

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

May 10, 2022

1. Call to Order

Vice Chair Briscoe called the meeting to order at 2:06 p.m.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Vice Chair Erik Briscoe
Commissioner Larry Modlin
Commissioner Christian Schulte
Commissioner Brian Franzen
Commissioner Chelsie Romulo

ABSENT

Chair Justin Yeater
Commissioner Jeff Carlson

3. Approval of Agenda

There were no corrections or additions to the agenda, and it was approved as presented.

4. Approval of April 26, 2022 Minutes

Commissioner Romulo moved to approve the minutes dated April 26, 2022.
Commissioner Modlin seconded the motion. Motion carried 5-0. (Chair Yeater and Commissioner Carlson were absent.)

5. Public hearing to consider a request to rezone approximately 822 acres of property located south of Highway 34, west of State Highway 257, and east of County Road 17, from H-A (Holding Agriculture) to PUD (Planned Unit Development) (Project No. ZON2021-0009)

Darrell Gesick addressed the Commission and requested that items 5 and 6 be heard together, with separate motions, the Commission concurred. Mr. Gesick noted that additional communication regarding a concern with the access point for future connection of County Road 56 and County Road 17 was received by email prior to the hearing. Mr. Gesick include a printed copy of the email for the Commission to review. He introduced the request to rezone the property from H-A to PUD. Mr. Gesick presented a map showing the location of the property and described the surrounding uses and zone classifications. Mr. Gesick displayed site photos and described the property as being used primarily for farming at this time. He explained that the applicant is proposing to rezone the property to Planned Unit

Development (PUD), with eight specific land use area designations. Mr. Gesick mentioned that each planning area would have difference allowances. He also mentioned that the proposed PUD was consistent to the City's Imagine Greeley Comprehensive Plan and the Intergovernmental Agreement with the Town of Windsor. Mr. Gesick mentioned that the applicant has also submitted a metropolitan district application, which is being proposed concurrently with this request. Mr. Gesick said that in addition to the email letter that outlined some of concerns regarding the development, he also received an objection letter from the mineral rights owner. The mineral rights owner requests that any approval of the PUD plan be conditioned upon a surface use agreement, between the mineral owner and developer. Staff concluded its presentation with a recommendation of approval of the request, with a condition related to resolve the mineral interest with a surface use agreement.

Commissioner Shulte asked for clarification regarding the mineral owner's objections. Mr. Gesick mentioned that a condition had been recommended, which would require a surface use agreement to be in place prior to further development of the property.

Commissioner Modlin inquired if a traffic report was required for the entire development. Mr. Gesick responded that a traffic study was submitted and reviewed by the Colorado Department of Transportation (CDOT) and City staff.

Applicant representative, Ken Puncerelli, 88 Inverness Circle East, Suite J-101, Englewood, Colorado 80112, discussed the Delantero project and its location and how it defines the western edge of the City. Mr. Puncerelli then presented some site photos and clarified what uses are proposed in all eight areas and how his team is approaching the project by thinking long-term. He also showed the phasing plan on his map and how the property would develop from east to west. Mr. Puncerelli has been working with the school district on a school site, along with the City as it relates to trails, parks, and open spaces. Mr. Puncerelli expanded on Commissioner Modlin's earlier traffic question. He confirmed that his traffic engineers worked closely with the City and CDOT to ensure the development would construct the necessary improvements to comply with the City and State traffic regulations. He mentioned that improvements would be made to State Highway 257 and County Road 17 and additional improvements to County Road 56 as warranted. Mr. Puncerelli also identified an access point from Highway 257 into planning area #1 as a right-in only, which is still being reviewed by CDOT and the City. He noted there could be two round-a-bouts on Highway 257, which would slow traffic down, but also keep traffic moving through the area. Mr. Puncerelli then addressed the letter that was submitted by a neighboring property owner regarding their concerns about the round-a-bout and said they would acknowledge and investigate the comments made. Lastly, he discussed street lighting, transit areas, median islands, detached sidewalks, land-scaped finishes on the spine road, and public art.

Commissioner Modlin asked about the projected timeline for their proposal. Mr. Puncerelli responded by stating that the goal is to start land development activity later this year, with pre-sales for homes in 2023.

Commissioner Modlin asked about the first phase of their plan. Mr. Puncerelli responded and discussed the topography and showed the water, storm water extensions and the intention of the first plat.

Commissioner Franzen was curious who the national builders will be for this project. Mr. Puncerelli replied that information can't be disclosed at this time.

Commissioner Schulte inquired about the development plan and if the mineral rights are being dealt with. Mr. Puncerelli said the intention is to consolidate all of the mineral operations into specific areas, located south and west during the fourth phase. This would ensure that mineral extraction activities could concurrently operate while Mr. Puncerelli's team operates in other areas.

Commissioner Romulo asked about the status of the surface use agreement and if it will be resolved prior to final plat. Mr. Puncerelli replied and stated that they are in talks and an agreement is on the table but haven't executed the agreement yet. However, he assured her that the agreement would happen before they reach the plat stage.

Commissioner Modlin questioned whether there is one large holding pond for their non-pot water in one area or if it is spaced out to other areas. Mr. Puncerelli replied by stated that depending on topography one or more non-pot ponds would be needed, along with several detention pond facilities. He mentioned that his team is working on the design for irrigation ponds, which will be included as part of the plating process.

Commissioner Schulte asked if County Road 19 intersects with Highway 34. Mr. Puncerelli stated that it does not.

Commissioner Romulo requested more information regarding the location of the off-ramp and access to Highway 34. Mr. Puncerelli replied that there would not be access and that it would instead be a fly-over or a bridge.

Ms. Safarik assured that there was a discussion with Public Works Department regarding linkage to the north. Public Works wants to make sure that the area doesn't become an isolated community and that there will be some sort of connection between the northern and southern communities bordering the major arterial.

Commissioner Modlin questioned if this project would require more traffic lights. Mr. Puncerelli said the off-ramp on Highway 257 would have to expand the deceleration lanes to get to the commercial area. However, at the round-a-bout there will not be a signal at that point or at Highway 257.

Commissioner Modlin asked if a rework of the intersection would be required, since there is already a traffic light at Highway 34 and County Road 17. Mr. Puncerelli said that his understanding is that there likely will not be access from County Road 17 onto the property to the north. Instead, there will likely

be a shared access about a quarter of a mile from the intersection of Highway 34 and County Road 17.

The public hearing opened and closed at 2:47 with no individuals present who chose to speak to the item.

Commissioner Romulo moved that, based on the application received and the proceeding analysis, the Planning Commission finds that the proposed rezone from H-A (Holding Agriculture) to PUD (Planned Unit Development) is in compliance with the 1998 Development Code section 24-625 c3, a, b, d, e, f, g, and h, and therefore recommends approval with the following condition: that approval to develop the site is contingent upon compliance with Colorado statute section 30-28-13310, attachment G of the packet. Commissioner Franzen seconded the motion. Motion carried 5-0.

6. Public hearing to consider a request for a Final PUD (Planned Unit Development) Plan for 822 acres of property located south of Highway 34, west of State Highway 257, and east of CR 17 (PUD2021-0013)

Commissioner Romulo moved that, based on the application received and the proceeding analysis, the Planning Commission finds that the proposed Delantero Preliminary PUD Plan is in compliance with the 1998 Development Code section 24-625 c3, a, b, d, e, f, g, and h, and section 44-663b and therefore recommends approval with the following condition: that approval to develop the site is contingent upon compliance with Colorado statute section 30-28-13310, attachment G of the packet. Commissioner Franzen seconded the motion. Motion carried 5-0.

7. Staff Report

Ms. Safarik introduced the report from Ms. Kellums who then spoke of the event at Plumb Farm. Ms. Kellums distributed posters and invited the Commission to the event.

Mr. Garrott specified that the next Planning Commission's meeting on May 24th, 2022, which would consist of the air quality report and a workshop on the Metropolitan District.

Lastly, Ms. Safarik noted that, in its presentation to City Council concerning updates to the City's codes related to metropolitan districts that the Planning Commission be included with the review of recommendations for changes to the metropolitan district codes and policies that would go to City Council for consideration.

8. Adjournment

With no further business, Vice Chair Briscoe adjourned the meeting at 2:55 pm.

Erik Briscoe, Vice Chair

Becky Safarik, Secretary

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