

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
May 11, 2021

I. Call to Order and Roll Call

Chair Yeater called the remote meeting to order at 1:15 p.m. via the City's Zoom platform.

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Brian Franzen
Commissioner Larry Modlin
Commissioner Chelsie Romulo
Commissioner Christian Schulte

ABSENT

Commissioner Louisa Andersen
Commissioner Erik Briscoe

Commissioner Briscoe joined the meeting at 1:16 p.m.

II. Acceptance of Agenda

Commissioner Romulo moved to accept the agenda. Commissioner Franzen seconded the motion. Motion carried 6-0. (Commissioner Andersen was absent.)

III. Approval of April 27, 2021 Minutes

Commissioner Romulo moved approve the minutes dated April 27, 2021. Commissioner Modlin seconded the motion. Motion carried 6-0. (Commissioner Andersen was absent.)

IV. Public meeting to consider a request for a preliminary plat on a 162.668 acre site to create 4 lots and 6.592 acres of dedicated rights-of-way

Project: Tointon Academy Preliminary Subdivision Plat
Case No.: SUB2020-0028

Applicant: Thomas Rudary of DLR Group, on behalf of Kent Henson of Greeley-Evans School District, and the City of Greeley
Location: West of 71st Avenue, east of 77th Avenue, north of 10th Street, and south of 4th Street
Presenter: Brittany Hathaway, Planner III

Ms. Hathaway addressed the Commission and introduced as a request for a preliminary plat to create four lots and dedicate 6.592 acres of rights-of-way on a 162.688-acre site to allow for realignment of the Boomerang Links Golf course

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Final PUD Amendment is in compliance with the Development Code and is consistent with the Preliminary PUD; and, therefore, approves the Final PUD Amendment that revises the allowed uses on Lot 2, as presented. Commissioner Romulo second the motion. Motion carried 7-0.

- VII. Public hearing to consider a request for a Preliminary PUD Amendment to add all C-H (Commercial High Intensity) and R-H (Residential High Density) uses, including schools, and removing the commercial acreage cap within Tract B, Promontory Imagine School Second Filing only

Project: Promontory Preliminary PUD, Areas M & N, 1st Amendment

Case No.: ZON2021-0002

Applicant: Weldco Land Investors LLC

Location: North of Highway 34 Bypass, east of Promontory Parkway, south of future 20th Street

Presenter: Mike Garrott, Planning Manager

Mr. Garrott addressed the Commission and introduced the item as a request for a preliminary PUD amendment to change some of the uses within specific areas from an earlier PUD approval in 1999. He presented an aerial photograph showing the location of the property located in the Promontory area. Mr. Garrott also presented a map of the original Tri-Pointe PUD approved in 1999 and highlighted Tract B and Areas M and N, which are the subject to today's hearing.

Mr. Garrott provided a plat of Promontory Imagine School Second Filing, adding that the name was provided because a charter school was originally planned for a portion of the site. He noted that Tract B came about through a replatting process. Mr. Garrott provided an aerial photograph of the entire area. Mr. Garrott provided a list of allowed uses within Areas M and N, with Area M being mostly residential and Area N being mostly commercial. The applicant requests to allow Tract B (Areas M and N only) to be rezoned to allow for all C-H uses, R-H uses, including schools. Mr. Garrott also presented photographs of the site.

Mr. Garrott described the zoning criteria of Section 24-625 and indicated that all criteria had been met and complies with the Comprehensive Plan. He added that the proposal matches the zoning suitability plan and complies with the preliminary PUD standards. Notices were mailed to seven property owners within 500 feet, signs were posted on the site and notice was placed in the newspaper with no comments received. Staff recommended approval.

Randy Schwartz, the property owner and applicant, 9193 E. Vassar Avenue, Denver, Colorado, addressed the Commission and advised that the purpose of the request is to clean up old and dated zoning with input from planning.

Chair Yeater opened the public hearing at 1:55 p.m. There being no communication by U.S. mail, email, Zoom Chat or Q&A, the public hearing was closed at 1:56 p.m.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission finds 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. Commissioner Romulo second the motion. Motion carried 7-0.

VIII. Public hearing to consider amending Title 24 of the Municipal Code regarding household occupancy standards, specifically regarding the number of unrelated **adults allowed to comprise a household, as found in the definition of “family” in Section 24-5**

Project: Code Update – Household Occupancy Standards
Case No.: CU2021-0001
Applicant: City of Greeley
Presenter: Caleb Jackson, Planner II

Chair Yeater began by stating that it was anticipated there might be several people wishing to speak during the public hearing. He advised that everyone wishing to speak would be invited at the appropriate time and would receive an opportunity to speak.

Mr. Jackson addressed the Commission and provided a recap of some of the reasons to reevaluate the housing occupancy standard that had been described in prior hearings, **including a City Council initiative, “Your Home is Here” that looks at** providing varied housing choices and also addressing recommendations in the Strategic Housing Plan adopted by City Council. Mr. Jackson described some of the obstacles including increasing pressures on finances, low housing stock, increased home prices, and changing demographics.

Mr. Jackson noted **the current definition of “family” in the Code** that includes three descriptions, including 1) an individual living alone, 2) any number of persons interrelated by blood, marriage, adoption or other legal custodial relationship, or 3) not more than two unrelated adults and any number of persons related to those unrelated adults by blood, adoption, guardianship or other legal custodial relationship. Mr. Jackson pointed out that under the current definition, a married couple cannot add any unrelated adults. He added that in high density residential and commercial zones there is currently no limit to the number of unrelated adults, and that is not proposed to change. Mr. Jackson provided a few scenarios allowed by the current standard in lower density zones, Residential Estate (R-E), Residential Low Density (R-L), Residential Medium Density (R-M) and Residential Mobile Home (R-MH) that include a married couple plus zero unrelated adults, a single person plus one unrelated adult, or an unmarried couple plus zero unrelated adults.

Mr. Jackson briefly described the vetting process that has been presented at previous hearings, including the Housing Task Force, Code Advisory Committee, an initial public questionnaire in January-March 2021, Council worksession in February 2021, second public questionnaire in February-March 2021, a public