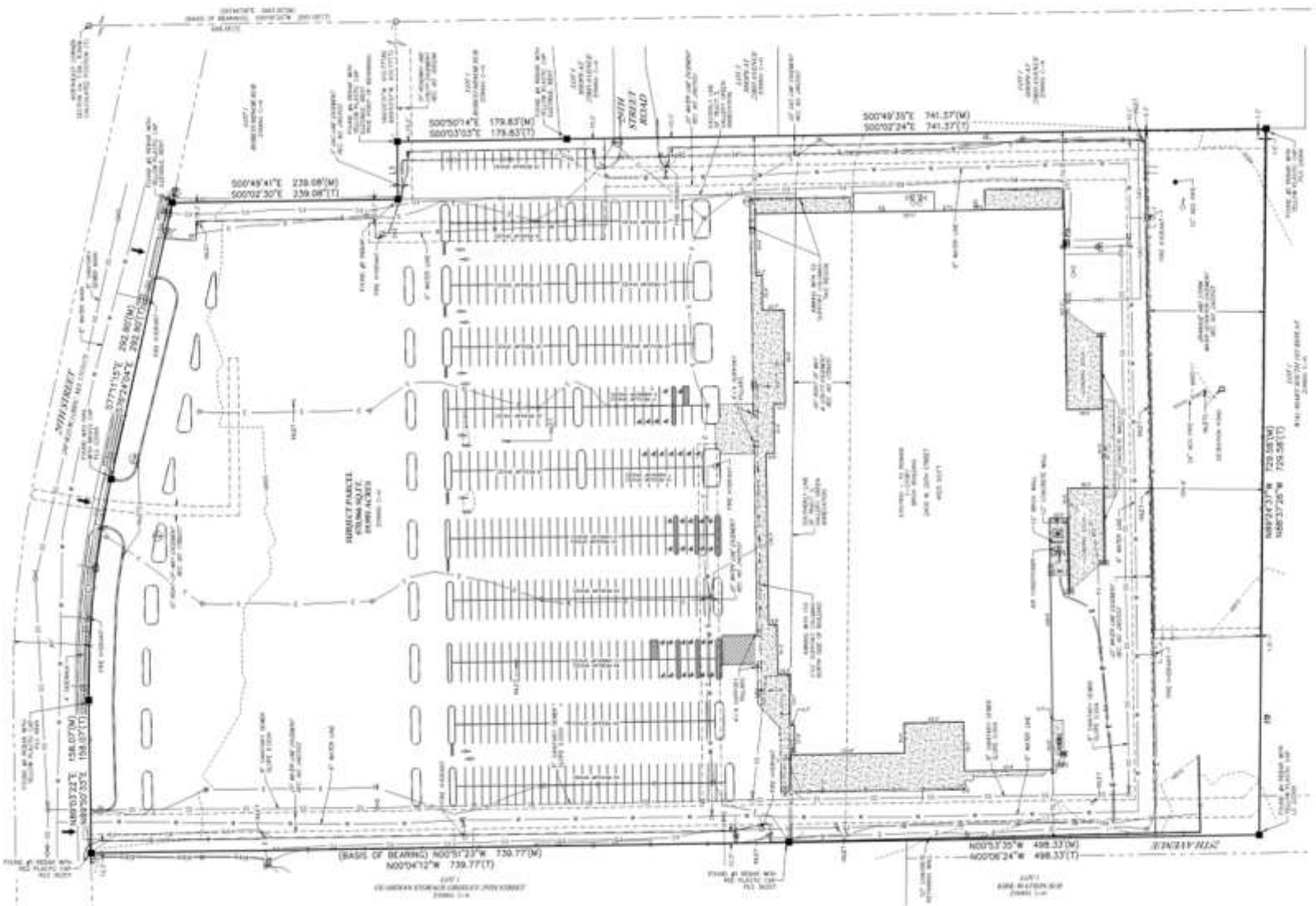
Item No. 18.

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
 OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
 NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 19.995 ACRES
 PROJECT NUMBER: PUD2022-0002



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
1000	224.98	860.07	27.921°	220.47	104.9411°
1001	228.98	860.07	124.07°	220.47	101.1727°



LEGEND

- PLUMBING
- CABLE TV LINE
- FENCE LINE
- SLURRY WALL
- PWS
- TREE SPITE LINE
- GAS LINE
- WATER LINE
- UNDERGROUND POWER LINE
- EXISTING LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- PROPERTY LINE
- ASIDE MEASUREMENT AS REQUIRED
- CALCULATED POINT
- ➔ EXISTING ACCESS POINT
- ⊙ MEASURED
- ⊙ TITLE COMMITMENT LAND OCCUPATION
- ⊙ AIR CONDITIONER UNIT
- ⊙ LABEL TO RECEIVING
- ⊙ OPERABLE MANHOLE
- ⊙ ELECTRICAL BOX
- ⊙ ELECTRICAL METER
- ⊙ JUMP PILE
- ⊙ TREE SPITE HOLE
- ⊙ TREE SPITE MOUND
- ⊙ RECEIVING STRUCTURE
- ⊙ GAS SERVICE
- ⊙ GAS MANHOLE
- ⊙ OPERABLE MANHOLE
- ⊙ SLOPE DITCH
- ⊙ UTILITY HOLE
- ⊙ GAS MOUNTAIN
- ⊙ WATER HOLE
- ⊙ WATER SADDLE
- ⊙ WATER METER

Current Conditions



Existing Permitted Uses

Commercial High Intensity

- **Automobile/Gas Station**
- **Lodging – Hotel/Motel**
- **Retail – Large (20K to 100K GLA)**

PUD Permitted Uses

Colorado Premium PUD

- **Automobile/Gas Station**
- **Lodging – Hotel/Motel**
- **Retail – Large (20K to 100K GLA)**
- **Manufacturing Food and Beverage – Major**

Recommendation

- **Complies with Section 24-204(b) – Rezoning and 24-205(c) PUD**
- **Planning Commission reviewed the request and conducted a public hearing on October 11, 2022. Voted to recommend approval with a 7-0 vote**

Item No. 18.

Approval Criteria

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

- | | |
|----|---|
| A) | <p>The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.</p> |
| | <ul style="list-style-type: none"><i>The subject property is identified in the Comprehensive Plan for neighborhood commercial. This rezone would allow a commercial tenant to utilize an existing space in an area that is predominantly utilized for commercial purposes</i> |
| B) | <p>The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.</p> |
| | <ul style="list-style-type: none"><i>While the area is Commercially zoned, to the west of this site is an existing warehousing/storage facility, which is a use that is also permitted in an Industrial zone thus contributing to the overall compatibility of this use</i> |
| F) | <p>The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.</p> |
| | <ul style="list-style-type: none"><i>Existing City water and sewer utilities currently service this property</i> |

Approval Criteria

Rezone Criteria – Section 24-204 (b)

- | | |
|----|---|
| G) | <p>The change will serve a community need, provide an amenity, or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.</p> |
| | <ul style="list-style-type: none"> <i>The proposed rezoning would allow the applicant to make use of an existing vacant building, enabling the use to complement the existing Commercial High Intensity zone district with a business that fits the character of the area</i> |
| H) | <p>Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.</p> |
| | <ul style="list-style-type: none"> <i>Any development proposal will be required to meet Development Code, Subdivision and Design criteria and will be evaluated against those criteria as part of the review process</i> |

Approval Criteria

PUD Criteria – Section 24-205(c)

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

The following Comprehensive Plan goals are met with this PUD proposal:

- *GC-2.2: Jobs/Housing Balance*
- *GC-4.2: Reinvestment/Adaptive Use*
- *ED-2.7: Business Attraction*

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

- *This proposed Planned Unit Development involves both of the above goals. Therefore, the business proposed is very compatible within the Commercial High Intensity Zone District but adds the specialty niche of integrating Manufacturing Food and Beverage, which, given the operation of this business, fits cohesively into this commercial area.*

Approval Criteria

PUD Criteria – Section 24-205(c)

- | | |
|----|--|
| C) | <p>The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area.</p> |
| | <ul style="list-style-type: none"> <i>This proposed Planned Unit Development meets this criterion as detailed in letter a above.</i> |
| D) | <p>The plan meets all of the review criteria for zoning map amendments in Section 24-204.</p> |
| | <ul style="list-style-type: none"> <i>As per the previously detailed rezoning standards, this request is in compliance with Section 24-204, Review Criteria for Rezoning.</i> |

Council Agenda Summary

November 1, 2022

Key Staff Contact: Becky Safarik, Community Development Director, 970-350-9786

Kristin Cote, Planner III, 970-350-9876

Title:

Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado from Commercial High Intensity (C-H) to Planned Unit Development (PUD) changing the underlying land use designations for approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street (Colorado Premium PUD)

Summary:

The property owner, K2D, Inc. dba Colorado Premium Foods, represented by Doug Kayl, applicant, requests a rezone of the subject property from Commercial High Intensity (C-H) to Planned Unit Development (PUD).

The parcel currently has a 172,520 square foot vacant former big box retail store on-site. The proposes for the rezone is to allow the use of manufacturing Food and Beverage – Major use on this site, along with all C-H (Commercial High Intensity) uses.

The Planning Commission considered this request on October 11, 2022, conducted a public hearing, and voted to recommend approval to rezone the property by a vote of 7-0.

City Council introduced this ordinance at its October 18, 2022 meeting. Approval of this ordinance is subject to approval of an accompanying PUD land use request.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a quasi-judicial process which includes the following public hearing steps:

- 1) City staff presentation

- 2) Council questions of staff
- 3) Applicant presentation
- 4) Council questions of applicant
- 5) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 6) Rebuttal, if requested
- 7) Council discussion
- 8) Council decision

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:

Conformance with the policies of the City of Greeley Comprehensive Plan

Economic Health & Development: Foster and maintain public and private investment in business development.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion that, based on the application received, the preceding analysis and Planning Commission recommendation, the proposed rezoning from C-H (Commercial High Density (C-H) to Planned Unit Development (PUD) is in compliance with Title 24-204(b) and therefore, recommends approval (Colorado Premium PUD).

Attachments:

Ordinance

Planning Commission Minutes (draft, October 11, 2022)

Planning Commission Summary (Staff Report) (October 11, 2022)

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 44, 2022
CASE NO. ZON2022-0014**

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM COMMERCIAL HIGH INTENSITY (C-H) TO PLANNED UNIT DEVELOPMENT (PUD) CHANGING THE UNDERLYING LAND USE DESIGNATIONS FOR APPROXIMATELY 19.995 ACRES OF PROPERTY LOCATED WEST OF 23RD AVENUE AND SOUTH OF 29TH STREET

BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as Commercial High Intensity (C-H) TO Planned Unit Development (PUD), in the City of Greeley, County of Weld, State of Colorado:

legal description

A: A PARCEL OF LAND BEING A PART OF TRACT 3 OF GALLERY GREEN ANNEXATION (GGA) TO THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AS RECORDED JANUARY 17, 1975 IN BOOK 730 UNDER RECEPTION NO. 1652285 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER (WCCR), AND BEING PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-FOUR (24);

B: A PARCEL OF LAND BEING PART OF THE NE1/4 OF SAID SECTION 24: ALL IN TOWNSHIP FIVE NORTH (T.5N), RANGE SIXTY-SIX WEST (R.66W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 13/24 - T.5N. - R.66W. AND SECTIONS 18/19 - T.5N - R.652. AS MONUMENTED BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED MCRAE & SHORT LS 7242 WITH THE QUARTER CORNER COMMON TO SECTION 24 - T.5N. - R.66W. AND SECTION 19 - T.5N. - R.65W. AS MONUMENTED BY A FOUND STANDARD BLM TYPE MONUMENT WITH ALUMINUM CAP STAMPED JONES LS 22098 TO BEAR SOUTH 00*00'20" WEST, AS PLATTED WITHIN SAID GGA, A DISTANCE OF 2,661.00 FEET WITH ALL OF THE BEARINGS CONTAINED HEREIN RELATIVE THERETO:

#1: THENCE SOUTH 00*00'20" WEST ALONG THE EAST LINE OF SAID NE1/4, ALSO BEING THE EAST LINE OF SAID GGA A DISTANCE OF 688.18 FEET (CALCULATED (CALC.)) (RECORDED (REC.) 688.26 FEET) TO THE SOUTHEAST CORNER (SE COR) OF TRACT 5 OF SAID GGA. SAID POINT BEING UNMONUMENTED;

#2: THENCE DEPARTING SAID EAST LINE NORTH 89*53'01" WEST (REC. NORTH 89*53'40" WEST) ALONG THE SOUTH LINE OF TRACTS 5 AND 3 OF SAID GGA, A DISTANCE OF 610.77 FEET (REC. 610.67) TO A POINT BEING MONUMENTED BY A SET 24" OF #4 REBAR WITH YELLOW PLASTIC CAP STAMPED JNES LS 22098, SAID MONUMENT TYPE (MT) HEREINAFTER REFERRED TOO AS MT#1. SAID POINT BEING THE NORTHWEST CORNER (NW COR) OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 708 AS RECEPTION NO. 1630275 AS RECORDED FEBRUARY 14, 1974 IN THE RECORDS OF THE WCCR, AND BEING THE TRUE POINT OF BEGINNING OF SAID PARCEL DESCRIPTION:

#3: THENCE SOUTH 00°03'03" EAST (REC. SOUTH 00°02'03" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF 179.83 FEET (REC. 180.00 FEET) TO A POINT BEING MONUMENTED BY A FOUND

#4 REBAR WITH YELLOW PLASTIC CAP STAMPED NUL LS 19617. SAID POINT BEING THE SOUTHWEST CORNER (SW COR) OF SAID PARCEL, AND ALSO BEING THE MOST WESTERLY AND NORTHERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1104 AS RECEPTION NO. 02044411 AS RECORDED FEBRUARY 27, 1986 IN THE RECORDS OF THE WCCR;

#4: THENCE SOUTH 00°02'24" EAST (REC. SOUTH 00°01'48" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND A DISTANCE OF 741.37 FEET (REC. 740.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED LS 14966 TO A POINT BEING THE MOST NORTHERLY AND EASTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1417 AS RECEPTION NO. 02365063 AS RECORDED DECEMBER 21, 1993 IN THE RECORDS OF THE WCCR;

#5: THENCE NORTH 88°37'26" WEST (REC. NORTH 88°36'39" WEST) ALONG THE NORTH LINE OF SAID PARCEL OF LAND A DISTANCE OF 729.58 FEET (REC. 729.43 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED CLC LS 24966. SAID POINT BEING ON THE EASTERLY LINE OF GALLERY GREEN FOURTH ANNEXATION (GG4A) AS RECORDED FEBRUARY 24, 1987 IN BOOK 1147 AS RECEPTION NO. 02089393 OF THE RECORDS OF THE WCCR;

#6: THENCE NORTH 00°06'24" WEST (REC. NORTH 00°05'27" WEST) ALONG THE EASTERLY LINE OF SAID GG4A A DISTANCE OF 498.33 FEET (CALC. 497.99) FEET TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED 16415. SAID POINT BEING THE NORTHEAST CORNER OF SAID GG4A, AND ALSO BEING THE SOUTHWEST CORNER OF TRACT 3 OF SID GGA AND BEING ON THE SOUTH LINE OF SAID GGA;

#7: THENCE NORTH 00°04'12" WEST (REC. NORTH 00°05'27" WEST) ON A LINE BEING THE WESTERLY LINE OF SAID TRACT 3 A DISTANCE OF 739.77 FEET (REC. 739.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED FLATIRONS LS 16406. SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY (ROW) LINE OF 29TH STREET AS DEDICATED IN THAT DOCUMENT AS RECORDED MARCH 8, 1977 IN BOOK 791 AS RECEPTION NO. 1713117 OF THE RECORDS OF THE WCR; THENCE ALONG THE SOUTHERLY ROW LINE OF SAID 29TH STREET BY THE FOLLOWING THREE (3) COURSES AND DISTANCES;

#8: NORTH 89°50'33" EAST (REC. NORTH 89°51'14" EAST A DISTANCE OF 158.07 FEET (REC. 157.99 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED RLS 4845. SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE (REC. AS A TANGENT CURVE);

#9: ALONG THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH A DISTANCE OF 229.98 FEET (REC. 230.38 FEET), WHOSE DELTA IS 13°43'34" (REC. 13°45'00"), WHOSE RADIUS IS 960.00 FEET (CALC. & REC.), AND WHOSE LONG CHORD BEARS SOUTH 83°17'33" EAST (REC. SOUTH 83°16'16" EAST) A DISTANCE OF 229.43 FEET (REC. 229.83 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR. SAID POINT BEING THE END OF SAID NON-TANGENT CURVE;

#10: SOUTH 76°24'04" EAST (REC. SOUTH 76°23'46" EAST) A DISTANCE OF 292.90 FEET (CALC. 292.72 FEET) TO A POINT BEING MONUMENTED BY AMT#1;

#11: THENCE SOUTH 00*02'30" EAST A DISTANCE OF 239.08 FEET (CALC 239.18 FEET) TO A POINT BEING MONUMENTED BY MT#1. SAID POINT BEING ON THE SOUTH LINE OF THE AFORESAID TRACT 3;

#12: THENCE SOUTH 89*53'01" EAST (REC. SOUTH 89*53'40" EAST) ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 59.73 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO. SAID DESCRIBED PARCEL CONTAINS 870, 966 SQUARE FEET OR 19.995 ACRES, MOORE OR LESS (+ OR -)

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS _____ DAY OF NOVEMBER, 2022.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
October 11, 2022

1. Call to Order

Vice Chair Briscoe called the meeting to order at 1:16 PM.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Louisa Andersen
Commissioner Erik Briscoe
Commissioner Jeff Carlson
Commissioner Brian Franzen
Commissioner Larry Modlin
Commissioner Christian Schulte

ABSENT

None

3. Approval of Agenda

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

EXPEDITED AGENDA

- 4.** A public hearing to consider a request to rezone approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street from Commercial High Intensity (C-H) to Planned Unit Development (PUD) (Project No. ZON2022-0014)

Kendra Shirley, 1703 61st Avenue, Suite 101, thanked the Commission for considering their application and stated they were available for any questions.

Commissioner Andersen asked the Planning staff about why the proposed use is not included in a commercial high intensity zone district. Kristin Cote, Planner III, stated that the proposed use of the food and beverage - major, is typically only allowed in industrial zone districts. Therefore, a PUD was proposed to add this specific use instead of an industrial zoning that would allow a full range of uses.

Commissioner Anderson then asked if the use is considered as industrial. Ms. Cote said that was correct.

Commissioner Anderson further inquired if the use would be more for wholesale rather than retail sales. Ms. Cote said that this use would be geared more towards a large-scale butchering operation, describing the operation where the meat comes on site and is processed into products that are then shipped to distributors.

Mike Garrott, Planning Manager, clarified that the site is proposed to be more of an industrial operation versus something you would typically see in a grocery store, due to its scale and lack of a retail or commercial component.

Becky Safarik, Interim Community Development Director, said that another way to look at the use in commercial zones is that the butchering that occurs as part of a grocery store is incidental to the sale of the product.

Chair Yeater invited comment from the applicant, who indicated that they were available to answer questions. Chair Yeater then opened and closed the public hearing at 1:21 PM.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from Commercial High Density (C-H) to Planned Unit Development (PUD) is in compliance with Title 24-204(b) and therefore, recommends approval. Commissioner Schulte seconded the motion.

Motion carried 7-0.

5. A public hearing to consider a request to establish a PUD on approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street to establish the use of Manufacturing Food and Beverage – Major and Warehouse/Storage – Limited & General (Project No. PUD2022-0002)

Chair Yeater opened and closed the public hearing at 1:23 PM.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed Planned Unit Development (PUD) plan is in compliance with Title 24-205(c) and therefore, recommends approval. Commissioner Franzen seconded the motion.

Motion carried 7-0.

END OF EXPEDITED AGENDA

6. Staff Report

Ms. Safarik stated there were no items for the staff report.

7. Adjournment

With no further business before the Commission, Vice Chair Briscoe adjourned the meeting at 1:24 PM.

Justin Yeater, Chair

Becky Safarik, Secretary

PLANNING COMMISSION SUMMARY

ITEMS: Rezone from C-H (Commercial High Intensity) to PUD (Planned Unit Development), and a PUD Plan

FILE NUMBER: PUD2022-0002 & ZON2022-0014

PROJECT: Colorado Premium PUD

LOCATION: 2400 29th Street

APPLICANT: Doug Kayl on behalf of K2D Inc., dba Colorado Premium Foods

CASE PLANNER: Kristin Cote, Planner III

PLANNING COMMISSION HEARING DATE: October 11, 2022

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-205(c) and 24-204(b) of the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request to rezone approximately 19.995 acres of property from Commercial High Intensity (C-H) to Planned Unit Development (PUD) and to establish a PUD Plan. The property is located at 2400 29th Street west of 23rd Avenue and south of 29th Street.

A. REQUEST

This request is for the approval of a planned unit development and rezoning on the above-described property. The proposed PUD would allow for all C-H uses and the use of manufacturing food and beverage on this property. The applicant (Colorado Premium Foods) is a high-volume manufacturer of custom beef, pork, and chicken consumer ready protein products for U.S. retailers, restaurant chains, and food service companies. Colorado Premium is not a slaughter operation and would not be allowed to slaughter on this site. The applicant purchases bulk proteins from large beef, pork, and chicken slaughter operations across the country. They then offer customers two different process options based on the product specification requirements.

The existing building footprint would initially provide approximately 35,000 square feet of office, employee welfare, and food grade production space in the existing approximately 172,520 square foot building that also contains an existing telemarketing tenant. Colorado Premiums' plan is to grow into the existing footprint and eventually expand the facility to an estimated 100,000 square feet of commercial food production space. The facility would have approximately 120 full-time employees. The majority of the employees would be in production, shipping, and support. Over

time, the applicant intends to change operations from one shift into a second shift. A smaller maintenance staff of approximately 14 employees would work proportionately across three standard shifts for maintenance and repair duties. Ultimately, the facility would have approximately 300 full-time employees, following the same skill allocation and shift disbursement to support two shifts of production and shipping and three shifts of maintenance. Density. All uses proposed as part of this Planned Unit Development are those allowed in the Commercial High Density, according to the Greeley Development Code. In addition, to the commercial uses, the applicant would request to add Food and Beverage – Major and Warehouse/Storage – Limited & General to Planning Area 3 (*Attachment C – Planned Unit Development document*).

B. STAFF RECOMMENDATION

Approval

C. LOCATION **Abutting Zoning/Land Use:**

North: C-H / hotel

South: C-H / big box retailer

East: C-H / commercial retailer

West: C-H and C-L / warehouse storage and vacant undeveloped land

Site Characteristics:

The site currently has a predominantly vacant former retail store on site and a large parking lot.

D. BACKGROUND

The subject property was annexed into the city as part of the Gallery Green annexation in 1975 (Recordation No. 1652285), which consisted of an area of approximately 67.90 acres. A rezone of Commercial High Intensity was established on this property in approximately the late 1980's. In 1979, a Street and Easement Dedication Plat for Gallery Green was recorded (Recordation No. 1713117). In 1994, a big box retail development was established on this property. The business ceased operations in 2008, and the property has had several tenants since then

APPROVAL CRITERIA

Standards for Rezoning (ZON2022-0014):

In reaching recommendations and decisions as to rezoning land, the Planning Commission and the City Council shall apply the review criteria established in Section 24-204(b) of the Development Code:

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

Staff Comment: The subject property is identified in the Comprehensive Plan for neighborhood commercial. This rezoning to PUD implements all Commercial High Intensity Uses and adds the allowance for Manufacturing Food and Beverage – Major and Warehouse/Storage –

Limited & General. This rezone would allow a commercial tenant to utilize an existing space in an area that is predominantly utilized for commercial purposes.

The request complies with this criterion.

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

Staff Comment: The proposed rezone to PUD with the allowance for Commercial High Intensity Uses would fulfill the intent of the surrounding zoning districts, which are Commercial High Intensity to the north, east, northwest, and south, with a small area of Commercial Low Intensity to the southwest. The use proposed fulfills the intent of the zoning district given the fact that if this site were smaller, less than three acres, this use would be considered a minor use and would be permitted in a C-H zone. The actual use itself, while classified as a “major” use has limited potential to cause any effect on the surrounding area. While the area is Commercially zoned, to the west of this site is an existing warehousing/storage facility, which is a use that is also permitted in an Industrial zone thus contributing to the overall compatibility of this use.

The request complies with this criterion.

3. Whether the area changed or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area.

Staff Comment: The rezone would help support the use of vacant retail space within an existing commercial corridor and quasi-industrial uses.

This request complies with this criterion.

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

Staff Comment: The existing zoning has been in place for a substantial period of time and is appropriate for the area. The rezone to PUD allows for the addition of Manufacturing Food and Beverage – Major and Warehouse/Storage – Limited & General use, which is complimentary to the zone.

This criterion is not applicable.

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

Staff Comment: The proposed site overall will change very little with this development. The site itself will only be modernized and brought into alignment with current development standards.

The request complies with this criterion.

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

Staff Comment: Existing City water and sewer utilities currently service this property.

The request complies with this criterion.

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

Staff Comment: The proposed rezoning would allow the applicant to make use of an existing vacant building, enabling the use to complement the existing Commercial High Intensity zone district with a business that fits the character of the area. As stated previously, if this property were smaller in size, this use proposed would be permitted in its current zone district.

The request complies with this criterion.

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

Staff Comment: No negative impacts are anticipated upon the area or adjacent properties. The food processing that is proposed to occur on site is not anticipated to cause any noticeable smells or generate waste that would negatively impact the surrounding area. There would be no animal care or slaughtering of animals allowed on-site. There would be no expected vibrations caused by this operation. This project would also remove a significantly sized deteriorating retail space from the community.

A Traffic Impact Study was submitted with this application. In accordance with that study, the intersections within the study area currently operate at overall accepted levels of service or better during the weekday AM and PM peak hours. Under total future 2025 and 2030 traffic conditions, with development of this site as proposed, the signalized and unsignalized intersections would operate at accepted levels of service.

The request complies with this criterion.

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

Staff Comment: Staff and referral agencies have reviewed the rezoning request and have no concerns at this time. Further analysis would be conducted at the time of the site plan, as applicable. Development plans would be required to meet the design criteria established under the Development Code.

The request complies with this criterion.

Standards for Planned Unit Developments (PUD2022-0002):

In reaching recommendations and decisions as approval of Planned Unit Developments, the Planning Commission and the City Council shall apply the review criteria established in Section 24-205(c) of the Development Code:

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

The following Comprehensive Plan goals are met with this PUD proposal:

- GC-2.2: Jobs/Housing Balance.
 - Support zoning and development patterns that expand opportunities for people who live in Greeley to also work in Greeley (or vice versa).
- GC-4.2: Reinvestment/Adaptive Use.
 - Encourage reinvestment in established areas of Greeley to maximize the use of existing public infrastructure. Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings through adaptive reuse.
- ED-2.7: Business Attraction.
 - Attract and retain business and industry that align with the City's target industries and support economic diversity. Support proposals to cluster or co-locate related primary businesses and industries in order to facilitate collaboration among business interests and to market such areas as magnets for capital, research talent, and high-skill manufacturing jobs.

The request complies with this criterion.

(b) **The benefits from any flexibility in the proposed plan:**

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

This proposed Planned Unit Development involves both innovative concepts that were not anticipated by the development code for a Commercial High Intensity zone and applies to a unique or specific context in a manner that allows the project to better meet the intent or design objectives of the base zoning districts and standards. Therefore, the business proposed is very compatible within the Commercial High Intensity Zone District but adds the specialty niche of integrating Manufacturing Food and Beverage – Major and Warehouse/Storage – Limited & General, which, given the operation of this business, fits cohesively into this commercial area.

The request complies with this criterion.

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

This proposed Planned Unit Development meets this criterion as detailed in letter a above.

The request complies with this criterion.

(d) **The plan meets all of the review criteria for zoning map amendments in Section 24-204.**

As per the previously detailed rezoning standards, this request is in compliance with Section 24-204, Review Criteria for Rezoning.

The request complies with this criterion.

E. PHYSICAL SITE CHARACTERISTICS

WILDLIFE

No wildlife has been identified on-site that would be impacted by this proposal.

FLOODPLAIN

The intended development area is not located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

DRAINAGE AND EROSION

The stormwater runoff from this site flows south to an existing detention pond. The detention pond was inspected and found to be compliant. Routine maintenance will be necessary to remove trees and clean debris from pond structures.

TRANSPORTATION

The property is located west of 23rd Avenue and receives primary access from 29th Street as well as existing access via 29th Street Road. Site access is being proposed via the existing two full movement accesses along 29th Street as well as the existing access via 29th Street Road. The City of Greeley Transportation Planner and Engineering Development Review have reviewed the Traffic Study and have no significant concerns at this point.

F. SERVICES

WATER

The City of Greeley provides water services to the area.

SANITATION

The City of Greeley provides sanitary services to the area. Sanitary sewer flow monitoring will be required in the 29th Street line and at the 10"/12" transition manhole in 23rd Avenue. Flow monitors shall be installed prior to the issuance of the Certificate of Substantial Completion.

EMERGENCY SERVICES

The property is served by the City of Greeley's Police and Fire Departments. Fire Station #2 is located approximately 1 mile north of the site.

G. NEIGHBORHOOD IMPACTS

VISUAL

There are no substantial proposed site changes corresponding to the request. Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

NOISE

There are no substantial proposed site changes corresponding to this request. Any potential noise created by future development would be regulated by the Municipal Code.

H. PUBLIC NOTICE AND COMMENT

Notices were mailed as per Greeley Municipal Code on September 20, 2022, and a notice was published on the City's website per Development Code requirements. A sign was posted on the site on September 20, 2022, by the applicant as per City requirements. A neighborhood meeting was held on September 8, 2022. One neighboring property owner attended this meeting and had questions regarding the business operations but, did not express any concerns with said PUD or rezoning. As of the finalization of this report, no comments have been received.

I. PLANNING COMMISSION RECOMMENDED MOTION (ZON2022-0014)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-H (Commercial High Density (C-H) to Planned Unit Development (PUD) is in compliance with Title 24-204(b) and therefore, recommends approval.

ALTERNATIVE MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from C-H (Commercial High Density (C-H) to Planned Unit Development (PUD) is not in compliance with Title 24-204(b) and therefore, recommends denial.

PLANNING COMMISSION RECOMMENDED MOTION (PUD2022-0002)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Planned Unit Development (PUD) plan is in compliance with Title24-205(c) and therefore, recommends approval.

ALTERNATIVE MOTION

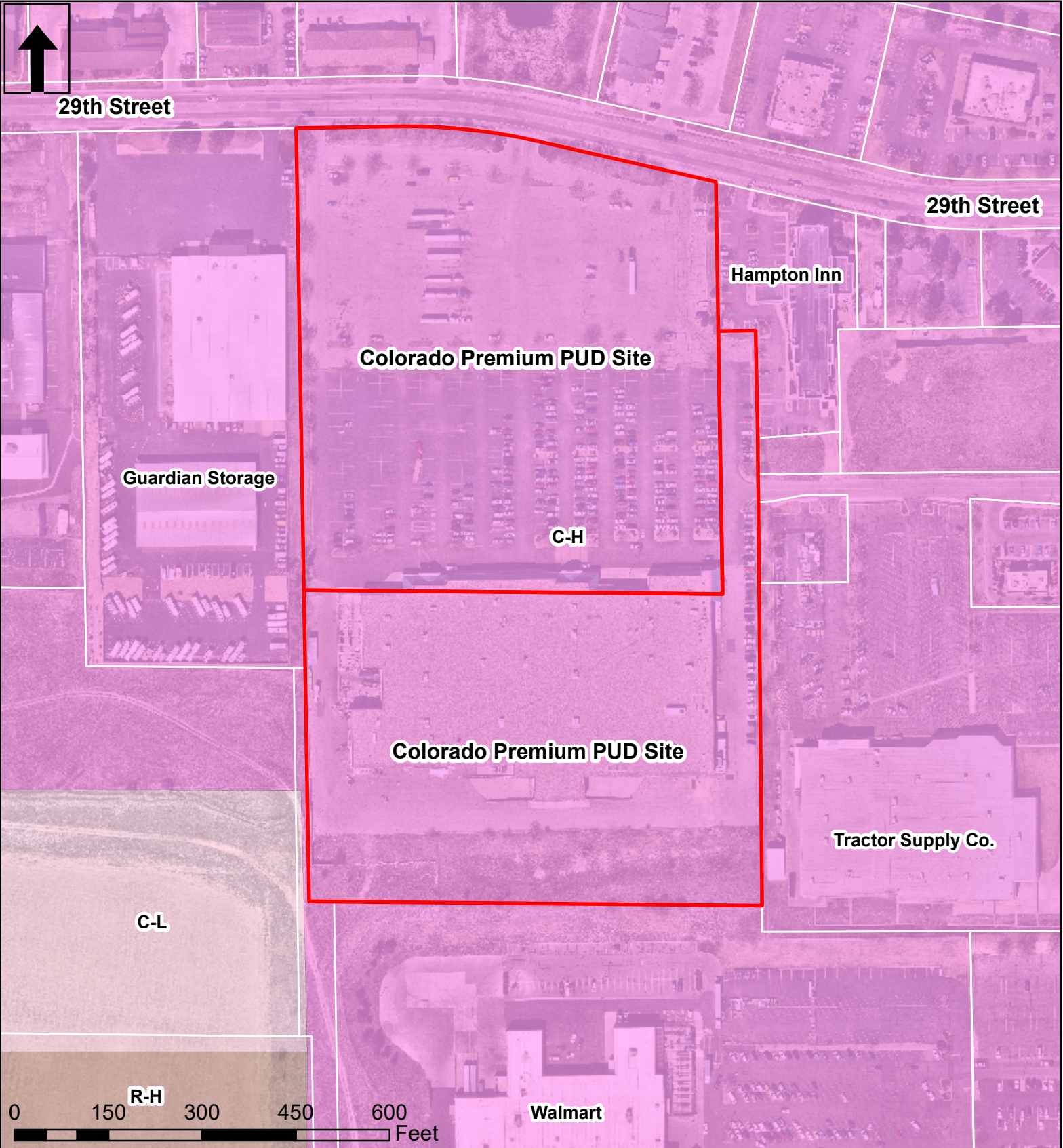
Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Planned Unit Development (PUD) plan is not in compliance with Title24-205(c) and therefore, recommends denial.

ATTACHMENTS

Attachment A – Zoning/Vicinity Map

Attachment B – Project Narrative

Attachment C – Planned Unit Development document



Colorado Premium Site Zoning	Conservation District**	Industrial Low Intensity	Residential Low Density
Greeley Parcels	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	

Colorado Premium PUD

Submittal 3

PUD2022-0002

August 9, 2022

Project Narrative

Size: The existing footprint will initially provide approximately 35,000 square feet of office, employee welfare, and food grade productions space in the existing approximately 172,520 sf building that also contains an existing telecommunications tenant. Colorado Premium plans to grow into the existing footprint and take the facility to an estimated 100,000 square feet of commercial food production space.

Scale: The facility will see approximately 120 fulltime employees. A majority of these would be production/shipping/support employees, evenly dispersed across a standard industry first and second shifts. A smaller maintenance staff of approximately 14 employees would work proportionately across three standard shifts for maintenance and repair duties. Ultimately, the facility would see approximately 300 fulltime employees, following the same skill allocation and shift disbursement to support two shifts of production/shipping and three shifts of maintenance.

Density: This project will use the existing footprint of an existing defunct and deteriorating retail space and its adjoining parking lots. There will be no need for additional earthwork, nor will it displace neighboring properties. The facility fits adequately on the property and within the surrounding area.

Design: This project represents the redesign and conversion of a large, abandoned commercial retail space into an industrial food processing facility (Manufacturing - Food & Beverage Major and Warehouse / Storage – Limited & General allowed uses). This will involve the installation of new industrial processing equipment. The food processing that will occur on site will not cause any noticeable smells or waste that would negatively impact the surrounding area. There will be no animal care or slaughtering of animals allowed on-site. This project also removes a significantly sized defunct and deteriorating retail space and replaces it with a vibrant option that provides customers, taxes, and revenue opportunities to the community.

Compatibility with Surrounding Area: This project is highly compatible with the surrounding mixed-use C-H area. Retail and restaurants benefit from the additional customer traffic to the area, convenience hotels benefit from our high customer interactions, and the area overall benefits from the occupation of a currently vacant space. Residential elements close to the area enjoy the convenience of well-paying, light industrial job opportunities that offer comprehensive benefits. The existing building height and size are similar to several of the directly neighboring buildings and fit nicely into the landscape of the surrounding buildings.

Other Pertinent Operating Information: Colorado Premium is a high-volume, state of the art manufacturer of custom beef, pork, and chicken consumer ready protein products for major U.S retailers, restaurant chains, and food service companies. Colorado Premium is not a slaughter operation. Rather, Colorado Premium purchases large primal or bulk proteins from large beef, pork, and chicken slaughter operations across the country. They then offer customers two different process options based on the customer's product specification requirements. The first process involves reducing the purchased primal proteins to the customer cut specifications, marinating the product to the customer proprietary recipes, and packaging the finished product as specified. The second process option involves a sous vide process. Sous

vide, (French for 'under vacuum'), also known as low temperature long time (LTLT) cooking, is a method of cooking in which food is placed in (a vacuum-sealing pouch and cooked in a to a very precise temperature water bath for longer than usual cooking times at a precisely regulated temperature. The intent is to cook the item evenly, ensuring that the product is properly cooked without overcooking the outside, and to retain moisture. Similar to the first process, Colorado Premium portions and marinades the chosen protein before the sous vide process, then cook the protein, and package the finished product as the customer specifies. The aforementioned processes will not create a negative impact on the surrounding areas with noticeable smells, waste, or noise. As previously mentioned, the proposed food processing facility will benefit the surrounding area with a new revenue source, the revitalization of a vacant property, and multiple customer and career opportunities.

Consistency with the Comprehensive Plan: This PUD would allow for greater consistency and better implementation of the Comprehensive Plan by allowing a user that will bring economic growth, increase the tax base, provide jobs and more economic opportunities to the community, promotes redevelopment / infill development, and allows for the revitalization of an abandoned property. It would also allow for a use that has less of an impact on the local traffic and infrastructure than the highest current C-H uses allow for. This PUD will provide a user that will improve and maintain the open space, landscaping, and detention pond in accordance with the proposed standards which will improve upon a site that is currently unmaintained and does not meet the current standards of the City. This PUD will be a low impact development.

Flexibility: The flexibility in the proposed plan will allow for more opportunities to revitalize and develop a currently abandoned building. This PUD makes the site more attractive to potential users, increases the opportunity for improving the aesthetics and cleanliness of the area, and provide more opportunities for the local community to have access to well paying, local jobs. There are also two planning areas proposed to remain zoned C-H to allow for buffering between the newly proposed uses and the surrounding C-H zones. This will also allow for greater flexibility in the potential development of this PUD.

General Public Health, Safety, and Welfare of the Community: This project will promote the general health, safety, and welfare of the community through revitalizing an abandoned building, redeveloping an existing property, allowing an occupant with a rich history in the community to improve the exiting condition of the site, and provide a user who will maintain the improvements of the property. It will also provide a greater tax base, job opportunities, and overall economic improvement to the underutilized area.

Meeting the Intent or Design Objectives of the Base Zoning Districts and Standards: Under the current zoning the majority of the existing property is abandoned and unkept due to a lack of users looking to fill the space. (There is a telemarketing company using part of the building.) This PUD will allow for new uses that broadens the marketability for keeping the property developed while still maintaining the integrity of the uses in the area and fitting with the context of the neighborhood. It will allow for the redevelopment and infill of an existing property with a user that will bring the site up into compliance with the proposed standards.

Goals and Objectives of the Comprehensive Plan: This PUD reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area. As stated previously, this project promotes the infill / redevelopment of an existing abandoned property, enhances the economic opportunities for the community, improves the natural landscape of the

existing property, is a low impact development, and expands the opportunities and well-being of the occupants in the surrounding area.

Review Criteria in Section 24-204: The proposed plan meets all the review criteria for zoning map amendments found in Section 24-204 of the City of Greeley's Development Code. This PUD is in accordance with the goals and objectives of the Comprehensive Plan and fulfills the intent of the zoning district in consideration of the relationship to surrounding areas, as stated above. The area of the proposed PUD already allows for a variety of uses similar to the proposed uses allowed with this PUD so the proposed plan fits within the context of the surrounding areas. The existing zoning has been in place for a substantial time without development and would be revitalized with the approval of this PUD. The proposed plan enables development similar in scale, format, and size with the neighboring areas which makes it a compatible and complimentary plan. The City of Greeley and other agencies have the ability to provide all the services and / or facilities that may be necessary for anticipated uses in this PUD. This PUD will allow the redevelopment and infill of this abandoned property that is not possible under the current zoning. All reasonably anticipated negative impacts on the area or adjacent property will be mitigated and the broader public benefits to the surrounding community far outweigh any potential negative impacts. Finally, with the recommendations of professional staff or advisory review bodies, the approval of this PUD will greatly improve the condition and future of the existing site.

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
 OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
 NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 19.995 ACRES
 PROJECT NUMBER: PUD2022-0002


APPLICANT:
 DOUG KAYL
 2035 2ND AVE
 GREELEY, CO 80631
 970.313.4400

PROPERTY OWNER:
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 4051 ROARING FORK DR
 LOVELAND, CO 80538
 970.669.9499

ARCHITECT:
 studio | R.E.D., p.c.
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 GREELEY, CO 80634
 970.515.6675
 970.556.8869 (CELL)
 CO LICENSE #402739

SURVEYOR:

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 CO LICENSE #38105

TRAFFIC ENGINEER:

 6162 S WILLOW DR, SUITE 320
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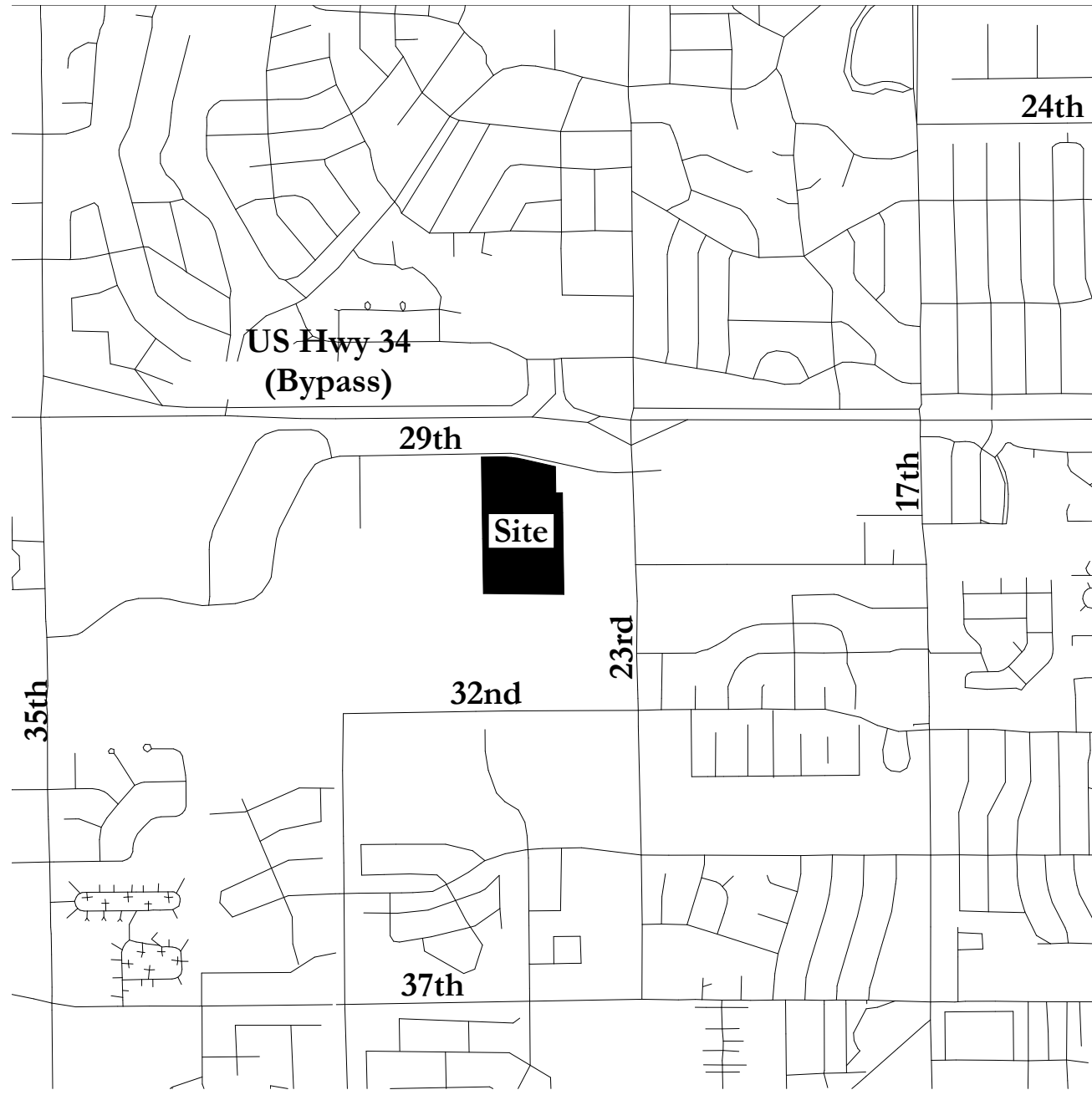
FOR REVIEW

No.	Description	Date
1	PUD - ROUND 1	2022-03-28
2	PUD - ROUND 2	2022-07-13
3	PUD - ROUND 3	2022-08-09

Project number 20-19
 Date 2022-08-09
 Drawn by KAS / RLD
 Checked by RLD

COVER SHEET /
 PAGE 1 OF 5
 Page 230

Scale As indicated



PLAN NORTH

VICINITY MAP- 2400 W 29TH
 1:8,800

LEGAL DESCRIPTION

A: A PARCEL OF LAND BEING A PART OF TRACT 3 OF GALLERY GREEN ANNEXATION (GGA) TO THE CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AS RECORDED JANUARY 17, 1975 IN BOOK 730 UNDER RECEPTION NO. 1652285 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER (WCCR), AND BEING PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-FOUR (24);

B: A PARCEL OF LAND BEING PART OF THE NE1/4 OF SAID SECTION 24:

ALL IN TOWNSHIP FIVE NORTH (T.5N), RANGE SIXTY-SIX WEST (R.66W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 13/24 - T.5N - R.66W. AND SECTIONS 18/19 - T.5N - R.66W. AS MONUMENTED BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED MCRAE & SHORT LS 7242 WITH THE QUARTER CORNER COMMON TO SECTION 24 - T.5N - R.66W. AND SECTION 19 - T.5N - R.65W. AS MONUMENTED BY A FOUND STANDARD BLM TYPE MONUMENT WITH ALUMINUM CAP STAMPED JONES LS 22098 TO BEAR SOUTH 00°00'20" WEST, AS PLATTED WITHIN SAID GGA, A DISTANCE OF 2,661.00 FEET WITH ALL OF THE BEARINGS CONTAINED HEREIN RELATIVE THERETO:

#1: THENCE SOUTH 00°00'20" WEST ALONG THE EAST LINE OF SAID NE1/4, ALSO BEING THE EAST LINE OF SAID GGA A DISTANCE OF 688.18 FEET (CALCULATED (CALC.)) (RECORDED (REC.) 688.26 FEET) TO THE SOUTHEAST CORNER (SE COR) OF TRACT 5 OF SAID GGA. SAID POINT BEING UNMONUMENTED;

#2: THENCE DEPARTING SAID EAST LINE NORTH 89°53'01" WEST (REC. NORTH 89°53'40" WEST) ALONG THE SOUTH LINE OF TRACT 5 AND 3 OF SAID GGA, A DISTANCE OF 610.77 FEET (REC. 610.67) TO A POINT BEING MONUMENTED BY A SET 24" OF #4 REBAR WITH YELLOW PLASTIC CAP STAMPED JONES LS 22098. SAID MONUMENT TYPE (MT) HEREINAFTER REFERRED TO AS MT#1. SAID POINT BEING THE NORTHWEST CORNER (NW COR) OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 708 AS RECEPTION NO. 1630275 AS RECORDED FEBRUARY 14, 1974 IN THE RECORDS OF THE WCCR, AND BEING THE TRUE POINT OF BEGINNING OF SAID PARCEL DESCRIPTION;

#3: THENCE SOUTH 00°03'03" EAST (REC. SOUTH 00°02'03" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF 179.83 FEET (REC. 180.00 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED NUL LS 19617. SAID POINT BEING THE SOUTHWEST CORNER (SW COR) OF SAID PARCEL. AND ALSO BEING THE MOST WESTERLY AND NORTHERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1104 AS RECEPTION NO. 02044411 AS RECORDED FEBRUARY 27, 1986 IN THE RECORDS OF THE WCCR;

#4: THENCE SOUTH 00°02'24" EAST (REC. SOUTH 00°01'48" EAST) ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND A DISTANCE OF 741.37 FEET (REC. 740.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED LS 14966 TO A POINT BEING THE MOST NORTHERLY AND EASTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN BOOK 1417 AS RECEPTION NO. 02365063 AS RECORDED DECEMBER 21, 1993 IN THE RECORDS OF THE WCCR;

#5: THENCE NORTH 88°37'26" WEST (REC. NORTH 88°36'39" WEST) ALONG THE NORTH LINE OF SAID PARCEL OF LAND A DISTANCE OF 729.58 FEET (REC. 729.43 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED CLC LS 24966. SAID POINT BEING ON THE EASTERLY LINE OF GALLERY GREEN FOURTH ANNEXATION (GG4A) AS RECORDED FEBRUARY 24, 1987 IN BOOK 1147 AS RECEPTION NO. 02085935 OF THE RECORDS OF THE WCCR;

#6: THENCE NORTH 00°06'24" WEST (REC. NORTH 00°05'27" WEST) ALONG THE EASTERLY LINE OF SAID GG4A A DISTANCE OF 498.33 FEET (CALC. 497.99) FEET TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED 16415. SAID POINT BEING THE NORTHEAST CORNER OF SAID GG4A, AND ALSO BEING THE SOUTHWEST CORNER OF TRACT 3 OF SAID GGA AND BEING ON THE SOUTH LINE OF SAID GGA;

#7: THENCE NORTH 00°04'12" WEST (REC. NORTH 00°05'27" WEST) ON A LINE BEING THE WESTERLY LINE OF SAID TRACT 3 A DISTANCE OF 739.77 FEET (REC. 739.95 FEET) TO A POINT BEING MONUMENTED BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED FLATRONS LS 16406. SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY (ROW) LINE OF 29TH STREET AS DEDICATED IN THAT DOCUMENT AS RECORDED MARCH 8, 1977 IN BOOK 791 AS RECEPTION NO. 1713117 OF THE RECORDS OF THE WCCR; THENCE ALONG THE SOUTHERLY ROW LINE OF SAID 29TH STREET BY THE FOLLOWING THREE (3) COURSES AND DISTANCES:

#8: NORTH 89°50'33" EAST (REC. NORTH 89°51'14" EAST A DISTANCE OF 158.07 FEET (REC. 157.99 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED RLS 4845. SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE (REC. AS A TANGENT CURVE);

#9: ALONG THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH A DISTANCE OF 229.98 FEET (REC. 230.38 FEET), WHOSE DELTA IS 13°43'34" (REC. 13°45'00"), WHOSE RADIUS IS 960.00 FEET (CALC. & REC.), AND WHOSE LONG CHORD BEARS SOUTH 83°17'33" EAST (REC. SOUTH 83°16'16" EAST) A DISTANCE OF 229.43 FEET (REC. 229.83 FEET) TO A POINT BEING MONUMENTED BY A FOUND #4 REBAR. SAID POINT BEING THE END OF SAID NON-TANGENT CURVE;

#10: SOUTH 76°24'04" EAST (REC. SOUTH 76°23'46" EAST) A DISTANCE OF 292.90 FEET (CALC. 292.72 FEET) TO A POINT BEING MONUMENTED BY AMT#1;

#11: THENCE SOUTH 00°02'30" EAST A DISTANCE OF 239.08 FEET (CALC 239.18 FEET) TO A POINT BEING MONUMENTED BY MT#1. SAID POINT BEING ON THE SOUTH LINE OF THE AFORESAID TRACT 3;

#12: THENCE SOUTH 89°53'01" EAST (REC. SOUTH 89°53'40" EAST) ALONG THE SOUTH LINE OF SAID TRACT 3 A DISTANCE OF 59.73 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF WELD, STATE OF COLORADO.

SAID DESCRIBED PARCEL CONTAINS 870, 966 SQUARE FEET OR 19.995 ACRES, MOORE OR LESS (+ OR -)

PLANNED UNIT DEVELOPMENT STANDARD NOTES:

- APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 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 PLATTED IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS (CHAPTER 3).
- ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.

PUD PLANNING AREA SUMMARY

PLANNING AREA	USE	TOTAL ACRES	AMOUNT OF COMMERCIAL / INDUSTRIAL	DENSITY	ACRES %
PA-1	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE	2.706	2.706 ACRES OF COMMERCIAL	FAR: TBD	13.5%
PA-2	ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE	2.009	2.009 ACRES OF COMMERCIAL	FAR: TBD	10%
PA-3	MANUFACTURING FOOD & BEVERAGE - MAJOR, WAREHOUSE / STORAGE - LIMITED & GENERAL, AND ALL C-H USES AND ALLOWANCES IN ACCORDANCE WITH THE CITY OF GREELEY'S DEVELOPMENT CODE	15.278	15.278 ACRES OF COMMERCIAL / INDUSTRIAL	FAR: 49	76.5%
TOTAL		19.995 ACRES	19.995 ACRES OF COMMERCIAL / INDUSTRIAL		100%

PLANNED UNIT DEVELOPMENT CERTIFICATION BLOCK

THIS PLANNED UNIT DEVELOPMENT (PUD) HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH THE CITY OF GREELEY DEVELOPMENT CODE REGULATIONS.

JKL Development LLC
 By: _____
 (Kevin LaFleur)
 Title: _____
 Date: _____
 ATTEST: (if corporation)
 Secretary/Treasurer

COMMUNITY DEVELOPMENT DIRECTOR

Director of Community Development _____ Date _____

PLANNING COMMISSION RECOMMENDATION

Recommended / not recommended by the City of Greeley Planning Commission, this ____ day of _____, 20__.

CITY COUNCIL APPROVAL

Approved by the Greeley City Council on this ____ day of _____, 20__.

INTENT STATEMENT:

THE INTENT OF THIS PUD IS TO ALLOW THE USER TO CONDUCT A MANUFACTURING FOOD & BEVERAGE MAJOR USE IN THE VACANT FORMER KMART BUILDING. THIS PROPOSED FACILITY WILL BRING NEW LIFE TO A CURRENTLY DETERIORATING AND EMPTY BUILDING AND LOT, PROVIDE SEVERAL HUNDRED NEW JOBS TO THE AREA, ADDED TAX REVENUE FOR THE CITY, AND ALLOW THE EXPANSION OF A PROMINENT LOCAL BUSINESS TO GROW IN THE COMMUNITY.

THE PROJECT IS PROPOSING TO ALLOW MANUFACTURING FOOD AND BEVERAGE; MAJOR (3+ ACRES), WAREHOUSE / STORAGE - LIMITED & GENERAL, AND ALL C-H USES AND ALLOWANCES IN PA-3 ONLY. PA-1 AND PA-2 ARE PROPOSED TO REMAIN ALLOWABLE FOR C-H USES PER THE CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED. THERE ARE NO CURRENT PLANS FOR RETAIL OPERATION ON THE SITE, BUT THE PUD IS INTENDED TO ALLOW FOR FUTURE RETAIL OPERATIONS PER CITY OF GREELEY'S DEVELOPMENT CODE AND AS AMENDED.

THERE ARE NO REQUIRED IMPROVEMENTS OR COMMITMENTS FOR THIS PUD APPLICATION SO A STATEMENT OF COMMITMENTS SHEET HAS NOT BEEN INCLUDED IN THIS PLAN SET.

SHEET INDEX

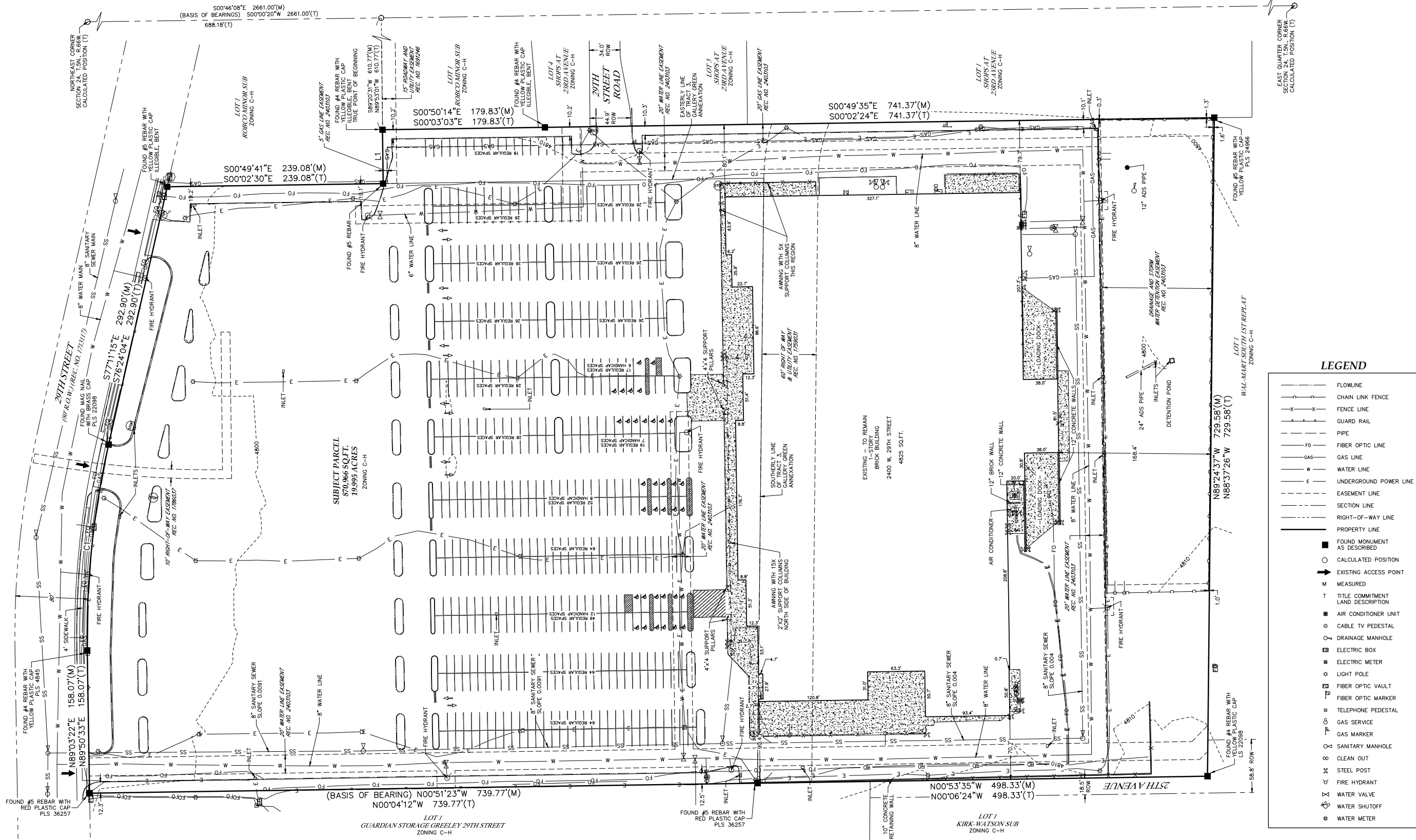
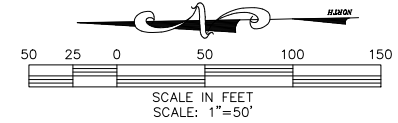
COVER SHEET / PAGE 1 OF 5
EXISTING CONDITIONS MAP / PAGE 2 OF 5
MASTER DEVELOPMENT PLAN / PAGE 3 OF 5
MASTER DEVELOPMENT PLAN / PAGE 4 OF 5
DETAIL PLANS / PAGE 5 OF 5

Item No. 19.

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
 OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
 NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 19.995 ACRES
 PROJECT NUMBER: PUD2022-0002

LINE TABLE		
LINE	BEARING	LENGTH
L1(M)	N89°19'48"E	59.73'
L1(T)	S89°53'01"E	59.73'

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CH BEARING
C1(M)	229.98'	960.00'	13°43'33"	S84°04'51"E
C1(T)	229.98'	960.00'	13°43'34"	S83°17'33"E



LEGEND	
	FLOWLINE
	CHAIN LINK FENCE
	FENCE LINE
	GUARD RAIL
	PIPE
	FIBER OPTIC LINE
	GAS LINE
	WATER LINE
	UNDERGROUND POWER LINE
	EASEMENT LINE
	SECTION LINE
	RIGHT-OF-WAY LINE
	PROPERTY LINE
	FOUND MONUMENT AS DESCRIBED
	CALCULATED POSITION
	EXISTING ACCESS POINT
	MEASURED
	TITLE COMMITMENT LAND DESCRIPTION
	AIR CONDITIONER UNIT
	CABLE TV PEDESTAL
	DRAINAGE MANHOLE
	ELECTRIC BOX
	ELECTRIC METER
	LIGHT POLE
	FIBER OPTIC VAULT
	FIBER OPTIC MARKER
	TELEPHONE PEDESTAL
	GAS SERVICE
	GAS MARKER
	SANITARY MANHOLE
	CLEAN OUT
	STEEL POST
	FIRE HYDRANT
	WATER VALVE
	WATER SHUTOFF
	WATER METER

APPLICANT:
DOUG KAYL

2035 2ND AVE
GREELEY, CO 80631
970.313.4400

PROPERTY OWNER:
JKL DEVELOPMENT LLC

4051 ROARING FORK DR
LOVELAND, CO 80538
970.669.9499

ARCHITECT:
studio | R.E.D., p.c.

1703 61ST AVE, SUITE 101
GREELEY, CO 80634
970.515.6675
970.556.8869 (CELL)

SURVEYOR:
KING SURVEYORS

650 E GARDEN DR
WINDSOR, CO 80550
970.686.5011

TRAFFIC ENGINEER:
Galloway

6162 S WILLOW DR, SUITE 320
GREENWOOD VILLAGE, CO 80111
303.770.8884
203.641.6879 (CELL)

FOR REVIEW

No.	Description	Date
1	PUD - ROUND 1	2022-03-28
2	PUD - ROUND 2	2022-07-07

Project number: 20-19
Date: 2022-08-09
Drawn by: RLD / KAS
Checked by: RLD

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO 19.995 ACRES PROJECT NUMBER: PUD2022-0002

ADMINISTRATIVE PROCESS FOR VARIATIONS AND CHANGES TO PUD MASTER PLAN

THE PUD MASTER PLAN EXHIBITS AND DRAWINGS ASSOCIATED WITH THIS PUD DEMONSTRATE GENERAL LOCATIONS OF ROADS, LAND USE LOCATIONS, OPEN SPACE AREAS, AND OTHER MASTER PLAN ELEMENTS. THE LINES, NOTES, AND GRAPHICS SHOWN REPRESENT DESIGN CONCEPTS AND IDEAS THAT WILL EVOLVE AND CHANGE UNTIL FINAL BUILDOUT. UNTIL FINAL BUILDOUT OF THIS PROJECT, THIS PUD DOCUMENT WITH EXHIBITS WILL SERVE AS THE GUIDING DOCUMENT FOR THE PROJECT. WITH THE APPROVAL OF THIS PUD, SOME FLEXIBILITY WILL BE ALLOWED AS DESCRIBED IN THIS DOCUMENT AS DEFINED IN THIS SECTION.

THEREFORE, THE PROPOSED LAND USE BOUNDARIES, FINAL PARCEL BOUNDARIES (I.E. CONFIGURATIONS AND SHAPES), LOT LINES, ROAD LOCATIONS, SIGNAGE LOCATIONS, OPEN SPACE AREAS AND LOCATIONS, DENSITIES, PARCEL ACREAGES, PARCEL LINES, AND FLOOR AREA RATIOS (FARS) WILL BE ALLOWED TO CHANGE BY UP TO 30% WITHOUT THE NEED TO AMEND THIS PUD.

MANUFACTURING FOOD AND BEVERAGE MAJOR (3+ ACRES)

A MANUFACTURING ESTABLISHMENT PACKAGING, PRODUCING OR PROCESSING FOODS FOR HUMAN CONSUMPTION AND CERTAIN RELATED PRODUCTS AND INCLUDES, BUT IS NOT LIMITED TO THE FOLLOWING: (1) BAKERY PRODUCTS, SUGAR, AND CONFECTIONARY PRODUCTS (EXCEPT FACILITIES THAT PRODUCE GOODS ONLY FOR ON-SITE SALES AND NOT WIDER DISTRIBUTION); (2) DAIRY PRODUCTS PROCESSING; (3) FATS AND OIL PRODUCTS (NOT INCLUDING RENDERING PLANTS); (4) FRUIT AND VEGETABLE CANNING, PRESERVING AND RELATED PROCESSING; (5) GRAIN MILL PRODUCTS AND BY-PRODUCTS; (6) MEAT, POULTRY, AND FISH CANNING, CURING AND BY-PRODUCT PROCESSING (NOT INCLUDING FACILITIES THAT ALSO SLAUGHTER ANIMALS); AND (7) MISCELLANEOUS FOOD PREPARATION FROM RAW PRODUCTS, INCLUDING CATERING SERVICES THAT ARE INDEPENDENT FROM FOOD STORES OR RESTAURANTS, AND AS AMENDED.

WAREHOUSE/STORAGE - INDOOR LIMITED (< 50K; UP TO 1 ACRE)

A WAREHOUSE/STORAGE USE WHERE INDIVIDUALS STORE PERSONAL PROPERTY IN UNITS OR SPACE LEASED OR RENTED ON A PERIODIC BASIS AND WHERE ALL STORAGE ARE ACCESSED FROM WITHIN THE PRINCIPAL BUILDING. EXAMPLES INCLUDE SMALL INDOOR SELF-STORAGE MINI-WAREHOUSES, OR SMALL COMMERCIAL WAREHOUSE, AND AS AMENDED.

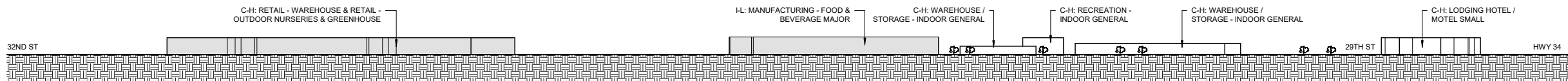
WAREHOUSE/STORAGE - INDOOR/GENERAL (50K-200K; 1-5 ACRES)

A WAREHOUSE/STORAGE USE FOR BUSINESSES OR LARGER PERSONAL PRODUCTS WHERE ALL ITEMS ARE STORED INDOORS. EXAMPLES INCLUDE LARGE INDOOR SELF-STORAGE MINI-WAREHOUSE, LARGE COMMERCIAL WAREHOUSES, AND LONG-TERM GARAGES, AND AS AMENDED.

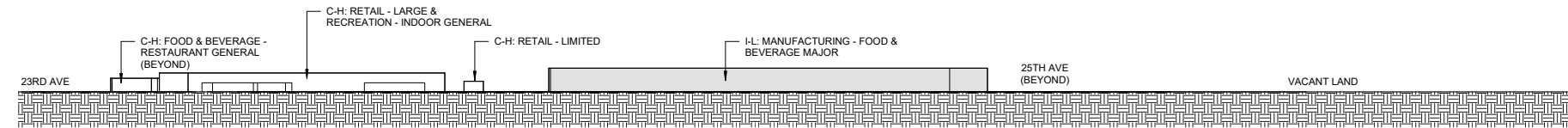
Table with 2 columns: DESCRIPTION and PROPOSED. It lists development standards for three planning areas (PA-1, PA-2, PA-3) including permitted uses, setbacks, parking, and other regulations.

GENERAL NOTE

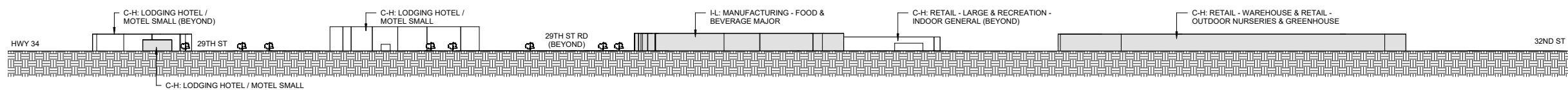
ALL SECTIONS AND BUILDING ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY. ELEVATIONS WILL BE PART OF THE SCOPE OF THE ADMINISTRATIVE SITE PLAN REVIEW AND ARE NOT FOR PUD REVIEW.



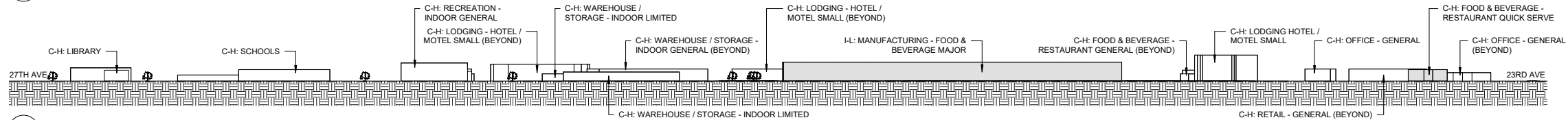
4 CONCEPTUAL PUD SECTION 4 - LOOKING W (FOR ILLUSTRATIVE PURPOSES ONLY) 1" = 100'-0"



3 CONCEPTUAL PUD SECTION 3 - LOOKING S (FOR ILLUSTRATIVE PURPOSES ONLY) 1" = 100'-0"



2 CONCEPTUAL PUD SECTION 2 - LOOKING E (FOR ILLUSTRATIVE PURPOSES ONLY) 1" = 100'-0"



1 CONCEPTUAL PUD SECTION 1 - LOOKING N (FOR ILLUSTRATIVE PURPOSES ONLY) 1" = 100'-0"

APPLICANT: DOUG KAYL 2035 2ND AVE GREELEY, CO 80631 970.313.4400

PROPERTY OWNER: JKL DEVELOPMENT LLC 4051 ROARING FORK DR LOVELAND, CO 80538 970.669.9499

ARCHITECT: studio | R.E.D., p.c. 1703 61ST AVE, SUITE 101 GREELEY, CO 80634 970.515.6675 970.556.8869 (CELL) CO LICENSE #402739

SURVEYOR: KING SURVEYORS 650 E GARDEN DR WINDSOR, CO 80550 970.686.5011 CO LICENSE #38105

TRAFFIC ENGINEER: Galloway 6162 S WILLOW DR, SUITE 320 GREENWOOD VILLAGE, CO 80111 303.770.8884 203.641.6879 (CELL) CO LICENSE #0053042

FOR REVIEW

Table with 3 columns: No., Description, Date. Lists revision history for PUD rounds 1, 2, and 3.

Project number 20-19 Date 2022-08-09 Drawn by KAS Checked by MASTER DEVELOPMENT PLAN / PAGE 4 OF Page 233 Scale 1" = 100'-0"

Colorado Premium Rezone and PUD ZON2022-0014 & PUD2022-0002

City Council

November 1, 2022

Kristin Cote, Planner III

Request & Site Background

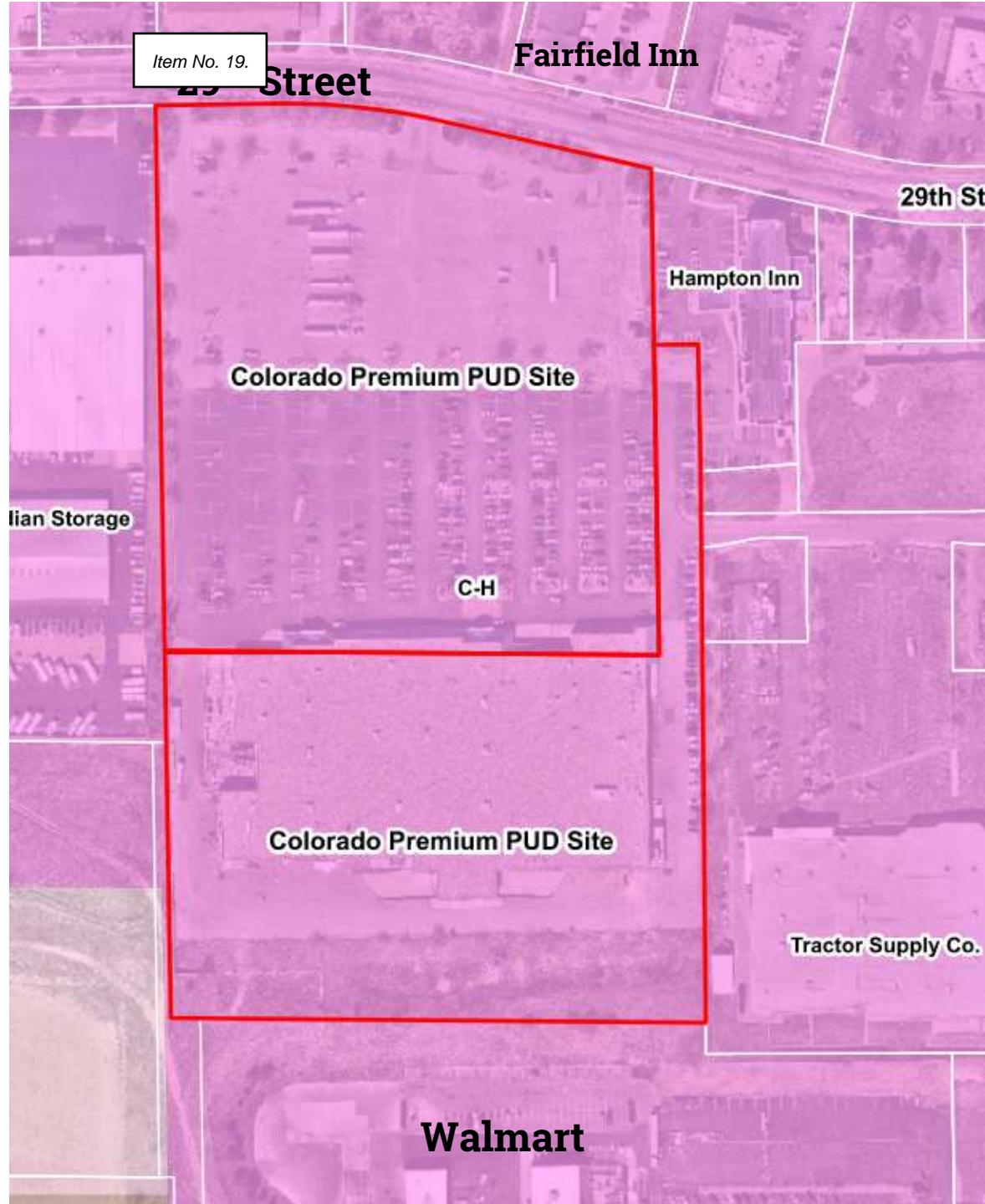
- **Request:**

- **Rezone 19.995 acres to Planned Unit Development from Commercial High Intensity and establish a Planned Unit Development Plan to allow for the added use of Manufacturing Food and Beverage – Major**

- **Background:**

- **In 1975 the property was annexed**
- **Was rezoned Commercial High Intensity in the late 1980's**
- **In 1994 a big box retail development was established on this property. That business ceased operation in 2008**

Item No. 19.

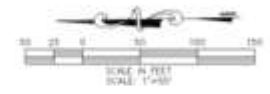


Location

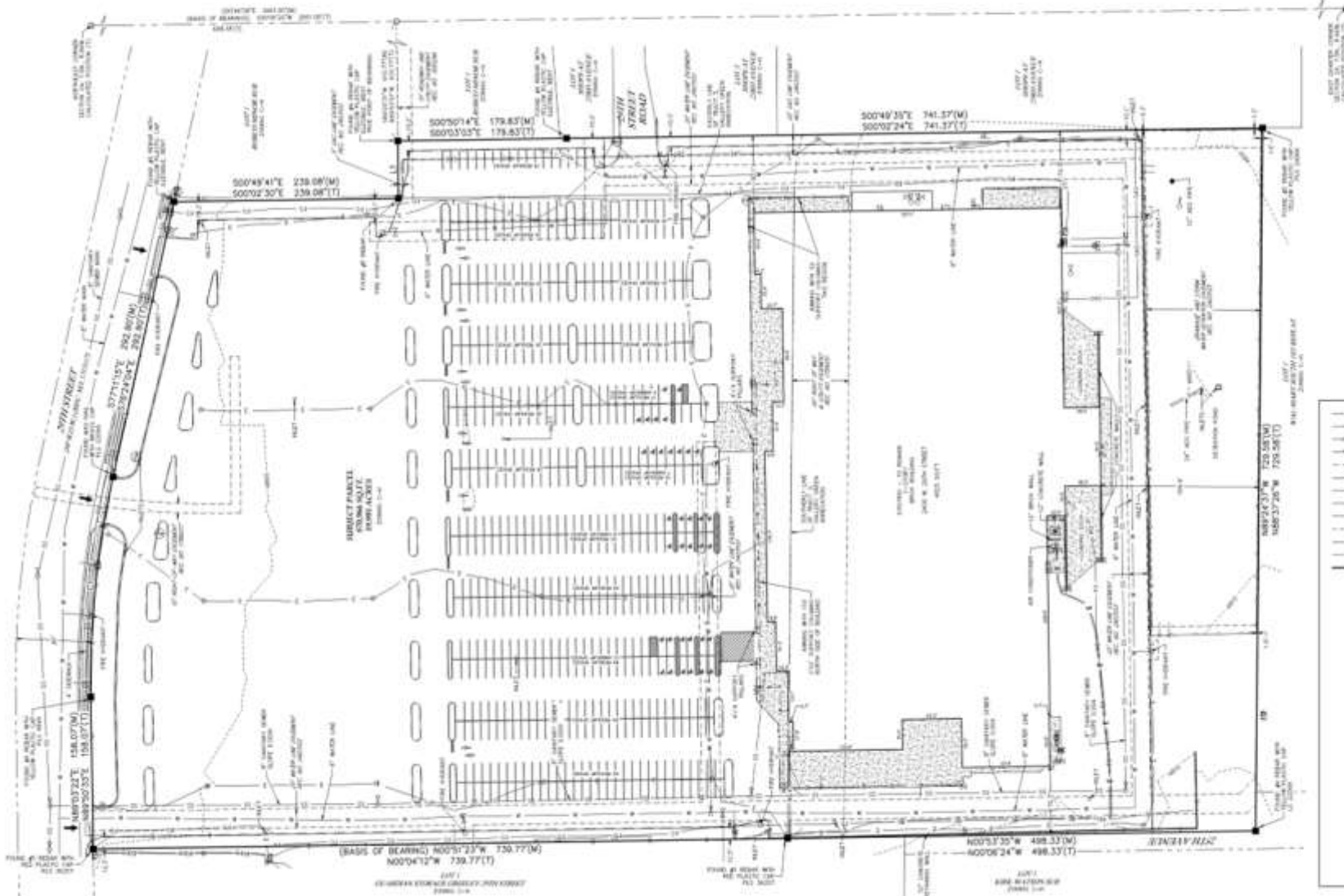
- **South of 29th Street and East of 23rd Avenue**
- **Surrounding Zoning and Land Uses:**
 - **North: Commercial High Intensity/ hotel**
 - **East: Commercial High Intensity/ commercial retailer**
 - **South: Commercial High Intensity/ big box retailer**
 - **West: Commercial High Intensity and Commercial Low Intensity/ warehouse-storage and undeveloped land**

Item No. 19.

COLORADO PREMIUM PLANNED UNIT DEVELOPMENT
 OF A PORTION OF TRACT 3 OF GALLERY GREEN ANNEXATION AND A PARCEL OF LAND, SITUATE IN THE
 NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 19.995 ACRES
 PROJECT NUMBER: PUD2022-0002



CURVE TABLE				
CURVE	LENGTH	RAIUS	DELTA	CHORD OR BEARING
1000	224.98	860.07	273.07°	220.47' 184°24'11.1"
1001	228.98	860.07	124.93°	220.47' 081°17'32.9"



LEGEND

- PLUMBING
- CABLE LAY-OUTS
- FENCE LINE
- SLURRY WALL
- SW
- TREE SPACER LINE
- GAS LINE
- WATER LINE
- UNDERGROUND POWER LINE
- EXISTENT LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- PROPERTY LINE
- POLE MOUNTED AS REQUIRED
- CALCULATED POSITION
- ➔ EXISTING ACCESS POINT
- ⊙ MEASURED
- ⊙ TIRE COMPRESSOR LAND OCCUPATION
- ⊙ AIR CONDENSER UNIT
- ⊙ LABEL TO RECEIVING
- ⊙ OPERABLE MANHOLE
- ⊙ ELECTRIC BOX
- ⊙ ELECTRIC METER
- ⊙ JOINT PANEL
- ⊙ TREE SPACER HOLE
- ⊙ TREE SPACER BRANCH
- ⊙ RECEIVING PIPING
- ⊙ GAS SERVICE
- ⊙ GAS METER
- ⊙ OPERABLE MANHOLE
- ⊙ SLOPE DIRT
- ⊙ SLOPE STONE
- ⊙ GAS METER
- ⊙ WATER HOLE
- ⊙ WATER SERVICE
- ⊙ WATER METER



Current Conditions

Existing Permitted Uses

Commercial High Intensity

- **Automobile/Gas Station**
- **Lodging – Hotel/Motel**
- **Retail – Large (20K to 100K GLA)**

PUD Permitted Uses

Colorado Premium PUD

- **Automobile/Gas Station**
- **Lodging – Hotel/Motel**
- **Retail – Large (20K to 100K GLA)**
- **Manufacturing Food and Beverage – Major**

Recommendation

- **Complies with Section 24-204(b) – Rezoning and 24-205(c) PUD**
- **Planning Commission reviewed the request and conducted a public hearing on October 11, 2022. Voted to recommend approval with a 7-0 vote**

Approval Criteria

Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

- | | |
|----|---|
| A) | <p>The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.</p> |
| | <ul style="list-style-type: none"> <i>The subject property is identified in the Comprehensive Plan for neighborhood commercial. This rezone would allow a commercial tenant to utilize an existing space in an area that is predominantly utilized for commercial purposes</i> |
| B) | <p>The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.</p> |
| | <ul style="list-style-type: none"> <i>While the area is Commercially zoned, to the west of this site is an existing warehousing/storage facility, which is a use that is also permitted in an Industrial zone thus contributing to the overall compatibility of this use</i> |
| F) | <p>The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.</p> |
| | <ul style="list-style-type: none"> <i>Existing City water and sewer utilities currently service this property</i> |

Approval Criteria

Rezone Criteria – Section 24-204 (b)

- | | |
|----|---|
| G) | <p>The change will serve a community need, provide an amenity, or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.</p> |
| | <ul style="list-style-type: none"> <i>The proposed rezoning would allow the applicant to make use of an existing vacant building, enabling the use to complement the existing Commercial High Intensity zone district with a business that fits the character of the area</i> |
| H) | <p>Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.</p> |
| | <ul style="list-style-type: none"> <i>Any development proposal will be required to meet Development Code, Subdivision and Design criteria and will be evaluated against those criteria as part of the review process</i> |

Approval Criteria

PUD Criteria – Section 24-205(c)

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

The following Comprehensive Plan goals are met with this PUD proposal:

- *GC-2.2: Jobs/Housing Balance*
- *GC-4.2: Reinvestment/Adaptive Use*
- *ED-2.7: Business Attraction*

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

- *This proposed Planned Unit Development involves both of the above goals. Therefore, the business proposed is very compatible within the Commercial High Intensity Zone District but adds the specialty niche of integrating Manufacturing Food and Beverage, which, given the operation of this business, fits cohesively into this commercial area.*

Approval Criteria

PUD Criteria – Section 24-205(c)

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

- This proposed Planned Unit Development meets this criterion as detailed in letter a above.*

D) The plan meets all of the review criteria for zoning map amendments in Section 24-204.

- As per the previously detailed rezoning standards, this request is in compliance with Section 24-204, Review Criteria for Rezoning.*

Errata Sheet for November 1, 2022, City Council Meeting

Item 19: Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado from Commercial High Intensity (C-H) to Planned Unit Development (PUD) changing the underlying land use designations for approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street (Colorado Premium PUD)

Colorado Premium Corrected Motions:(Two motions are necessary to approve this request)

1. A motion that, based on the application received and accompanying analysis, the proposed rezoning from C-H (Commercial High Density (C-H) to Planned Unit Development (PUD) is in compliance with Title 24-204(b) and therefore approve the request.
2. A motion to adopt the ordinance and publish with reference to title only.

Council Agenda Summary

Title:

Scheduling of Meetings, Other Events

Summary:

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Planning Calendar and Schedule for City Council Meetings and Work Sessions and make any necessary changes regarding any upcoming meetings or events.

Attachments:

Council Meetings and Other Events Calendars

Council Meeting and Work Session Schedule/Planning Calendar

October 31, 2022 - November 6, 2022

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Monday, October 31

Tuesday, November 1

6:00pm - City Council Meeting (Council Chambers and via Zoom) - Council Master Calendar ↻

Wednesday, November 2

Thursday, November 3

- 7:30am - Poudre River Trail (Hall)** ↻
- 3:30pm - IG Adv. Board (Butler)** ↻
- 6:00pm - 8:30pm North Front Range MPO Meeting (Olson/Payton)** ↻

Friday, November 4

Saturday, November 5

Sunday, November 6

November 7, 2022 - November 13, 2022

November 2022



Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022


Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Monday, November 7

Tuesday, November 8

 **6:00pm - City Council Worksession Meeting - CANCELLED** (Council Chambers and via Zoom) - Council Master Calendar 

Wednesday, November 9

 **10:00am - 11:00am Registration Link - NoCo Refugee Quarterly Consultation November** (Microsoft Teams) - Council Master Calendar

Thursday, November 10

Friday, November 11

Saturday, November 12

Sunday, November 13

November 14, 2022 - November 20, 2022

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Monday, November 14

Tuesday, November 15

6:00pm - City Council Meeting - Council Master Calendar ↻

Wednesday, November 16

2:00pm - 5:00pm Water & Sewer Board (Gates) ↻

Thursday, November 17

7:30am - 8:30am DDA (DeBoutez/Butler) ↻

3:30pm - 4:30pm Airport Authority (Clark/Payton) ↻

Friday, November 18

Saturday, November 19

Sunday, November 20

November 21, 2022 - November 27, 2022

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Monday, November 21

Tuesday, November 22

6:00pm - City Council Worksession Meeting - Cancelled - Council Master Calendar

Wednesday, November 23

Thursday, November 24

Friday, November 25

Saturday, November 26

5:30pm - 7:00pm Lights the Night Parade (Gates, Hall, Butler, Payton, Clark) - Council Master Calendar

Sunday, November 27

City Council Meeting Scheduling 2022

as of 10/27/2022			
This schedule is subject to change			
Date	Description	Sponsor	Placement/Time
November 8, 2022 Worksession Meeting	Cancelled		
November 15, 2022 Council Meeting	Proclamation - 16 Days of Activism	Mayor	Intro
	Minutes Approval (10/18 Council Meeting; 10/25 Council Work Session)	Heidi Leatherwood	Consent
	Intro & 1st Rdg Ord - Council consideration of Grant Approval limits	John Karner	Consent
	Intro & 1st Rdg Ord - Appropriation	John Karner	Consent
	Resolution for a State Trails Planning Grant Application/Sheep Draw Natural Areas Trailhead	John Dargle	Consent
	Resolution - Authorizing Staff to Enter Settlement Agreement (XXXX)	Stacey Aurzada	Consent
	2nd Rdg Ord & PH - Amending Title 12 regarding Greeley's Municipal Separate Storm Sewer System	Paul Trombino/Brian Hathaway	Regular
November 15, 2022 Special Meeting/Work Session	Board & Commission Appointments	City Clerk	Regular
November 15, 2022 Special Meeting/Work Session	Development Fees	Becky Safarik	
November 22, 2022 Worksession Meeting	Cancelled		
December 6, 2022 Council Meeting	Minutes Approval (11/1 Council Meeting; 11/15 Council Meeting, 11/25 Special Work Session)	Heidi Leatherwood	Consent
	Approval and Adoption of 2023 Proposed Council Meeting and Work Session Dates	Heidi Leatherwood	Consent
	Intro & 1st Rdg - Ord Authorizing 6th Amendment to Leprino Development Agreement	Sean Chambers	Consent
	Intro & 1st Rdg - Ord - Knolls West I-L Rezone	Becky Safarik	Consent
	Consideration of a Resolution Approving a Downtown Redevelopment Agreement	Ben Snow	Regular
	PH - Motion to Amend 2020-2024 Consolidated Plan re CDBG-CV funds	Ben Snow	Regular
	Resolution - Adoption of 2022 Water Efficiency Plan	Sean Chambers	Regular
	2nd Rdg Ord & PH - Council consideration of Grant Approval limits	John Karner	Regular
2nd Rdg Ord & PH- Appropriation	John Karner	Regular	

Council Agenda Summary

Title:

Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council's Recommended Action:

A motion to approve the above authorizations.