



Planning Commission Remote Meeting Instructions for November 24, 2020 Meeting

In order to comply with all health orders and State guidelines to stop the spread of the COVID-19 Coronavirus, **no physical location, including the City Council Chambers, will be set up for viewing or participating in this meeting.**

You can view the Planning Commission meeting by following the instructions below to watch the **YouTube** live stream. By utilizing this option to view the meeting, you will not be able to provide live input during the meeting. To provide live input, see the “Real Time” instructions near the bottom of this page.

View by YouTube:

- From your laptop or computer, click the following link or enter it manually into your web browser: (www.youtube.com/CityofGreeley). This will take you to the City of Greeley YouTube channel where you will be able to view the meeting

Citizen input and public comment for items appearing on this agenda as public hearing / quasi-judicial are valuable and welcome

There are several options for those who are interested in participating and sharing public comments:

E-mail – Submit to cd_admin_team@greeleygov.com

All comments submitted by e-mail will be read into the record at the appropriate points during the meeting in real time. Comments can be submitted up to and throughout the meeting.

Traditional Mail – Address to Planning Commission, 1100 10th Street, Greeley, CO 80631

All written comments must be received no later than the day of the meeting. Written comments received by mail will also be read into the record in real time.

Real Time – Click the link below to register for the webinar. After registering, you will receive an email with instructions for joining the meeting.

https://greeleygov.zoom.us/webinar/register/WN_MgO1o36WRCaolbjEoAkVwg

Please visit the Planning Commission web page at <https://greeleygov.com/government/b-c/boards-and-commissions/planning> to view and download the contents of the agenda packet. You are also welcome to call the Planning office at 970-350-9780 if you have any other questions or require special accommodations to attend a virtual hearing.



PLANNING COMMISSION

Agenda

November 24, 2020
1:15 p.m.

- I. Call to Order
- II. Roll Call
- III. Approval of minutes for meeting held on November 10, 2020
- IV. A public hearing to consider a request to rezone property located at 134, 140 and 148 14th Avenue, including adjacent right-of-way to the centerline of the roadway, totaling approximately 0.870 acres, from I-L (Industrial Low Intensity) to R-M (Residential Medium Density)
 - Project Name: 14th Avenue Rezone
 - Case No.: ZON2020-0003
 - Applicant: City of Greeley
 - Location: 134, 140 and 148 14th Avenue
 - Presenter: Brittany Hathaway, Planner III
- V. Staff Report
- VI. Adjournment

PLANNING COMMISSION HEARING DATES:

All hearings are held on the 2nd and 4th Tuesdays of the month at 1:15 p.m. Agendas are posted at <http://greeleygov.com/government/b-c/boards-and-commissions/planning>.

December 8, 2020	February 9, 2021
December 15, 2020 (special meeting)	February 23, 2021
December 22, 2020 (cancelled)	March 9, 2021
January 12, 2021	March 23, 2021
January 26, 2021	April 13, 2021

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PLANNING COMMISSION Proceedings

**November 10, 2020
(Zoom Webinar and viewable on City of Greeley YouTube)
1:15 p.m.**

I. Call to Order

Chair Yeater called the meeting to order at 2:13 p.m. following adjournment of the Zoning Board of Appeals hearing.

II. Roll Call

Chair Yeater asked the clerk to call the roll. Chair Yeater, Commissioners Andersen, Schulte, Franzen, Briscoe, Romulo and Modlin were present.

III. Approval of minutes for meeting held on October 13, 2020

Commissioner Andersen moved to approve the minutes dated October 13, 2020. Commissioner Romulo seconded the motion. The motion carried 7-0.

IV. A public hearing to consider a rezone request for 13.13 acres of land within the Gateway Park PUD (Planned Unit Development) and Centerplace PUD to PUD (Greeley West Multifamily)

Project Name: Greeley West Multifamily Rezone
Case No.: ZON2020-0007
Applicant: Sam Coutts, Ripley Design
Location: West of 38th Avenue, east of 42nd Avenue and directly south of Greeley West Park
Presenter: Kira Stoller, Planner II

V. A public hearing to consider a request for a Preliminary PUD (Planned Unit Development) for approximately 12.44 acres of land

Project Name: Greeley West Multifamily Preliminary PUD
Case No.: PUD2020-0006
Applicant: Sam Coutts, Ripley Design
Location: West of 38th Avenue, east of 42nd Avenue and directly south of Greeley West Park
Presenter: Kira Stoller, Planner II

Kira Stoller addressed the Commission and introduced a request to rezone approximately 13.31 acres of land from PUD (Gateway Park & Centerplace) to PUD (Greeley West Multifamily) and establish a Preliminary PUD Plan for approximately 12.44 acres of property located west of 38th Avenue, east of 42nd Avenue and directly south of Greeley West Park. She requested permission to provide just one presentation for Items IV and V, adding that separate motions would be required. The Planning Commission offered no objection. Ms. Stoller noted a correction to the agenda clarifying the rezone of 13.31 acres rather than 13.13 acres. Commissioner Schulte requested to be recused from both cases due to a conflict of interest.

Ms. Stoller presented a map and photos of the site explaining most of the surrounding zoning is PUD and the surrounding uses include a mixture of single and multi-family housing, a public park, and vacant land. Photos of the site taken from 38th Avenue and 42nd Avenue were presented by Ms. Stoller. She provided background of the site including detail of the two PUDs requested to be rezoned to the Greeley West Multifamily PUD and presented photos of the existing PUD plans noting the overlap at the subject site. She explained that due to the two existing PUDs, the property has been difficult to develop with the current standards without there being confusion about which PUD applies to each part of the site.

Ms. Stoller presented the proposed rezone boundary site map encompassing 13.31 acres of land noting the map included the half width of adjacent right-of-way of both 42nd Avenue and 38th Avenue. She added that this is why the rezone map is a larger area than the proposed Preliminary PUD. She presented a site analysis map highlighting the existing conditions of the subject property.

Ms. Stoller presented a design standards table showing the applicant's proposed PUD standards, alongside the previously established PUD standards as a comparison and explained the proposed PUD standards in detail. Information was presented by Ms. Stoller regarding the proposed setbacks and access points and noted that the access point located along 42nd Avenue was relocated by the applicant following a neighborhood meeting to address concerns regarding vehicle headlights shining into neighboring property homes. Ms. Stoller presented an illustrative site plan explaining the applicant is proposing to develop the site with 298 multi-family units. She advised the Commission that the proposed PUD incentivizes usable open space by requiring 10% more than what is required by Code in exchange for increased density. Ms. Stoller explained the maximum building heights allowed in the proposed PUD, adding that no specific architectural standards are proposed, but preliminary building elevations were submitted for four structure types with

similar design elements. The applicant is proposing to enhance landscaping along 38th and 42nd Avenue to account for the reduced setback request. She stated that the proposed landscaping requirements would focus on waterwise design, native materials, and storm water to be treated with the use of a rain garden.

Ms. Stoller presented and described the rezone approval criteria and advised that the request meets five of the eight criteria, with three criteria being inapplicable. She advised that encouraging residential development on the subject site would help to support the surrounding commercial uses as Centerplace is built out. Ms. Stoller noted the existing PUDs have been in place for over 15 years and the site is still undeveloped, aside from the abandoned oil and gas use. She added the existing PUDs were approved prior to adoption of the current comprehensive plan and that establishing a new PUD would help ensure site development consistent with the goals of the Imagine Greeley Comprehensive Plan.

Ms. Stoller presented and described the Preliminary PUD approval criteria and advised the proposed site meets size criteria and is consistent with a number of comprehensive plan objectives. Ms. Stoller informed the Commission that a neighborhood meeting was held via Zoom on July 16, 2020 attended by eight neighboring residents who commented on increased traffic, noise and placement of entrances into the development being unfavorable along 42nd Avenue. She added that the applicant revised plans to consider comments from neighboring residents. She stated that notices of the hearing were mailed to surrounding property owners, a notice was published in the newspaper, and four signs were posted on the property. Ms. Stoller stated no inquiries were received.

Commissioner Andersen asked staff if the applicant's response to the neighborhood meeting was adequate and how invitations were sent for the neighborhood Zoom meeting. Ms. Stoller responded that a few neighbors voiced concern regarding the meeting format however staff utilized the Zoom platform based on feedback from the Communication and Engagement Department and followed City guidance. She explained that ahead of the neighborhood meeting phone calls and emails were received by Ms. Kuhn who was the prior planner on the project. Ms. Stoller added that notice of the Zoom meeting was sent by mail.

Carol Kuhn addressed the Commission and added notice of the neighborhood meeting webinar was published on the City of Greeley website. She stated she assisted residents with questions regarding how to access the neighborhood meeting. Chair Yeater asked Ms. Kuhn if she felt that everyone who wanted to participate was able to do so and whether staff felt the concerns were appropriately addressed by the applicant with regard to revisions to the preliminary design. Ms. Kuhn stated that assistance was provided to any participant who requested it and felt confident in the response received. She provided examples of concerns the applicant had addressed.

Commissioner Franzen referenced a question he had received from a resident and asked for clarification as to whether 24th Street would be extended through to 23rd Street Road. Ms. Stoller explained at this point there will be no connection.

There was discussion about the traffic impact on 42nd Avenue. Ms. Stoller explained that the existing PUD is a final PUD and was approved for high-density residential, adding that the proposed change should not substantially increase the level of traffic that could already be generated by development of the site under the existing approvals.

Thomas Gilbert, Engineering Development Review, addressed the Commission indicating that the original PUD allowed 1680 daily trips and that the proposed number of daily trips in the amended PUD is 1620, a four percent reduction. He added that there are currently approximately 784 daily trips along 42nd Avenue which could increase to approximately 946 daily trips. Mr. Gilbert advised that 42nd Avenue is deemed a minor collector road which allows 3500 daily trips. He noted that the proposal meets the requirements for a local residential road. Mr. Gilbert added that traffic calming was considered but did not meet City criteria.

Natalie Dustman, McWhinney Real Estate Development, addressed the Commission and provided a brief background of the developer. She noted that McWhinney is a comprehensive real estate development, investment and management firm that utilizes self-management resulting in quality projects. She expressed her excitement to work on the project and looks forward to a long-term home in Greeley.

Sam Coutts, Ripley Design, representing the developer McWhinney, addressed the Commission and shared his appreciation to staff and the Commission for working through uncertain times and continuing to support growth and development in Greeley. He offered to answer any questions. Mr. Coutts presented a brief history of the site and explained that creation of a new PUD would allow for cohesive design standards. Mr. Coutts presented a plan to design the site encouraging useable open space, enhanced streetscapes, walkable development, and a transition of land use intensity. He pointed out differences in the current and proposed PUDs. Mr. Coutts presented a conceptual site plan and detailed information regarding traffic impact. He added the existing zoning has been in place for at least 15 years without substantial development and impact to the neighborhood is minimal.

Commissioner Briscoe asked for clarification of a rain garden and how it relates to drainage. Mr. Coutts explained a rain garden is an environmentally safe storm water facility with different soil and media and is meant to filter water on site before it enters the city's stormwater system. Commissioner Andersen asked how it would differ from a retention pond. Andy Reese, Northern Engineering, explained the difference between a retention pond and rain garden, advising that a retention pond releases water from a site when water levels are at a historic high, whereas a rain garden replicates a natural storm water cycle by regularly filtering and improving the quality of the water.

Chair Yeater opened the public hearing opened at 2:54 p.m.

Melinda Wakefield, a resident who had participated in the previous neighborhood meeting, sent a message via Zoom that was read into the record. Ms. Wakefield asked whether a traffic study had been conducted regarding Centerplace Drive, specifically left turns from 35th Avenue to Centerplace Drive.

The public hearing was closed at 2:55 p.m.

Thomas Gilbert addressed the Commission and explained that the capacity of 35th and 47th Avenues was analyzed in a traffic study. He stated the City is keeping these intersections in mind for potential improvements, adding that they currently operate at acceptable levels and that service and improvements of the intersection would be out of scope for this applicant. He added the intersections will operate acceptably with the minor increase in traffic from this project.

There was discussion about the owner of the vacant parcel of land located directly south of the subject property and its intended uses for the future. Staff clarified that when the southern parcel is developed, traffic improvements would be done at that time. Ms. Dustman commented that McWhinney is under contract for both the north and south parcels, and will likely be moving forward with only the northern parcel.

Commissioner Andersen moved that, based on the application received and preceding analysis, the Planning Commission finds that the proposed rezoning from PUD (Gateway Park & Centerplace) to PUD (Greeley West Multifamily) meets the applicable Development Code criteria, Sections 18.30.050(c)(3) a, b, e, f and g and therefore, recommends approval of the rezone to City Council. Commissioner Romulo seconded the motion. The motion carried 6-0. (Commissioner Schulte recused himself.)

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Greeley West Multifamily Preliminary PUD Plan meets Development Code Section 18.32.040(b) and therefore recommends approval to City Council. Commissioner Romulo seconded the motion.

Commissioner Andersen commended the applicant for attention to concerns presented at the neighborhood meeting as well as the plans for water conservation. Chair Yeater commended the applicant for working to address concerns of all parties.

The motion carried 6-0. (Commissioner Schulte recused himself.)

VI. Staff Report

Brad Mueller, Community Development Director, updated the Commissioners on the City's efforts to address the housing and homelessness issues. He advised that the United Way of Weld County through a program called Weld's Way Forward worked on a comprehensive set of services and coordination procedures. Mr. Mueller added that one element of the program included a cold weather shelter that opened on November 4, 2020 at Tri-Point Building on the southwest corner of Hwy 34 and US 85 and will remain open through mid-April.

Mr. Mueller gave a brief overview of development impact fees and reported that City Council has decided to stay with the existing development impact fees established in 2014 which will be reviewed in five years per City Municipal Code.

Mr. Mueller reported progress has been made regarding the Development Code; he noted an update was included with a presentation to City Council. He expressed excitement for continuing progress and looks forward to the future. The Development Code update completion date will be on approximately September 2021.

VII. Adjournment

The meeting adjourned at 3:27 p.m.

Justin Yeater, Chair

Brad Mueller, Secretary

DRAFT

PLANNING COMMISSION SUMMARY

ITEM: Rezone from I-L (Industrial Low Intensity) to R-M (Residential Medium Density)

FILE NUMBER: ZON2020-0003

PROJECT: 14th Avenue Rezone

LOCATION: 134, 140 & 148 14th Avenue

APPLICANT: City of Greeley

CASE PLANNER: Brittany Hathaway, Planner III

PLANNING COMMISSION HEARING DATE: November 24, 2020

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 18.30.050(c)(3).

EXECUTIVE SUMMARY

The City of Greeley is considering a request to rezone property located at 134, 140 and 148 14th Avenue, including adjacent right-of-way to the centerline of the roadway, totaling approximately 0.870 acres (37,898 square feet) from I-L (Industrial Low Intensity) to R-M (Residential Medium Density) (*see Attachments A, B, C, and D*).

A. REQUEST

The applicant is requesting approval of a rezone (*see Attachment A*).

B. STAFF RECOMMENDATION

Approval.

C. LOCATION

Abutting Zoning:

North: I-L (Industrial Low Intensity)

South: I-L (Industrial Low Intensity) and C-L (Commercial Low Intensity) on the south side of 2nd Street.

East: I-L (Industrial Low Intensity)

West: R-H (Residential High Density) and C-L (Commercial Low Intensity) on the west side of 14th Avenue.

Surrounding Land Uses:

North: Single-family residences
South: Single-family residences and Our Lady of Peace Catholic Church
East: Single-family residences
West: Single-family residence and Island Grove Village Apartments

Site Characteristics:

The site areas are flat and undeveloped and primarily covered with dirt and gravel. An unpaved alley bifurcates 134 14th Avenue and 140 14th Avenue. There is also a solid fence that borders the north side of 134 14th Avenue. Attached sidewalks exist along 14th Avenue and 2nd Street.

D. BACKGROUND

The properties were originally platted as part of the City of Greeley Union Colony Plat. Public streets and alleys were dedicated with the Billings Subdivision circa 1905 (Reception No. 99897), which also included the properties addressed 140 and 148 14th Avenue. The most recent subdivision was the Billings and Sylvester Subdivision circa 1910 (Reception No. 154105), which included the property addressed 134 14th Avenue.

Similar to the Sunrise neighborhood, the Billings neighborhood has a mix of residential and industrial uses with primary zoning being I-L (Industrial Low Intensity). The subject properties are primarily surrounded by residential uses with the exception of the Our Lady of Peace Catholic Church located on the south side of 2nd Street.

Properties along 14th Avenue, both north and south of the subject properties, have a development pattern with a mix of residential, institutional, and industrial uses (*see Attachments A and B*).

The subject sites have been industrially zoned since the 1940s-50s. If the properties were to be rezoned, the City of Greeley would make the properties available for private development of infill residential uses as allowed in the R-M (Residential Medium Density) zone district. Due to surrounding uses being single-family and multi-family, the proposed zoning would conform to existing development patterns. Prior to development, in addition to building permits, a subdivision may also be required pending site layout and proposed development.

APPROVAL CRITERIA

Development Code Section 18.30.050 Rezoning Procedures

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

The review criteria found in Section 18.30.050(c)(3) of the Development Code shall be used to evaluate the zoning amendment application.

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

Staff Comment: Significant development/redevelopment has not occurred in this area over many decades. The neighborhood has remained stable, with residential uses in the immediate vicinity of the subject properties despite opportunities for industrial and commercial development due to existing industrial zoning.

Rezoning to R-M is compatible with the existing neighborhood, offering a transition between single-family residential and multi-family residential uses along 14th Avenue.

This criterion is not applicable to this request.

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

Staff Comment: The northern lot addressed as 134 14th Avenue has been zoned industrial since 1949. The lot adjacent to 2nd Street, addressed 140 & 148 14th Avenue, has been zoned industrial since 1958. The properties have been vacant for well over 15 years.

Despite the industrial zoning, much of the Billings neighborhood has remained residential. There appears to be little interest in assembling smaller parcels into larger lots, which would be needed to develop land for industrial uses. The rezoning from I-L to R-M would allow for potential affordable housing options and infill development.

This request complies with this criterion.

- c) **Are there clerical or technical errors to correct?**

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

This criterion is not applicable to this request.

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

Staff Comment: There are no known detrimental environmental conditions existing on site and the site is not located within a floodplain

This criterion is not applicable to this request.

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

Staff Comment: The proposed rezoning is necessary in order to allow for the expansion of historical residential uses within an industrial area.

The City of Greeley’s “Strategic Housing Plan” encourages the correction of such zoning mismatches in order to promote housing choice, a variety of housing, and reinvestment in existing neighborhoods.

This request complies with this criterion.

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

Staff Comment: City services such as water, sewer, police, and fire are already available to the site. Sidewalks exist along the west and south sides of the property.

The City’s plans for the property would result the development of residential uses where industrial uses would currently be permitted. As such, the proposed rezoning should not negatively impact the neighborhood, rather it would ensure compatibility with established residential uses. If the property were rezoned, plans for infill development would be reviewed by staff for compliance with Development Code criteria.

The proposal complies with this criterion.

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

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

Education, Health, and Human Services:

- ***EH-4.3 Infill Compatibility:*** Discourage land use changes, zoning changes, and/or new developments that will negatively impact the safety of students while attending school, travelling to and from a school, or diminish residential population in areas that are served by neighborhood schools.

Growth & City Form:

- ***GC-4.1 Priority Infill/Redevelopment Areas:*** Following the guidance of adopted neighborhood plans and studies, use incentives and infrastructure investments to support infill development and redevelopment in priority locations, such as designated redevelopment and urban renewal areas.
- ***GC-6.3 Neighborhood Character:*** Maintain, enhance, and protect the character of established neighborhoods while recognizing the need for established neighborhoods to evolve to meet city needs.
- ***GC-6.5 Neighborhood Reinvestment:*** Monitor and address conditions that contribute to distress, disinvestment and blight in older areas of the community through neighborhood plans and their implementation.

Staff Comment: The proposed rezone supports the conservation of an existing neighborhood by ensuring conflicting use patterns are limited. Approval of the rezone would protect adjacent residential uses by preventing the subject properties from redevelopment into more intense industrial uses, which could impact the character of the neighborhood and quality of life.

The proposed rezone would also allow for new infill development of single-family or two-family uses to meet City needs for affordable housing options.

The proposal complies with this criterion.

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

Staff Summary: Staff does not anticipate any adverse effects due to the rezone request.

The proposal complies with this criterion.

E. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject properties are known as Lot 7 of Block 1, Billings and Sylvester Subdivision and Lot 1 of Block 1, Billings Subdivision.

2. HAZARDS

Staff is unaware of any potential hazards that presently exist on the site.

3. WILDLIFE

The subject site is not located in an area identified for moderate or high wildlife impacts. There are no known impacts that would occur to wildlife if the site is rezoned.

4. FLOODPLAIN

The proposed rezone boundary is not located within the 100-year floodplain or floodway, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

5. DRAINAGE AND EROSION

The existing drainage patterns are expected to continue to follow the existing lay of the land. Drainage patterns would be examined in greater detail through any future land use requests.

6. TRANSPORTATION

There are no proposed changes to the properties access. No additional impacts are anticipated to be generated by the proposed rezone.

F. SERVICES

1. WATER

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

2. SANITATION

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

3. EMERGENCY SERVICES

The subject site is serviced by the City of Greeley Fire and Police. The closest fire station, Fire Station #1, is located approximately 1.2 miles from the subject site.

4. PARKS/OPEN SPACES

No parks or regional open space areas are proposed with this rezone request. Park dedication is required at the time of subdivision, when not previously identified by zoning.

The subject site is approximately 0.2 miles south of the Island Grove Park.

5. SCHOOLS

The proposed rezone is within the Greeley-Evans School District boundary. The closest District 6 Schools are Jefferson High School, approximately 2 miles to the north, Franklin Middle School approximately 2.5 miles to the west, and Billie Martinez Elementary School approximately 0.2 miles to the south.

The proposed rezone should not have any impact on the school district.

G. NEIGHBORHOOD IMPACTS

1. VISUAL

No visual impacts are anticipated with this rezone request. Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

2. NOISE

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

H. PUBLIC NOTICE AND COMMENT

Neighborhood notices were mailed to surrounding property owners on November 12, 2020 per Development Code requirements. Signs were posted on the site on November 10, 2020. No comments have been received.

I. MINERAL ESTATE OWNER NOTIFICATION

Mineral notice is not required for the rezone request.

J. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the Project Summary and accompanying analysis, the Planning Commission find that the proposed rezone from I-L (Industrial Low Intensity) to R-M (Residential Medium Density) meets the applicable Development Code criteria, Sections 18.30.050(c)(3) b, e, f, g and h; and therefore, recommend approval of the rezone to the City Council.

ATTACHMENTS

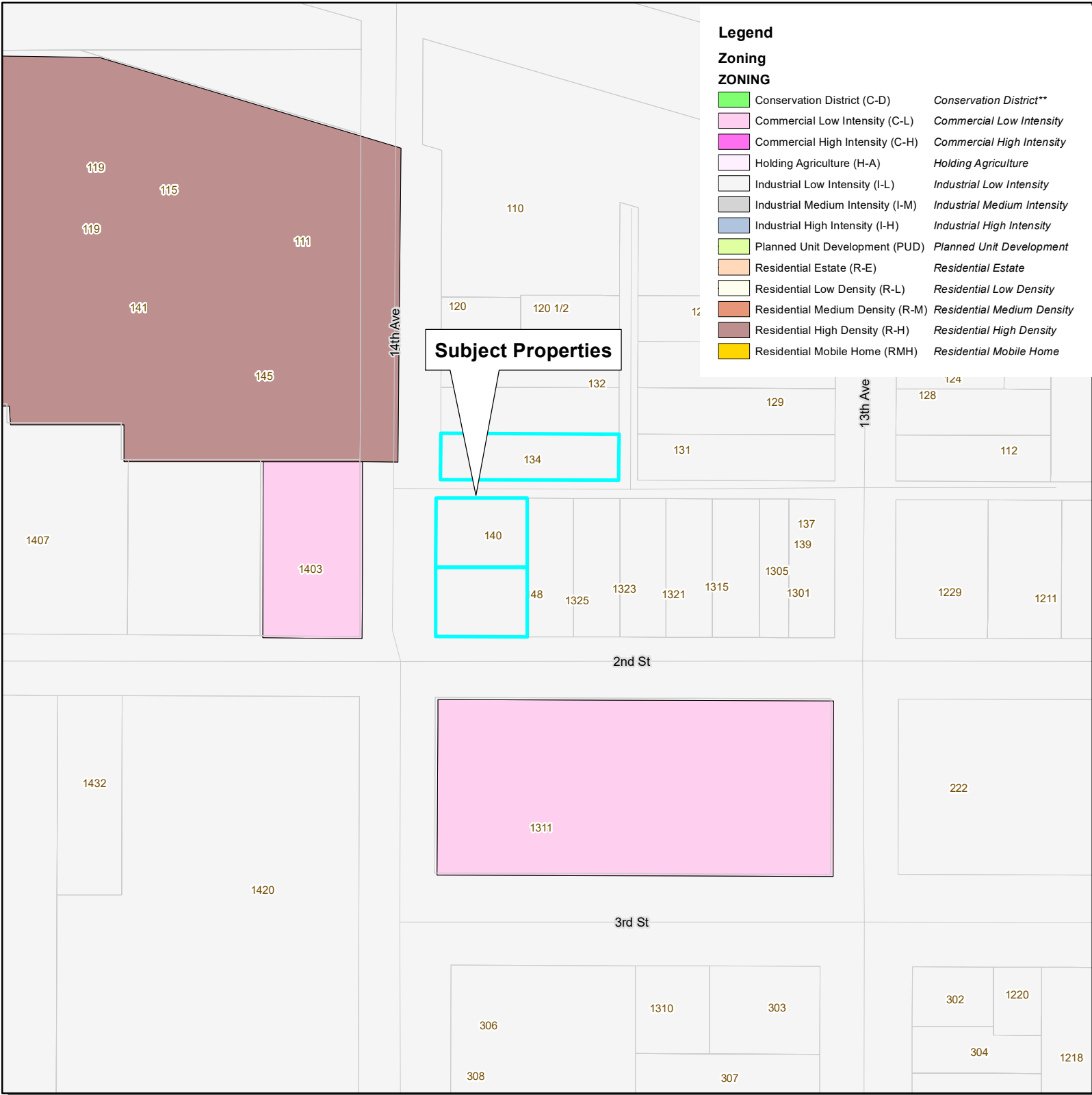
Attachment A – Zoning/Vicinity Map

Attachment B – Photo Aerial

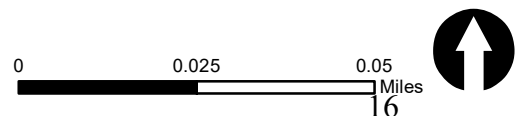
Attachment C – Narrative

Attachment D – Property Boundary Map

Zoning/Vicinity Map 14th Avenue Rezone



ZON2020-0003

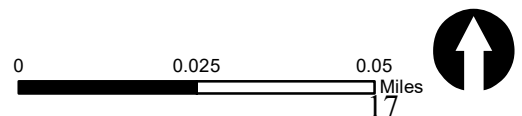


Aerial Map 14th Avenue Rezone



Subject Properties

ZON2020-0003



14th Avenue – Rezone Project Narrative

The City of Greeley owns three adjacent properties in North Greeley located south of Island Grove Regional Park and the Colorado and Southern Railroad on the east side of 14th Avenue and addressed as 134 14th Avenue (acquired 01 01 1900), 140 14th Avenue (acquired 11/15 1994), and 148 14th Avenue (acquired 11 14 1994). All properties are currently vacant. An east/west alley separates 134 14th Avenue from the other two properties. The properties were originally platted as part of the City of Greeley Union Colony Plat. Later, public streets and alleys were dedicated in 1905 (Billings Subdivision) and in 1910 (Billings and Sylvester Subdivision).

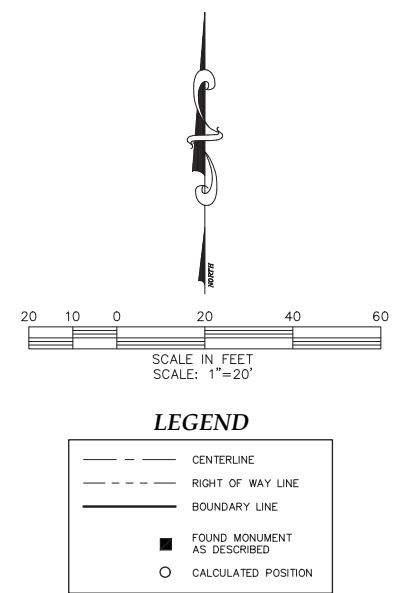
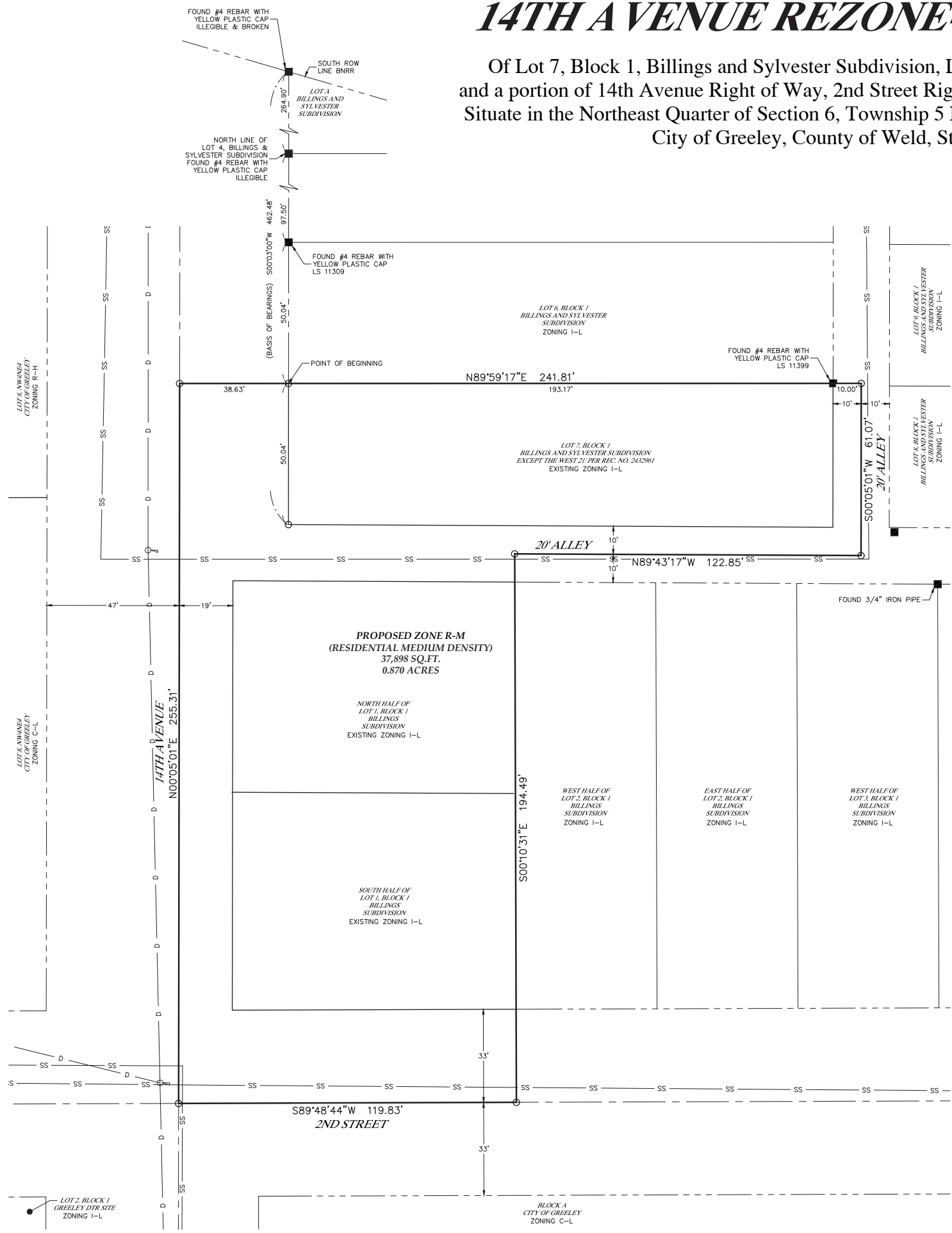
The purpose for the City owning these properties is not clear from available records but their location adjacent to 14th Avenue, and its function as a major entry way to Island Grove Park, give rise to the presumption that the lots were purchased in order to expand that right-of-way for vehicular traffic. It is likely that the amount of right-of-way needed would have encroached into the lots such that a full taking of the property was necessary. Since that time, and development of the roadway, the lots have remained as remnant parcels.

The City has determined that it has no public purpose to retain these remnant parcels. Further, the City recently completed a Strategic Housing Plan, which identified the need for affordable housing that could be addressed with both infill and new development. The replat of these lots and rezone from Industrial Low Intensity (“I-L”) to Residential Medium Density (“R-M”) will allow the City to position the lots in a way that will optimize their potential for redevelopment for private residential use in support of the City’s Housing Plan. Adjacent properties are in residential use, further complemented by area parks and a neighborhood elementary school. Converting the lots to a compatible use will provide a more productive use of the property and remove its potential to remain as a potential nuisance site in its current vacant state.

14TH AVENUE REZONE- REZONE MAP

Attachment D

Of Lot 7, Block 1, Billings and Sylvester Subdivision, Lot 1, Block 1, Billings Subdivision and a portion of 14th Avenue Right of Way, 2nd Street Right of Way and 20' Alley Right of Way, Situate in the Northeast Quarter of Section 6, Township 5 North, Range 65 West of the 6th P.M., City of Greeley, County of Weld, State of Colorado



LEGEND

- CENTERLINE
- - - RIGHT OF WAY LINE
- BOUNDARY LINE
- FOUND MONUMENT AS DESCRIBED
- CALCULATED POSITION

PROPERTY DESCRIPTION
 A parcel of land, being inclusive of Lot 7, Block 1, Billings and Sylvester Subdivision recorded April 9, 1910 as Reception No. 154105 of the Records of Weld County, and inclusive of Lot 1, Block 1, Billings Subdivision recorded January 4, 1905 as Reception No. 99897 of the Records of Weld County and a portion of 14th Avenue Right of Way, 2nd Street Right of Way and 20' Alley Rights of Way, located in the Northeast Quarter (NE 1/4) of Section Six (6), Township Five North (T.5N.), Range Sixty-five West (R.65W.) of the Sixth Principal Meridian (6th P.M.), City of Greeley, County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the intersection of the Easterly Right of Way of 14th Avenue and Southerly Right of Way of BNRR and assuming the Easterly Right of Way line of 14th Avenue, between the Southerly Right of Way of BNRR and the South line of Lot 7, Block 1, Billings and Sylvester Subdivision, as bearing South 00°30'00" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 462.48 feet with all other bearings contained herein relative thereto;

THENCE South 00°30'00" West a distance of 412.44 feet to the North line of said Lot 7 and to the POINT OF BEGINNING;

THENCE North 89°59'17" East along the North line of said Lot 7 a distance of 203.17 feet to the centerline of a 20' Alley;

THENCE South 00°05'01" West along said centerline a distance of 61.07 feet to the center line of a 20' Alley;

THENCE North 89°43'17" West along said center line a distance of 122.85 feet to the East line of said Lot 1, extending North to the centerline of said 20' Alley;

THENCE South 00°10'31" East along said East line a distance of 194.49 feet to the centerline of 2nd Street;

THENCE South 89°48'44" West along said centerline a distance of 119.83 feet to the centerline of 4th Avenue;

THENCE North 00°05'01" East along said centerline a distance of 255.31 feet to the North line of said Lot 7, extended West to the centerline of said 4th Avenue;

THENCE North 89°59'17" East along said North line a distance of 38.63 feet to the POINT OF BEGINNING.

Said described parcel of land contains 37,898 Square Feet or 0.870 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the Easterly Right of Way line of 14th Avenue, between the Southerly Right of Way of BNRR and the South line of Lot 7, Block 1, Billings and Sylvester Subdivision, as bearing South 00°30'00" West, as monumented as shown on this plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 462.48 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

SURVEYOR'S CERTIFICATE

I, Christopher A. DePaulis, a Colorado Licensed Professional Land Surveyor, do hereby state that this Rezonning Plat was prepared under my personal supervision, and that the foregoing plat is an accurate representation thereof, all this to the best of my knowledge, information, belief, and in my professional opinion.

PRELIMINARY

Christopher A. DePaulis — On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #38105

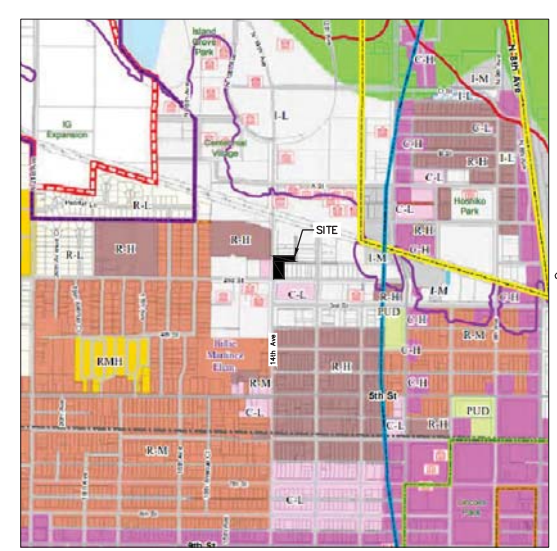
NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon the following Property Information Binders as prepared by Land Title Guarantee Company to delineate the aforesaid information.

- Property Information Binders Number FOIF25177174, dated July 8, 2020
- Property Information Binders Number FOIF25178051, dated July 29, 2020



VICINITY MAP
 SCALE: 1"=1000'

DATE:	8/6/2020
FILE NAME:	20200342REZ
SCALE:	1"=20'
DRAWN BY:	CSK
CHECKED BY:	CAD

KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | email: contact@Kingsurveyors.com



DATE:	
REVISIONS:	

14TH AVENUE REZONE - REZONE MAP
 FOR
 CITY OF GREELEY
 1000 10TH STREET
 GREELEY, CO 80631

PROJECT #:
 20200342