

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
January 10, 2023

1. Call to Order

Chair Yeater called the meeting to order at 1:17 PM.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Louisa Andersen
Commissioner Erik Briscoe
Commissioner Jeff Carlson
Commissioner Brian Franzen
Commissioner Larry Modlin
Commissioner Christian Schulte

ABSENT

None

3. Approval of Agenda

There were no corrections or additions to the agenda. It was approved as presented.

4. Approval of Minutes

Approval of October 25, 2022, November 8, 2022, and December 13, 2022, Planning Commission Meeting Minutes.

Commissioner Andersen moved to approve the minutes dated October 25, 2022, November 8, 2022, and December 13, 2022. Commissioner Franzen seconded the motion.

Motion carried 7-0. (None absent.)

EXPEDITED AGENDA

5. A public hearing to request a Use by Special Review (USR) request from Darin Spitzer, on behalf of PDC Energy, to allow for an oil and gas operation on a 16.21-acre area within a 253-acre H-A (Holding Agriculture) zoned parcel of land at 27027 CR 25, which is located South of Highway 34 Bypass, West of CR 25 (95th Avenue), and North of CR 56 (USR2022-0015).

Chair Yeater inquired if there was a reason why all traffic is focused off of Highway 34 and if so, if there was a reason, they wouldn't use County Road 56. Logan Glewen, Engineering Technician, said that it was done to minimize left turns. They do intend for about 50% of traffic to cross left and the other 50% to cross right.

Darrell Gesick, Planner III, added that County Road 56 is not an improved roadway and that it's mainly used as a driveway to the site. He said that although it's platted it hasn't been approved to be used by the public.

Chair Yeater asked about the usage of County Road 54. Mr. Glewen stated that would be 37th street and they would have 50% of traffic exiting there.

Chair Yeater questioned if they would try and build whole both pad sites concurrently or if they planned on building two separate projects. Mr. Glewen said that they would be two separate projects.

Chair Yeater inquired if they would be built as separate times. Mr. Glewen was unsure, so the applicant was invited to answer on his behalf.

Darin Spitzer, PDC Energy, clarified that both projects would be built concurrently.

Chair Yeater opened the public hearing at 1:22 PM. Seeing no one present who wished to address the Commission on this item, he closed the public hearing at 1:22 PM.

Commissioner Andersen moved that based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for an oil and gas operation that consists of 23 oil and gas wellheads and associated production facility equipment in the H-A (Holding Agriculture) zoning district is consistent with the Development Code criteria of Section 24-206 (Items 1-8) and the proposed oil and gas operations will meet the provisions contained in Section 24-1102, Oil and Gas; and therefore, approve the Use by Special Review. Commissioner Carlson seconded the motion.

Motion carried 7-0. (None absent.)

END OF EXPEDITED AGENDA

6. A public hearing to consider a request from Jodi Hartmann, on behalf of High Plains Housing Development Corporation, to rezone approximately 7.8 acres of land located at 123 9th Avenue from I-L (Industrial Low Intensity) to MU-H (Mixed Use High Intensity) zoning district (ZON2022-0012).

Commissioner Carlson recused himself from this portion of the meeting, citing a potential conflict of interest.

Caleb Jackson, Planner III, summarized the proposed rezoning and the intended ultimate use. He discussed area context, surrounding zoning, and the proposal's conformance with the Development Code. Mr. Jackson then explained the purpose of the project and provided an overview of the development plan. He confirmed that all public notice requirements had been met, and that staff had received no community input expressing concerns or opposition for the project.

Commissioner Briscoe questioned whether the three brick structures on the site are required to remain as part of the proposed development. Mr. Jackson stated that with this land use action it is not possible to require them to remain, but it is the applicant's expressed intent to repurpose the structures.

Chair Yeater invited comment from the applicant.

Jodi Hartmann, Executive Director of High Plains Housing Development Corporation at 3104 69th Avenue Court, reiterated that the three existing brick buildings will be kept in place, but the rest of the metal structures and one of the oldest brick buildings will be demolished. She discussed the site's previous uses, which included produce assembly, manufacturing, and storage. Ms. Hartmann then described High Plains Housing Development Corporation and its mission as a nonprofit affordable housing developer and identified two apartment complexes her company has successfully been operating locally.

Ms. Hartmann explained that the intent is a phased development approach and described each phase which includes a variety of affordable housing options, explaining the need for and collective benefits of providing such housing.

Ms. Hartmann closed by saying that phase one of this project will involve a \$26 million dollar infrastructure investment, bringing 58 new units of housing. Phase two will be a \$30 million dollar infrastructure investment that will bring 90 additional units to the housing stock. She explained that phases three and four haven't explored far enough to know the investment impacts but indicated it would include an additional 30 housing units. Ms. Hartmann touched on the fact that there are a number of local stakeholders and partners who have been working with High Plains on this project in order to show the scope of the community's support.

Chair Yeater asked if the financing is currently in place for phases one and two. Ms. Hartmann stated that they are working on phase one right now but most of the funding for that project will come from housing tax credits, and if successful they anticipate construction to start in the spring of 2024. They hope to have people living on the campus by 2025.

Chair Yeater then asked what the ultimate goal for a final build out of the remaining phases will be. Ms. Hartmann stated that phase two is hoped to be completed around 2026 to 2027. She then explained that they are hoping for phases three and four to be developed simultaneously with phase two because they won't be looking for tax credits but will instead be seeking other resources at that time.

Commissioner Franzen asked for clarity regarding the timeline of the funding. Ms. Hartmann explained that they could apply for funding on the second phase when they near completion of the first phase.

Chair Yeater opened the public hearing at 1:37 PM.

Rick Hoagland, who owns property east of the proposed rezone, expressed his concern regarding potential traffic impacts, especially at peak hours, and adequacy of parking spots on the site.

Chair Yeater closed the public hearing at 1:40 PM.

Commissioner Briscoe moved that based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from I-L (Industrial Low Intensity) Zone District to the MU-H (Mixed-Use High Intensity) Zone District meets the Development Code criteria, Sections 24-204 and therefore, recommend approval of the rezone to the City Council. Commissioner Franzen seconded the motion.

Commissioner Schulte commented that parking is always a legitimate concern for any development but wanted to remind the applicant and public that the Commissioner's job today is limited to consideration of the rezone request, not the possible project. If the rezoning is approved the project would ultimately have to go through approvals and meet code requirements, such as with respect to parking. Chair Yeater agreed and then called for the motion.

Motion carried 6-0 (Commissioner Carlson recused from this vote).

Commissioner Carlson stepped back into the chambers to be present for the remainder of the Commission meeting.

7. A public hearing to consider various amendments to the Greeley Municipal Code including, clarifying the notice requirements, updating the allowance for childcare centers/pre-schools by USR in R-E, R-L, R-M and R-H zone [Table 24-4-4], changing the square footage allowances as they pertain to accessory buildings [Table 24-5-2], and making various minor corrections of errors and omissions to Municipal Code.

Caleb Jackson, Planner III, stated that the last major code update was in 2021. He said that these recent proposed updates are for clarity and to address some omissions. They also address items for minor variances, neighborhood meetings, Parkline dedication, childcare centers and preschools, home occupations and landscaping. Mr. Jackson noted that staff is continuously working on updates and will bring additional items to the Planning Commission for clarity as needed. Lastly, he said the Planners are also working on larger updates involving metro districts of the city's accessory structures and driveways.

Mr. Jackson said that he would explain each item with the intent, the current standard, and the proposed updates. First, he addressed minor variances stating that the intent is to clarify the allowances for minor variances and remove some duplicative language. The current standard is somewhat unclear regarding minor variances for setbacks and building location. The proposed update would clarify that variances for setbacks, building location, or building height would qualify as minor when they do not exceed 1 foot or 10% of their requirement whichever is less. It would also then remove duplicative language.

Mr. Jackson then explained that the director may improve terms of neighborhood meetings. It's currently under the director's discretion to require neighborhood meetings. He said that the current standard requires neighborhood meetings for planned unit developments, and it also implies that neighborhood meetings are required for rezonings and preliminary subdivisions. Mr. Jackson said that the proposed updates are to remove the requirement for neighborhood meetings for PED's but making it the director's option. They also want to remove the implied requirement for neighborhood meetings, rezonings, and preliminary subdivisions intending to reserve these meetings for items that have more substantial public concern. Mr. Jackson stated that they would like to provide the director with the option to require a neighborhood meeting for any application, if it's warranted, and based on some standards in the code.

He discussed that the Parkline dedication calculation is based on updated household size. The current formula had used 2.7 people per household, but the new census shows we are actually at 2.74 people per household. It is intended to update the formula.

Mr. Jackson explained that they want to address childcare centers and preschool allowance in residential zones. The previous code did allow them in residential zones, but it seems that it was left out under the new code. He said they are proposing going back the previous standards that allowed these uses in residential estate, residential low, and

residential medium through use by special review. This would be presented to the Planning Commission through a site plan review which is administrative in the residential high zoning district.

Mr. Jackson said that their intent with home occupations is to sync that process with business license renewals. They also want to clarify that review and renewal would now only be required every two years instead of three. The current standard requires notification of a home occupation application via mail to abiding owners and a posting of the site. Mr. Jackson said they would like to go back to removing notification requirements.

He said that they would like to touch on a few things for terms of landscaping. One is clarifying that screening is required for all rights-of-way and also to refer to water and sewer standards for soil amendments. Mr. Jackson said that the current standard and code requires screening visual impacts. They are proposing to change that and clarify it's from rights-of-way. He explained that the current code has a specific standard about soil amendments for the raw water credits. Mr. Jackson said that it differs from the current water and sewer criteria. They would instead just like to reference the water and sewer criteria directly.

Mr. Jackson said that one other item has come up for discussion that was not included in the original packet.

Don Threewitt, Chief Planning Manager, began to discuss the separate issue. He said that based on some public feedback, it appears that the current way we are handling mailing notices is causing some confusion with applicants and the public. Due to this, it is proposed that we revert back to the original mail notice requirements in the previous code. He said this is essentially our city staff preparing and the mailing the notices. The applicant will cover the mailing cost, but it's believed that this will help with communication all around.

Commissioner Modlin asked if the 2.74 density number is really adequate from the 2020 consensus. Becky Safarik, Interim Community Development Director, stated that at this time we don't have a better number to suggest. She said that it's based on the average household size including multifamily and single family. Ms. Safarik stated that based on available information it's the best empirical data we have to update that number. She also said that it can be adjusted in the future if we come across a better number to use.

Commissioner Modlin then asked when the next time that number would be reviewed. Ms. Safarik said that from the census standpoint it's every 10 years so it wouldn't be for another eight years from now. However, she explained that if we find there's other substantiated demographic information, we could use that at any time.

Commissioner Franzen inquired if there were standards for the decision as far as director approved neighborhood meetings. Mr. Jackson said that there are certain standards the director would need to consider that would be primarily based on the impact of the proposed project.

Commissioner Andersen wondered who organizes the neighborhood meetings. Mr. Jackson said that it's the responsibility of the applicant to organize the meeting and ensure that it occurs and meets all standards. However, the director will help coordinate and schedule.

Commissioner Andersen then asked if the director is coordinating and scheduling the meetings then what would the applicant be doing. Mr. Jackson stated that that they are responsible for the content of the meeting, following up, providing minutes, and running that meeting. He said that city staff is always available at those meetings to answer and questions.

Commissioner Andersen then wondered if that would require after hours from a city employee in order to attend those meetings. Mr. Jackson said yes it would.

Ms. Safarik added that many times developers like to get acquainted with the neighborhood and sometimes do it in a more informal way. However, these meetings are a good substitute for that if the city feels one is needed.

Commissioner Andersen asked about screening and what visual impact means in the code. Mr. Jackson said a section in the packet says specifically what visual impact is and what items need to be screened.

Chair Yeater opened the public hearing at 1:54 PM. Seeing no one present who wished to address the Commission on this item, he closed the public hearing at 1:54 PM.

Commissioner Andersen moved that, based on the Project Summary and accompanying analysis, the Planning Commission finds that the proposed amendments to Chapter 24 of the Greeley Municipal Code as presented are necessary and appropriate to meeting the intent of the Comprehensive Plan and to clarify administration of the Development Code, and recommend approval to City Council. Commissioner Franzen seconded the motion.

Motion carried 7-0. (None absent.)

8. A Public Hearing to Consider the Downtown 2032 – The Path Forward, Greeley Downtown Plan Update.

Commissioner Franzen recused himself from this portion of the meeting, citing a potential conflict of interest.

Becky Safarik, Interim Community Development Director, introduced the Downtown Plan Update and stated that about 10 years' time has passed since the last downtown development investment strategy was completed. The City of Greeley determined an update would be helpful to assess the work to date and to maintain focus and momentum for the next decade. Coincidentally, the City contracted with the same consultant who did the previous plan. She introduced Brad Segal with Progressive Urban Management Associates (PUMA) to describe the Plan update.

Mr. Segal, introduced his team and described the process used to complete the study, noting that they heard from over 1,200 residents in the community who expressed an interest in Downtown. Mr. Siegel said their team completed an analysis of existing conditions and tracked improvements over the last 10 years. He explained that they will provide everyone with an overview of the action plan and then be available for any questions or discussion.

Amanda Kannard, PUMA, reiterated how important it was that they were able to gather so many inputs from the community. She explained that there were a variety of topics discussed early on in the process at a roundtable discussion with an advisory committee that was made up of downtown stakeholders, including business owners, members of the

Downtown Development Authority, property owners, and representatives from a variety of businesses. Ms. Kannard said they also had a technical working group that was made up of various city departments. She noted they also had a pop-up presence at one of the Friday Fests in summer fairly early on in the process. In addition to that input, they also conducted an online survey that was distributed to the greater Greeley community which netted over 1,100 responses. After they had developed some preliminary recommendations, they hosted a community wide open house where they had nearly 40 people attend. Ms. Kannard stated they also conducted some focused outreach to historically marginalized populations.

She explained that some of the key themes heard from the stakeholder groups was that they want to ensure that Greeley is welcoming and inclusive to everybody who lives and works in or visits Downtown. They want to make sure that the DDA and City of Greeley continue moving forward with doing a good job at programming and activation of the area; bolstering the storefront economy; and maintaining its historic character. She also noted the importance of ensuring downtown is livable with such as dog parks, grocery stores, etc. Another priority was to continue to invest in infrastructure and infill development and underutilized spaces. Finally, she noted the importance of connectivity not only within downtown, but to neighboring communities as well.

Ms. Kannard then highlighted a couple of questions and answers from the online survey, noting the top priority was to redevelop and repurpose underutilized spaces in downtown. Relative to priority services, the number one response was more retail and restaurants, followed by public safety and providing more services to address the unhoused population.

She stated that the existing conditions analysis was the other key that served as a foundation for developing the strategies and actions in the plan including a market assessment. The key findings were that housing is a robust market in downtown and will continue to be, moving forward. The agriculture and manufacturing industrial heritage that exists in Greeley is an enduring economic anchor that can be capitalized on into the future. The office market is likely to remain niche but there are some opportunities to have creative office spaces through small businesses, incubation, and coworking. Retail is a continued strength that would benefit from additional housing development. There are also some underutilized or untapped markets that exist for younger demographics, particularly UNC students and Latinx households, which are key opportunities moving forward.

Todd Wenskoski, team partner from Livable Cities Studio, said that the capital improvement assessment looked at the space from the property lines to the curb line. They found out that the eastern edge has the lowest quality because it's paired with historical industrial uses. He then said that areas around downtown formed a higher ranked quality due to the ongoing upkeep and the investments that have been made over time. Mr. Wenskoski stated that if you move further south the residential areas generally had a higher quality as well, partially due to historic character, etc. He stated the other thing found was although 8th Avenue and 9th Avenue have distinctly different characters one being more commercial the other one being a bit more mixed with historic district, they generally provide a really good north and south connectivity under the core of downtown.

Mr. Wenskoski stated that elsewhere in downtown, in most cases, where there are non-residential areas, especially with older, mid-century developments, they found that they didn't have great frontages because commercial uses sometimes had to have bigger access points and driveways.

He stated the other thing they looked at was regarding the public spaces and uses of downtown. They found the core is strong but there is an unequal distribution in some areas. He further explained that the area around Lincoln Park, including 8th and 9th Avenue are great but outside of that the character is limited. Mr. Wenskoski also stated they noticed the amount of area dedicated to cars, either through wide roadways, or surface parking that could provide an opportunity to repurpose such areas into more productive areas. He said that the bicycle infrastructure is good and getting better and can be built upon going forward. Mr. Wenskoski explained that one of the most important things they discovered was safety and lighting was great in some areas but really lacking in others.

Mr. Segel explained the action plan, recommendations, and how to proceed to implementation. He stated that they started with core values for what they want downtown to be like in the future, starting with the physical framework. He noted the three categories with key recommendations. The first of that is economy, which is how the downtown can be more prosperous and create more jobs. The second is environment which gets into the physical realm of downtown. Lastly, is experience, which is how we activate downtown and what sort of experience one has coming downtown.

He stated that the previous plan had four different sub areas. They have now streamlined that into three sub areas within downtown that have similar character and also have distinctly different market opportunities. Mr. Segel stated that the three sub areas are central downtown, university uptown, and the railway district on the eastern edge of downtown.

Mr. Wenskowski said they went on to create the physical framework plan which guided a lot of the transformative projects into the action plan and touched on connecting downtown to the Poudre River both north to Island Grove and also east.

He spoke about how there were discussions on how to turn the railway district into something exciting and interesting that would create a different type of contribution to downtown. Mr. Wenskowski said that they spoke about diversifying the residential mix with different approaches in each sub area. They want to build off of the core area and still create a sub area that have identities and character relating to their history. He spoke about reinforcing the bike lanes and hopefully taking them a step further to enhance the corridor and carry forward the history. He stated that they also suggest reuse of existing buildings in creative ways and still providing outdoor seating with public art. The character of these two areas is different but they both contribute to downtown and the vision.

Mr. Siegel wrapped the presentation up by giving a summary of the action plan and actual recommendations. He stated that everything they presented is tied to the core values of the city. They want downtown to be welcoming and inclusive, prosperous and vibrant, a complete neighborhood that is accessible and connected. They also provided vision statements for the different elements of the plan. He stated they provided a series of charts and matrices that get into fine grained detail within each of these sections. Each section has strategies and then tactics that are assigned to specific stakeholders to be worked on. They also got into resources and sequencing many of these ideas are more near-term other ideas are longer term in the context of a 10 plus year vision or plan.

Ms. Safarik recognized their presentation by commending their work. She also recognized two other leaders in the project. Bianca Fisher with DDA and Ben Snow with City of Greeley Economic Health and Housing, both who were instrumental in making sure stakeholders were well represented.

Commissioner Briscoe stated that he was impressed with the tremendous amount of effort and work that has gone into this project. He questioned what all of that means for the Commission and why are they seeing this today. He also wondered how they are financing everything.

Ms. Safarik said because the downtown development plan is a part of the Comprehensive Plan by reference, the Planning Commission is asked to make recommendations on land use matters, such as this, to the City Council. She then stated that the city initiated this update using city resources because it is seen as a vital part of maintaining the economy and infrastructure within the community as well as a partnership with the DDA and the work of the Economic Health and Housing Department.

Commissioner Schulte wondered if there has been anything analogous throughout Greeley where there have been multiple zones coming together. Ms. Safarik said that downtown is unique in that regard because it's got so many partnerships. She said there are five tax increment districts in the city that focus on redevelopment and have the city and private development partnerships.

Commissioner Schulte asked if there's any sort of tension going forward as we move this downtown field into the railroad area and into that existing industrial land. He wondered if we would lose any economic resources in the process. Ms. Safarik said that it was a very intentional decision to include the whole railway corridor as a transitional district into industrial uses. She stated that it will further support "maker spaces" and some of the special uses they have on the east side of downtown and make it an industrial incubator space that allows smaller businesses.

Benjamin Snow, Economic Health and Housing Director, said there are great and creative reuse opportunities with the old agricultural industrial assets which can experience some new life with redevelopment. This could include a mixture of uses, it could be residential, or it could be some light industrial types of places, or live/work kind of arrangements. He opined that the exciting part about that whole railway district is that it opens up an area where we could keep the agricultural heritage alive but embrace some of these new things that are happening in terms of innovation and entrepreneurship.

Ms. Safarik also mentioned that she met with the executive director of the model train museum and reviewed their master plan which strongly complements what is planned for downtown Greeley.

Commissioner Schulte asked if, hypothetically, someone wanted to build a factory in Greeley where would that go? Ms. Safarik said that we have many areas that would be prime for that kind of use, particularly east and north of this area.

Mr. Snow stated that if you look at the overall land use plan for Greeley then there's a wealth of agricultural land between the airport and Hwy 85 which also is parallel with the railroad tracks. So, while the infrastructure is not fully in those areas yet there is enough land in those areas to reach a certain level of scale for industrial development, noting that the railway district in downtown would be really a different kind of product that is smaller scale space.

Chair Yeater opened the public hearing at 2:30 PM.

Bianca Fisher, Executive Director of the Downtown Development Authority, offered thanks to the City and all those that contributed to this project. She believes we've come a long

way in the last ten years because of the partnership with the city and with private stakeholders. Ms. Fisher reflected on the opportunities that have come from the City's investment in 8th Avenue improvements and touched on the fortune to be a part of the creative district's public art programs. She noted several creative industries in the area and closed by saying how thrilled she is to have the city taking a strong lead on this plan and how grateful they are to be partners in this project.

Chair Yeater closed the public hearing at 2:33 PM.

Commissioner Andersen made a motion that the Planning Commission find that the updated study, Downtown 2032: The Path Forward, is consistent with the goals of the City's Comprehensive Plan and recommend its adoption and incorporation into the Comprehensive Plan by reference. Commissioner Briscoe seconded the motion.

Motion carried 6-0 (Commissioner Franzen recused).

Commissioner Franzen stepped back into the chambers to be present for the balance of the Commission meeting.

9. Staff Report

Ms. Safarik introduced Sara Aragon as the new Office Manager in the Community Development department. She then stated that Public Works is ready to present the Transportation Master Plan as a Public Hearing at the next Planning Commission meeting. Ms. Safarik stated that will most likely be the only item on the agenda so we should have plenty of time to get all questions addressed.

10. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 2:37 PM.

Justin Yeater, Chair

Becky Safarik, Secretary