

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

April 26, 2022

1. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Jeff Carlson
Commissioner Larry Modlin
Commissioner Christian Schulte

ABSENT

Commissioner Chelsie Romulo
Commissioner Brian Franzen
Commissioner Erik Briscoe

Mike Weiland, 436 47th Avenue, spoke on behalf of the Greeley Chapter of Citizens Climate Lobby. He invited the commissioners to a documentary called Earth Emergency and discussion on May 7, 2022, at 10:30 at the Lincoln Park Library.

3. Approval of Agenda

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

4. Approval of March 22, 2022, Minutes

Commissioner Carlson moved to approve the minutes dated March 22, 2022. Commissioner Modlin seconded the motion. Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

5. A public hearing to consider a request to rezone approximately 23.49 acres of land generally located south of Centerplace Drive at 38th Avenue from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Density) (Project No. ZON2021-0019)

Brittany Hathaway addressed the Commission and introduced the project, stating that it would provide commercial and residential components. Ms. Hathaway provided a brief history of the site and presented a map showing the location. She described the surrounding zoning and uses. Ms. Hathaway also presented

photographs of the site stating that the lot is currently vacant. She noted a drainage channel in an ecologically sensitive area that is anticipated to be preserved in the development. Ms. Hathaway presented the zoning suitability map representing the proposed planning and dedicated commercial area, adding that the northwest corner of approximately 11 acres is residential high-density. She stated that the remaining acres will be set aside as open space for the drainage channel. Ms. Hathaway concluded that the request meets Development Code criteria as outlined in section 24-204 and that staff recommended approval.

Monica Unger from Thompson Thrift addressed the Commission and shared information about the development. She provided several examples of similar developments. Ms. Unger advised that they have been in Colorado for 10 years with 12 projects under construction or already built. Ms. Unger also presented examples of retail developments that were done on 2-acre parcels.

Sam Coutts, Land Planner with Ripley Design, addressed the Commission and explained the goal of the rezone request to allow multi-family use while supporting the existing commercial uses. Mr. Coutts explained that the design was consistent with the Imagine Greeley Comprehensive Plan. Mr. Coutts presenting a zoning suitability map and pointed out the features of the development. Mr. Coutts referenced a study that determined that rezoning the property to MU-H will help normalize some of the current residential vacancy rates.

Chair Yeater opened the public hearing at 1:30 p.m. There being no comments, the public hearing was closed at 1:30 p.m.

Commissioner Carlson moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Density) meets 1998 Development Code Section 24-204(c)(3) a, b, f, g and h; and, therefore, recommended approval of the rezone to City Council. Commissioner Schulte seconded the motion. Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

6. Public hearing to consider a request to rezone approximately 15.433 acres of land located at 712 71st Avenue from I-L (Industrial Low Intensity) to R-H (Residential High Density) (Project No. ZON2021-0018)

Kristin Cote, Planner II, addressed the Commission. She stated this parcel is currently vacant and has been searching for an industrial user for about 20 years. A user was not found, so they are pursuing this rezone in hopes of establishing a multi-family development on this tract. Ms. Cote explained that in 1981 the property was zoned and annexed through the Sheep Draw annexation. She then presented the visibility map that showed a single-family residential subdivision to the east and a school site to the west. She said that lot 3-A was established as part of the minor subdivision, which is being reviewed for rezoning R-H rezoning today. Subsequently, she had received two e-mail comments in regard to this site. They had some very serious concerns regarding the amount of traffic currently within the general vicinity and also the increase in traffic that the potential rezone and re-subdivision would create.

Upon question by Chair Yeater, Ms. Cote responded by saying a traffic compliance letter was submitted. The letter showed that during peak hours there will be a slight decrease in what was shown from the original traffic study conducted for an I-L use.

Commissioner Modlin asked for clarification on the residential vs. the industrial traffic. Ms. Cote went on to say that there is always potential on public roads, but most traffic would enter through the south. There would be very little reason in general for traffic to access this site to utilize the single-family residential to the east.

Commissioner Modlin asked how they would deal with the traffic issues. Ms. Cote explained that in order to develop this property it will require a subdivision as well as a site plan review. This will then require additional information regarding traffic and traffic studies. However, she stated that she couldn't provide a full answer until they develop the second phase of this property.

The applicant, Brian Bartels, 5801 W. 11th Street, Suite 201. He began to explain their company originally purchased the building after trying to repurpose it with the previous owners. Unfortunately, it had been in such a state of disrepair and vandalized for so long that eventually the building could not be repurposed. He stated that the Westridge Charter School, who owns the adjacent parcel of 4 ½ acres, now want to use the site to expand their track and field with some possible stacked parking.

Chair Yeater opened the public hearing at 1:46 p.m.

Trish Trombino, 6620 7th Street. Ms. Trombino stated that Greeley does not need additional residential high-density zoning. Much of all the buildings in the city are apartments and she feels that balance is being lost. She spoke of the Greeley building report for March of 2022 and touched on statistics. She then requested the members of the Planning Commission reject the zoning proposal.

Kimberly Tiba, 6627 7th Street. She wanted to speak for herself and on behalf of future residents. She expressed her concerns regarding traffic coming from High School students during lunch time. Ms. Tiba also thinks more people would have attended this hearing if they had already moved in.

Dana Davis, 728 67th Avenue. She explained that when they moved in, Hartford Homes didn't make them aware of any future plans for zoning. She believes the traffic concerns are real and touched on the high school lunch traffic causing worry. Ms. Davis closed by requesting the Commission reconsider this for the current homeowners and the future homeowners.

Charles Rael, 716 67th Avenue. He shared his frustrations that homeowners in his area weren't told of future plans for zoning. Mr. Rael stated his concern for families with young children and finds it a very high-risk area. He proposed to reconsider that zone for something more functional instead of high-density living. He also noted that Greeley already has plenty of growth out west.

Chair Yeater closed the public hearing at 1:56 p.m.

Chair Yeater invited the applicant to respond to the concerns raised during the public hearing. Mr. Bartels said he understands everyone's apprehensions, but he also wants to do what's best for the overall area. They feel that residential-high is better planning than industrial-low. Mr. Bartels reiterated that right now they're just looking at changing the zoning.

Chair Yeater asked Ms. Cote to further explain the traffic and any additional steps needed to go through the site process. Ms. Cote responded by saying that part of the minor subdivision was subdivided as a tract. However, a tract is not buildable so they will need to resubdivide this into a lot. That lot would then be established as a building site. Once that is complete then it will be required to go through the site plan review process. That process potentially includes requirements for traffic studies, elevations for the metrics, and architecture. After that, it would go through the full review process where they would complete a series of redlines until everything satisfies code and the traffic engineer. If everything is satisfactory then it would be approved by the city which would allow them to finally move forward with any building permits.

Commissioner Modlin asked about access onto 4th Street and whether a plat would show the extent of roads in the entire area. Ms. Cote stated that the subdivision plat would show the extent of the roads within the subdivided tract. She added that any traffic studies that would take into account the overall traffic and not only the traffic created by this rezone.

Commissioner Carlson then asked Ms. Cote if the recommendations for approval of this zoning change from the city staff will remain consistent based on input from the community members. She responded that it would remain consistent.

Dylan Belanger, Engineering Development Review, addressed the Commission and clarified that the site review process will not require a traffic plan.

Commissioner Schulte moved that, based on the application received, the project summary and the preceding analysis, the Planning Commission find that the proposed rezoning tract 3-A of the replat lot 3 HP Greeley subdivision 63 plat from I-L (Industrial Low Intensity) to R-H (Residential High Density) meets 1998 Development Code Section 24-204(c)(3) a, b, f, g and h; and, therefore, recommend approval of the rezone to City Council. Commissioner Carlson seconded the motion.

Commissioner Modlin expressed thanks to the citizens who voiced concerns and noted that it was a challenge for any builder to present a project that satisfies all parties. He stated that the current zoning does not provide an alternative way to develop the property and was, therefore, in favor of the rezone. He added that the city needs to examine the process to make sure the concerns of the residents are taken into consideration.

Chair Yeater stated that the today's hearing was to consider the rezone request and advised that citizens will have more opportunity to speak about this as they continue to move through the process and gather more detail. He then stated he would appreciate the community providing feedback as they continue to develop the site in its actual construction side. He continued by noting his support for the rezoning for those reasons.

Commissioner Schulte noted that the applicant had met the statutory criteria for a rezone. He stated that the rezone would allow for residential development and preclude future industrial uses.

Commissioner Carlson commended members of the public for presenting their feedback. He also stated that there are multiple approval steps yet ahead and the rezoning makes sense at this point.

Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

7. Staff Report

Ms. Safarik stated that there were no items of to report.

8. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 2:06 p.m.

Justin Yeater, Chair

Becky Safarik, Secretary