

## PLANNING COMMISSION SUMMARY

**ITEMS:** Preliminary Subdivision for 176 Lots that would consist of Single-Family Detached, Duplex, Multi-Family and Commercial uses, and 7 Outlots

**FILE NUMBER:** SUB2022-0005

**PROJECT:** Kirk-Watson Subdivision, First Replat

**LOCATION:** Northeast corner of 32<sup>nd</sup> Street and 29<sup>th</sup> Avenue

**APPLICANT:** Derek Glosson on behalf of Tyler Richardson, Richmark Real Estate Partners LLC

**CASE PLANNER:** Mike Garrott AICP, Planning Manager

**PLANNING COMMISSION HEARING DATE:** June 28, 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 applications in the form of a finding based on the review criteria in Section 24-203(b)(1) of the Development Code.

### EXECUTIVE SUMMARY

The City of Greeley is considering a request for approval of a preliminary subdivision of 43.42 acres of land into 176 lots that would consist of 22 single-family lots, 152 duplex lots (76 total duplexes), 1 future multi-family lot, 1 future commercial mixed-use lot, and 7 outlots (*see Attachments*). The subject property is located at the northeast corner of 32<sup>nd</sup> Street and the future extension of 29<sup>th</sup> Avenue, and adjacent to the shared municipal boundaries with the City of Evans to the south.

#### A. REQUEST

The applicant is requesting approval of a preliminary subdivision plat for the purpose of creating a mixed-density residential development with one commercial mixed-use parcel.

#### B. STAFF RECOMMENDATION

The approval of the preliminary plat is contingent upon the Hope Springs PUD (PUD2021-0012) being approved by City Council.

## **C. LOCATION**

### **Abutting Zoning/Land Use:**

**North:** C-H (Commercial High Intensity) / *Frontier Academy K-5 School, commercial and industrial users*

**South:** City of Evans – R-3 (Multi-family Residential District) / *Undeveloped lands and residential developments*

**East:** C-H (Commercial High Intensity) / *commercial users*

**West:** H-A (Holding-Agricultural) and C-H (Commercial High Intensity) / *undeveloped lands, commercial and industrial users*

### **Site Characteristics:**

The site is undeveloped land surrounded by current and future development areas that include a mix of commercial, industrial, institutional, and residential uses. The property slopes south towards 32nd Street and the City of Evans municipal boundaries.

The property contains one abandoned oil and gas well located approximately in the center of the site. There are three abandoned oil and gas wells located approximately three hundred (300) feet west of the property and one abandoned oil and gas well located approximately five-hundred (500) feet east of the property.

Additional existing site features include a small wetland area in the southwest corner of the property, an abandoned irrigation ditch along the northern portion of the property, and tilled farmland that will all be removed as part of the subject proposal.

## **D. BACKGROUND**

The site was annexed in 1987, and the current lot and right-of-way configuration was platted in 2012 under the name Kirk-Watson Subdivision. The subject site is concurrently requesting a rezoning from R-H (Residential High Density), C-L (Commercial Low Intensity) and C-H (Commercial High Intensity) to PUD (Planned Unit Development), under the PUD name of Hope Springs.

## **E. APPROVAL CRITERIA**

### **Standards for a Preliminary Subdivision Plat:**

In reaching recommendations and decisions on a preliminary subdivision plat, the Planning Commission shall apply the following standards of Section 24-203.b.1. of the current Development Code.

- (a) The applicant is in accordance with the Comprehensive Plan, or any other specific plan created under that plan, and in particular, the physical development patterns and design concepts of the plan.**

Staff Comment: The City's Comprehensive Plan designates this area as "employment, industrial and commercial areas," which allow residential land uses in instances where adjacent uses are compatible and would not negatively impact residents' quality of life or safety. The proposal provides a variety of residential housing options and includes a one-acre parcel for commercial and mixed-uses to support future residents in the area. The property is adjacent to Frontier Academy's K-5 school and serves as a transition to the residential neighborhoods to the south in the City of Evans.

In addition, the City worked with the applicant and their builder, Habitat for Humanity to receive a state housing grant under HB21-1271 to support the development of affordable housing opportunities on the property.

*The request complies with this criterion.*

**(b) The development and infrastructure is arranged in a manner to minimize impacts of geologic hazards, environmentally sensitive areas, wildlife habitat, or other nature features of the land.**

Staff Comment: A small portion of the property is identified as an Area of High Ecological Significance. A Biologist Report was provided with the overall development proposal and summarized that there are no important wildlife habitats on the site, nor are there any wildlife movement corridors through the site. The small on-site wetland is a non-jurisdictional wetland, as identified by the Army Corps. of Engineers. The report further notes that the mapping of a portion of the property as an Area of Ecological Significance may have been in error as the only identified area of significance is a small wetland area and riparian trees along the southern portion of the property. An abandoned irrigation ditch is located at the northern end of the site.

*The request complies with this criterion.*

**(c) The arrangement and proposed design of streets, blocks, and open spaces meet the development and design standards of the subdivision regulations and are coordinated with existing or potential development on adjacent property.**

Staff Comment: The subdivision design is consistent with the Hope Springs PUD plan development and design criteria. In instances where the PUD plan is silent or otherwise noted on the PUD plans, the City's Development Code regulations shall govern. The Hope Springs PUD plan established some specific design criteria, such as perimeter landscape treatments, lot sizes and setbacks, and parking requirements. And in other instances, defers to the Development Code criteria.

The preliminary plat application was referred to the City of Evans due to the site's adjacency to the City of Evans and City of Greeley's shared municipal boundaries along the south. The applicant, along with Greeley and Evans staff, are working through drainage and roadway logistics that will be finalized with the final plat application, if the preliminary plat is approved.

The applicant completed a neighborhood meeting in May 2022. There were no concerns raised by adjacent property owners. An email of support was received by staff and is included as an attachment to the packet materials.

*This request complies with this criterion.*

**(d) The proposed blocks and lots are capable of meeting all development and site design standards under the applicable zoning district.**

Staff Comment: The design is consistent with the Hope Springs PUD plan development and design criteria, and the Development Code criteria where the PUD plan does not govern. The Hope Springs PUD plan established specific design criteria including, lot sizes, setbacks, perimeter landscaping and parking.

*This request complies with this criterion.*

**(e) The application demonstrates a preliminary likelihood of being able to meet the design, construction, performance, and maintenance requirements for all required improvements.**

Staff Comment: The applicant submitted their preliminary construction plans for concurrent review with the preliminary plat. City staff and referral agencies have reviewed the preliminary construction plans and will work through final details and logistics as part of the final plan submittal if the preliminary plat is approved.

*The request complies with this criterion.*

**(f) Any phasing is clearly indicated and demonstrates a logical and coordinated approach to development, and the timing, location, and construction of amenities is consistent throughout phases.**

Staff Comment: The applicant anticipates completing all infrastructure as one phase. Construction of homes would progress through the development to mitigate traffic and ensure a safe environment as residents move in to completed homes. The multi-family lot is a future project, as is the commercial mixed-use parcel on the western side of the site.

*The request complies with this criterion.*

- (g) Any impacts identified by specific studies or technical reports, including a review of storm water, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.**

Staff Comment: Staff and referral agencies have reviewed all preliminary plans and studies associated with the project and are comfortable with the applicant moving forward in providing final studies and working through any minor comments as part of the final subdivision plat process.

*The request complies with this criterion.*

- (h) The design does not impede the construction of anticipated or planned future public infrastructure within the area, or deter future development of adjacent property from meeting the goals and policies of the Comprehensive Plan.**

Staff Comment: The applicant is required to construct on-site and appropriate off-site utility and roadway infrastructure to serve the development and build missing connections in the existing roadway network, including the extension of 27<sup>th</sup> Avenue south to 32<sup>nd</sup> Street. This roadway connection would complete a missing and necessary north/south roadway connection between Greeley and Evans.

Staff are not aware of any other major infrastructure projects planned for this area.

*This request complies with this criterion.*

- (i) The recommendations of professional staff or any other referral agencies authorized to review the subdivision plan.**

Staff Comment: Staff and referral agencies have reviewed all preliminary plans and studies associated with the project and are comfortable with the application as presented. The applicant will finalize all plans and studies as part of the final subdivision plat process if the preliminary plat is approved.

*The request complies with this criterion*

### **Consistency with the Land Use Chapter of the Comprehensive Plan.**

The following Comprehensive Plan goals are met with this Preliminary Plat proposal:

- EH-2: Integrate healthy living into community planning and development.
  - The proposal provides open space and recreational amenities for future residents of the development.

- EH-4: Support and collaborate with the City's school districts.
  - The project was referred to the Weld County School District No.6 for review. In addition, the applicant has been in contact with the district to confirm cash-in-lieu payment versus school site dedication requirements.
- CG-2: Promote a balanced mix and distribution of land uses.
  - The preliminary plat follows the vision of the PUD plan and offers a mix of residential lots and product types and sizes, as well as a mixed-use commercial parcel.
- CG06: Maintain and enhance the character and inter-connectivity of Greeley's neighborhoods.
  - The preliminary plat is consistent with the Hope Springs PUD design and development criteria. The PUD plan envisions a mix of residential uses, supporting adjacent commercial and employment centers. The site is in walking distance to many of these businesses, as well as nearby transit stops.
- HO-2: Encourage a broad diversity of housing options.
  - The preliminary plat provides a variety of housing types including single family detached, single-family attached housing and a future multi-family site.

## **F. PHYSICAL SITE CHARACTERISTICS**

### **HAZARDS**

A plugged and abandoned oil and gas well is identified in the center of the site with a fifty-foot setback shown on the plans. This setback will need to be maintained as the applicant subdivides the property for residential use. Staff is unaware of any other hazards on the property.

### **WILDLIFE**

In accordance with Section 24-1004.d.2. of the City's Development Code, a biologist's report was submitted for the development.

The report summarized that there are no important wildlife habitats on the site, nor are there any wildlife movement corridors through the site. The on-site wetland is a non-jurisdictional wetland, as identified by the Army Corps. of Engineers. The report recommends all on-site tree removal to be completed between July 31<sup>st</sup> and February 1<sup>st</sup>, outside the potential nesting/courtship period of migratory birds.

### **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**

Increases in stormwater flows from development would be addressed with an on-site detention and water quality pond, which would be designed to limit runoff to historical flows in accordance with City of Greeley and State of Colorado requirements.

Erosion control devices would be designed by the developer and reviewed by the city at time of construction to ensure that best management practices as utilized as the project progress.

## **TRANSPORTATION**

The subject property has frontage on 32<sup>nd</sup> Street. There is also a planned connection to 30<sup>th</sup> Street and the adjacent property to the west. 27<sup>th</sup> Avenue will be extended from north of the property to 32<sup>nd</sup> Street as well, providing circulation between the adjacent parcels.

The City of Greeley Traffic Division, along with Engineering Development Review and the City of Evans have reviewed the traffic study and have no significant concerns at this point.

## **G. SERVICES**

### **WATER**

The City of Greeley provides water services to the area. Water lines would need to be extended from 30<sup>th</sup> Street to the west, 27<sup>th</sup> Avenue to the north, and from an existing line to the east at the southeast corner of the property.

### **SANITATION**

The City of Greeley provides sanitary services to the area. An existing sanitary sewer lift station (Lift Station No. 15) will be moved from the adjacent property to the west and relocated to the southeast corner of this property in order to serve this development, the existing developments that the lift station served in its previous location, and an existing property to the west that is currently vacant.

The Water and Sewer Department for the City of Greeley, along with Engineering Development review and the City of Evans, have reviewed the Hydraulic Report and proposed improvements and have no concerns at this time.

### **EMERGENCY SERVICES**

The property is served by the City of Greeley's Police and Fire Departments. Fire Station #2 is located at 2323 Reservoir Road, approximately 1.5 miles to the northeast.

### **PARKS AND OPEN SPACES**

The proposal includes a 0.94 recreational area and approximately 5.50 acres of open space along the southern portion of the site. The open space areas would include a disc golf course for area residents. It is anticipated that when the multi-family parcel is site planned, there would be additional on-site amenities to serve the multi-family development consistent with the Municipal Code criteria.

## **SCHOOLS**

The subject property is located within the Weld County School District No. 6. The applicant will be required to pay the required cash-in-lieu payment to the school district as the development progresses.

## **METROPOLITAN DISTRICT**

No metropolitan district is being proposed for the project.

## **H. NEIGHBORHOOD IMPACTS**

### **VISUAL**

The applicant is incorporating perimeter landscaping to soften the development edges adjacent to roadways, consistent with the design criteria established with the Hope Springs PUD plan.

### **NOISE**

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

## **I. PUBLIC NOTICE AND COMMENT**

- Neighborhood Meeting was held virtually May 5, 2022 - Notices were mailed to surrounding property owners on April 19, 2022, per Development Code requirements. There were no concerns raised during the meeting. Staff received one email of support from a resident (*Attachment D*)
- Public Notice - Signs were posted on-site on June 13, 2022. As of June 20, 2022, no additional written comments have been received.
- Mineral Rights Notifications – were sent via certified mail 30 days prior to the public meeting, per Development Code requirements. No comments have been received.

## **J. PLANNING COMMISSION RECOMMENDED MOTIONS**

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed preliminary subdivision plat is in compliance with Development Code Section 24-203(b)(1) and therefore **approves** the preliminary subdivision plat, with the following condition:

The approval of the preliminary plat is contingent upon the Hope Springs PUD (PUD2021-0012) being approved by City Council.

### Alternative motion:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed preliminary subdivision plat is not in compliance with Development Code Section 24-203(b)(1) and therefore **denies** the preliminary subdivision plat



## **ATTACHMENTS**

Attachment A – Zoning/Vicinity Map

Attachment B – Project Narrative

Attachment C – Preliminary Plat Document

Attachment D – Preliminary Landscape Plan Excerpt

Attachment E - Email in Support of Project