

## PLANNING COMMISSION SUMMARY

**ITEM:** Amendment to the Promontory Preliminary PUD

**FILE NUMBER:** ZON2021-0002

**PROJECT:** Promontory Preliminary PUD, Area M & N, 1<sup>st</sup> Amendment

**LOCATION:** North of Highway 34 Bypass, east of Promontory Parkway and south of future 20th Street.

**APPLICANT:** Randy Schwartz on behalf of Weldco Investors LLC

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

**PLANNING COMMISSION HEARING DATE:** May 11, 2021

### 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 24-625 (c)(3) and 24-663 (b)(1-2).

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### EXECUTIVE SUMMARY

The City of Greeley is considering a request by Randy Schwartz on behalf of Weldco Investors LLC for a Preliminary PUD amendment. The applicant is proposing to add all C-H (Commercial High Intensity) and R-H (Residential High Density) uses, including schools, and remove the commercial acreage cap within Tract B, Promontory Imagine School Second Filing only (see Attachment C). The property consists of approximately 40.92 acres. (*See Attachment A – Vicinity Map*)

### A. REQUEST

The applicant is requesting approval of the PUD Amendment. (*See Attachment A – Vicinity Map and Attachment B – Project Narrative*).

### B. STAFF RECOMMENDATION

Approval

## C. LOCATION

### **Abutting Zoning:**

North: PUD (Planned Unit Development)  
South: Highway 34 Bypass  
East: PUD (Planned Unit Development)  
West: PUD (Planned Unit Development)

### **Surrounding Land Uses:**

North: Fire Station No. 6  
South: Highway 34 Bypass  
East: Vacant (Farm land)  
West: Undeveloped, Commercial

### **Site Characteristics:**

The site is currently undeveloped with no natural, unique, or special topography, vegetation, wildlife or other factors, which could influence development options. Perimeter landscaping has been installed along Promontory Parkway, at the intersections of Promontory Parkway and 20<sup>th</sup> Street, and at the entrance of Highway 34 Bypass and Promontory Parkway. Twentieth Street was recently constructed north of the subject site, as part of Fire Station No. 6 construction. Detached sidewalks exist along Promontory Parkway, but do not currently exist along Hwy 34 Bypass. The property slopes from the northwest to the south and southeast. Drainage is conveyed to an existing detention pond and storm water line (southeast corner of US Hwy 34 Bypass and Promontory Parkway).

## D. BACKGROUND

The property was annexed into the City in 1985 as part of the Golden Triangle Second Annexation (File No. 2:85) and zoned PUD, which consisted of an area of approximately 1,701 acres. The intent of the concept Golden Triangle PUD was to allow for mixed-use development, including open space, residential, commercial, industrial, and recreational uses. The conceptual PUD plan shows light industrial development, business office, park, and commercial uses on the southern portion of the PUD area that transitioned to various densities of residential and recreational/open space uses to the north.

In 1997, the City Council approved an amendment, which broke the Golden Triangle Concept PUD from one PUD into six PUDs (File No. PUD 11:97). The amendment was intended to streamline the PUD approval process. Under the 1976 Development Code, PUD actions required all land owners to sign off on development plans. As the largest PUD in the City at the time, 1,701 acres, this requirement was found to be cumbersome. The concept PUD was split into six smaller PUDs, with each assigned a set of allowed uses based on the concept PUD plan. The subject site is located in the Golden Triangle Concept PUD #1. In accordance with the Golden Triangle Concept PUD, PUD #1 allowed industrial uses only.

On December 1, 1998, the City Council approved an amendment to the Golden Triangle PUD, which rezoned the subject property from PUD (Golden Triangle) to PUD (Tri-Pointe), (File No.

PUD 8:98). The Tri-Pointe PUD encompassed an area of 668.72 acres. The conceptual plan as approved, allowed for a mixture of land uses, varying from residential, institutional, corporate headquarters, general commercial, and a requirement for the dedication of parks, schools, fire station location.

On March 16, 1999, the City Council approved a second amendment to the Tri-Pointe PUD (File No. PUD 3:99) which amended the PUD and formally changed the name of the PUD to Promontory. This amendment capped the amount of allowed retail to 84.54 acres, increased the residential acreage cap from 200 acres to 250 acres (a minimum of 900 dwelling units), increased the height allowance for office/business uses from 40 feet to 70 feet and 60 feet for industrial uses, and required the developer to dedicate a 10 acre park as well as a minimum of 1.5 acres for a fire station location (see Attachment D).

On December 21, 1999, the City Council approved modifications to the previous Council hearing on March 16, 1999. At this hearing, the Council approved the allowance for detached sidewalks, site and building design standards, lighting standards, and specified that parking in non-residential areas could exceed 125 percent of the required parking, added a requirement for bicycle parking, revised off-street parking regulations, required landscaping to comply with the City's Development code, and modified the requirement of signatures to submit PUD for approvals. Under the revision, each land owner would be able to sign a waiver letter, "forfeiting their rights, which would allow future PUD's be signed only by those pre-approving the PUD when they buy land. This proposal would be in lieu of application for final PUD approvals being submitted by the property owner, metro district, and 75 percent of all property owners owning 75 percent of the land within that tract or sub-tract". The final provisions added, allowed individual property owners within the individual tracks or areas to be the applicant and did not require the metropolitan district signature for land not owned by the district.

In 1999, the City of Greeley approved two metropolitan districts that serve the Promontory development, which are known as Tri-Pointe Commercial District and Tri-Pointe Residential District (MD 1:99).

On October 4, 2000, a Final Plat was approved for the Promontory Subdivision (PUD 10:99), which created ten super pad lots and numerous tracks (Reception No. 2798115). The subject site was platted as part of Lot 1, which consisted of 287.15 acres. In 2006, the site was replatted into Tract B, Promontory Imagine School, First Filing (Reception No. 3415275), which consisted 134.262 acres. Lot 1 was platted to accommodate a private charter school, which was proposed to be development within Promontory. However, the charter school has decided not to move forward with development.

In 2019, the property owner of Promontory Imagine School, First Filing dedicated 2.5 acres of land for the purpose of a fire station as part of another plat, known as Promontory Imagine School, Second Filing (PUD2019-0011). The approved plat also included, Tract A (94.231 acres), 20<sup>th</sup> Street right-of-way and the subject property, Tract B, which is 40.920 acres (see Attachment C)

Since the land dedication, the City has finished the construction a new fire station (Station No. 6), which is located directly north of the subject property. .

The subject property lies within two areas identified in the conceptual plan. The western 10 acres, is located directly north of Highway 34 Bypass, east of Promontory Parkway and, south of 20<sup>th</sup> Street (entirely within Tract N) The remaining portion of Tract B is located generally directly east of the western 10 acres, within a small area north of Tract N, along 20<sup>th</sup> Street (entirely within Tract M).

The permitted uses currently allowed within the Tri-Pointe PUD (aka Promontory PUD), Area N (Tract B, Promontory Imagine School Second Filing) include: animal uses, veterinary clinics (no outdoor runs), art, dance, photo studios, galleries, auto uses, car wash, banks, savings and loan, financial institutions, ATM's, drive-up windows, bars, taverns, nightclubs, lounges, bowling alleys, brew pub, convenience stores with or without gas sales, dry cleaning (no cleaning on-site), gas stations, gas stations with repair, lube and tire shops, laundromats, personal service shops (beauty, barber, tanning and nail salons, shoe repair, similar, pet stores, printing, copying shops, mail centers, membership clubs, health clubs, marital areas studios, restaurants – cafes, and other eating establishment (including outdoor seating eating areas), drive up windows, Retail sales – under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet)

Area M (Tract B, Promontory Imagine School Second Filing) allows for the following uses: Single family dwellings, multi-family dwellings, two family dwellings, townhouse dwellings, as well as the following uses, not to exceed 15% of the acreage contained within each Planning area: banks, savings and loan, financial institutions, ATM's, drive-up windows, medical and dental offices and clinics, hotel, motel, office, recreation uses – community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, swimming pools, etc.), membership clubs, health clubs, open space, parks (pocket), park (neighborhood), park (community / regional), restaurants, retail sales not to exceed 40,000 square feet, *fire stations, schools, recreation uses – City Council approved on 9/17/2019. See Attachment D.*

The applicants are proposing to consolidate the uses within the entire property to allow all C-H and R-H uses, including school uses (see Attachment E). The applicant is intended to dedicate a portion of the Tract to the Windsor Severance School District for a school site, which would occur through the platting process.

## **E. APPROVAL CRITERIA**

### **Development Code Section 24-625 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 24-625 (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: Since the zoning in 1998, two major headquarters have been constructed and over 300 single family lots have been development within the Promontory development. Recently, the City of Greeley constructed Fire Station Number 6, directly north of the subject rezoning. The subject property has remained undeveloped for over 22 years, without any land use approvals (except for replatting) or requests. The applicant has stated that the limitation of land use options has impacted the development options on the tract. As such, the applicant would like to provide more flexibility with the site, by allowing additional commercial and residential land uses and a potential Windsor-Severance school site. Offering additional uses within the subject parcel may help spur new development within the subject parcel, but also could be a catalyst for additional commercial/retail business near or within the Promontory area.

The proposal complies with this criterion.

**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 subject site has been zoned Planned Unit Development (PUD) for over 22 years, without any development within the sites. The zoning designation does not appear to be obsolete, however, adding additional uses to the sites could make the properties more marketable.

The proposal 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: The site does not contain any known detrimental environmental conditions.

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 rezone request is not necessary to provide land for community related uses.

This criterion is not applicable to this request.

- 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: It is not anticipated that the proposed zoning would create significant impacts on the property or adjacent land uses.

Any potential noise created by future development will be regulated by the Municipal Code. The appropriate buffering would be required to be provided, which lessens any potential visual impacts. City services should not be impacted, since the surrounding area is already served by municipal services such as water and sewer. Police and Fire are already serving this area since it is within the City of Greeley. Any new development would need to connect to the nearby City water and sewer facilities.

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?**

There are no zoning overlay requirements for the subject property. The following City of Greeley Imagine Greeley Comprehensive Plan policies apply to this request:

***Education, Health, and Human Services:***

- ***EH-2.4 Land Use*** – Promote land use decisions that support walkability and improve access to basic needs, such as neighborhood markets or grocery stores, parks and natural areas, as well as medical and personal services. Support access to goods and services that support health and wellness in all neighborhoods.
- ***EH-4.2 School Siting*** – Collaborate with the school districts in developing long-range school siting plans. Encourage new schools on sites that are:
  - Located near the population they are intended to serve;
  - Co-locate with or near existing facilities and amenities that provide opportunities for shared use and capital improvements, such as City parks;
  - Separated from potential land use hazards or nuisances;
  - Served by transportation options (e.g. roadways, transit, bike path and sidewalks) that provide safe access to and from school; and
  - Sites so as to minimize impacts on the surrounding neighborhood or area and existing transportation network.

***Growth & City Form:***

- ***GC-2.5 Neighborhood Centers*** – Promote neighborhood centers—small scale retail areas providing basic commercial goods and services—to locate within a walkable distance of residences, usually a quarter mile or less.

Staff Comment: The Imagine Greeley Comprehensive Plan supports compact, pedestrian scaled commercial development that is close to residential neighborhoods. The subject site is located within such a development, and therefore has the potential to contribute to wider option of goods and services available within a walking or biking distance of many residents. The request for additional uses would provide additional options for commercial and residential development to complement the existing development.

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: There is no approved Zoning Suitability Plan for this property. The provided Zoning Suitability Map shows that the property can be development in accordance with the Development Code.

The proposal complies with this criterion.



**Standards for PUD establishment:** In reaching recommendations and decisions as to rezoning land to the PUD district, the Planning Commission and the City Council shall apply the following standards in addition to the standards and procedures of Section 24-625 applicable to the rezoning of land:

**1. Area Requirements**

The area of a proposed PUD shall be of substantial size to permit its design and development as a cohesive unit fulfilling the stated purpose of these regulations and to establish the PUD as a meaningful part of the larger community.

Staff Comment: The site contains 40.92 acres; Section 24-663 (b)(1) of the Greeley Development Code limits consideration for PUD establishment to a minimum of two (2) acres in size.

The proposal complies with this criterion.

**2. Is the proposed Preliminary/Concept PUD Consistent with the Land Use Chapter of the Comprehensive Plan**

A PUD proposal shall be found to be consistent with all applicable elements of the Land Use Chapter of the City's adopted Comprehensive Plan with respect to its proposed internal design and use, its relationship to adjacent areas, and the City as a whole before it may be zoned as a PUD.

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

***Education, Health, and Human Services:***

- ***EH-2.4 Land Use*** – *Promote land use decisions that support walkability and improve access to basic needs, such as neighborhood markets or grocery stores, parks and natural areas, as well as medical and personal services. Support access to goods and services that support health and wellness in all neighborhoods.*

***Growth & City Form:***

- ***GC-2.5 Neighborhood Centers*** – *Promote neighborhood centers—small scale retail areas providing basic commercial goods and services—to locate within a walkable distance of residences, usually a quarter mile or less.*

Staff Comment: The Imagine Greeley Comprehensive Plan strongly supports compact, pedestrian scaled commercial development that is close to residential neighborhoods. The subject site is located within such a development, and therefore has the potential to contribute to wider option of goods and services available within a walking or biking distance of many residents.

The proposal complies with this criterion.



## **PHYSICAL SITE CHARACTERISTICS**

### **1. SUBDIVISION HISTORY**

The subject site is part of the Promontory Imagine School Second Filing Subdivision (Tract B), which was platted on September 18, 2019 (Rec No. 4524406).

### **2. HAZARDS**

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

### **3. WILDLIFE**

The site is not located in an area of ecological significance.

### **4. FLOODPLAIN**

The property is not located within any flood zones.

### **5. DRAINAGE AND EROSION**

There are no concerns with drainage and/or erosion on the subject site.

### **6. TRANSPORTATION**

Access to the subject site can be obtain from future 20<sup>th</sup> Street, adding C-H, R-H and school uses should not negatively impact the area. The City will review any proposed uses, as it relates to transportation at the time of site development.

## **F. SERVICES**

### **1. WATER**

Water services are available in the area and can adequately serve the subject site.

### **2. SANITARY SEWER**

Sanitation services are available in close proximity to all of the parcels within the subject site and can adequately serve the area.

### **3. EMERGENCY SERVICES**

The subject site is within the City of Greeley's Fire Protection area, the closest fire station is Station #6, which is located directly north of the subject site.

### **4. PARK/OPEN SPACES**

No parks or regional open space areas are proposed with this rezone. Any future residential development projects will be required to evaluate the need to provide a park or regional open space.

### **5. SCHOOLS**

No schools are currently located within the subject area. As mentioned previously, the applicant intends to dedicate a site within this proposal for a school site. At this time, there are no current plans to construct a school. The properties are within the Windsor-Severance

School District. The schools that currently serves the area are: Skyview Elementary, Severance Middle School and Severance High School.

#### **6. METROPOLITAN DISTRICT**

The Tri-Pointe Commercial Metropolitan District serves Tract B. As mentioned previously in this report, a potential school site is proposed, which as a non-profit user, property taxes would not be paid, which could have a financial impact on the Metropolitan District. At this time, the remaining properties would be accessed the normal metropolitan district tax rate, which is currently 48.79 mills.

#### **G. NEIGHBORHOOD IMPACTS**

##### **1. VISUAL**

There are no proposed site changes corresponding to the PUD amendment at this time.

##### **2. NOISE**

There are no proposed site changes corresponding to the PUD amendment at this time.

#### **H. PUBLIC NOTICE AND COMMENT**

Neighborhood notices were mailed to surrounding property owners on April 28, 2021, per Development Code requirements. Additionally, three public notice signs were posted on the subject site on April 30, 2021. Notice was published in the Greeley Tribune on May 5, 2021.

#### **I. MINERAL ESTATE OWNER NOTIFICATION**

Mineral notice is not required for a 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 amendment to the Promontory Preliminary PUD, Areas M & N, within Tract B, Promontory Imagine School Second Filing meets the applicable Development Code criteria, Sections 24-625 (c)(3) a. b. f. g. and h. and Section 24-663 (b) 1 and 2; and therefore, recommends approval of the rezone to the City Council.

#### **K. ATTACHMENTS**

Attachment A – Vicinity Map

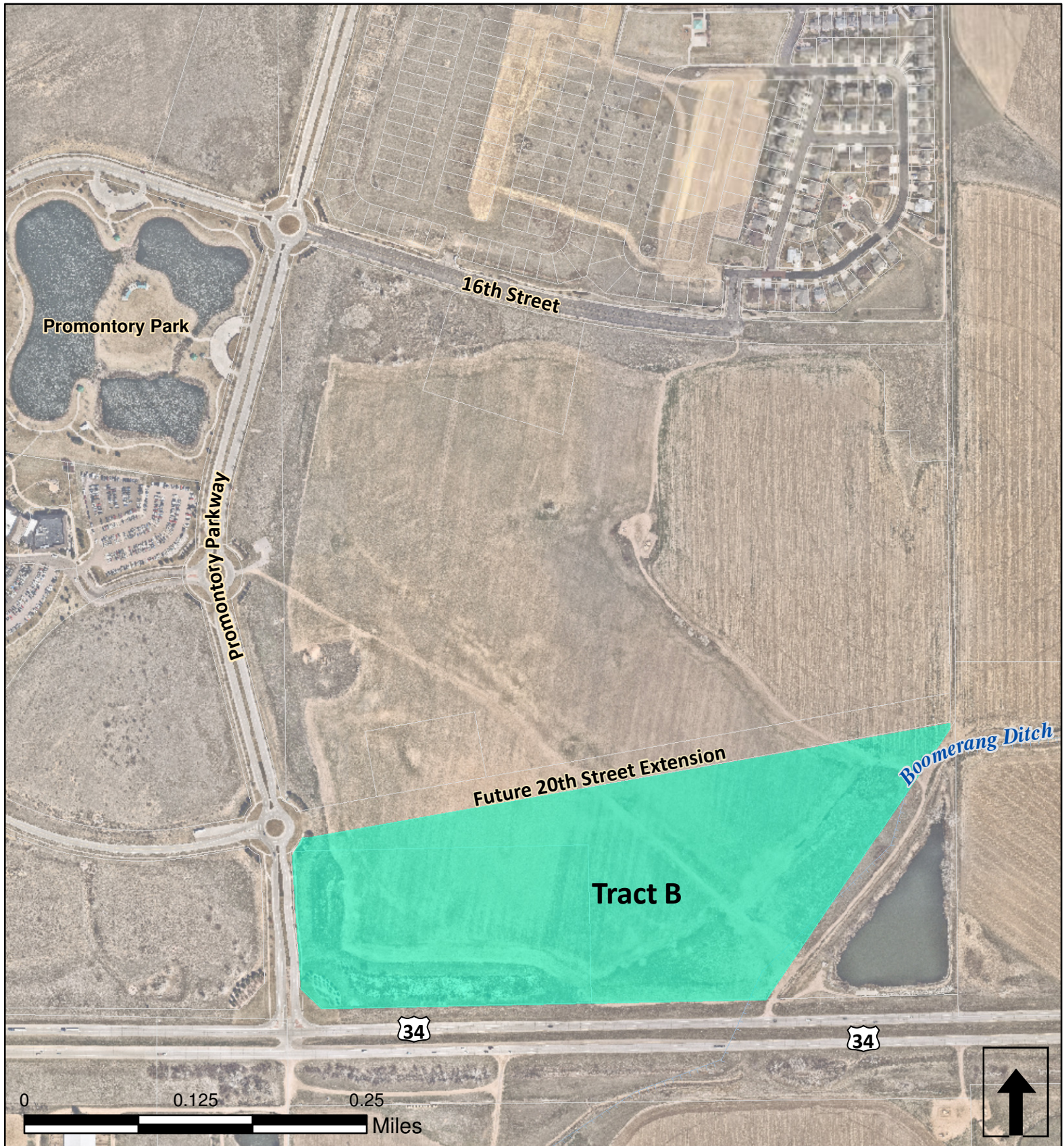
Attachment B – Project Narrative

Attachment C – Promontory Imagine School, Second Filing Plat

Attachment D – Tri-Point Conceptual PUD Zoning Map

Attachment E – Supplemental Use Tables – Areas M & N only





**Subject Parcel**



**Greeley Parcels**



**COMMUNITY DEVELOPMENT**



## Promontory PUD, Areas M and N, 1<sup>st</sup> Amendment

### Project Narrative

This application is to request an amendment to the allowed uses in Areas M and N of the Tri-Pointe Mixed Use Development Conceptual Master Plan, legally described: Tract B, Promontory Imagine School Second Filing, City of Greeley, County of Weld, State of Colorado ("Tract B").

The master plan currently allows mostly residential uses within Area M and mostly commercial uses within Area N. The applicant is requesting to add Schools, all permitted uses for zoning district R-H (Residential High Density) and C-H (Commercial High Density) within Tract B only. All existing land uses shown on the Master Plan will remain listed on Areas M and N.

The Tri-Pointe Mixed Use Development Conceptual Master Plan established the initial concept for the Promontory PUD Development. In fulfillment of the continued demand and growth throughout the Promontory Development the ultimate goal is to evolve the area with a variety of mixed-use services for the current residence and future residence. This development will also help provide service along the Highway 34 corridor. Schools will also help serve the community and any surrounding community's educational obligations.

Please do not hesitate to contact me at [robbie@northernengineering.com](mailto:robbie@northernengineering.com) if you have any questions or require additional information.

Sincerely,

**NORTHERN ENGINEERING SERVICES, INC.**

A handwritten signature in blue ink, appearing to read 'Robbie Lauer'.

**Robbie Lauer**  
Project Manager

# PROMONTORY IMAGINE SCHOOL SECOND FILING Attachment C

A Replat of Tract A, Tract B and Outlot A, Promontory Imagine School First Filing,  
Situate in the East Half of Section 11 and West Half of Section 12, Township 5 North, Range 67 West of the 6th P.M.,  
City of Greeley, County of Weld, State of Colorado

## DEDICATION

TAGG Inc, being the sole owner(s) in fee of:

Tract A, Tract B and Outlot A, Promontory Imagine School First Filing recorded August 29, 2006 on Reception No. 3415275 of the Records of Weld County, located in the East Half (E1/2) of Section Eleven (11) and in the West Half (W1/2) of Section Twelve (12), Township Five North (15N.), Range Sixty-seven West (67W.) of the Sixth Principal Meridian (6th P.M.), City of Greeley, County of Weld, State of Colorado.

Said recorded parcel of land contains 144.670 Acres, more or less (A).

shown on the attached map as embraced within the heavy exterior lines thereon, has subdivided the same into lots and blocks as shown on the attached map; and does hereby set aside said portion or tract of land and designate the same PROMONTORY IMAGINE SCHOOL SECOND FILING to the City of Greeley, Weld County, Colorado; and does dedicate to the public, the streets and all easements over and across said said locations shown on said map; and does further certify that the width of said streets, the dimensions of the lots and blocks and the names and numbers thereof are correctly designated upon said map.

Signature of Owner Paul McIntosh

Witness my hand and seal this 16<sup>th</sup> day of September, A.D. 2019

## NOTARIAL CERTIFICATE

STATE OF Colorado  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of September, 2019

by Richard McIntosh - President

Witness my hand and official seal.

My commission expires 2/19/21

Andrew Gammone  
Notary Public

(SEAL) ANDREW GAMMONE  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 00194000336  
MY COMMISSION EXPIRES FEBRUARY 6, 2021



VICINITY MAP  
SCALE: 1"=200'

## CERTIFICATE OF APPROVAL OF THE CITY ENGINEER TO DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER

Approved this 16<sup>th</sup> day of September, 2019, by the City Engineer to Development Review and Civil Inspections Manager of the City of Greeley, Colorado.

Paul McIntosh  
City Engineer to Development Review and Civil Inspections Manager

## CERTIFICATE OF APPROVAL BY THE COMMUNITY DEVELOPMENT DIRECTOR

Approved this 16<sup>th</sup> day of September, 2019, by the Community Development Director of the City of Greeley, Colorado.

Paul McIntosh  
Community Development Director

## SURVEYOR'S CERTIFICATE

This I, Paul B. Groves, do hereby certify that I prepared this plat from an actual and accurate survey of this land, including all existing right-of-way easements, and that the corner monuments shown thereon were properly placed under my supervision, in accordance with the regulations of the State of Colorado.



Paul B. Groves - On Behalf of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #38028

## BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of Tract B, Promontory Imagine School First Filing, as bearing South 89°13'30" 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 1711.56 feet with all other bearings contained herein relative thereto.

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

## 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 herein. (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 refer to Title Commitment Number TCC20167843, dated August 13, 2016 as prepared by Land Title Guarantee Company to delineate the above information.

## FLOOD PLAIN NOTE

The subject property is in flood zone "X", "areas determined to be outside the 0.2% annual chance of flooding" per FEMA flood map 0812C1511E and 0812C1512E both revised January 20, 2016.

## CONVEYANCE NOTE

The entire property is in Zone PUD, Planned Unit Development.

## GENERAL NOTES

1. All person who knowingly remove, alters or destroys any public land survey monument(s) or land boundary monument(s), or accessory commits a class two (2) misdemeanor pursuant to State Statute 18-6-508 C.R.S.
2. For all replats where lot lines or street locations change, all existing water and sewer stub-outs, the hydrants, etc. shall be relocated to their appropriate location. Water main and sanitary sewer collection designs in this replatted area must conform to current City of Greeley design criteria.
3. A Development Agreement (Reception No. 2066810 and 3280351) has been filed in conjunction with Promontory Imagine School First Filing plat. That agreement should be viewed for additional stipulations or requirements that may encumber the property.
4. A full access point will be shown on 20th Street West of Lot 1 in the future, see Sheet 2 of 2.

OWNER: TAGG, INC.  
4221 BRIGHTON BLVD  
DENVER, CO 80231

APPLICANT: CITY OF GREELEY  
1000 11TH STREET  
GREELEY, CO 80631

ENGINEER: SHORT ELLIOTT HENDRICKSON, INC. (SEH)  
2005 SOUTH COLORADO BLVD.  
TOWER ONE, SUITE 8000  
DENVER, CO 80222

SURVEYOR: KING SURVEYORS  
830 GARDEN DRIVE  
WINDSOR, CO 80550  
PHONE: (303) 686-3011

## LAND USE TABLE

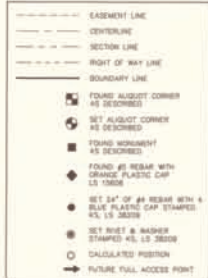
|              |               |      |
|--------------|---------------|------|
| LOT 1        | 2.507 ACRES   | 2%   |
| TRACT A      | 94.231 ACRES  | 65%  |
| TRACT B      | 40.920 ACRES  | 28%  |
| RIGHT OF WAY | 7.012 ACRES   | 5%   |
| TOTAL        | 144.670 ACRES | 100% |

| PARCEL       | DESCRIPTION        | DEDICATION | AREA          | PERCENT | INTENDED OWNERSHIP/MAINTENANCE BY |
|--------------|--------------------|------------|---------------|---------|-----------------------------------|
| LOT 1        | FIRE STATION #6    |            | 2.507 ACRES   | 2%      | CITY OF GREELEY                   |
| TRACT A      | FUTURE DEVELOPMENT |            | 94.231 ACRES  | 65%     | PROPERTY OWNER                    |
| TRACT B      | FUTURE DEVELOPMENT |            | 40.920 ACRES  | 28%     | PROPERTY OWNER                    |
| RIGHT OF WAY | PUBLIC USE         |            | 7.012 ACRES   | 5%      | CITY OF GREELEY                   |
| TOTAL        |                    |            | 144.670 ACRES | 100%    |                                   |

# PROMONTORY IMAGINE SCHOOL SECOND FILING

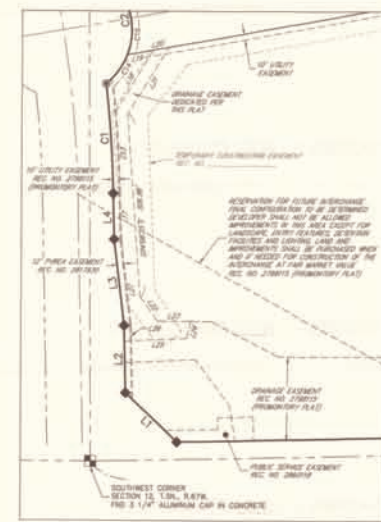
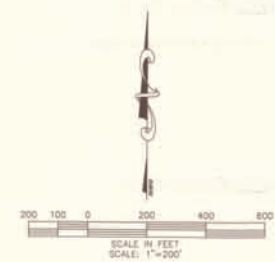
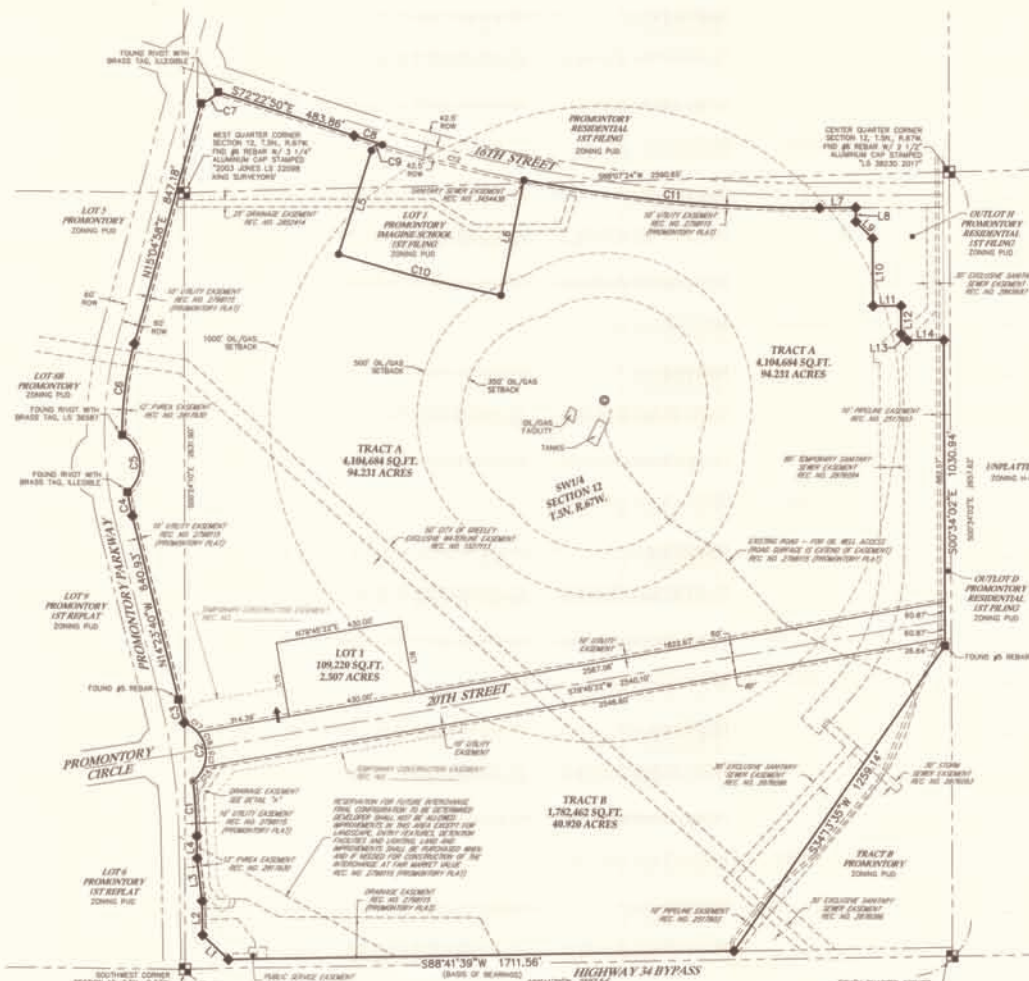
A Replat of Tract A, Tract B and Outlot A, Promontory Imagine School First Filing.  
Situate in the East Half of Section 11 and West Half of Section 12, Township 5 North, Range 67 West of the 6th P.M.,  
City of Greeley, County of Weld, State of Colorado

## LEGEND



| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| L1   | S44°18'21"W | 135.87 |
| L2   | S01°18'21"W | 114.58 |
| L3   | N07°02'22"W | 145.98 |
| L4   | N01°18'21"W | 78.34  |
| L5   | S77°12'38"W | 252.30 |
| L6   | N70°52'30"E | 400.00 |
| L7   | N89°28'38"E | 123.80 |
| L8   | S02°34'33"E | 47.00  |
| L9   | S44°18'21"E | 81.52  |
| L10  | S02°34'33"E | 208.74 |
| L11  | N89°28'38"E | 86.00  |
| L12  | S02°34'33"E | 98.54  |
| L13  | S40°16'11"E | 30.00  |
| L14  | N48°02'38"E | 122.80 |
| L15  | N01°18'21"W | 254.00 |
| L16  | S01°18'21"W | 254.00 |
| L17  | S01°18'21"E | 75.82  |
| L18  | S31°18'39"W | 123.86 |
| L19  | S78°45'22"W | 44.87  |
| L20  | N78°45'22"E | 38.74  |
| L21  | S31°18'39"W | 133.17 |
| L22  | N38°08'18"W | 81.38  |
| L23  | N89°28'38"E | 86.16  |
| L24  | N7°02'21"E  | 30.00  |
| L25  | N87°28'38"E | 85.34  |
| L26  | S01°18'21"E | 28.82  |
| L27  | S07°02'21"E | 145.98 |

| CURVE | LENGTH  | RADIUS  | DELTA      | CHORD   | CH BEARING  |
|-------|---------|---------|------------|---------|-------------|
| C1    | 188.34  | 2080.00 | 91°16'     | 188.38  | S03°23'58"W |
| C2    | 244.07  | 116.00  | 120°32'58" | 201.85  | N01°17'28"W |
| C3    | 82.72   | 2080.00 | 21°52'     | 82.71   | N01°17'38"W |
| C4    | 78.80   | 1140.00 | 45°00'     | 78.82   | N72°23'07"W |
| C5    | 208.58  | 116.00  | 112°54'10" | 183.20  | N00°20'42"W |
| C6    | 312.87  | 1140.00 | 15°43'43"  | 311.88  | N07°12'00"E |
| C7    | 88.88   | 116.00  | 34°32'28"  | 88.89   | N06°39'24"E |
| C8    | 102.64  | 2043.00 | 17°38'38"  | 100.64  | S73°37'08"E |
| C9    | 46.74   | 80.00   | 88°19'38"  | 42.15   | S81°30'24"W |
| C10   | 387.20  | 5443.00 | 5°58'32"   | 387.08  | S78°38'38"E |
| C11   | 1008.84 | 8043.00 | 11°38'11"  | 1008.84 | S84°30'38"E |
| C12   | 493.48  | 2043.00 | 5°58'32"   | 493.28  | S78°38'38"E |
| C13   | 136.78  | 2070.00 | 7°47'08"   | 136.70  | N07°12'00"E |
| C14   | 50.87   | 116.00  | 30°54'07"  | 50.18   | N07°12'00"E |
| C15   | 63.98   | 116.00  | 31°08'31"  | 63.28   | N07°12'00"E |
| C16   | 63.98   | 116.00  | 31°08'31"  | 63.28   | N07°12'00"E |
| C17   | 57.02   | 116.00  | 28°09'42"  | 56.44   | N03°28'20"W |



Paul B. Greaves - On Behalf of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #10039

DATE:

9/27/2018

FILE NAME:

20180634SUB

SCALE:

1"=200'

DRAWN BY:

CSK

CHECKED BY:

PG

KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550

phone: (970) 686-5011 | email: contact@Kingsurveyors.com

DATE:

9-28-18

REVISIONS:

LOT 1 REBAR & MONUMENT

LOT 2 REBAR & MONUMENT

ADDED 1/4" ALUMINUM CAP IN CONCRETE

PROJECT #

20180634

SHEET 2 OF 2



PROMONTORY PUD, AREAS M AND N, 1ST AMENDMENT

TRI-POINTE  
Mixed Use Development  
Conceptual Master Plan

Amendment to the Tri-Pointe Planned Unit Development  
Submitted for Westfield Development Company

Zoning Notes

The Project shall be viewed as a single unit.  
A waiver for the entire site shall be granted to allow development outside the Mid-Range  
Expected Service Area expressly contingent upon the issuance of a permit to a major employer for  
the construction of a minimum facility of 150,000 square feet intended to house at least 300  
employees at the site, 500 at full build-out.  
No residential or commercial construction shall be allowed until issuance of a building permit for  
the minimum size 150,000 square foot facility by a major employer.  
No fewer than 900 residential units shall be constructed at ultimate build-out.  
Any land dedication does not include any water rights.  
Should the fire district not require the prescribed land at time of dedication,  
requirement to dedicate will be waived.

Height Limits: (a) Office uses: 70' excluding enclosed mechanical penthouses or screened rooftop  
apertures.

(b) Retail/Commercial Uses: 40' excluding screened rooftop apertures.  
All final PUD approvals shall be granted by City Council unless Council approves a set of design  
guidelines applicable to the various planning areas or uses. In that event, Planning Commission may  
approve all PUD's governed by those approved guidelines.

This PUD is valid for a period of three years from the date of its approval. If a major employer  
does not meet the minimum requirements set forth in this PUD within the three year time frame,  
the entire PUD must return to City Council for review.

Planned Unit Development Criteria

The Tri-Pointe PUD Amendment of 10/16/98 is an amendment to the land uses and  
development criteria of the existing Tri-Pointe PUD  
Open space requirements are being met within Areas E and F and within the eventual parcel by parcel  
site plans.

Mixed Use

Land Uses as identified on this PUD may be combined to the extent identified within the land use  
mix language of this PUD to encourage a creative mixture of housing, work and shopping opportunities.  
Quantities and types of specific land uses will be determined at Site Plan of the individual parcels.

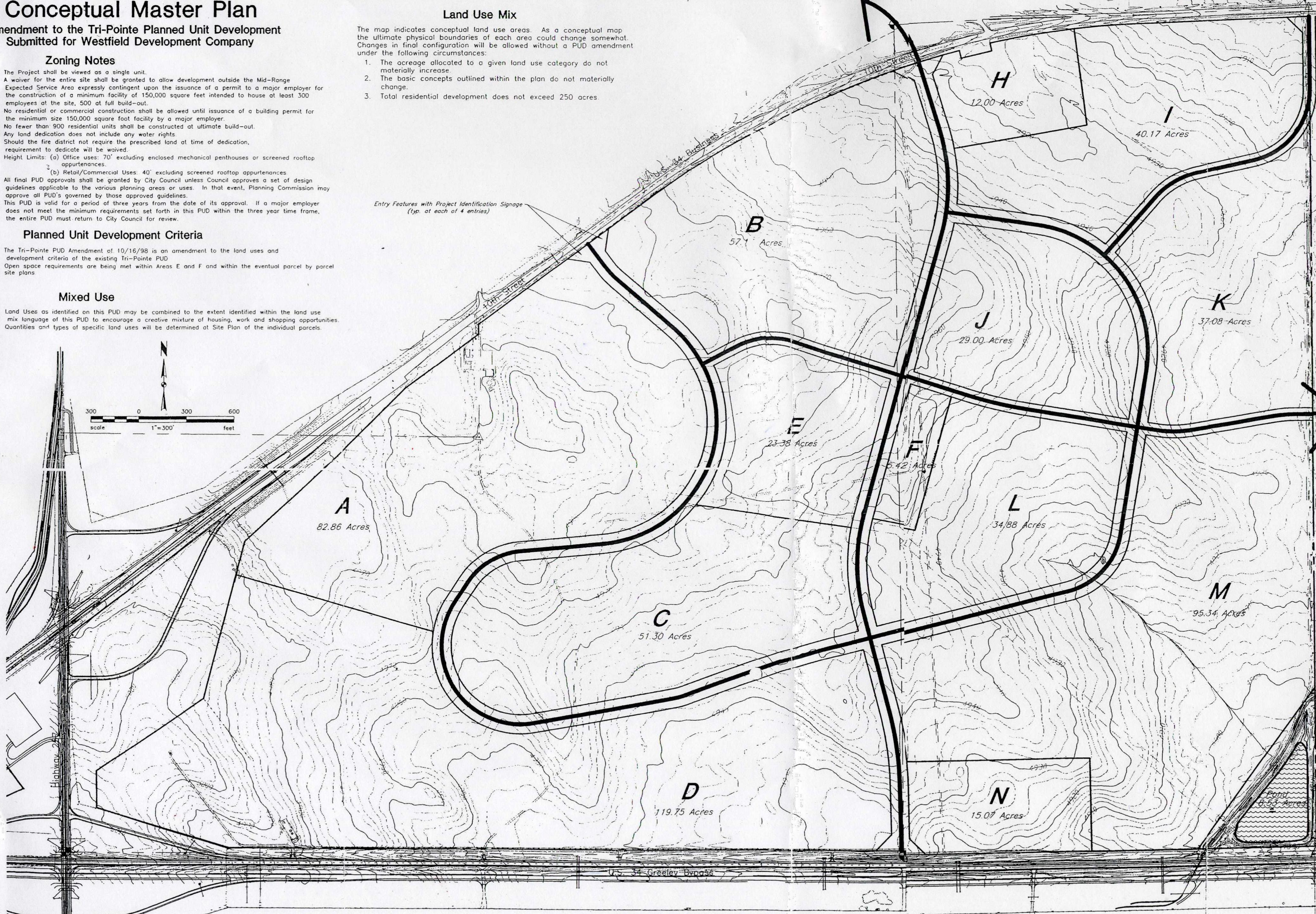
Uses not permitted at Tri-Pointe:  
airports, heliports, auto dismantling, junk and salvage yards, bulk storage of flammable liquids and gases for resale  
concrete, asphalt batch plants (unless temporary for construction purposes only), farm equipment, implement, diesel and  
food processing, foundries, grain and feed elevators and supply, recycling centers, large collection and processing facilities  
refuse transfer stations, rendering plants, slaughterhouse, meat processing, packaging, utility, commercial towers and cabinets over building height permitted by zone.  
transportation facilities, low impact, high impact, trucking and freight terminals, truck, trailer and large equipment rental, adult entertainment, kennels,  
auto dealer sales lots, bingo halls and parlors, livestock auction houses, builders, contractor supply offices and yards (except in the case of a Home Depot or  
Builder's Square type retail facility), flea markets, manufactured, mobile homes, sales lots, pawn shops, RV and travel trailer parks, stables, theme or  
amusement parks, zoos, warehousing uses with outdoor storage, mobile home parks, cemeteries, correctional facilities, emergency shelters, and missions

Land Use Mix

The map indicates conceptual land use areas. As a conceptual map  
the ultimate physical boundaries of each area could change somewhat.  
Changes in final configuration will be allowed without a PUD amendment  
under the following circumstances:

1. The acreage allocated to a given land use category do not  
materially increase.
2. The basic concepts outlined within the plan do not materially  
change.
3. Total residential development does not exceed 250 acres

Entry Features with Project Identification Signage  
(Typ. at each of 4 entries)



Allowable Land Use by Area

- Area A and B, Office
- Banks, savings and loans, financial institutions, ATM's, drive-up windows
  - Medical and dental offices and clinics, massage therapists, medical supply stores and rental
  - Office and corporate headquarters
  - Parking lots and structures
  - Restaurants, deli, cafe, if contained within a primary use building
  - Churches and Schools (Area B only)
  - Recreational areas (Area B only)

- Area C, Office/Commercial
- Banks, savings and loans, financial institutions, ATM's, drive-up windows
  - Medical and dental offices and clinics, massage therapists, medical supply stores and rental
  - Commercial laundries and dry cleaning plants
  - Crematoriums
  - Manufacturing, fabrication, assembly
  - Newspaper and publishing plants, binderies
  - Office and corporate headquarters
  - Parking lots and structures
  - Recycling centers - small collection
  - Restaurants, deli, cafe, if contained within a primary use building
  - Research and testing labs
  - Retail sales only as an enclosed regional mall containing a minimum of two anchor stores of 400,000 square feet
  - Free-standing restaurants only in conjunction with an enclosed mall
  - Multi-family residential not to exceed 25 acres within Areas C and D combined
  - Telecomm. uses
  - Satellite earth station antennas over 18 inches in diameter
  - Utility, comm. towers and cabinets less than building height permitted by zone
  - Utility, comm. towers and cabinets over building height permitted by zone
  - Transportation facilities
  - Low impact
  - High impact
  - Utility service facilities
  - Less than 300 sq. ft., no office or storage space
  - More than 300 sq. ft., no office or storage space

- Area D, Office/Commercial
- Animal uses - veterinary clinics (no outdoor runs)
  - Art, dance, photo studios, galleries
  - Auto uses, car wash
  - Banks, savings and loans, financial institutions, ATM's, drive-up windows
  - Bars, taverns, nightclubs, lounges
  - Bowling alleys
  - Brew pubs
  - Commercial laundries and dry cleaning plants
  - Convenience stores with or without gas sales
  - Crematoriums
  - Dry cleaning (no cleaning on-site)
  - Farmers markets
  - Gas stations
  - Gas stations with repair, lube and tire shops
  - Golf courses, country clubs, driving ranges, miniature golf
  - Laundromats
  - Lodging - Bed and Breakfast, hotels, motels
  - Manufacturing, fabrication, assembly
  - Medical and dental offices and clinics, massage therapists, medical supply stores and rental
  - Movie theaters, indoor theaters
  - Newspaper and publishing plants, binderies
  - Nurseries, greenhouses, garden shops
  - Offices and corporate headquarters
  - Parking lots and structures
  - Personal service shops (beauty, barber, tanning and nail salons, shoe repair)
  - Pet stores
  - Printing, copying shops, mail centers
  - Radio and TV stations with antennas lower than 30 feet
  - Recreation uses - Community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, etc.), members clubs, health clubs, martial arts studios, open space, park (pocket), park (neighborhood), park (comm/reg)
  - Recycling centers - small collection
  - Restaurants - cafes, and other eating establishments (including outdoor seating/eating areas), drive-in or drive-thru facilities (including outdoor seating areas), drive-up windows
  - Retail sales - under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet), including a regional mall
  - Auditoriums, sports arenas, stadiums
  - Research and testing labs
  - Multi-family residential not to exceed 25 acres, within Areas C and D, combined
  - Telecomm. uses
  - Satellite earth station antennas over 18 inches in diameter
  - Utility, comm. towers and cabinets less than building height permitted by zone
  - Utility, comm. towers and cabinets over building height permitted by zone
  - Transportation facilities
  - Low impact
  - High impact
  - Utility service facilities
  - Less than 300 sq. ft., no office or storage space
  - More than 300 sq. ft., no office or storage space

Area E, Open Space  
This area is intended to be retained as open space to be developed as a park with lake, trails, and improvements associated with same.

Area F, Open Space  
To be dedicated to City for parks, open space, and the extension of

- Area H and N, Commercial
- Animal uses - veterinary clinics (no outdoor runs)
  - Art, dance, photo studios, galleries
  - Auto uses, car wash
  - Banks, savings and loans, financial institutions, ATM's, drive-up windows
  - Bars, taverns, nightclubs, lounges
  - Bowling alleys
  - Brew pubs
  - Convenience stores with or without gas sales
  - Dry cleaning (no cleaning on-site)
  - Gas stations
  - Gas stations with repair, lube and tire shops
  - Laundromats
  - Personal service shops (beauty, barber, tanning and nail salons, shoe repair similar)
  - Pet stores
  - Printing, copying shops, mail centers
  - Membership clubs, health clubs, martial arts studios
  - Restaurants - Cafes, and other eating establishments (including outdoor seating areas), drive-up windows
  - Retail sales - Under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet)

- Area I, J, K, L, and M, Residential
- Single family dwellings
  - Multi-family dwellings
  - Two family dwellings
  - Townhouse dwellings
  - The following uses, not to exceed 15% of the acreage contained within each Planning Area:
  - Banks, savings and loans, financial institutions, ATM's, drive-up windows
  - Medical and dental offices and clinics
  - Hotel, motel
  - Office
  - Recreation uses - Community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, swimming pools, etc.), membership clubs, health clubs, open space, (pocket), park (neighborhood), park (comm/reg)
  - Restaurants
  - Retail sales not to exceed 40,000 square feet

- Area N Commercial and Residential
- All uses permitted in C-H and R-H Zone Districts
  - Area M (within Tract B, Promontory Imagine School Second Filing)
  - All uses permitted in C-H and R-H Zone Districts
  - Schools

Planning Concepts:

1. Provide a mixed use activity center with a unique identity.
2. Maintain the ability to adjust land use

Notes: A minimum 10 acre school site and 1.5 acre Fire Station site will be dedicated to the City out of the residential area. The exact location and



## Promontory Preliminary PUD, Areas M & N, 1<sup>st</sup> Amendment

### Supplemental Use Tables

#### Areas H and ~~N~~. Commercial – **Proposed - Remove N from this list**

- Animal uses – veterinary clinics (no outdoor runs)
- Art, dance, photo studios, galleries
- Auto uses, car wash
- Banks, savings and loan, financial institutions, ATM's, drive-up windows
- Bars, taverns, nightclubs, lounges
- Bowling alleys
- Brew pub
- Convenience stores with or without gas sales
- Dry cleaning (no cleaning on-site)
- Gas stations
- Gas stations with repair, lube and tire shops
- laundromats
- Personal service shops (beauty, barber, tanning and nail salons, shoe repair, similar
- Pet stores
- Printing, copying shops, mail centers
- Membership clubs, health clubs, marital areas studios
- Restaurants – Cafes, and other eating establishment (including outdoor seating eating areas). Drive up windows
- Retail sales – under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet)

#### Areas I, J, K, L and M. Residential – **Proposed - remove- Area M for Tract B, Promontory Imagine School Second Filing Only**

- Single family dwellings
- Multi-family dwellings
- Two family dwellings
- Townhouse dwellings
- The following uses, not to exceed 15% of the acreage contained within each Planning area:
  - Banks, savings and loan, financial institutions, ATM's, drive-up windows
  - Medical and dental offices and clinics
  - Hotel, motel
  - Office
  - Recreation uses – Community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, swimming pools,

etc.), membership clubs, health clubs, open space, parks (pocket), park (neighborhood), park (community / regional)

- Restaurants
- Retail sales not to exceed 40,000 square feet

**Proposed – Area M – Commercial and Residential**

- All permitted uses in the C-H (Commercial High Intensity) zone district, and as amended
- All permitted uses in the R-H (Residential High Density) zone district, and as amended
- Schools

**Proposed – Area N Commercial and Residential**

- All permitted uses in the C-H (Commercial High Intensity) zone district, and as amended
- All permitted uses in the R-H (Residential High Density) zone district, and as amended