

City of Fort Lupton
Virtual City Council Meeting Agenda
Regular Meeting
April 21, 2020
7:00 p.m.
130 South McKinley Avenue

Virtual Meeting Instruction are located at the end of the Agenda

Pledge Of Allegiance

Call To Order - Roll Call

Persons To Address Council

This portion of the Agenda is provided to allow members of the audience to present comments to the City Council. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up. Please limit the time of your comments to three (3) minutes - Mayor Stieber

Approval Of Agenda

Review Of Accounts Payables

a. **04212020 Accounts Payable**

Documents:

[04212020 Accounts Payable.pdf](#)

Consent Agenda

Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

a. **04072020 City Council Meeting Minutes**

Documents:

[04072020 City Council Meeting Minutes.pdf](#)

- b. **AM 2020-079 Approving A Resolution Reappointing Kathleen Kvasnicka To The Historic Preservation Board For A Three (3) Year Term Beginning April 21, 2020 And Expiring April 21, 2023**

Documents:

[AM 2020-079 Approving A Resolution Appointing Kathleen Kvasnicka To The Historic Preservation Board.pdf](#)

Public Hearings

Public Hearings allow members of the audience to present comments and questions to the City Council on the item being presented. Comments and questions may be limited to three (3) minutes- Mayor Stieber

- a. **AM 2020-080 Accepting A Resolution Approving The Conner Family Trust - Fort Lupton Fire Protection District Minor Subdivision To Create Two Separate Lots**

Documents:

[AM 2020-080 Accepting A Resolution Approving The Conner Family Trust Fort Lupton Fire District Minor Subdivison.pdf](#)

- b. **AM 2020-081 Adopt An Annexation Known As The C&M Rodriguez Annexation Nos. 1-5 To Annex Land Legally Described In Exhibit "A" To The Proposed Ordinance And Approving The Annexation Agreement**

Documents:

[AM 2020-081 Adopting An Ordinance Annexing Land Known As The CM Rodriguez Annexation 1-5 And Approving Annexation Agreement.pdf](#)

- c. **AM 2020-082 Adopt An Ordinance To Initially Zone Land Legally Described In Exhibit A Of The Proposed Ordinance And Known As The C&M Rodriguez Initial Zoning To The 'C-2' Heavy Commercial Zone District**

Documents:

[AM 2020-082 Adopting An Ordinance To Initially Zone Land Known As Teh CM Rodriguez Initial Zoning.pdf](#)

- d. **AM 2020-083 Approve A Resolution For An Application For A**

Special Use Permit For An Oil And Gas Service Business With An Office, Shop And Outside Storage Area For Vehicles And Equipment Known As The C&M Rodriguez Special Use Permit

Documents:

[AM 2020-083 Approve A Resolution For The CM Rodriguez Special Use Permit.pdf](#)

- e. **AM 2020-084 Approving A Resolution For The Vincent Village Preliminary Site Plan**

Documents:

[AM 2020-084 Approving A Resolution For The Vincent Village Preliminary Site Plan.pdf](#)

- f. **AM 2020-085 Approving A Resolution For The MC Paving Site Plan And Special Use Permit For An Asphalt And Concrete Paving Business And Aboveground Fuel Tank**

Documents:

[AM 2020-085 Approving A Resolution For The MC Paving Site Plan And Special Use Permit.pdf](#)

Action Memorandum

- a. **AM 2020-086 Approve A Resolution For The Murata Farms Sketch PUD Plat Submitted By M-J Perry Company To Create A Mixed Use Subdivision**

Documents:

[AM 2020-086 Approve A Resolution For The Murata Farms Sketch PUD Plat.pdf](#)

- b. **AM 2020-087 Approve Change Order Number 1 To Colorado Paving Inc. For An Amount Not To Exceed \$147,166.21 Allocated From The Street Sales Tax Fund**

Documents:

[AM 2020-087 Approve Change Order Number 1 To Colorado Paving Inc.pdf](#)

- c. **AM 2020-088 Approve Payment Of Colorado Department Of Public Health And Environment (CDPH&E) Invoice For WWTP Site**

Location Fee Of \$22,658.00 Allocated From The Utility Fund And Miscellaneous Expenditures

Documents:

[AM 2020-088 Approve Payment To Colorado Department Of Public Health And Environment.pdf](#)

- d. **AM 2020-089 Ordinance To Accept Public Right Of Way From Kurt W Conner Family Trust And Fort Lupton Fire Protection District Of 699 Lineal Feet Of 20-Foot Wide Along The North Side Of 9th Street**

Documents:

[AM 2020-089 An Ordinance To Accept Public Right Of Way From Kurt Conner Family Trust And Fort Lupton Fire Protection District.pdf](#)

- e. **AM 2020-090 Ordinance To Accept Public Right Of Way From Conner Family Trust Of 405 Lineal Feet Of 30-Foot Wide Along The Western Side Of County Road 31**

Documents:

[AM 2020-090 An Ordinance To Accept Public Right Of Way From Conner Family Trust.pdf](#)

- f. **AM 2020-091 Award Contract For Integrated Mosquito Management Services To Vector Disease Control International LLC For An Amount Not To Exceed \$17,500 From Public Works Shop General Fund**

Documents:

[AM 2020-091 Award Contract For Integrated Mosquito Management Services To Vector Disease Control International.pdf](#)

- g. **AM 2020-092 Hiring Of Sergeant At Arms For Council And Other Public Meetings And Other Requirements For The Police Department, Allocated From The General Fund With No Increase In Budget**

Documents:

[AM 2020-092 Hiring Of Sergeant At Arms For Public Meetings.pdf](#)

Information Memorandum

Staff Reports

a. Police Department Monthly Report

Documents:

[Police Department Monthly Report.pdf](#)

Mayor/Council Reports

Future City Events

a. 04212020 Upcoming Events & Cancellations

Documents:

[04212020 Upcoming Events.pdf](#)

Virtual Meeting Instructions

NOTE: This meeting will be through remote participation. City staff has been working hard to accommodate for this option so please be patient if we encounter any hiccups during the meeting. Staff will be working on enhancing remote options for the next meeting.

We encourage you to test the phone number and links prior to the start of the meeting. As each device requires initial adjustment.

To participate remotely for the meeting – You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

Call: United States (Toll Free): 1 866 899 4679

- One-touch: tel:+18668994679,,623516477#

United States: +1 (312) 757-3117

- One-touch: [Tel:+13127573117,,623516477#](tel:+13127573117,,623516477#)

Access Code: 623-516-477

New to GoToMeeting? Get the app now and be ready when your first meeting starts:
<https://Global.gotomeeting.com/Install/623516477>

If you have already installed the app, click on the following link:

<https://Global.gotomeeting.com/Join/623516477>

Please read the entirety of the procedures listed below for your use.

When you call in, the moderator will get on the line and provide any additional instructions to all those that have called in. The sound on your TV or computer MUST be muted.

There is a 15-20 second delay from the Gotomeeting (phone call). If you ask a question of a presenter please wait 15-20 seconds for the response.

Your call will be muted until the Mayor calls on you to speak; at that time your call will be unmuted.

All council members will be called on for discussion.

Remote Participation:

Options for Remote Participation

1. **By Telephone:** The Town Hall meeting is for the Public to have open discussion with Council regarding any topic. Members of the public who wish to provide public comment on any item must call:

To participate, dial the following phone number: **1 866-899-4679 or 1 (312) 757-3117**, then there will be a prompt to enter the **Access Code 623-516-477**.

During that time, the moderator of the call will ask your name. Once that information has been provided, your line will be muted. When it is time to speak during the meeting, the moderator will unmute the line, state the person's name who will be speaking.

2. **By Electronic Mail:** Members of the public may also provide public comment or comment on a specific item by sending an email to Mpena@Fortluptonco.gov. The email must be received by 6:00 p.m. the day of the meeting. The moderator will read the email to the City Council.

3. **In Person:** To promote social distancing, the lobby at City Hall will have a tablet available to participate electronically if you would like to provide public comment. There will be seating spread six feet apart throughout the lobby while waiting for the opportunity to speak

Adjourn



Check Report

By Check Number

Date Range: 04/07/2020 - 04/20/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Golf Course-Golf Course						
000024	ACE HARDWARE OF FORT LUPTON	04/13/2020	Regular	0.00	52.56	83639
81889	Invoice	04/13/2020	GOLF-GLOVES-MAINT	0.00	19.99	
82108	Invoice	04/13/2020	GOLF-SEALANT, ROUTER BIT,RUBBER CEME...	0.00	32.57	
000795	MILE HIGH TURFGRASS, LLC	04/13/2020	Regular	0.00	1,948.19	83640
7127	Invoice	04/13/2020	GOLF-VINYL GUARD-MAINT	0.00	566.00	
7129	Invoice	04/13/2020	GOLF-SOLID TINE-MAINT	0.00	806.09	
7130	Invoice	04/13/2020	GOLF-CERES TURF-MAINT	0.00	576.10	
001137	UNITED POWER	04/13/2020	Regular	0.00	383.96	83641
1195701 MAR20	Invoice	04/13/2020	GOLF-MAR2020 ELECTRIC BILL-MAINT	0.00	383.96	
001594	WILBUR-ELLIS COMPANY LLC	04/13/2020	Regular	0.00	1,042.00	83642
13303446 RI	Invoice	04/13/2020	GOLF-MICRO GREENS SEED-MAINT	0.00	442.00	
13303638 RI	Invoice	04/13/2020	GOLF-SUPPLIES-MAINT	0.00	600.00	
001301	AAA AUTO PARTS INC	04/20/2020	Regular	0.00	6.69	83643
83321	Invoice	04/15/2020	GOLF-JB WELD-MAINT	0.00	6.69	
000048	AIRGAS USA LLC	04/20/2020	Regular	0.00	12.85	83644
9969848845	Invoice	04/15/2020	GOLF-CYLINDER RENTALS-MAINT	0.00	12.85	
000239	CITY OF FORT LUPTON	04/20/2020	Regular	0.00	22,702.79	83645
INV00698	Invoice	04/15/2020	GOLF-3/21-4/3 PAYROLL PD ON 4/10	0.00	22,702.79	
000241	CITY OF FT LUPTON-UTIL INVOICE	04/20/2020	Regular	0.00	150.42	83646
1102490 MAR20	Invoice	04/15/2020	GOLF-1102490 2/21-3/23 CLUBHOUSE-PRO ...	0.00	99.17	
1102521 MAR20	Invoice	04/15/2020	GOLF-1102521 HOLE14 2/21-3/23-PRO SHOP	0.00	51.25	
000974	SAFE SYSTEMS INC	04/20/2020	Regular	0.00	131.69	83647
870192-1040	Invoice	04/15/2020	GOLF-SECURITY SYSTEMS	0.00	131.69	

Bank Code Golf Course Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	14	9	0.00	26,431.15
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	14	9	0.00	26,431.15

Check Report

Date Range: 04/07/2020 - 04/20/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Pooled Cash-Pooled Cash						
001456	ANNA VIGIL	04/10/2020	Regular	0.00	270.00	67284
2006110.001	Invoice	03/30/2020	REC-BABY SHOWER LINENS REFUND	0.00	270.00	
000030	ADAMS COUNTY SHERIFF	04/13/2020	Regular	0.00	800.00	67285
348437	Invoice	04/13/2020	GF-RANGE TRAINING-PD	0.00	800.00	
000031	ADAMSON POLICE PRODUCTS	04/13/2020	Regular	0.00	3,437.43	67286
INV323040	Invoice	04/13/2020	Vest Transition	0.00	2,876.00	
INV323458	Invoice	04/13/2020	GF-UNIFORMS,BOOTS VASQUEZ-PD	0.00	253.43	
INV323540	Invoice	04/13/2020	GF-NAME TAPES-PD	0.00	308.00	
000037	ADVANCED URGENT CARE AND OCC MED	04/13/2020	Regular	0.00	105.00	67287
55259	Invoice	04/13/2020	GF-HEPB VACCINE MIRAGLIA-PD	0.00	105.00	
000086	ANDREW TOVES	04/13/2020	Regular	0.00	58.86	67288
032220	Invoice	04/13/2020	GF-TRAINING MILEAGE REIMBURSE TOVES...	0.00	58.86	
000196	CARQUEST AUTO PARTS	04/13/2020	Regular	0.00	183.39	67289
2057-446189	Invoice	04/13/2020	GF-GASKET MATERIAL-STREETS	0.00	7.30	
2057-446347	Invoice	04/13/2020	GF-MINI BULB-STREETS	0.00	5.00	
2057-446386	Invoice	04/13/2020	GF-TURN SIGNAL FLASHER-STREETS	0.00	11.19	
2057-447187	Invoice	04/13/2020	GF-HEADLIGHTS, BULBS-STREETS	0.00	37.76	
2057-447213	Invoice	04/13/2020	UF-FLEX-S LINES	0.00	53.56	
2057-447220	Invoice	04/13/2020	GF-STARTER SOLENOID, GLOVES-PD	0.00	68.58	
000267	COLONIAL LIFE	04/13/2020	Regular	0.00	135.38	67290
7816820-0401169	Invoice	04/13/2020	COLONIAL INSURANCE PAYABLE	0.00	135.38	
000268	COLORADO ANALYTICAL LAB	04/13/2020	Regular	0.00	46.00	67291
200102007	Invoice	04/13/2020	UF-TOTAL COLIFORM PA-W LINES	0.00	46.00	
000269	COLORADO ASPHALT SVCS	04/13/2020	Regular	0.00	1,750.00	67292
53471	Invoice	04/13/2020	SSTX-COLD ASPHALT 50# BAGS-STREETS	0.00	875.00	
53513	Invoice	04/13/2020	SSTX-COLD ASPHALT 50# BAGS-STREETS	0.00	875.00	
000307	COMCAST CABLE COMM, LLC	04/13/2020	Regular	0.00	394.76	67293
116038 MAR2020	Invoice	04/13/2020	4/5 - 5/4 ANALOGUE PHONE LINE SERVICES	0.00	222.17	
6460163725 MAR...	Invoice	04/01/2020	Comcast Acct 8497 60 646 0163725	0.00	172.59	
001517	CORE&MAIN LP	04/13/2020	Regular	0.00	3,526.80	67294
M087000	Invoice	04/13/2020	UF-METER PIT, CURB BOX-W LINES	0.00	983.30	
M087062	Invoice	04/13/2020	UF-METER PIT, CRUB BOX-W LINES	0.00	966.40	
M087081	Invoice	04/13/2020	UF-CURB BOX, 3/4" BALL, TUBES-W LINES	0.00	955.50	
M087091	Invoice	04/13/2020	UF-COPPER TUBE, COUPLINGS-W LINES	0.00	621.60	
000454	FARIS MACHINERY COMPANY	04/13/2020	Regular	0.00	955.00	67295
C49890	Invoice	04/13/2020	GF-BROOMS-STREETS	0.00	955.00	
000467	FIRST CLASS SECURITY SYSTEMS LLC	04/13/2020	Regular	0.00	1,031.16	67296
119246	Invoice	04/13/2020	CPR-KITCHEN CAMERA REPLACED-COM CTR	0.00	1,031.16	
001919	FUREVERDOG RESCUE AND BOARDING	04/13/2020	Regular	0.00	300.00	67297
33120	Invoice	04/13/2020	GF-PET BOARDING-COM SVCS	0.00	300.00	
000597	INSIGHT PUBLIC SECTOR INC	04/13/2020	Regular	0.00	1,299.00	67298
1100723288	Invoice	04/13/2020	Microsoft User Remote Licenses	0.00	1,299.00	
002180	JAMES ARTHUR MOORHEAD	04/13/2020	Regular	0.00	100.00	67299
E0021517-1.2	Invoice	04/13/2020	GF-CASE REFUND E0021517-1	0.00	100.00	
000688	KINSCO, LLC	04/13/2020	Regular	0.00	479.98	67300
15400	Invoice	04/13/2020	GF-JACKETS-PD	0.00	479.98	
000691	KONE INC	04/13/2020	Regular	0.00	140.80	67301

Check Report

Date Range: 04/07/2020 - 04/20/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
959526458	Invoice	04/13/2020	REC-MAINTENANCE COVERAGE	0.00	140.80	
000698	L.G. EVERIST, INC	04/13/2020	UF-SQUEEGEE	0.00	229.20	67302
484509	Invoice	04/13/2020		0.00	229.20	
001292	LIFE STORIES CHILD & FAMILY ADVOCACY	04/13/2020	GF-1ST QTR BILLING-PD	0.00	375.00	67303
11-560	Invoice	04/13/2020		0.00	375.00	
002088	LOGMEIN USA INC	04/13/2020	GoToMeeting	0.00	2,417.80	67304
1207939912	Invoice	04/13/2020		0.00	2,417.80	
002194	METROWEST NEWSPAPERS	04/13/2020	GF-PUBLIC NOTICES	0.00	630.52	67305
202003	Invoice	04/13/2020		0.00	630.52	
000862	O'REILLY AUTO PARTS	04/13/2020	BRAKE CLEANER, MOTOR OIL, SUBSCRIPTION	0.00	1,050.26	67306
4489-188749	Invoice	04/13/2020		0.00	1,041.27	
4489-189151	Invoice	04/13/2020	UF-VENT CLIP-S LINES	0.00	8.99	
000893	PETROCK FENDEL POZNANOVIC PC	04/13/2020	SWTX-MAR LEGAL FEES-WTP	0.00	5,250.00	67307
31291	Invoice	04/13/2020		0.00	5,250.00	
000913	POTESTIO BROTHERS EQUIPMENT	04/13/2020	Purchase of Aerator	0.00	2,759.00	67308
12409P	Invoice	04/13/2020		0.00	2,759.00	
000927	PURIFOY CHEV CO	04/13/2020	GF-RETAINER CLIP-PW SHOP	0.00	10.26	67309
153179	Invoice	04/13/2020		0.00	10.26	
000931	R & L TIRES	04/13/2020	CEM-TIRE REPAIR	0.00	15.00	67310
34905	Invoice	04/13/2020		0.00	15.00	
34975	Invoice	04/13/2020	CEM-TIRE REPAIR	0.00	20.00	
002219	RECREATION BY LEMMIE JONES LLC	04/13/2020	Slide Engineering	0.00	6,000.00	67311
RLJ2019-054	Invoice	04/13/2020		0.00	6,000.00	
000956	ROCKY MOUNTAIN LOW VOLTAGE	04/13/2020	REC-QTRLY FIRE MONITORING/ELEVATOR	0.00	135.00	67312
20200588	Invoice	04/13/2020		0.00	135.00	
001053	SYMBOL ARTS	04/13/2020	GF-FT LUPTON SPARTAN COIN-PD	0.00	1,200.50	67313
350459-IN	Invoice	04/13/2020		0.00	1,200.50	
002414	TESLA ENERGY OPERATIONS INC	04/13/2020	GF-BUILDING PLAN REVIEW REFUND-PLAN	0.00	577.00	67314
40620	Invoice	04/13/2020		0.00	577.00	
001075	THE CONSOLIDATED MUTUAL	04/13/2020	UF-2020 PERRY PIT LEASE-W STOR	0.00	228,000.00	67315
4120	Invoice	04/13/2020		0.00	228,000.00	
DISCHARGE MAR20	Invoice	04/13/2020	UF-MAR20 ELECTRICAL PERRY PIT DISCHARG...	0.00	87.47	
PUMPB MAR20	Invoice	04/13/2020	UF-MAR2020 ELECTRICAL PERRY PIT WELL B...	0.00	30.76	
PUMPC MAR20	Invoice	04/13/2020	UF-MAR20 ELECRTICAL PERRY PIT WELL C-...	0.00	30.06	
001126	TYLER TECHNOLOGIES	04/13/2020	Tyler RMS Annual Maintenance	0.00	9,457.35	67316
130-12875	Invoice	04/13/2020		0.00	9,457.35	
001137	UNITED POWER	04/13/2020	United Power	0.00	21.05	67317
1207701 APR20	Invoice	04/13/2020		0.00	21.05	
1223101 APR20	Invoice	04/13/2020		0.00	20.00	
1241801 APR20	Invoice	04/13/2020		0.00	34.02	
1241903 APR20	Invoice	04/13/2020		0.00	35.86	
1295501 APR20	Invoice	04/13/2020		0.00	34.73	
1299501 APR20	Invoice	04/13/2020		0.00	112.00	
1302801 APR20	Invoice	04/13/2020		0.00	916.20	
1322501 APR20	Invoice	04/13/2020		0.00	6,196.89	
733101 APR20	Invoice	04/13/2020		0.00	140.80	
001147	USA BLUE BOOK	04/13/2020	UF-FLAGS/MARKING WHISKERS	0.00	983.13	67318
164725	Invoice	04/13/2020		0.00	983.13	

Check Report

Date Range: 04/07/2020 - 04/20/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
001156	VERIZON WIRELESS SVCS LLC	04/13/2020	Regular	0.00	3,936.10	67319
9851356697	Invoice	04/13/2020	Verizon Bill	0.00	3,936.10	
001174	WAGNER EQUIPMENT CO.	04/13/2020	Regular	0.00	368.60	67320
P00C2244073	Invoice	04/13/2020	GF-CUTTING EDGE-STREETS	0.00	368.60	
001963	WASTE CONNECTIONS OF COLO, INC	04/13/2020	Regular	0.00	832.79	67321
1187327-4187697	Invoice	04/13/2020	Waste Connections	0.00	40.06	
1187330-4187599	Invoice	04/13/2020	Waste Connections	0.00	276.68	
31172871-4187366	Invoice	04/13/2020	GF-MAR2020 30YD HAUL-PARKS	0.00	237.43	
31174336-4187598	Invoice	04/13/2020	Waste Connections	0.00	145.20	
31174339-4187600	Invoice	04/13/2020	Waste Connections	0.00	48.53	
31174340-4187601	Invoice	04/13/2020	Waste Connections	0.00	84.89	
001183	WAXIE SANITARY SUPPLY	04/13/2020	Regular	0.00	54.88	67322
78843545	Invoice	04/13/2020	GF-TOILET PAPER/TOWELS-PW SHOP	0.00	54.88	
001188	WELD CNTY CLERK/RECORDER	04/13/2020	Regular	0.00	46.00	67323
20-15820	Invoice	04/13/2020	GF-UNITED POWER EASEMENT-STREETS	0.00	46.00	
001189	WELD COUNTY ACCTG DEPART	04/13/2020	Regular	0.00	1,942.66	67324
33120	Invoice	04/13/2020	MAR2020 FUEL PURCHASES	0.00	1,942.66	
001212	WILLIAMS AND WEISS CONSULTING	04/13/2020	Regular	0.00	7,105.00	67325
1364	Invoice	04/13/2020	2020 Water Resource Plan & Decree Account..	0.00	7,105.00	
001217	WOHNRADE CIVIL ENGINEERS INC	04/13/2020	Regular	0.00	4,558.84	67326
1950	Invoice	04/13/2020	GF- 9th Street Design- Streets	0.00	1,808.84	
1951	Invoice	04/13/2020	GF- 9th Street Design- Streets	0.00	2,750.00	
001224	XCEL ENERGY-GAS	04/13/2020	Regular	0.00	1,423.60	67327
678660479	Invoice	04/13/2020	MAR2020 ELECTRIC BILL	0.00	1,423.60	
001646	BANK OF COLORADO	04/14/2020	Regular	0.00	117.74	67328
6682 MAR20	Invoice	04/13/2020	UF-FUEL PURCHASES-W LINES	0.00	117.74	
000857	NORTHERN WATER	04/14/2020	Regular	0.00	46.50	67329
5209	Invoice	04/13/2020	UF-TRANSFER FEE 1AF CBT-ADMIN	0.00	46.50	
002153	PINYON ENVIRONMENTAL INC	04/14/2020	Regular	0.00	7,000.00	67330
295390	Invoice	04/13/2020	Historic Residential Intensive - Phase II	0.00	7,000.00	
001301	AAA AUTO PARTS INC	04/20/2020	Regular	0.00	25.17	67331
83472	Invoice	04/20/2020	GF-CONNECTOR, FUSE HLDER,LOOM,FLAT-P...	0.00	25.17	
000031	ADAMSON POLICE PRODUCTS	04/20/2020	Regular	0.00	194.00	67332
INV324398	Invoice	04/15/2020	GF-UNIFORM-HEMPEL-PD	0.00	144.00	
INV324399	Invoice	04/15/2020	GF-UNIFORMS-GALLEGOS-PD	0.00	50.00	
000034	ADT SECURITY SYSTEM	04/20/2020	Regular	0.00	116.96	67333
50576495 APR20	Invoice	04/15/2020	MONTHLY SECURITY MONITORING	0.00	116.96	
000035	ADVANCED BACKFLOW LLC	04/20/2020	Regular	0.00	250.00	67334
14893	Invoice	04/15/2020	REC-BACKFLOW REPAIR	0.00	250.00	
000037	ADVANCED URGENT CARE AND OCC MED	04/20/2020	Regular	0.00	115.00	67335
55150	Invoice	04/15/2020	GF-PREEMPLOYMENT TESTING HELBIG-HR	0.00	115.00	
000041	AGFINITY	04/20/2020	Regular	0.00	317.38	67336
H53204	Invoice	04/15/2020	GF-TURF SUPPLIES-PARKS	0.00	188.38	
H53240	Invoice	04/15/2020	GF-2,4 D SUPPLIES-PARKS	0.00	129.00	
002108	CDPHE WATER QUALITY CONTROL DIVISION	04/20/2020	Regular	0.00	536.92	67337
WB201094985	Invoice	04/15/2020	UF-BIOSOLIDS ANNUAL PERMIT CO0021440...	0.00	536.92	
000269	COLORADO ASPHALT SVCS	04/20/2020	Regular	0.00	1,958.60	67338

Check Report

Date Range: 04/07/2020 - 04/20/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
53683	Invoice	04/15/2020	SSTX-COLD ASPHALT 13.99TONS-STREETS	0.00	1,958.60	
000306	COMCAST BUSINESS	04/20/2020	Regular	0.00	2,159.92	67339
930000301 98514...	Invoice	04/15/2020	APR2020 INTERNET SERVICES	0.00	2,159.92	
000316	COOKS INTERIORS	04/20/2020	Regular	0.00	148.62	67340
9098	Invoice	04/15/2020	CPR-MULTI PURPOSE ROOM WAX-COM CTR	0.00	148.62	
000410	E-470 PUBLIC HIGHWAY AUTHORITY	04/20/2020	Regular	0.00	5.50	67341
2055219373	Invoice	04/15/2020	CPR-SENIOR VAN TRIP-SENIORS	0.00	2.75	
2055315230	Invoice	04/15/2020	CPR-SENIOR VAN TRIP-SENIORS	0.00	2.75	
000429	EMPIRE PORTABLE RESTROOMS	04/20/2020	Regular	0.00	988.00	67342
48928	Invoice	04/15/2020	GF-RESTROOM SERVICE 3/31-4/27 WCR12-P...	0.00	464.00	
49043	Invoice	04/15/2020	GF-RESTROOM SERVICE 3/31-4/27 PEARSON...	0.00	524.00	
000431	EMPLOYERS COUNCIL SERVICES, INC	04/20/2020	Regular	0.00	358.00	67343
326391	Invoice	04/15/2020	GF-PUBLIC EMPLOYEES CONFERENCE-HR	0.00	358.00	
000482	FORT LUPTON CAR WASH LLC	04/20/2020	Regular	0.00	133.75	67344
98	Invoice	04/15/2020	GF-VEHICLE MAINTENANCE WASHES-PD	0.00	133.75	
000597	INSIGHT PUBLIC SECTOR INC	04/20/2020	Regular	0.00	4,111.65	67345
1100724642	Invoice	04/15/2020	Citrix Licensing	0.00	4,111.65	
000659	JOHNSON AUTO PLAZA	04/20/2020	Regular	0.00	971.00	67346
143384	Invoice	04/15/2020	GF-VEHICLE REPAIRS UNIT1404-PD	0.00	971.00	
000714	LEGACY SCHOOL OF DANCE LLC	04/20/2020	Regular	0.00	1,346.10	67347
40820	Invoice	04/15/2020	REC-LEGACY DANCE MARCH	0.00	1,346.10	
000716	LEONARD B. MEDOFF, Ph.D.	04/20/2020	Regular	0.00	500.00	67348
32820	Invoice	04/15/2020	GF-FITNESS FOR DUTY EVAL HELBIG-PD	0.00	500.00	
000796	MIRACLE RECREATION EQUIP	04/20/2020	Regular	0.00	52.30	67349
822295	Invoice	04/15/2020	GF-BAR SOCKET W/HDW-PARKS	0.00	52.30	
000835	NEOGOV	04/20/2020	Regular	0.00	250.00	67350
INV-13361	Invoice	04/15/2020	GF-TEXT SUBSCRIPTION 2/7/20-2/6/21-HR	0.00	250.00	
000869	OPERATIONS MANAGEMENT INT	04/20/2020	Regular	0.00	117,136.33	67351
351230-21-05	Invoice	04/15/2020	UF-OMI MONTHLY SERVICES MAY2020	0.00	117,136.33	
000862	O'REILLY AUTO PARTS	04/20/2020	Regular	0.00	23.97	67352
4489-196675	Invoice	04/15/2020	GF-ROCKER SWITCH, WIRES-PARKS	0.00	23.97	
001943	PINNACOL ASSURANCE	04/20/2020	Regular	0.00	15,620.62	67353
19988635	Invoice	04/15/2020	2020 WORKERS COMP PREMIUMS	0.00	15,620.62	
000931	R & L TIRES	04/20/2020	Regular	0.00	96.75	67354
35298	Invoice	04/15/2020	GF-TIRE REPAIR-STREETS	0.00	96.75	
000935	RAQUEL FERSZT	04/20/2020	Regular	0.00	256.25	67355
994099	Invoice	04/15/2020	GF-TRANSLATOR SERVICES-COURT	0.00	256.25	
001926	SBW GRAPHICS	04/20/2020	Regular	0.00	720.00	67356
12GR-7059	Invoice	04/15/2020	GF-BADGES-PD	0.00	720.00	
001635	THE TALLENT COMPANY	04/20/2020	Regular	0.00	2,750.00	67357
1055	Invoice	04/15/2020	GF-COMPLETE COMMUNICATIONS-LEGIS	0.00	2,750.00	
001101	TODD HODGES DESIGN LLC	04/20/2020	Regular	0.00	10,177.50	67358
3196	Invoice	04/15/2020	GF-PLANNING SERVICES 3/30-4/12-PLAN	0.00	10,177.50	
001364	TRAKSTAR	04/20/2020	Regular	0.00	10,000.00	67359
13134	Invoice	04/15/2020	TrakStar Annual Subscription Fee	0.00	10,000.00	

Check Report

Date Range: 04/07/2020 - 04/20/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
001149	UTILITY NOTIFICATION CENTER	04/20/2020	Regular	0.00	265.22	67360
220030509	Invoice	04/15/2020	UF-UTILITY LOCATES MARCH2020	0.00	265.22	
001183	WAXIE SANITARY SUPPLY	04/20/2020	Regular	0.00	352.35	67361
79020197	Invoice	04/15/2020	GF-JANITORIAL SUPPLIES-FAC	0.00	234.67	
79056541	Invoice	04/15/2020	CPR-HAND SOAP-COM CTR	0.00	117.68	
002282	ZERO 9 HOLSTERS	04/20/2020	Regular	0.00	1,285.80	67362
1517	Invoice	04/15/2020	Vest Transition	0.00	1,285.80	
002265	QUADIENT FINANCE USA INC	04/20/2020	Regular	0.00	525.00	67363
11004000333	Invoice	04/15/2020	MARCH2020 POSTAGE	0.00	525.00	
001105	TOSHIBA FINANCIAL SERVICES	04/20/2020	Regular	0.00	3,559.20	67364
411732704	Invoice	04/07/2020	Copier Lease	0.00	3,559.20	
000119	BANK OF COLORADO	04/10/2020	Bank Draft	0.00	6,130.29	DFT0001208
INV0000741	Invoice	04/10/2020	HSA DISTRIBUTION	0.00	6,130.29	
000119	BANK OF COLORADO	04/10/2020	Bank Draft	0.00	691.27	DFT0001209
INV0000742	Invoice	04/10/2020	HSA DISTRIBUTION	0.00	691.27	
001416	VALIC_1	04/10/2020	Bank Draft	0.00	29,473.39	DFT0001210
INV0000743	Invoice	04/10/2020	VALIC - 457(b) \$ Contributions	0.00	29,473.39	
001265	IRS	04/10/2020	Bank Draft	0.00	50,692.34	DFT0001211
INV0000744	Invoice	04/10/2020	Federal Withholding	0.00	50,692.34	
001418	CO DEPARTMENT OF REVENUE	04/10/2020	Bank Draft	0.00	7,859.86	DFT0001212
INV0000745	Invoice	04/10/2020	CO Withholding	0.00	7,859.86	
000309	COMDATA BUSINESSLINK	04/09/2020	Bank Draft	0.00	20,669.94	DFT0001215
40920	Invoice	04/13/2020	GF-COMDATA WIRE MARCH 2020	0.00	20,669.94	
000465	FIRE & POLICE PENSION ASC	04/10/2020	Bank Draft	0.00	1,654.11	DFT0001226
41020	Invoice	04/15/2020	GF-FPPA FOR 4/10/20 PAYROLL-PD	0.00	1,654.11	

Bank Code Pooled Cash Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	117	81	0.00	486,523.99
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	7	7	0.00	117,171.20
EFT's	0	0	0.00	0.00
	124	88	0.00	603,695.19

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	131	90	0.00	512,955.14
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	7	7	0.00	117,171.20
EFT's	0	0	0.00	0.00
	138	97	0.00	630,126.34

Fund Summary

Fund	Name	Period	Amount
600	GOLF ENTERPRISE FUND	4/2020	26,431.15
999	POOLED CASH/CONSOLIDATED CASH	4/2020	603,695.19
			630,126.34

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020**

The City Council of the City of Fort Lupton met in a regular session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, March 17, 2020. Mayor Zo Stieber called the meeting to order at 7:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Stieber, Council Members, Shannon Rhoda, Chris Ceretto, David Crespin, Michael Sanchez and Bruce Fitzgerald. Councilmember Tommy Holton participated by phone.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus and Planning Director, Todd Hodges.

The following staff participated by electronic communication (gotomeeting): Assistant City Administrator, Glenda Aretxuloeta, Public Works Director, Roy Vestal, Chief John Fryar, Finance Director, Leann Perino, Human Resources Director, Laura Howe, and Planner, Alyssa Knutson

PERSONS TO ADDRESS COUNCIL

There was no one from the public to address the Council.

APPROVAL OF AGENDA

It was moved by Chris Ceretto and seconded by Michael Sanchez to approve the Agenda as presented. Motion passed unanimously on roll call vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the April 7, 2020 payables; there were no questions or comments.

CONSENT AGENDA

It was moved by Bruce Fitzgerald and seconded by Michael Sanchez to approve the Consent Agenda as presented with the following items: 03172020 City Council Meeting Minutes, Second Reading Ordinance 2020-1080 AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-182 MEMBERSHIP, APPOINTMENT; TERMS, OF THE FORT LUPTON MUNICIPAL CODE, Second Reading Ordinance 2020-1081 AN ORDINANCE AMENDING CHAPTER 16, ARTICLE I, SECTION 16-11, BOARD OF ADJUSTMENT, OF THE FORT LUPTON MUNICIPAL CODE. Motion passed unanimously on roll call vote.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

PUBLIC HEARINGS

Continuance Request For The Murata Farms Sketch PUD Plat

Mayor Stieber opened the public hearing at 7:06 p.m.

The Planning Director, Todd Hodges, stated that staff is requesting an extension of the public hearing to April 21, 2020. The request will allow staff to establish a method and procedure for conducting public meeting virtually. All posting and notification requirements have been met.

Tommy Holton asked if the hearing could be continued to a date uncertain. The City Attorney stated that, if the hearing can't be held on the date or there is some type of interruption, then the new policy would allow for a continuance. If the connected meeting can't happen the applicant would get a new date. The new policy is coming before Council tonight.

Mayor Stieber asked if anyone from the public wished to speak for or against the continuance Hearing none, Mayor Stieber closed the public hearing at 7:10 p.m.

No further discussion occurred.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to approve the continuance request for the Murata Farms Sketch PUD Plat to April 21, 2020. Motion passed unanimously on roll call vote.

**Continuance Request For The Conner Family Trust - Fort Lupton Fire Protection District
Minor Subdivision**

Mayor Stieber opened the public hearing at 7:10 p.m.

The Planning Director, Todd Hodges, stated that staff is requesting an extension of the public hearing to April 21, 2020. The request will allow staff to establish a method and procedure for conducting public meeting virtually.

Chief Phil Tiffany, representing the subdivision, explained that he had no concerns with the continuance.

Mayor Stieber asked if anyone from the public wished to speak for or against the continuance Hearing none, Mayor Stieber closed the public hearing at 7:12 p.m.

No further discussion occurred.

It was moved by David Crespín and seconded by Bruce Fitzgerald to approve the continuance for the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision to April 21, 2020. Motion passed unanimously on roll call vote.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

ACTION MEMORANDUM

AM 2020-071 Approving A Resolution Declaring The City Of Fort Lupton A 'Second Amendment Sanctuary City'

Mayor Stieber stated that she spoke with Sherriff Reams and he was very supportive with the municipality becoming Second Amendment Sanctuary. The resolution reflects what the county is enforcing, and enforces that the police department can enforce the same actions as the county.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to approve Resolution 2020R037 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON DECLARING THE CITY OF FORT LUPTON A “SECOND AMENDMENT SANTUARY CITY” Motion passed on roll call vote with David Crespin voting ‘no’ to the motion.

AM 2020-072 An Emergency Ordinance Enacting Section 2-34 Emergency Or Disaster Declared, Section 2-35 Electronic Meetings, Section 2-36 Emergency Meetings, Section 2-37 Effect On Existing Laws, Of The Fort Lupton Municipal Code And Declaring An Emergency

The City currently doesn't have any ordinance for electronic communications during declared disaster emergencies. This Ordinance will establish guidelines to ensure that City business can be conducted and all residents can be represented by their elected officials during a declared emergency or disaster without endangering public health, including the health of the public, the City Council, and City staff and the community at large, while retaining a maximum of transparency, openness, and public participation consistent with the Code and the Colorado Open Meetings Law.

It was moved by Michael Sanchez and seconded by Bruce Fitzgerald to approve Ordinance 2020-1082 AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO ENACTING CHAPTER 2, ADMINISTRATION AND PERSONNEL, ARTICLE II MAYOR AND CITY COUNCIL, SECTION 2-34 EMERGENCY OR DISASTER DECLARED, SECTION 2-35 ELECTRONIC MEETINGS, SECTION 2-36 EMERGENCY MEETINGS, SECTION 2-37 EFFECT ON EXISTING LAWS OF THE FORT LUPTON MUNICIPAL CODE AND DECLARING AN EMERGENCY. Motion passed unanimously on roll call vote.

AM 2020-073 Establishing A Policy For City Council Meeting Special Procedures During Declared Emergencies

The City currently doesn't have any policy regarding electronic meeting procedures during declared disaster emergencies. This Policy shall only be in effect upon a declaration of emergency or disaster pursuant to as set forth in the Fort Lupton Municipal Code and Colorado law.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

The City Attorney, Andy Ausmus, stated that quasi-judicial is making decisions that impacts other people's rights, in the instance of the Planning Commission. A decision on quasi-judicial matters can't be made in electronic meetings. In the emergency declaration, during a connected meeting, you can do that. With the policy there is a waiver that applicant consents to a connected meeting, if the applicant doesn't consent then the hearing is continued. We are allowing decision to be made during local emergencies. Once the emergency is rescinded, we can't make quasi-judicial decisions.

Mayor Stieber stated that if anyone joining electronically wished to speak they could unmute themselves. No one wished to speak.

The further discussion occurred.

It was moved by Chris Ceretto and seconded by Michael Sanchez to approve Resolution 2020R038 A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON, APPROVING AND ADOPTING CITY COUNCIL MEETING SPECIAL PROCEDURES DURING DECLARED EMERGENCIES. Motion passed unanimously on roll call vote.

AM 2020-074 Police Equipment Purchase/Installation For Four (4) Patrol Vehicles For A Total Of \$91,555.68 Allocated From The General Fund

This AM is for the purchase and installation of police equipment by BEARCOM for four (4) police patrol vehicles totaling \$76,699.68 and \$14,856.00 to Tyler Technologies for four (4) E-ticket writers, printers and service agreement. This is a total of \$91,555.68.

It was moved by Bruce Fitzgerald and seconded by David Crespin to approve the purchase and installation of police equipment in four (4) patrol vehicles for an amount of \$91,555.68 allocated from the general fund. Motion passed with Shannon Rhoda voting 'no' to the motion.

AM 2020-075 Approve Emergency Repairs To The Floating Pumps At The Perry Pit By Arvada Pump For An Amount Not To Exceed \$6,292.00 Allocated From The Utility Fund's Water Storage Department

The Floating Pumps at the Perry Pit are out of Service. The connection between the large pump and the discharge piping has failed. Arvada Pump initially installed the Pumps and they are familiar with the pumps and the required repairs. They are a supplier of the replacement parts also. The small pump will be checked for operation while work is being done on the larger pump. The pumps are needed now as the Water Commissioner is requesting discharge from the reservoir. Staff discovered that the large pump had failed when trying to start the discharge. Temporary pumping has been set up by Jacobs staff to meet the Water Commissioners discharge requirements.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

No further discussion occurred.

It was moved by Chris Ceretto and seconded by Michael Sanchez to approve emergency repairs to the floating pumps at the Perry Pit by Arvada Pump for an amount not to exceed \$6,292.00 allocated from the utility fund's water storage department. Motion passed unanimously on roll call vote.

AM 2020-076 Award Contract To AJI Irrigation Inc. For An Amount Not To Exceed \$217,000 For Irrigation Booster Pumps Project From Water Sales Tax Fund

Bid documents were advertised from January 10, 2020 with bid opening on February 21, 2020. One bid was received with from AJI Irrigation, Inc. AJI Irrigation, Inc., is a respected company within the irrigation field. The company provided references for projects in Thornton and Adams County.

The price was fairly presented and there is no equipment in the final price as negotiated with the contractor. The Filing No. 3 pump has to be operational for the beginning of the irrigation season this year. There is no additional time to rebid the project.

Anticipated project start end of April with the Filing No. 3 pump operational in May and completion in June, 2020.

FUNDING	Costs	Budgeted
<i>Irrigation Pumps Project</i>	\$ 217,000.00	\$ 52,000.00
<i>Well 26</i>		\$ 250,000.00
<i>Mustang Irrigation Line</i>	\$ 84,035.00	
TOTAL FUNDS	\$ 301,035.00	\$ 302,000.00

It was moved by David Crespin and seconded by Bruce Fitzgerald to award the contract to AJI Irrigation Inc. for an amount not to exceed \$217,000 for irrigation booster pumps project allocated from the water sales tax fund. Motion passed unanimously on roll call vote.

AM 2020-077 Reduced Staffing at City Facilities

The Mayor has declared a Local Emergency for the City due to COVID 19. City Operations have changed in response to developing orders by federal government and the State of Colorado and further changes in staffing may be evaluated as emergency circumstances develop. Per the Fort Lupton Municipal Code Section 2-57 (b), the City Administrator is charged with general administration of the City and specifically to perform the functions and exercise the authority set forth in the personnel rules of the City. Per section 903 of the Employee Handbook, the City Administrator and Human Resources, in collaboration with the Department Heads and with the approval of City Council, will determine the size and scope of the layoffs and reduction in force.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

In response to the Governor of Colorado issuing Public Health Order 20-22 and 20-24, the City has closed the Public and School Library, the Recreation and Community Center and Coyote Creek Golf Course. The City has taken multiple actions to reduce costs including freezing pay, freezing most hiring, cutting back as many nonessential expenditures and evaluating capital expenditures for postponement.

The City has continued pay for employees based on their normally scheduled hours through today and proposes to continue this through Friday, April 17, 2020. The cost of staffing represents approximately 40% of the City's budget, so this area should be considered for cost reduction.

Effective Saturday, April 18, 2020, staff is proposing the following:

Furlough all part-time staff positions at the Recreation and Community Center and Coyote. Employees' final pay date would be April 24, 2020.

Classify eligible furloughed staff as 'Job Attached' for unemployment purposes. Furloughed staff would be eligible to file for unemployment but not be required to look for a job. They would also be required to be available to be called back to work. Please refer to the attachment.

Furloughed staff are permitted to look for other work, but are not required to, as is normally required by unemployment. Classifying furloughed staff as job attached does not nullify or impact the employee's at-will employment status or create any contractual obligations for the City to guarantee future employment. The City specifically reserves all rights under Colorado law to assert that its employees are at-will employment and by pursuing the plan referenced herein, the City is not intending in any way to waive any rights to change an employee's at will employment status or contractually provide any expectation of future employment.

Follow the model of the newly mandated Family and Medical Leave Act to continue to keep employees who are still working whole, namely

Grant employees a bank of two weeks' of full pay to cover normally scheduled hours where in-person or telework is not available;

For time not worked in excess of two weeks' pay, pay employees at 2/3 of their normal rate.

This pay model for non-furloughed employees would be effective through Friday, May 15th. It would apply to full and part-time staff for all departments.

If federal, state and or local public health orders are rescinded, the City will have the option to call back employees as soon as practical, on an as needed basis.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

In addition to the specific actions outlined above, staff is seeking approval for the City Administrator, in collaboration with the Human Resources Director and the Department Heads, to be authorized to take additional employment action if necessary as circumstances dictate. To be specific, if all parties agree that it is appropriate to place employees on a partial or full furlough due to the public health emergency and related circumstances, Council approves the City Administrator to make these decisions as necessary without additional formal action of the Council.

Staff also seeks approval for taking other actions beyond that described above, such as extending benefit eligibility for employees not actively at work. The City Administrator and Human Resources Director will provide official notification of any additional personnel actions taken to Council through an Information Memorandum. Staff will seek Council's approval for any long-term layoffs or reductions in force, significant employment actions or any action(s) that would require additional funds

No further discussion occurred.

It was moved by David Crespin and seconded by Michael Sanchez to approve the reduction in staffing at various departments. Motion passed unanimously on roll call vote.

AM 2020-078 A Resolution Extending the Declaration of Local Disaster Emergency

On March 10, 2020, the Governor of the State of Colorado recognized the COVID-19 pandemic and declared a state of emergency. The Mayor declared a local emergency on March 17, 2020, with an expiration date of April 16, 2020, unless extended or rescinded. The Mayor is authorized, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, et seq., (the "Act"), to extend the declaration of a local emergency. Pursuant to C.R.S. §24-33.5-709, the declaration activates the response and recovery aspects of any applicable disaster emergency plans and authorized the furnishing of aid and assistance under such plans. The emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702, persist and require additional and sustained action by the City and therefore the Mayor is extending the declaration of the local disaster emergency.

It was moved by Chris Ceretto and seconded by Michael Sanchez to approve RESOLUTION 2020R039 AN ORDER OF THE MAYOR OF THE CITY OF FORT LUPTON, COLORADO EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY AND A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON CONSENTING TO SUCH DECLARATION. Motion passed unanimously on roll call vote.

STAFF REPORTS

City Administrator, Chris Cross thanked everyone who joined the first virtual meetings. As the City continues doing virtual meetings, staff will continue to enhance remote options. He also indicated that the decisions taken tonight are not easy. He also thanked all first responders and Chief Phil Tiffany with the fire department.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

Chief Phil Tiffany stated that the department has been doing pretty well. He indicated that the community helped provide the necessary supplies to much continued safety and health of all residents.

City Attorney Andy Ausmus stated that the policy for the Special Procedures during Emergency Declared extends Planning Commission and any other meetings. The resolution references City Council however it extends to Planning Commission. Mr. Ausmust asked the Council if there were any concerns with this. Council indicated there were no concerns.

Public Works Director, Roy Vestal, provided a brief update on City projects including, 7th Street construction of sidewalks and the Mustang Avenue irrigation line. Lastly, he stated that South McKinley Ave. will be closed in front of city hall for a water line repairs tomorrow morning.

MAYOR/COUNCIL REPORTS

Tommy Holton and Chris Cross had minor discussion on the use of the Fulton Ditch operations and usage of the augmentation ditch.

Mayor Stieber congratulated citizens for stepping up and getting things done. She also stated that Weld County's rating is per 100,000 is higher than most counties in the front range. As a community we need to pay attentions. She is very proud of the community.

FUTURE CITY EVENTS

- | | |
|-----------------------------|--|
| April 4 th | Easter Egg Hunt, Cancelled
Fort Lupton Recreation Center, 203 S. Harrison Ave. |
| April 13 th | Hillside Cemetery Clean Up, 13750 County Road 12 (all week)
Mayor Stieber asked if any banners were placed at the cemetery. |
| April 14 th | Town Hall Meeting, 6:30 p.m. at 130 S. McKinley Ave. |
| April 20 th | Shredding Day, 130 S. McKinley Ave. Cancelled |
| April 21 st | City Council Meeting, 7:00 p.m. at 130 S. McKinley Ave. |
| April 23 – 24 th | Clean-Up Day for Senior/Disabled Curbside Pick Up Cancelled |
| April 25 th | Clean-Up Day, Public Works Shop, 800 12 th St. Cancelled |
| April 25 th | Fort Lupton Annual Vaccination Clinic, Cancelled
Fort Lupton Veterinary Hospital, 1025 1 st St. |

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
April 7, 2020

Mayor Stieber asked if anyone that was participating electronically from the public wished to speak. There was no one.

ADJOURNMENT

It was moved by Chris Ceretto and seconded by David Crespin to adjourn the meeting at 7:46 p.m.

Respectfully Submitted,

Maricela Peña, City Clerk

Approved by City Council

Zo Stieber, Mayor

DRAFT

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Tommy Holton, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-079

APPROVING A RESOLUTION REAPPOINTING KATHLEEN KVASNICKA TO THE HISTORIC PRESERVATION BOARD FOR A THREE YEAR (3) TERM BEGINNING APRIL 21, 2020 AND EXPIRING ON APRIL 21, 2023

- I. **Agenda Date:** Council Meeting – April 21, 2020

- II. **Attachments:**
 - a. Resolution 2020-xxx.
 - b. Application.

- III. **Summary Statement:**

The Historic Preservation Board is allowed a total of seven (7) members on the Board. The Board has a current member whose term will expire and shows a willingness to serve again. Kathy Kvasnicka is seeking reappointment to the Historic Preservation Board.

IV. **Submitted by:** _____
Alyssa Knutson, Planning Director

V. **Finance Reviewed** _____
Leann Perino
Finance Director

VI. **Approved for Presentation:** _____
[Signature]
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

In order for the Historic Preservation Board to keep and maintain a quorum, the reappointment of Kathleen Kvasnicka is necessary. She currently sits on the Board for the City of Northglenn's historic society and has participated in many History Colorado training courses. Her Board experience will prove valuable to the tasks encountered in historical designation and preservation which will be valuable to the Historic Preservation Board's mission.

X. Legal/Political Considerations:

There are no political considerations.

XI. Alternatives/Options:

- 1) *Approve Resolution 2020-xxx.*
- 2) *Do not Approve Resolution 2020-xxx.*

XII. Financial Considerations:

There are no financial considerations.

XIII. Staff Recommendation:

Staff recommends approval of Kathy Kvasnicka's reappointment to the Historic Preservation Board for a three (3) year term.

RESOLUTION 2020Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE REAPPOINTMENT OF KATHLEEN KVASNICKA AS A MEMBER OF THE HISTORIC PRESERVATION BOARD FOR A THREE YEAR TERM BEGINNING APRIL 21, 2020 AND EXPIRING APRIL 21, 2023

WHEREAS, Kathleen Kvasnicka has expressed interest in continuing to serve on the Historic Preservation Board; and

WHEREAS, the City Council appoints members to the Board pursuant to Fort Lupton Municipal Code Section 2-223, and

WHEREAS, the Historic Preservation Board recommends Kathleen Kvasnicka serve on the Board.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council appoint Kathleen Kvasnicka for a three-year term expiring on April 21, 2023 to the Historic Preservation Board.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 21st DAY OF APRIL 2020.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña
City Clerk

Approved as to form:

Andy Ausmus, City Attorney



CITY OF FORT LUPTON
APPLICATION FOR CITIZEN ADVISORY BOARD/
COMMISSION APPOINTMENT

City Boards and Commissions play an important role in forming City policy. To be considered as a candidate, please complete this application and return it to the City Clerk's Office at 130 South McKinley Avenue, Fort Lupton, CO 80621; Phone: 720-466-6101. The City Clerk will submit your application to the Mayor for review. Thank you for your interest!

Date: 4/2/2020 City of Fort Lupton Resident? Yes [X] No []

Name: Kathleen Kvasnicka Home Phone: [redacted]
Address: [redacted] Cell Phone: [redacted]
Occupation: Risk Analyst City of Northglenn e-mail: [redacted]

Board or Commission you are applying for: (Please use a separate application if applying for more than one.)
Historic Preservation Board

1. Please list your work experience, community involvement, and other interests which apply to this Board or Commission: (Information may be continued on back of form or attached.)
I have been part of the Historic Board of Northglenn for many years. I have served on the Fort Lupton Board and was able to participate in many History Colorado conferences & classes

2. List any licenses, certificates of special training, or education which apply to this Board or Commission:
I have attended classes from History Colorado and National Preservation on this topic. I have taken training in CEG Grants and status.

3. Briefly describe the reasons for your interest in serving on this City Board or Commission:
I have a love for history and preserving the beautiful properties that Fort Lupton has as well as improving on them to benefit the City. I would like to continue to work w/ Ft Lupton on this.

4. Please list supporting documents if not continued on other side:
[redacted]

Signature of Applicant: by signing this application I agree that I have received a copy of the City Council Code of Ethics and Conduct.
Kathleen Kvasnicka

CITY OF FORT LUPTON CITY COUNCIL



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-080

ACCEPT A RESOLUTION APPROVING THE CONNER FAMILY TRUST – FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION TO CREATE TWO SEPARATE LOTS.

- I. **Agenda Date:** Council Meeting – April 21, 2020

- II. **Attachments:**
 - a. Proposed Resolution
 - b. Planning Commission Resolution, Minutes & Staff Report
 - c. Land Use Application & Project Description
 - d. Minor Subdivision Map
 - e. Referral Responses
 - f. Legal Notifications

III. **Summary Statement:**

Fort Lupton Fire Protection District (Lot 1) and Kurt W. Conner Family Trust created 1/7/13 (Lot 2) (the "Applicants") have submitted an application for a two lot minor subdivision. The location of the proposed minor subdivision is north and adjacent to 9th Street, and west and adjacent to County Road 31 (excluding the parcel located directly at the northwest corner of that intersection).

IV. **Submitted by:** _____
Planner

V. **Finance Reviewed** _____
Sean Perino
Finance Director

VI. **Approved for Presentation:** _____
[Signature]
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

Fort Lupton Fire Protection District (Lot 1) and Kurt W. Conner Family Trust created 1/7/13 (Lot 2) (the "Applicants") have submitted an application for a two lot minor subdivision. The location of the proposed minor subdivision is north and adjacent to 9th Street, and west and adjacent to County Road 31 (excluding the parcel located directly at the northwest corner of that intersection).

The Property is currently one parcel, although Weld County currently lists and shows that the property is split into two parcels. The minor subdivision will create two separate lots. Lot 1 will be 3.82 acres, more or less. Lot 2 will be 35.29 acres, more or less. The use of either property will not change at this time.

X. Legal/Political Considerations:

The Subdivision Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on March 11, 2020.

Notice of public hearings were posted on the property on March 10, 2020, pursuant to the Subdivision Regulations, which require posting at least fifteen (15) day prior to the hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the property on March 4, 2020. Mineral notifications were sent at least fifteen (15) days prior to the public hearings.

XI. Alternatives/Options:

The City Council has the following three options for each request:

- a) Approve the request;*
- b) Deny the request; or*
- c) Refer the request back to Planning Commission for further study.*

XII. Financial Considerations:

The Applicant has paid all applicable land use application fees and are covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision.

RESOLUTION NO. 2020xxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE CONNER FAMILY TRUST – FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION TO CREATE TWO SEPARATE LOTS ON A PROPERTY LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision application; and

WHEREAS, after review of the application for the minor subdivision, and consideration of staff comments, applicant’s presentation and any public input, the Planning Commission recommended approval, with conditions, of the application for a two-lot minor subdivision; and

WHEREAS, the City Council held a public hearing to consider and review the request for the special use permit on April 21, 2020; and

WHEREAS, after review of the application and supporting information, the City Council finds that the minor subdivision conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council reviewed the plans and supporting documentation, referral comments, as well as any citizen input in response to this application. Based upon the review of applicable policies and goals in the Fort Lupton Comprehensive Plan, review of the Zoning and Subdivision Regulations, and analysis of referral comments and the facts presented on this date, the City Council hereby approves the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision to create two (2) separate lots on a property located in the South Half of the Southeast Quarter of Section 33, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado with the following conditions:

- I. Prior to recording the minor subdivision plat:
 - A. The title of the minor subdivision map shall include the Project No.: LUP2020-0002 & Plan No.: MSD2020-0001.
 - B. Any redline comments provided by staff shall be made to the minor subdivision plat.

- C. The Applicant shall provide written evidence that the comments from the Public Works Director have been adequately addressed, including finalizing right of way dedication documents requested.
- D. The Applicant shall provide written evidence that the comments from Xcel Energy have been adequately addressed.
- E. The Applicant shall provide written evidence that the comments from United Power have been adequately addressed.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL THIS 21st DAY OF APRIL, 2019.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

RESOLUTION 2019-029

RESOLUTION NO. P2020-007

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE CONNER FAMILY TRUST – FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION TO CREATE TWO SEPARATE LOTS ON A PROPERTY LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on March 26, 2020, for the purpose of reviewing the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision application; and

WHEREAS, the minor subdivision will divide the property into two (2) separate lots planned; and

WHEREAS, after review of the application and supporting documentation, the Planning Commission finds the request for a minor subdivision to create two (2) separate lots, generally conform with City codes and requirements and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has considered the application and has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision to create two (2) separate lots on a property located in the South Half of the Southeast Quarter of Section 33, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado with the following conditions:

I. Prior to recording the minor subdivision plat:

- A. The title of the minor subdivision map shall include the Project No.: LUP2020-0002 & Plan No.: MSD2020-0001.
- B. Any redline comments provided by staff shall be made to the minor subdivision plat.
- C. The Applicant shall provide written evidence that the comments from the Public Works Director have been adequately addressed, including finalizing right of way dedication documents requested.
- D. The Applicant shall provide written evidence that the comments from Xcel Energy have been adequately addressed.

- E. The Applicant shall provide written evidence that the comments from United Power have been adequately addressed.

DONE THIS 9TH DAY OF APRIL, 2020 BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

MINUTES

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles. She stated that

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two, and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT



**CONNER FAMILY TRUST – FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION
PROJECT NO. LUP2020-0002 / PLAN NO. MSD2020-0001**

PROJECT DESCRIPTION

Project No.: LUP2020-0002 / Plan No.: MSD2020-0001

Project name: Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Owner: Fort Lupton Fire Protection District (Lot 1) and Kurt W. Conner Family Trust created 1/7/13 (Lot 2) (Collectively, the “Applicants”)

Representative: John R. Dent with John R. Dent, P.C.

Location of Request:

The property is located north and adjacent to 9th Street, and west and adjacent to County Road 31 (excluding the parcel located directly at the northwest corner of that intersection), and known as Parcel Nos. 130933400062 and 130933400065. The minor subdivision is located in the South Half of the Southeast Quarter of Section 33, Township 2 North, Range 66 West of the 6th Principal Meridian, County of Weld, State of Colorado.



Nature of Request:

The Applicants have submitted a request for a minor subdivision of the Property into two separate lots. The Property is currently one parcel, although Weld County currently lists and shows that the property split into two parcels. Lot 1 is used for driving practice of fire trucks and Lot 2 is currently vacant land available for development. Any future proposed land uses will be reviewed at separate public hearings before the Planning Commission and City Council.

Site Size: 40.23 acres, more or less, with the planned subdivided lots measuring as follows:

- Lot 1: 3.82 acres, more or less
- Lot 2: 35.29 acres, more or less

Zone District: Lot 1: 'A' Agricultural; Lot 2: 'PUD' Planned Unit Development

Proposed Use: The use of the property will not change at this time. Any proposed development will be reviewed at separate public hearings at a later date.

Existing Use: Lot 1 is used for driving practice of fire trucks. Lot 2 is vacant.

Hearing Dates: Planning Commission – March 26, 2020 at 6:00 PM; and
City Council – April 7, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

To staff's knowledge, there are no prior applications for this property through the City of Fort Lupton.

APPLICATION PROCESS

The Applicant is requesting approval of a minor subdivision for two (2) lots.

A minor subdivision is processed under Section 17-30 of the Fort Lupton Municipal Code ("Code").

After required public notice of the minor subdivision request, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the minor subdivision. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

NOTIFICATION REQUIREMENTS

The Subdivision and Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on Wednesday, March 11, 2020.

Notice of the public hearings were posted on the Property pursuant to the Subdivision and Zoning Regulations, which require the Applicant post the Property with notice of hearings at least fifteen (15) days prior to the hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 5, 2020. Mineral notifications were sent as a courtesy at least 15 days prior to the Planning Commission hearing date.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The intent of a minor subdivision is to expedite the process of subdivisions that are minor in size and scope (Section 17-30). A minor subdivision must consist of four or fewer lots, meet zoning and subdivision regulations of the city, and must not include a dedication of public right-of-way. There also may not be other minor plats within the same subdivision that, in combination with the proposed minor plat, would circumvent the intent of Chapter 17 – Subdivision of the Code. The Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision meets all of the necessary criteria as long as the conditions of approval are met.

The Applicants have proposed initial zoning concurrently with this application to the ‘A’ Agricultural Zone District and will create four (4) separate lots with this minor subdivision. Each of the lots conform to the minimum lot area for the ‘A’ Agricultural Zone District, which is 40,000 square feet. Future development of these lots will be required to conform to the requirements of the ‘A’ Agricultural Zone District set forth in the Fort Lupton Municipal Code, or apply for a special use permit.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area as the Single-Family Detached Residential Zone. This designation allows for neighborhoods of predominantly single family detached homes on individual lots. This can consist of a variety of development types, including higher density homes within the City’s urban core and planned subdivisions within residential growth areas. In addition to single family units, these neighborhoods may include scattered single family attached and multi-family housing options, as well as public and semi-public uses. Given market demand, single family neighborhoods are likely to remain the primary residential designation within Fort Lupton and should see considerable growth in the future.

The proposed zoning, and planned uses, are in compliance with the comprehensive plan.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

CDOT	CenturyLink	City Attorney
Comcast	Fort Lupton Fire Protection District	Fulton Ditch Company
GIS Specialist	OMI	Police Chief
Postmaster	Public Works Director	United Power
Xcel Energy		

RECOMMENDATION

Staff recommends conditional approval of the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision. Conditions are listed on the proposed Resolution provided to Planning Commission.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

LAND USE APPLICATION & PROJECT DESCRIPTION



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
 Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: Fort Lupton Fire Protection District (Lot 1) and Kurt W. Conner Family Trust Created 1/7/13 (Lot 2)

Company: _____

Phone: 303-857-4603 Email: _____

Address: 1121 Denver Avenue, Fort Lupton, CO 80621

Preferred method of contact? Email: Phone: Mail:

2) Representative Name: John R. Dent

Company: John R. Dent, P.C.

Phone: 303-857-4667 Email: Johndentlawoffice@gmail.com

Address: 332 Denver Avenue, Fort Lupton, CO 80621

Preferred method of contact? Email: Phone: Mail:

3) Billing Contact (where invoices should be directed to): Allyson Tkadlec

Billing Company: Fort Lupton Fire Protection District

Phone: 303-857-4603 Email: atkadlec@ftluptonfire.com

Address: 1121 Denver Avenue, Fort Lupton, CO 80621

B. SITE DESCRIPTION

Site Address: Lots 1 and 2 of Kurt W. Conner Family Trust Minor Subdivision

Parcel Number: _____

Existing Zone Classification: Agriculture Proposed Zone Classification: Agriculture

Water Type: N/A Name: _____

Sewage Type: N/A District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|---|--|---|
| <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input checked="" type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

D. PROJECT DESCRIPTION

Project Name: Kurt W. Conner Family Trust Created 1/7/2013 and Fort Lupton Fire Protection District

Please provide a short description of the proposed project in the space provided below:

As to Lot 1-Gravel placed on empty lot to allow fire trucks to be driven on lot for purposes of driving practice. Lot 2-vacant land available for development.

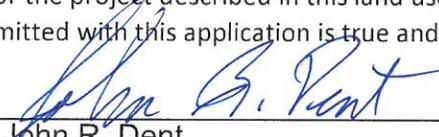
E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

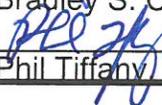
Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 10/30/2020
John R. Dent

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner:  TRUSTEE Date: 1-24-2020
Bradley S. Conner, Trustee, Kurt W. Conner Family Trust Created 1/7/2013
 Date: 1/30/2020
Phil Tiffany, Fire Chief, Fort Lupton Fire Protection District

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Instructions for Submitting the Land Use Application Form

DEFINITIONS

Words in the singular include the plural and words in the plural include the singular.

Application refers to the official submittal to the City of Fort Lupton's Planning Department for review of the proposed land use development identified in the land use application form. The application includes the form, all materials submitted for review of the project, including those documents required under the Land Use Regulations of the Municipal Code, and any additional information provided.

Project refers to the land use development identified on the land use application form and application materials.

Property refers to the land that is being proposed for development as described in the land use application form and application materials.

A. CONTACT INFORMATION

- 1) Provide contact information for all owners of any property that is the subject of the application. If the contact information for all property owners will not fit on the space provided, submit a separate sheet for the additional owners.
- 2) Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings. If the contact information for all representatives will not fit on the space provided, submit a separate sheet for the additional representatives.
- 3) Provide contact and mailing information for the person that should receive all invoices for the project. If this person changes at any time, contact the Planning Department immediately to update this information.

B. SITE DESCRIPTION

Provide all information requested. Parcel numbers and address information may be found at the Weld County Property Portal at <https://www.co.weld.co.us/maps1/propertyportal/>. Current zoning can be found at <http://www.fortlupton.org/405/Zoning>.

C. APPLICATION TYPE

Select the land use application that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the required pre-application meeting. If you have any questions about this, please contact the Planning Department at 303.857.6694 or planningdept@fortlupton.org.

D. PROJECT DESCRIPTION

Please select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, please attach a separate sheet.

E. REQUIRED DOCUMENTS

Required documents will be discussed during the pre-application meeting with the Planning Department. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section.

Owner Certification. Provide the signature of all owners of properties included in the application in this section.

For any other questions, please contact the Planning Department at 303.857.6694 or planningdept@fortlupton.org.

Kurt W. Conner Family Trust Created 1/7/2013 and FLFPD Minor Subdivision – Supplement

Detailed project description

No improvements anticipated beyond the gravel placed on the surface of the 4 acre Lot 1. It's anticipated simply that the Fire District will utilize Lot 1 to allow new fire persons to be able to drive firetrucks on the lot for driving practice. That use will probably be once or twice a month for several hours at a time. No use anticipated for Lot 2 at this time.

Drainage plan and traffic description

No change in drainage plan or in traffic pattern is anticipated.

Evidence of adequate water supply

There will be no water supply provided for Lots 1 or 2.

Water rights and cash equivalents.

Water Rights and water dedication were addressed in the original subdivision improvement agreement for Lot 1 of the McPherson-Ceretto Subdivision, which is Station Number 2. No additional water dedication is anticipated. Fire District did advance the funds to extend Water and sewer to Station Number 2 from the intersection of College Avenue and 9th Street.

Sanitary sewer

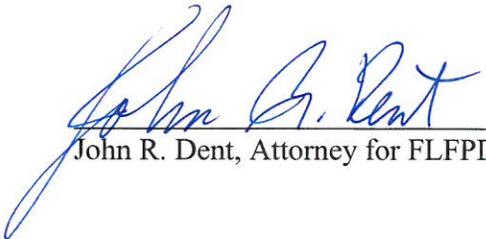
Not applicable

Word format legal description

Stamped envelopes for surrounding property owners

January 30, 2020

Submitted by:



John R. Dent, Attorney for FLFPD

**SUBMITTAL FOR FORT LUPTON FIRE PROTECTION DISTRICT
MINOR SUBDIVISION 4/9/2020**

Since this was 1st brought to our attention, we have worked on correcting the problem and putting this minor subdivision together.

It was not done originally in 2004 because the then City Planning Director Tom Parko suggested that we wait until the City implemented a process and procedure for minor subdivisions. That was postponed until later, but none of us remembered to proceed to get it done.

In 2019, the Fire District did some work on the vacant 4 acre lot adjacent to Station #2 (added gravel to the lot to provide a better driving surface), which triggered the City looking at the situation and requesting action. We met with Todd Hodges and we initiated the current process.

We had to enlist the Conner Family (in Tennessee), who had sold this land to the Fire District. They were very cooperative, and we have had a survey completed, which took much time and required us to replace the original surveyor.

But ultimately, got it done, created 2 rights-of-way to extend existing Station #2 right-of-way on 9th Street and along WCR 31 and defined the 4 acre vacant lot west of Station 2 (adjacent).

Brad Conner, Trustee of the Kurt W. Conner Family Trust signed off and the Fire District signed off on the rights-of-way and we are now prepared to proceed to prepare, sign off, and record a mylar of this minor subdivision.

We have paid all fees and both Applicants have signed in person hearing waivers.

We request the Planning Commission approve and forward this on to the City Council for approval.

MAPS

CONNOR FAMILY TRUST - FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION

Located in the Southeast 1/4 of Section 33,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 2

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33 THENCE SOUTH 89°17'28" WEST, CONSIDER WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 1562.49 FEET; THENCE NORTH 00°34'3" WEST, A DISTANCE OF 140 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AS DEED, RECORDED MARCH 15, 2012 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE JUNE POINT OF BEGINNING, THENCE CONTINUING NORTH 02°34'1" WEST CONSIDER WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 391.78 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, AND THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, THENCE NORTH 89°41'24" EAST, CONSIDER WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1369.32 FEET TO THE NORTHEAST CORNER OF SAID PARCEL, AND THE WEST RIGHT-OF-WAY LINE OF FREDERICK AVENUE, THENCE SOUTH 11°35'18" EAST, CONSIDER WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 359.78 FEET TO THE BEGINNING OF A CURVE, CONCLUDE TO THE WEST, HAVING A RADIUS OF 3769.72 FEET AND A CENTRAL ANGLE OF 07°24'10", WHOSE CHORD BEARS SOUTH 07°24'11" EAST, A DISTANCE OF 489.29 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND OF COURSE WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 489.64 FEET TO THE NORTHEAST CORNER OF SAID PARCEL; CURVED SUBDIVISION AS SHOWN ON THE PLAN RECORDED SEPTEMBER 21, 2004 AND RECEPTION NO. 3228273 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 89°51'15" WEST, CONSIDER WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 411.06 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 02°34'08" EAST, CONSIDER WITH THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 416.82 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION AND THE NORTH RIGHT-OF-WAY LINE OF 8TH STREET, THENCE SOUTH 89°51'28" WEST, CONSIDER WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1818.75 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1,752,422 SQUARE FEET OR 40.23 ACRES, MORE OR LESS.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT THE CONNER FAMILY TRUST AND THE FORT LUPTON FIRE PROTECTION DISTRICT, A COLORADO SPECIAL DISTRICT, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE Laid OUT AND PLATTED UNDER THE NAME OF CONNER FAMILY TRUST - FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION, AND DO HEREBY DEDICATE TO THE CITY OF FORT LUPTON AND ITS LEGISLATORS FOR PUBLIC USE FOREVER ALL STREETS, ALLEYS AND UTILITY EASEMENTS AS INDICATED HEREON, IN COMPLIANCE WITH THE CITY OF FORT LUPTON SUBDIVISION REGULATIONS AND BY CONTRACTUAL AGREEMENT, THE LANDOWNERS SHALL BEAR ALL EXPENSES INVOLVED IN IMPROVEMENTS, IN WITNESS WHEREOF,

WE HAVE HERETO SET OUR HANDS AND SEALS THIS ____ DAY OF _____, 20____.

CONNOR FAMILY TRUST

FORT LUPTON FIRE PROTECTION DISTRICT,
A COLORADO SPECIAL DISTRICT

STATE OF _____ } SS
COUNTY OF _____ }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE CONNER FAMILY TRUST

ON THIS ____ DAY OF _____, 20____.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

STATE OF COLORADO } SS
COUNTY OF WELD }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE FORT LUPTON FIRE PROTECTION DISTRICT, A COLORADO SPECIAL DISTRICT

ON THIS ____ DAY OF _____, 20____.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT THE CONNER FAMILY TRUST AND THE FORT LUPTON FIRE PROTECTION DISTRICT, A COLORADO SPECIAL DISTRICT, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAS ALL THIS PLAT AND JOIN THE CONVEYANCE AND DEDICATION OF ALL STREETS, ROADS, ALLEYS, EASEMENTS, PUBLIC WAYS AND PLACES SHOWN HEREON, IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS AND SEALS

THIS ____ DAY OF _____, 20____.

STATE OF _____ } SS
COUNTY OF _____ }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE CONNER FAMILY TRUST

ON THIS ____ DAY OF _____, 20____.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

STATE OF COLORADO } SS
COUNTY OF WELD }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE FORT LUPTON FIRE PROTECTION DISTRICT, A COLORADO SPECIAL DISTRICT

ON THIS ____ DAY OF _____, 20____.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC



VICINITY MAP: NTS

SURVEYOR'S CERTIFICATE:

I, CURTIS D. HOOD, A DAILY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF MINOR - FORT LUPTON FIRE PROTECTION DISTRICT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AT THE TIME OF THIS SURVEY AND WITHIN MY CONTROL, AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

CURTIS D. HOOD, PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION
BRIGHTON, CO 80601

PLANNING COMMISSION RECOMMENDATION:

RECOMMENDED THIS ____ DAY OF _____, 20____ BY RESOLUTION NO. _____

CHAIRPERSON, FORT LUPTON PLANNING COMMISSION

CITY ENGINEER'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____.

CITY ENGINEER

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT A PLAT OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY RESOLUTION NO. _____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____, 20____, AND THAT THE MAYOR OF THE CITY OF FORT LUPTON AS AUTHORIZED BY SAID RESOLUTION ON BEHALF OF THE CITY OF FORT LUPTON HEREBY ACKNOWLEDGES AND ADOPTS THE SAID PLAT UPON WHICH THIS CERTIFICATE IS INDORSED FOR ALL PURPOSES INDICATED THEREON.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

CITY ADMINISTRATOR'S APPROVAL:

APPROVED THIS ____ DAY OF _____, 20____.

CITY ADMINISTRATOR

CITY WATER AND SEWER DEPARTMENT APPROVAL:

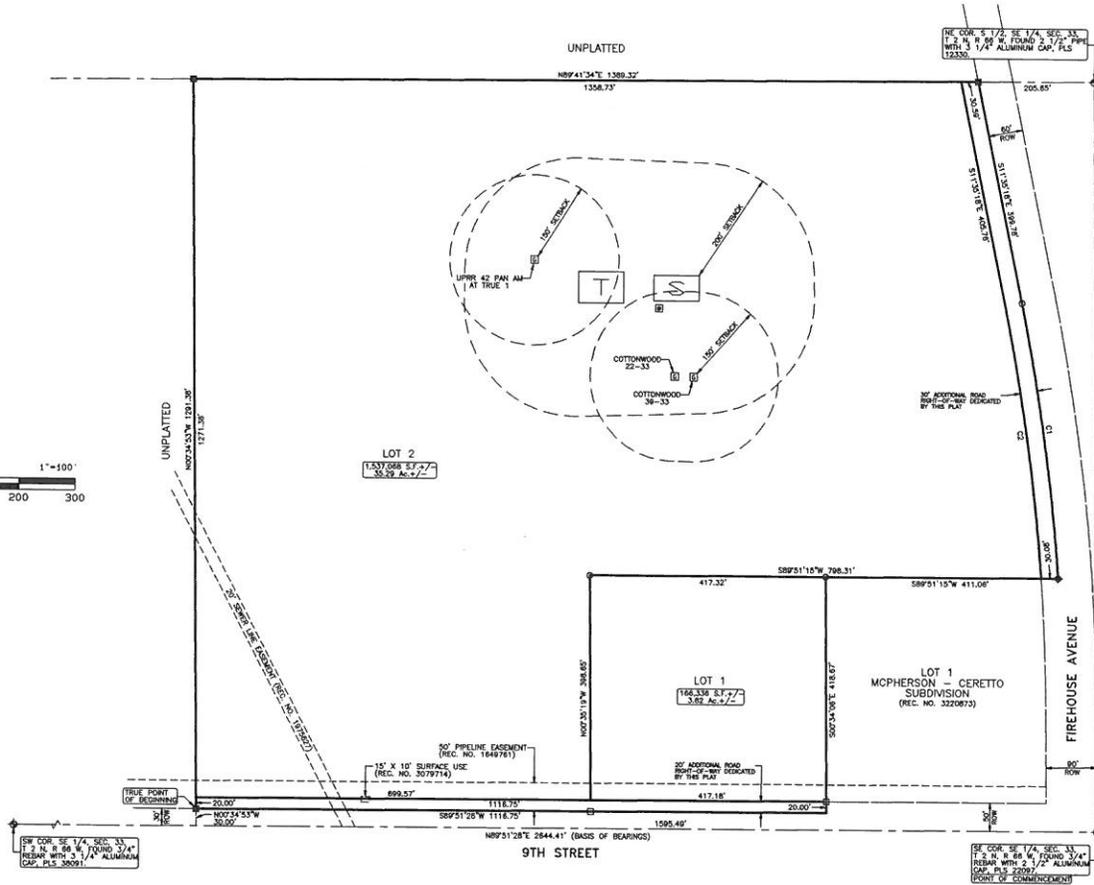
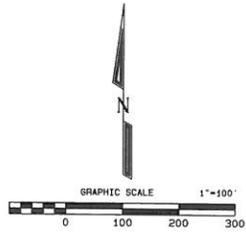
APPROVED THIS ____ DAY OF _____, 20____.

DIRECTOR OF PUBLIC WORKS

CONNOR FAMILY TRUST - FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION

Located in the Southeast 1/4 of Section 33,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 2 of 2



LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
- = FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP, PLS 34995.
- ◆ = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 23567.
- = FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP, PLS 25637.
- = FOUND 5/8" REBAR.
- = OIL/GAS WELL, AS NOTED.
- = TANK BATTERY.
- = SEPARATOR.
- = OIL/GAS BURNER.

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	3759.72	483.64	072410"	S07°E13"E	483.29
C2	3759.72	483.64	072213"	S07°E41"E	483.31

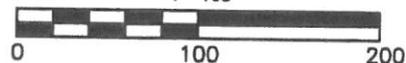

American West
Land Surveying Co.
 A Colorado Corporation
 PO Box 128, Brighton, CO 80601 • P:303-659-1532 F:303-655-0575 • americanwest.com
 SCALE 1" = 100' DRAWN BY: GJM | CHECKED BY: MAM | DATE: DEC. 26, 2014
 REVISIONS:
 FOR NO. 18-

'EXHIBIT A'

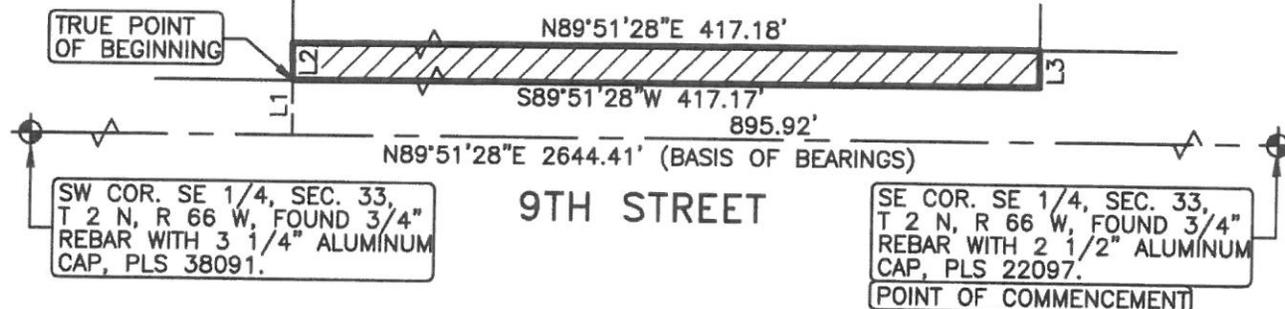
LINE	BEARING	DISTANCE
L1	N00°35'19"W	30.00'
L2	N00°35'19"W	20.00'
L3	S00°34'06"E	20.00'



GRAPHIC SCALE
1"=100'



PARCEL NO. 130933400062
FORT LUPTON FIRE PROTECTION DISTRICT
1121 DENVER AVENUE
FORT LUPTON, CO 80621



SW COR. SE 1/4, SEC. 33,
T 2 N, R 66 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 38091.

SE COR. SE 1/4, SEC. 33,
T 2 N, R 66 W, FOUND 3/4"
REBAR WITH 2 1/2" ALUMINUM
CAP, PLS 22097.
POINT OF COMMENCEMENT

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 895.92 FEET; THENCE NORTH 00°35'19" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED DECEMBER 13, 2004 AS RECEPTION NO. 3243249 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°35'19" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°51'28" EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 417.18 FEET TO THE EAST LINE OF SAID PARCEL; THENCE SOUTH 00°34'06" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 417.17 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 8344 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

LEGEND:

⊕ = ALIQUOT MONUMENT, AS NOTED.

DRAWN BY: CDH

FIELD: CDH

JAN. 29, 2020

PAGE 1 OF 1



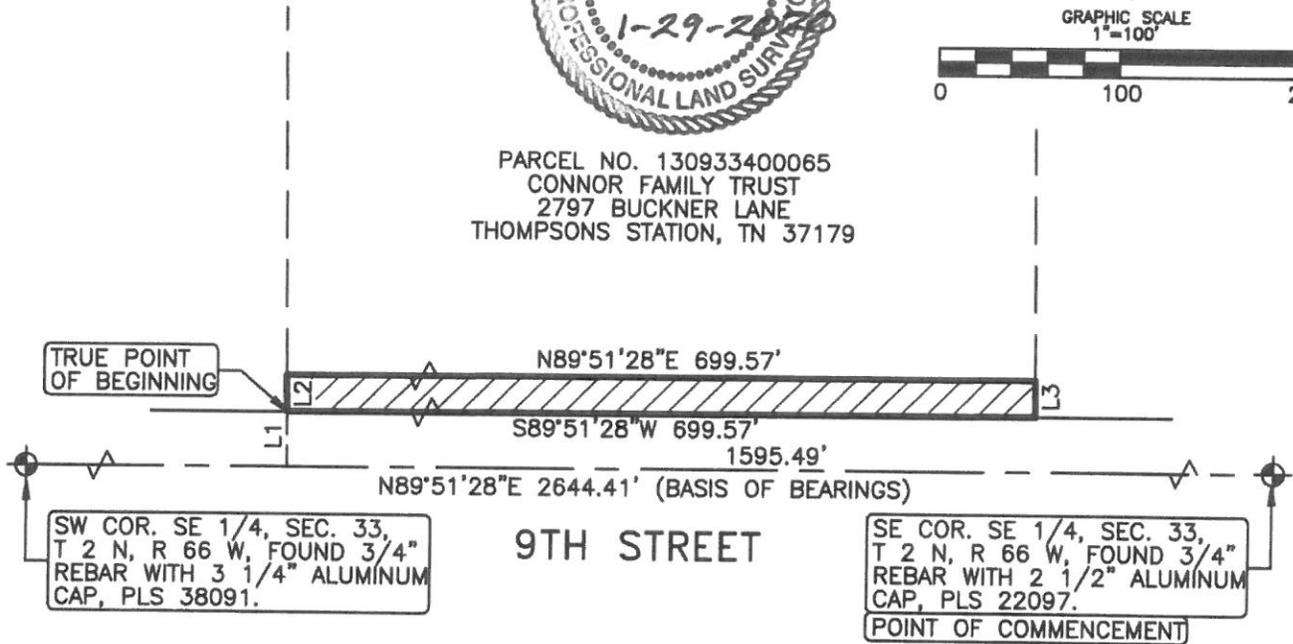
PARCEL NO. 130933400062
FORT LUPTON FIRE PROTECTION DISTRICT

'EXHIBIT A'

LINE	BEARING	DISTANCE
L1	N00°34'53"W	30.00'
L2	N00°34'53"W	20.00'
L3	S00°35'19"E	20.00'



PARCEL NO. 130933400065
 CONNOR FAMILY TRUST
 2797 BUCKNER LANE
 THOMPSONS STATION, TN 37179



A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1595.49 FEET; THENCE NORTH 00°34'53" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 10, 2015 AS RECEPTION NO. 4089095 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°34'53" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°51'28" EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 699.57 FEET TO THE EAST LINE OF SAID PARCEL; THENCE SOUTH 00°35'19" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 699.57 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 13,991 SQUARE FEET OR 0.32 ACRES, MORE OR LESS.

NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

LEGEND:

⊕ ALIQUOT MONUMENT, AS NOTED.

DRAWN BY: CDH

FIELD: CDH

PARCEL NO. 130933400065
 CONNOR FAMILY TRUST

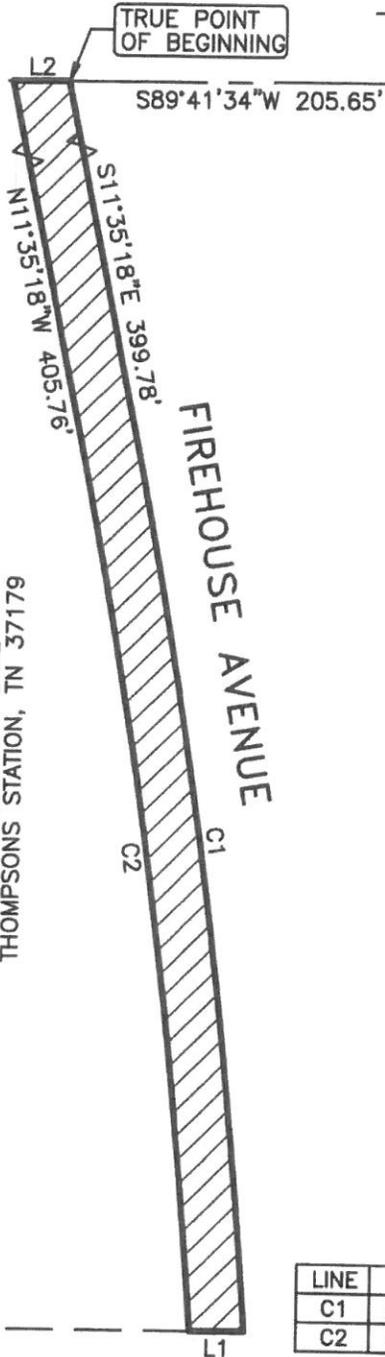
JAN. 29, 2020

PAGE 1 OF 1

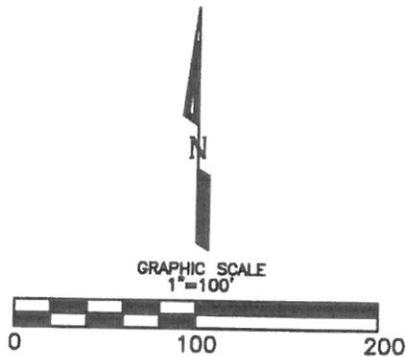


'EXHIBIT A'

PARCEL NO. 130933400065
CONNOR FAMILY TRUST
2797 BUCKNER LANE
THOMPSONS STATION, TN 37179



POINT OF COMMENCEMENT
NE COR. S 1/2, SE 1/4, SEC. 33,
T 2 N, R 66 W, FOUND 2 1/2" PIPE
WITH 3 1/4" ALUMINUM CAP, PLS
12330.



LINE	BEARING	DISTANCE
L1	N00°35'19"W	30.00'
L2	N00°35'19"W	20.00'

SE COR. SE 1/4, SEC. 33,
T 2 N, R 66 W, FOUND 3/4"
REBAR WITH 2 1/2" ALUMINUM
CAP, PLS 22097.

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	3789.72'	489.64'	07°24'10"	S07°53'13"E	489.29'
C2	3759.72'	483.64'	07°22'13"	S07°54'11"E	483.31'

NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

LEGEND: ALIQUOT MONUMENT, AS NOTED.	DRAWN BY: CDH
	FIELD: CDH
PARCEL NO. 130933400065 CONNOR FAMILY TRUST	JAN. 29, 2020
	PAGE 2 OF 2



'EXHIBIT A'

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 00°36'09" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, THENCE SOUTH 89°41'34" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 205.65 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIREHOUSE AVENUE AND THE TRUE POINT OF BEGINING; THENCE SOUTH 11°35'18" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 399.78 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 3789.72 FEET AND A CENTRAL ANGLE OF 07°24'10", WHOSE CHORD BEARS SOUTH 07°53'13" EAST, A DISTANCE OF 489.29 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 489.64 FEET TO THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 10, 2015 AS RECEPTION NO. 4089095 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 89°51'15" WEST, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 30.08 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 3759.72 FEET AND A CENTRAL ANGLE OF 07°22'13", WHOSE CHORD BEARS NORTH 07°54'11" WEST, A DISTANCE OF 483.31 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 483.64 FEET; THENCE NORTH 11°35'18" WEST, A DISTANCE OF 405.76 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE NORTH 89°41'34" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 30.59 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 26,682 SQUARE FEET OR 0.61 ACRES, MORE OR LESS.



NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

	DRAWN BY: CDH	
	FIELD: CDH	
PARCEL NO. 130933400065 CONNOR FAMILY TRUST	JAN. 29, 2020	
	PAGE 1 OF 2	

REFERRAL RESPONSES

Maria Lancto

From: Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us>
Sent: Tuesday, February 18, 2020 4:15 PM
To: Alyssa Knutson; Todd Hodges
Cc: Bilobran, Timothy; Allyson Mattson - CDOT; Maria Lancto
Subject: Re: FW: Referral Response Request: Conner Family Trust - Fort Lupton Fire Protection District Minor Subdivision; LUP2020-0002; MSD2020-0001
Attachments: image001.png

CDOT has no comment regarding this proposal.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



On Tue, Feb 18, 2020 at 3:47 PM Gloria Hice-Idler <Idler@rocksol.com> wrote:

From: Maria Lancto <MLancto@Fortluptonco.gov>
Sent: Tuesday, February 18, 2020 2:07 PM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>; Stephanie Darnell <sdarnell@Fortluptonco.gov>
Subject: Referral Response Request: Conner Family Trust - Fort Lupton Fire Protection District Minor Subdivision; LUP2020-0002; MSD2020-0001

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a Minor Subdivision that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 10, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, March 26, 2020 at 6:00 PM**
- **City Council on Tuesday, April 7, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to thodges@fortluptonco.gov, aknutson@fortluptonco.gov, and mlancto@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto

Planner I

130 S. McKinley Ave.

Fort Lupton, CO 80621

Office: 303.857.6694



Maria Lancto

From: Roy Vestal
Sent: Friday, February 28, 2020 11:28 AM
To: Maria Lancto
Cc: Todd Hodges; Alyssa Knutson; Stephanie Darnell
Subject: RE: Referral Response Request: Conner Family Trust - Fort Lupton Fire Protection District Minor Subdivision; LUP2020-0002; MSD2020-0001
Attachments: DEDICATION OF PUBLIC RIGHT OF WAY.DOCX

PW Comments regarding this submittal

Exhibit A for the Firehouse Avenue ROW dedication does not match what is presented on the plat. The end lines are labeled as L2 = 20' and L1 = 30'. If the intent is dedicating an additional 30' of ROW along CR 31, each line should be more than 30' since the lines are not perpendicular to the existing ROW.

If this is a Minor Subdivision, ROW cannot be dedicated by this plat. See attached dedication template

Roy V

Roy L. Vestal, P.E.
Public Works Director / City Engineer



130 S. McKinley, Fort Lupton, CO 80621
Office: 720.466.6109
Mobile: 720.966.3613

From: Maria Lancto
Sent: Tuesday, February 18, 2020 2:07 PM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>; Stephanie Darnell <sdarnell@Fortluptonco.gov>
Subject: Referral Response Request: Conner Family Trust - Fort Lupton Fire Protection District Minor Subdivision; LUP2020-0002; MSD2020-0001

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a Minor Subdivision that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 10, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, March 26, 2020 at 6:00 PM**
- **City Council on Tuesday, April 7, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to thodges@fortluptonco.gov, aknutson@fortluptonco.gov, and mlancto@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto
Planner I
130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694



DEDICATION OF PUBLIC RIGHT OF WAY

The undersigned being the fee simple owner of all the real estate described herein, for good and valuable consideration, does hereby grant and dedicate to the City of Fort Lupton, Weld County, Colorado, on and behalf of and for the public, for use as right-of-way for public purposes, the following described real estate situated in Weld County, Colorado, more particularly described on Exhibit A, and as shown on the sketch, Exhibit B, both attached hereto and made a part hereof.

This dedication is made subject to all existing easements and rights-of-way.

The Grantor hereby covenants that it is the owner in fee simple of the real estate, is lawfully seized thereof, and has the authority to grant and convey the foregoing right of way, and guarantees the quiet possession thereof, and that Grantor will warrant and defend the Grantee's title to the right of way hereby granted against all claims.

THIS RIGHT OF WAY CREATED AND GRANTED THIS _____ DAY OF _____, 2020.

LANDOWNER/GRANTOR:

Tricycle Lane Texas, LLC

Attested to:

Maricela Peña, MMC, City Clerk

STATE OF COLORADO)
)SS.
COUNTY OF WELD)

Subscribed and sworn to before me this _____ day of _____, 2020 by _____

Witness my hand and official seal.

NOTARY PUBLIC

RESOLUTION NO. 2020R0??

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON ACCEPTING THE MP SUBDIVISION PUBLIC RIGHT OF WAY DEDICATION LOCATED IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING PART OF LOT B, RECORDED EXEMPTION NO. 1471-11-2 1AMRECX19-16-0019, WELD COUNTY, COLORADO.

WHEREAS, **Destiny Church, An Assembly of God Church**, has this day filed with the City of Fort Lupton, Colorado (the "City"), its dedication of certain real estate, which Dedication is hereinabove set forth:

AND WHEREAS, the City finds that said Dedication is desirable and necessary;

NOW THEREFORE BE IT RESOLVED that City Council hereby accepts said Dedication, and orders that the Instrument of Dedication be recorded in the Recorder's Office of the County of Weld, State of Colorado, and said described real estate is hereby declared open and dedicated pursuant to C.R.S. § 24-68-101, et seq..

THIS RIGHT OF WAY IS CREATED AND GRANTED THIS ____ DAY OF _____, 2020.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this **17th day of July 2020**.

PUBLISHED in the Fort Lupton Press the **26th day of July 2020**.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED FINALLY PUBLISHED by title only this ____ day of _____ 2020.

EFFECTIVE (after publication) the ____ day of _____ 2020.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, MMC
City Clerk

Approved as to form:

Andy Ausmus, City Attorney



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

March 5, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

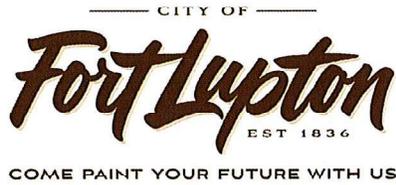
Attn: Alyssa Knutson and Todd Hodges

**Re: Conner Family Trust – Fort Lupton FPD
Case #s LUP2020-0002 and MSD2020-0001**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Conner Family Trust – Fort Lupton FPD**. The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

LEGAL NOTIFICATIONS



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 4th day of March 2020, a true and correct copy of the foregoing Notice of Public Hearings and Minor Subdivision Plat for the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision sent via U.S. Mail, postage pre-paid, to the following addresses:

Fort Lupton Fire Protection District
1121 Denver Ave
Fort Lupton, CO 80621

Conner Family Trust
2797 Buckner Ln
Thompsons Station, TN 37179

Weld County
1150 O St
Greeley, CO 80631

State of Colorado
C/O National Guard
6848 S Revere Pkwy
Centennial, CO 80112

AIMS I
5305 W 86th Ave
Arvada, CO 80003

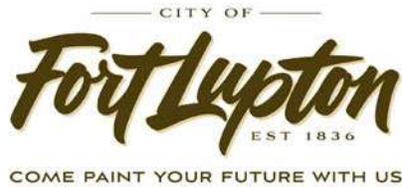
Rennoc Corporation
5303 S Belleview Rd
Rogers, AR 72758

Thermo-Farms
5305 W 86th Ave
Arvada, CO 80003

Kerr McGee Oil & Gas Onshore LP
PO Box 173779
Denver, CO 80217



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a minor subdivision known as the Conner Family Trust - Fort Lupton Fire Protection District Minor Subdivision for two lots located approximately 0.08 miles west and 0.08 miles north of the intersection of 9th Street and County Road 31 in Fort Lupton, Colorado in the Agriculture Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, March 26, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 7, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

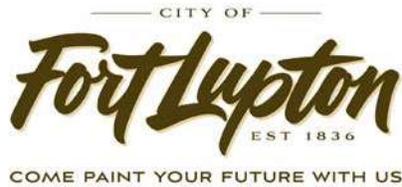
LEGAL DESCRIPTION

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1595.49 FEET; THENCE NORTH 00°34'53" WEST,

A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 10, 2015 AS RECEPTION NO. 4089095 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°34'53" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 1291.38 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE NORTH 89°41'34" EAST, COINCIDENT WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1389.32 FEET TO THE NORTHEAST CORNER OF SAID PARCEL AND THE WEST RIGHT-OF-WAY LINE OF FIREHOUSE AVENUE; THENCE SOUTH 11°35'18" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 399.78 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 3789.72 FEET AND A CENTRAL ANGLE OF 07°24'10", WHOSE CHORD BEARS

SOUTH 07°53'13" EAST, A DISTANCE OF 489.29 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 489.64



FEET TO THE NORTHEAST CORNER OF MCPHERSON - CERETTO SUBDIVISION AS SHOWN ON THE PLAT RECORDED SEPTEMBER 21, 2004 AS RECEPTION NO. 3220873 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 89°51'15" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 411.06 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 00°34'06" EAST, COINCIDENT WITH THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 418.67 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION AND THE NORTH RIGHT-OF-WAY LINE OF 9TH STREET; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1116.75 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1,752,422 SQUARE FEET OR 40.23 ACRES, MORE OR LESS.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND
AT [BITLY/FLDEVELOPMENT](#) AND SCROLLING DOWN TO THE ROWS TITLED:
CONNER FAMILY TRUST - FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION.

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a minor subdivision known as the Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision for two lots located approximately 0.08 miles west and 0.08 miles north of the intersection of 9th Street and County Road 31 in Fort Lupton, Colorado in the Agriculture Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, March 26, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 7, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

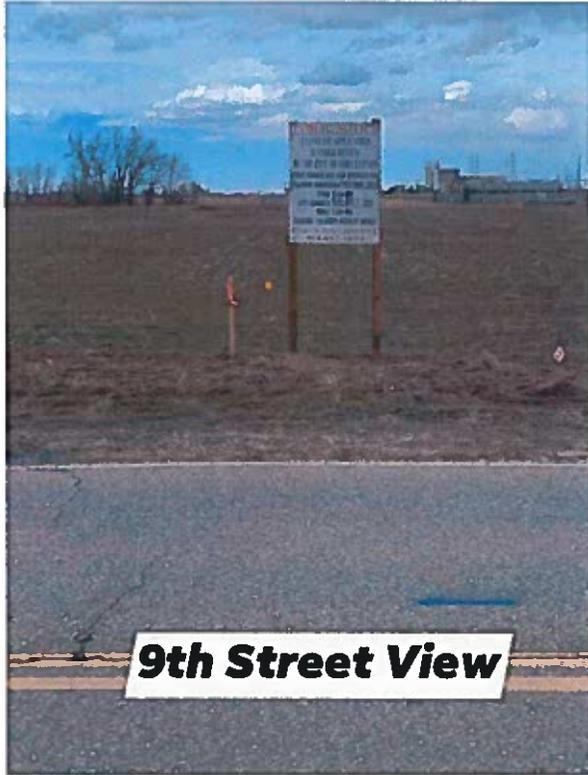
CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1595.49 FEET; THENCE NORTH 00°34'53" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 10, 2015 AS RECEPTION NO. 4089095 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°34'53" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 1291.38 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE NORTH 89°41'34" EAST, COINCIDENT WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1389.32 FEET TO THE NORTHEAST CORNER OF SAID PARCEL AND THE WEST RIGHT-OF-WAY LINE OF

FIREHOUSE AVENUE; THENCE SOUTH 11°35'18" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 399.78 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 3789.72 FEET AND A CENTRAL ANGLE OF 07°24'10", WHOSE CHORD BEARS SOUTH 07°53'13" EAST, A DISTANCE OF 489.29 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 489.64 FEET TO THE NORTHEAST CORNER OF MCPHERSON - CERETTO SUBDIVISION AS SHOWN ON THE PLAT RECORDED SEPTEMBER 21, 2004 AS RECEPTION NO. 3220873 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 89°51'15" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 411.06 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 00°34'06" EAST, COINCIDENT WITH THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 418.67 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION AND THE NORTH RIGHT-OF-WAY LINE OF 9TH STREET; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1116.75 FEET TO THE TRUE POINT OF BEGINNING.

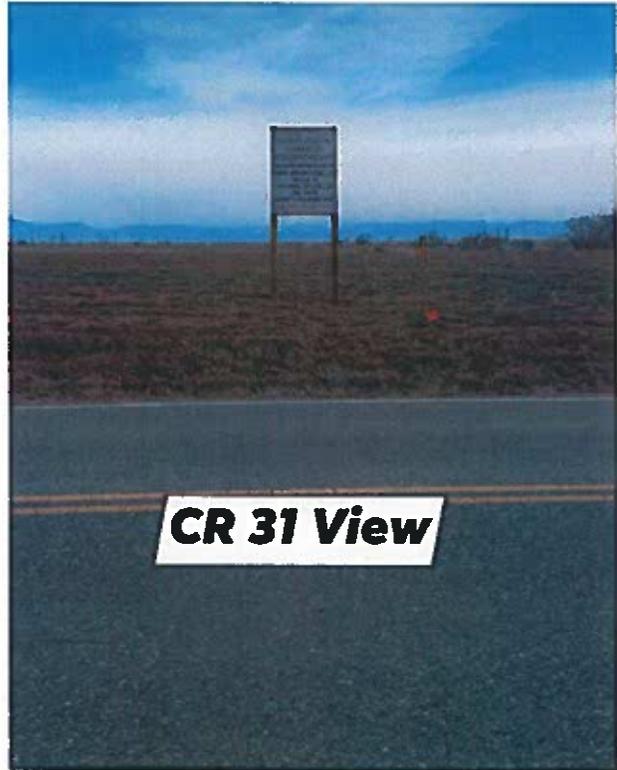
SAID PARCEL CONTAINS 1,752,422 SQUARE FEET OR 40.23 ACRES, MORE OR LESS.

Sign Posting Affidavit

LUP2020-0002 / MSD2020-0001



9th Street View



CR 31 View

I, PHILLIP A. TIFFANY hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 10TH day of MARCH, 2020.

[Signature]
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Phillip A. Tiffany this 13TH day of MARCH 2020, 2020. Witness my hand and seal.

My commission expires Jan 2, 2021.

ALLYSON J TKADLEC
Notary Public - State of Colorado
Notary ID 20051021939
My Commission Expires Jun 2, 2021

(SEAL)

[Signature]
Notary Public

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-081

ADOPT AN ANNEXATION, KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 - 5, TO ANNEX LAND LEGALLY DESCRIBED IN EXHIBIT "A" TO THE PROPOSED ORDINANCE, AND APPROVING THE ANNEXATION AGREEMENT

I. Agenda Date: Council Meeting – April 21, 2020

- II. Attachments:**
- a. Proposed Ordinance
 - b. Planning Commission Resolution, Minutes & Staff Report
 - c. Land Use Application & Project Description
 - d. Annexation Agreement & Petition
 - e. City Council Resolution 2020R030
 - f. Annexation Maps
 - g. Public Comments
 - h. Referral Responses
 - i. Legal Notifications

III. Summary Statement:

Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. (the "Applicant") has submitted a request for annexation of land totaling 84.31 acres, more or less, known as the Wade Annexation. The Property is located west and adjacent to U.S. Highway 85 an approximately 0.49 miles south of County Road 24 ½. Portions of U.S. Highway 85, County Road 22 ½ and County Road 25 ½ rights-or-way are also included in the annexation. The proposed initial zoning is 'C-2' Heavy Commercial, which is being presented to City Council for approval under a separate Action Memorandum and Ordinance following the hearing on this Annexation.

IV. Submitted by: _____
Planner

V. Finance Reviewed *Leann Perino* _____
Finance Director

VI. Approved for Presentation: *[Signature]* _____
City Administrator

VII. Attorney Reviewed _____ Approved _____ Pending Approval

VIII. Certification of Council Approval: _____ City Clerk _____ Date

IX. Detail of Issue/Request:

Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. (the "Applicant") has submitted a request for annexation of land totaling 84.31 acres, more or less, known as the Wade Annexation. The Property is located west and adjacent to U.S. Highway 85 an approximately 1.49 miles south of County Road 24 ½. Portions of U.S. Highway 85, County Road 22 ½ and County Road 25 ½ rights-or-way are also included in the annexation. The proposed initial zoning is 'C-2' Heavy Commercial, which is being presented to City Council for approval under a separate Action Memorandum and Ordinance following the hearing on this Annexation.

The proposed use of the property to continue operating an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment. This use is being reviewed for a special use permit concurrently with this annexation, and will be considered by City Council at a separate hearing.

X. Legal/Political Considerations:

This annexation meets the requirements set forth by Colorado Statutes in 31-12-104 and by Municipal Code, Section 15-3. The Applicant has submitted the required documents pursuant to the Code.

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site, and publishing notice of the hearing in the Fort Lupton Press for four consecutive weeks, with the first publication being at least 30 days prior to the City Council public hearing.

XI. Alternatives/Options:

The City Council has the following options for this request:

- a) Adopt The Ordinance.*
- b) Do not adopt The Ordinance.*

XII. Financial Considerations:

The applicant has paid all applicable land use application fees and are covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the proposed Ordinance annexing land legally described in Exhibit A of the proposed Ordinance and approving the annexation agreement.

ORDINANCE NO. 2020-xxxx

INTRODUCED BY: xxxx

ADOPT ORDINANCE 2020-xxxx ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT “A” KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5 AND APPROVING THE ANNEXATION AGREEMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO:

WHEREAS, a petition for annexation of the subject property was filed with the City on March 3, 2020. The owner of 100% of the territory, with the exception of any road rights-of-ways, hereinafter described as the C&M Rodriguez Annexation Nos. 1 - 5, is Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc., and this territory is not solely a public street or rights-of-ways. The City Council accepted said petition and has found and determined that an election was not required for this annexation under state statute or municipal ordinance or code section and that no additional terms and conditions are to be imposed upon the annexation, other than those expressed in the annexation agreement. The Planning Commission of the City of Fort Lupton, after public hearing on April 9, 2020, has recommended approval of the annexation. After a public hearing on April 21, 2020, Council found that the area to be annexed is eligible for annexation pursuant to Section 31-12-104 C.R.S. as to contiguity; and, the area is not affected by any of the limitations that would prevent annexation set forth in Section 31-12-105 C.R.S.

WHEREAS, the annexation agreement between the applicant and the City has been reviewed by City staff and by this Council and is approved and shall be signed by the Mayor.

WHEREAS, the City Council, after public notice and hearing, and consideration of the Planning Commission recommendation, declares that the subject property is hereby annexed conditional to the following:

- I. Prior to recording the annexation map:
 - A. The title of the annexation and initial zoning map shall include the Project No. LUP2020-0008, and Plan Nos. ANX2020-0002 and COZ2020-0002.
 - B. Any redline comments provided by City Staff shall be made to the annexation map.
 - C. Show the current and proposed zoning on the annexation map.
 - D. Written evidence shall be provided that the comments from the Public Works Director have been adequately addressed.

- E. Written evidence shall be provided that the comments from the Northern Colorado Water Conservation District have been adequately addressed.
- F. Written evidence shall be provided that the comments from Kerr-McGee Gathering LLC have been adequately addressed.
- G. Written evidence shall be provided that the comments from Weld County Department of Planning Services have been adequately addressed.
- H. Written acknowledgement of the comments from Public Service Company of Colorado (Xcel Energy) shall be provided.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 21st day of March 2020.

PUBLISHED in the Fort Lupton Press the ___th day of ____ 2020.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this ___rd day of ____ 2020.

PUBLISHED BY TITLE ONLY the ___th day of ____ 2020.

EFFECTIVE (after publication) the ___th day of ____ 2020.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

EXHIBIT A

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH

89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;
THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;
THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
THENCE ALONG THE EAST RIGHT-OF WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;
1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;
THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;
THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;
THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;
1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°25'31" E FOR A DISTANCE OF 4733.45 FEET;
THENCE S 01°35'04" E FOR A DISTANCE OF 2619.96 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;
THENCE ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20, N 89°18'45" E FOR A DISTANCE OF 35.00 FEET; THENCE S 00°18'28" E FOR A DISTANCE OF 1322.01 FEET; THENCE S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4; THENCE ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;
THENCE DEPARTING SAID WEST LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7.23 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE W 1/2 OF SECTION 17 AND THE NW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;
THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS

GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'51" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;

7. N 00°28'59" W FOR A DISTANCE OF 1358.99 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.81 FEET TO THE NE SECTION CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 17, N 87°19'17" E FOR A DISTANCE OF 22.85 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES;

1. S 00°32'01" E FOR A DISTANCE OF 2650.36 FEET;
2. S 00°29'30" E FOR A DISTANCE OF 2482.99 FEET;
3. S 09°58'26" E FOR A DISTANCE OF 121.84 FEET;
4. S 00°19'48" E FOR A DISTANCE OF 27.88 FEET;
5. N 89°38'15" E FOR A DISTANCE OF 95.00 FEET;
6. S 00°16'18" E FOR A DISTANCE OF 27.16 FEET;
7. S 33°22'45" W FOR A DISTANCE OF 90.10 FEET;
8. S 00°18'45" E FOR A DISTANCE OF 248.00 FEET;
9. S 89°41'15" W FOR A DISTANCE OF 50.00 FEET;
10. S 00°18'45" E FOR A DISTANCE OF 2293.50 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SECTION 20; THENCE ALONG SAID NORTH LINE S 89°18'45" W FOR A DISTANCE OF 45.00 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 20; THENCE N 01°35'04" W FOR A DISTANCE OF 2619.96 FEET; THENCE S 00°25'31" W FOR A DISTANCE OF 4733.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17.98 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 18 SAID POINT BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7,

N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE; THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;

THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;

THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;

THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;

THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;

THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;

ON A CURVE TO THE LEFT HAVING A RADIUS OF 985.00 A DELTA ANGLE OF 14°34'53" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;

THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;

THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;

2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 1242.34 FEET TO A POINT OF CURVATURE;

4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;

5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.02 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;

THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE,

S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.78 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7,
THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF
LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY
85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE
FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA
ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH
BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF
SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING
THREE (3) COURSES AND DISTANCES;

1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-
OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY
LINE,

N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE
1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF
BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 54.44 ACRES.

RESOLUTION P2020-009

RESOLUTION NO. P2020-009

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF AN ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5 AND INITIAL ZONING TO ‘C-2’ HEAVY COMMERCIAL FOR LAND LEGALLY DESCRIBED IN EXHIBIT A.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing an application submitted by Cesar Rodriguez Gallardo for an annexation, known as the C&M Rodriguez Annexation Nos. 1 – 5 and Initial Zoning to the ‘C-2’ Heavy Commercial Zone District; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the annexation and initial zoning conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 500 feet, and posting of the hearing on the site.

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 and Initial Zoning to the ‘C-2’ Heavy Commercial Zone District, conditional upon the following:

- I. Prior to recording the annexation map:
 - A. The title of the annexation and initial zoning map shall include the Project No. LUP2020-0008, and Plan Nos. ANX2020-0002 and COZ2020-0002.
 - B. Any redline comments provided by City Staff shall be made to the annexation map.
 - C. Show the current and proposed zoning on the annexation map.
 - D. Written evidence shall be provided that the comments from the Public Works Director have been adequately addressed.
 - E. Written evidence shall be provided that the comments from the Northern Colorado Water Conservation District have been adequately addressed.

- F. Written evidence shall be provided that the comments from Kerr-McGee Gathering LLC have been adequately addressed.
- G. Written evidence shall be provided that the comments from Weld County Department of Planning Services have been adequately addressed.
- H. Written acknowledgement of the comments from Public Service Company of Colorado (Xcel Energy) shall be provided.

DONE THIS 9th DAY OF APRIL, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

EXHIBIT A
PROPERTY DESCRIPTION

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;

THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;
THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;
THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;
1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°25'31" E FOR A DISTANCE OF 4733.45 FEET;
THENCE S 01°35'04" E FOR A DISTANCE OF 2619.96 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;
THENCE ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20, N 89°18'45" E FOR A DISTANCE OF 35.00 FEET; THENCE S 00°18'28" E FOR A DISTANCE OF 1322.01 FEET; THENCE S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4; THENCE ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;
THENCE DEPARTING SAID WEST LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7.23 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE W 1/2 OF SECTION 17 AND THE NW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;
THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'51" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1358.99 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.81 FEET TO THE NE SECTION CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 17, N 87°19'17" E FOR A DISTANCE OF 22.85 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES;

1. S 00°32'01" E FOR A DISTANCE OF 2650.36 FEET;
2. S 00°29'30" E FOR A DISTANCE OF 2482.99 FEET;
3. S 09°58'26" E FOR A DISTANCE OF 121.84 FEET;
4. S 00°19'48" E FOR A DISTANCE OF 27.88 FEET;
5. N 89°38'15" E FOR A DISTANCE OF 95.00 FEET;
6. S 00°16'18" E FOR A DISTANCE OF 27.16 FEET;
7. S 33°22'45" W FOR A DISTANCE OF 90.10 FEET;
8. S 00°18'45" E FOR A DISTANCE OF 248.00 FEET;
9. S 89°41'15" W FOR A DISTANCE OF 50.00 FEET;
10. S 00°18'45" E FOR A DISTANCE OF 2293.50 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SECTION 20; THENCE ALONG SAID NORTH LINE S 89°18'45" W FOR A DISTANCE OF 45.00 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 20; THENCE N 01°35'04" W FOR A DISTANCE OF 2619.96 FEET; THENCE S 00°25'31" W FOR A DISTANCE OF 4733.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17.98 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 18 SAID POINT BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7,

N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE; THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;

THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;

THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;

THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;

THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;

THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;

ON A CURVE TO THE LEFT HAVING A RADIUS OF 985.00 A DELTA ANGLE OF 14°34'53" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;

THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;

THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 1242.34 FEET TO A POINT OF CURVATURE;
4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;
5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;
 THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
 THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.02 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;
 THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;
 THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;
 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;
 THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;
 1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
 2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
 3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
 4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
 5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
 6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
 7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE,
 S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.78 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;

2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;

3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE,

N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 54.44 ACRES.

MINUTES

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles. She stated that

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two, and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT

C&M RODRIGUEZ ANNEXATION STAFF REPORT
PROJECT NO. LUP2020-0008 / PLAN NOS. ANX2020-0002 & COZ2020-0002

PROJECT DESCRIPTION

Project No.: LUP2020-0008 / Plan Nos. ANX2020-0002 & COZ2020-0002

Project name: C&M Rodriguez Annexation and Initial Zoning

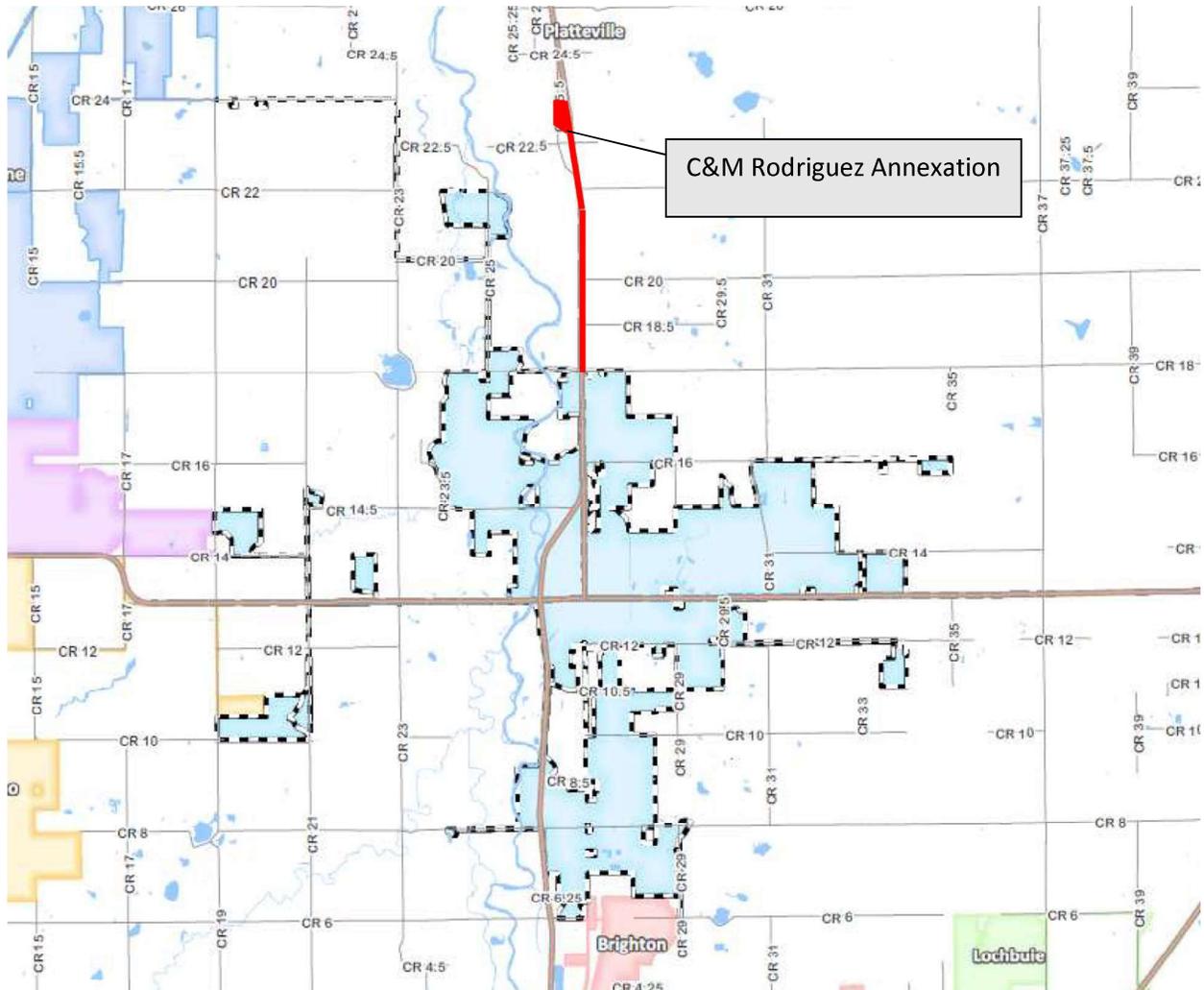
Owner's Name: Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. ("Applicant")

Representative: Shannon Toomey with AGPROfessionals

Location of Request:

The site consists of a parcel of land located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado (Parcel No. 130907100006) (the "Property"). A portion of Highway 85, County Road 22 ½ and County Road 25 ½ rights-of-way are also included in the annexation as a 'flagpole' in order to meet contiguity. The annexation is located in Sections 19, 20, 18, and 7, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado.





The Property is primarily surrounded by agricultural and rural residential land uses. Additionally, nearby there are several Weld County Use by Special Review permits including oil and gas service lines, mineral resource development facilities, a vehicle and RV storage/trucking facility and a tractor implement dealership. Unincorporated Weld County surrounds the property on the east, south, and west sides. The parcel to the north is within the Town of Platteville.

Nature of Request:

The Applicant has submitted a request for annexation of the parcel of land with initial designation to the 'C-2' Heavy Commercial Zone District. The Property is currently permitted under Weld County Use by Special Review Permit USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry. The site is currently developed with a shop/storage building and a modular office building. A 6' metal panel fence surrounds the property. A special use permit application has been submitted concurrently with this annexation request.

Site Size: Total: 84.31 acres

Subject Property: 17.53 acres

Proposed Zone District: 'C-2' Heavy Commercial

Concept Land Use Plan: The Applicant will be requesting a special use permit for an oil and gas service business with an office, shop, and outside storage area for vehicles and equipment. This request has been submitted concurrently with this annexation and initial zoning review, and will be reviewed at a separate public hearing before Planning Commission and City Council.

Existing Use: The use will remain the same. Currently the property contains an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment.

Hearing Dates: Planning Commission – April 9, 2020 at 6:00 PM; and
City Council – April 21, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as listed in the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

To staff's knowledge, there are no prior applications for these properties through the City of Fort Lupton. The Property is currently permitted under Weld County Use by Special Review Permit USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry.

APPLICATION PROCESS

The Applicants are requesting approval of an annexation and initial zoning to the 'A' Agricultural Zone District.

An annexation is processed under [Chapter 15: Annexation](#) of the Fort Lupton Municipal Code ("Code").

After required public notice of annexation and initial zoning, the Planning Commission shall review the annexation map, the concept land use plan and the zoning request at a public hearing, and shall submit a written recommendation to City Council.

The City Council shall then conduct a public hearing and consider the approval of an ordinance annexing the property to the City without election if it finds that the annexation is in compliance with the requirements of the Colorado Municipal Annexation Act of 1965, as amended, and the Fort Lupton Municipal Code. The City Council shall then either:

1. Approve, or approve with conditions, the ordinances for annexation and initial zoning. Approval may be contingent upon specific changes to the zoning or to the annexation agreement provided to the City Council prior to the public hearing.
2. Disapprove the ordinances to annex and initially zone the Property. If the City Council disapproves annexation, no similar request may be heard for a period of one year from the date of denial.

NOTIFICATION REQUIREMENTS

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site, and the

publishing notice of the hearing in the Fort Lupton Press for four consecutive weeks, with the first publication being at least 30 days prior to the City Council public hearing.

In addition, notice of the public hearings, as well as the resolution and petition, was sent to the Weld County Commissioners and Weld County Attorney, the school district and all special districts on March 10, 2020 by certified mail, return-receipt requested. The annexation impact report was sent on March 10, 2020 to the Weld County Commissioners by certified mail, return-receipt requested.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

This annexation meets the requirements set forth by the Municipal Annexation Act of 1965, as amended and by [Chapter 15 of the Municipal Code](#) relating to Annexation. The Planning Department staff has determined that the applicant has submitted all required documents pursuant to the Code.

Section 15-3 of the Municipal Code outlines the Annexation Policy, which is:

- a) The City Council shall have the sole discretion in the annexation of territory proposed for annexation to the City, and the City is under no obligation to approve any annexation petition.

Staff Comment: On March 3, 2020, the City Council accepted the annexation petition and set the public hearing date for this matter on April 21, 2020.

- b) Land to be annexed shall conform to the goals, policies and strategies of the City.

Staff Comment: The Planning Department finds that the annexation meets the goals, policies and strategies of the City, specifically in relation to the Comprehensive Plan, which is further explained later in this Staff Report.

- c) The petitioner for annexation of land to the City shall be responsible for paying all required fees and for all related costs and overhead incurred by the City in reviewing and processing the annexation petition.

Staff Comment: The Applicant has paid all required land use fees, and has a fee deposit established to cover any costs related to the project.

- d) Annexation shall not divide tracts of land in such a way as to prevent annexation of adjoining land.

Staff Comment: The proposed annexation will not prevent future annexation of land.

- e) All annexations shall be accompanied by an [annexation] agreement between the petitioner and the City, stating conditions related to municipal services or other terms of annexation that are not specifically provided for in the Code.

Staff Comment: The Applicant and City Attorney are working in good faith to finalize an annexation agreement. A draft will be provided to the Fort Lupton City Council for consideration prior to the public hearing.

- f) Unless specifically deferred by the City Council, zoning of the property shall occur concurrently with the annexation. Proposed zoning shall conform to a concept land use plan submitted with the annexation petition. In the event that sufficient planning has not been done to define zoning boundaries at the time of annexation, the City may zone the property "A," Agricultural, as an interim zoning classification.

Staff Comment: The Applicant is requesting zoning to the 'C-2' Heavy Commercial Zone District.

- g) Required contiguity of noncontiguous parcels proposed for annexation may be achieved by annexation of one (1) or more portions of street right-of-way or other public way, a process commonly referred to as “flagpole” annexation.

Staff Comment: The proposed annexation meets the required contiguity of noncontiguous parcels.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area as the Commercial Transition land use type. This designation identifies potential growth areas for commercial development outside the municipal boundaries or primary commercial districts of Fort Lupton. These areas should support gradual, long-term commercial investment outward from the City’s urban core, including incremental transitioning of agricultural uses to commercial development. The proposed zoning to C-2 Heavy Commercial conforms to this land use designation.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

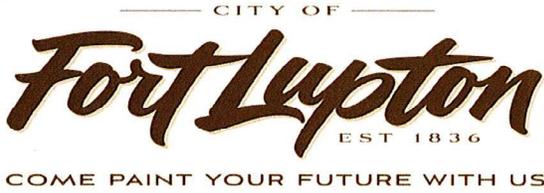
Building Inspector	CDOT	CenturyLink
City Attorney	Comcast	Division of Water Resources
Fort Lupton Fire Protection District	GIS Specialist	NCWCD
OMI	Platteville Ditch Company	Police Chief
Postmaster	Public Works Director	Town of Platteville
United Power	Weld County Department of Planning	Weld County Department of Public Health & Environment
Weld County Public Works	Weld County School District RE-8	Xcel Energy

RECOMMENDATION

Staff recommends conditional approval of the C&M Rodriguez Annexation and Initial Zoning to 'C-2' Heavy Industrial. Conditions are listed on the proposed Resolution provided to Planning Commission.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

LAND USE APPLICATION & PROJECT DESCRIPTION



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
 Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: Cesar Rodriguez Gallardo
 Company: C&M Rodriguez Services, Inc.
 Phone: (303) 746-4530 Email: jr.cmrodriguez@gmail.com
 Address: PO Box 677, Fort Lupton, CO 80621

Preferred method of contact? Email: Phone: Mail:

2) Representative Name: Shannon Toomey
 Company: AGPROfessionals
 Phone: (970) 535-9318 Email: stoomey@agpros.com
 Address: 3050 67th Avenue, Greeley, CO 80634

Preferred method of contact? Email: Phone: Mail:

3) Billing Contact (where invoices should be directed to): Cesar Rodriguez
 Billing Company: C&M Rodriguez Services, Inc.
 Phone: (303) 746-453 Email: jr.cmrodriguez@gmail.com
 Address: PO Box 677 Fort Lupton, CO 80621

B. SITE DESCRIPTION

Site Address: 10992 County Road 25 1/2

Parcel Number: 130907100006

Existing Zone Classification: Agriculture Proposed Zone Classification: C-2

Water Type: District Name: Central Weld County Water District

Sewage Type: Septic Tank District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|--|---|---|
| <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input type="checkbox"/> Minor Subdivision | <input checked="" type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input checked="" type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

D. PROJECT DESCRIPTION

Project Name: C&M Rodriguez

Please provide a short description of the proposed project in the space provided below:

Annexation, change of zone, and special use permit for the 18.35-acre property. Change of zone will be from Agriculture to C-2. Property contains existing oil and gas service business with an office, shop building, and outside storage area for vehicles and equipment. The proposed SUP will re-permit this use in Fort Lupton. The site will not be used for public access.

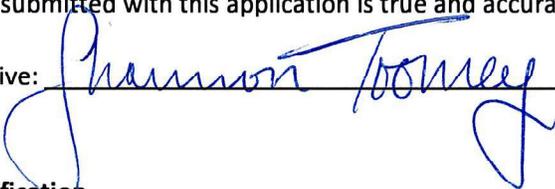
E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 2/17/2020

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: Cesar Rodriguez Gullardo Date: 02-19-2020

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Annexation and Zoning Project Narrative

Prepared for C&M Rodriguez Services, Inc.

Introduction

C&M Rodriguez Services, Inc. (C&M) is requesting the annexation and zoning of their property located in part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 7, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado, being Lot B of Recorded Exemption RE-4015, containing 18.35 acres, more or less. The subject property is adjacent to Colorado Highway 85 and Weld County Road (CR) 25.5, approximately $\frac{1}{8}$ mile north of Weld County Road 22.5. The C&M Annexation requests the annexation of only the C&M parcel located at 10992 County Road 25.5 and portions of Highway 85, County Road 22.5 and County Road 25.5. The total annexation area, including right-of-way, is approximately 76.59 acres.

The subject property is eligible for annexation and capable of integration into the City of Fort Lupton. The annexation area is less than three miles from the City of Fort Lupton's municipal boundaries. Annexation proceedings have not been commenced by another municipality. Additionally, a community of interest exists between the area proposed to be annexed and the City of Fort Lupton as this will be the northern border with the Town of Platteville.

The C&M zoning request is the C-2 (Heavy Commercial) Zone District. The C-2 Zone District is intended to provide an environment adaptable to commercial uses that require heavy auto and truck traffic or outdoor storage and display. Such business activities develop economic strength and, with proper development standards, create a convenient, compatible pattern of land use. This zoning is appropriate for the site due to its proximity to Highway 85, which currently supports similar businesses. The subject property is located at the northern extents of the town's intended boundaries and should be considered a transitional area for potential growth for commercial development along the Highway 85 corridor. The adjacent property located to the north was annexed to Platteville and retained its Agricultural zoning while supporting a commercial business.

Description of Site

The subject property was created through the Weld County Recorded Exemption process in 2007. In 2008, Use by Special Review USR-1591 which encumbered Lots A and B of RE-4015, was approved for outdoor vehicle, RV, and equipment storage. In 2012, C&M vacated USR-1591 from Lot B and permitted the property under USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry. The site is currently developed with a 9,000 sq. ft. shop/storage building and an 800 sq. ft. modular office building. The site is screened by a continuous 6' metal panel fence surrounding the

ENGINEERING, PLANNING, CONSULTING & REAL ESTATE

3050 67th Avenue, Suite 200 □ Greeley, CO 80634

970.535.9318 / office □ 970.535.9854 / fax □ www.agpros.com

property with the eastern edge being adjacent to Highway 85 and WCR 25.5 to the west. C&M understands that a City of Ft. Lupton Special Use permit will be required as part of the land use development process.

The operations area of the site is an improved gravel surface with native grass and vegetation outside of the improved surface. Existing trees are central to the property.

The existing land uses in the area surrounding the subject property are primarily agricultural and rural residential with several Weld County Use by Special Review permits including oil and gas service lines, mineral resource development facilities, a vehicle and RV storage/trucking facility and a tractor implement dealership.

The property is within the Central Weld County Water District (CWCWD). As part of the 2012 development process for USR12-0019, CWCWD provided a non-opposition letter for a well permit due to CWCWD's inability to serve the site. Well Permit 76008-F was approved on May 10, 2013 for commercial use and provides water to the site. An existing septic system permitted under SP-1200117 currently provides sewage disposal on the property. The commercial well and septic system are proposed to serve the subject property until a water and wastewater main is extended adjacent to the subject property, water and sanitary tap(s) are purchased, and appropriate infrastructure is installed. It is unknown if the City of Fort Lupton has plans for extending or providing municipal services to the area to be annexed. However, the water and septic system are adequate for the current use.

Potential Impacts on Surrounding Properties and Districts

The property is located immediately adjacent to Highway 85, a farm tractor implement dealership located in Platteville, an auto body and paint business, and a vehicle outdoor storage facility. The proposed zoning is compatible with the existing and expected future development of the area as the adjacent businesses are commercial and light industrial in nature. As the subject property and surrounding properties are currently in the Weld County (A) Agricultural Zone District or the Town of Platteville (A) Agricultural Zone District, this zoning request is not expected to change the character of the area as we would expect the Highway 85 corridor to continue to develop with commercial and light industrial uses in the future.

The proposed zoning is consistent with the Comprehensive Plan and Three Mile Area Plan. Agricultural and rural residential uses are identified for the site and surrounding area on the Future Land Use Map included in the Fort Lupton Comprehensive Plan. The subject property is located in Quadrant II of the Three Mile Area Plan. Future land uses identified for this area include agricultural, rural residential, commercial transition, light industrial and office, mineral zone, parks and open space and public / semi-public. The existing site improvements make the property suitable for future commercial transition or light industrial uses in keeping with future plans for the area.

Districts within the area to be annexed include:

- Central Weld County Water District
- Valley RE-1 School District
- Platteville-Gilcrest Fire Protection District
- Longmont Conservation District
- High Plains Library District
- AIMS

The annexation and zoning are not expected to impact the school district governing the area to be annexed.

Conclusion

The subject property is eligible for annexation and capable of integration into the City of Fort Lupton.

Because the property is located within the Highway 85 corridor the land and future annexation opportunities lend themselves to a mixture of commercial, industrial and residential development. Annexation will also create an anchor point for development within the Highway 85 corridor and Quadrant II to allow the City to control the development of adjacent lands in order to preserve and promote the best interest of the City.

The proposed annexation and zoning align with the intent of the City of Fort Lupton's Comprehensive Plan, specifically the following section of the Growth and Development Chapter:

- **Commercial** – The intent of C-2 Heavy Commercial District is to provide an environment adaptable to commercial uses that require heavy auto and truck traffic or outdoor storage and display.

The proposed uses will complement the surrounding land uses currently adjacent to the property. The proposed uses are not expected to be detrimental to the public health, safety, or general welfare as similar uses exist through other entities in the surrounding area. The proposed annexation and zoning will conform to applicable City of Fort Lupton zoning regulations and standards.

**ANNEXATION AGREEMENT &
PETITION FOR ANNEXATION**



COME PAINT YOUR FUTURE WITH US

Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

C & M Rodriguez **ANNEXATION AGREEMENT**

THIS AGREEMENT is made and entered into this _____ day of _____, 2020, by and between C&M Rodriguez Services, LLC (“Owner”) and the City of Fort Lupton (“Fort Lupton” or “City”), a municipal corporation of the State of Colorado (collectively, the “Parties”).

WITNESSETH:

WHEREAS, Owner desires to annex to Fort Lupton the property more particularly described on Exhibit A, which is attached hereto, incorporated herein, and made a part hereof (such property is hereinafter referred to as “the Property”); and

WHEREAS, Owner has executed a petition to annex the Property, a copy of which petition is attached hereto as Exhibit B, and incorporated herein and made a part hereof; and

WHEREAS, it is to the mutual benefit of the Parties hereto to enter into the following Agreement; and

WHEREAS, Owner acknowledges that upon annexation, the Property will be subject to all ordinances, resolutions, and other regulations of Fort Lupton, as they may be amended from time to time; and

WHEREAS, the Parties mutually agree that the annexation of the Property shall not create any additional cost or impose additional burden on the existing residents of the City to provide public facilities and services to the Property after annexation; and

WHEREAS, Owner acknowledges that the need for conveyances and dedication of certain property, including but not limited to property for rights of ways and easements to Fort Lupton as contemplated in this Agreement, are directly related to and generated by development intended to occur within the Property and that no taking thereby will occur requiring any compensation.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES AND THE CONVENANTS AS HEREINAFTER SET FORTH, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. **Maps and Surveys.** Owner agrees to execute, promptly upon request of Fort Lupton, any and all maps, surveys, engineering, master planning, annexation impact reports and public notice and other documents necessary to finalize the annexation of the Property and the other provisions of this Agreement.
2. **Exclusivity.** Owner agrees to not sign any other petition for annexation of the Property or any petition for an annexation election relating to the Property, except upon request of Fort Lupton.
3. **Fees.** Owner agrees to pay Fort Lupton an annexation fee in the amount of \$[1,146.80].
4. **Resolution of Substantial Compliance.** Fort Lupton shall act upon the annexation petition on [____], 20[____] and shall set a public hearing for [____], 20[____], unless Owner consents to later action.
5. **Zoning.** Parties recognize that it is necessary by State law to zone the Property within 90 days of annexation, and that the most appropriate use of the Property is for [commercial] purposes. Owner has submitted a request to zone the Property [C-1] ([General Commercial]) and the City will act upon this request following a public hearing on [____]. The Parties recognize that it is the intent and desire of Owner to develop the Property in a manner consistent with the zoning requested and that the granting of such zoning by Fort Lupton is a condition to annexation of the Property. Owner shall take all actions necessary to permit zoning by Fort Lupton of the annexed Property within the time prescribed by State statutes. The Owner recognizes that the City has adopted design standards for [commercial] uses and the Owner will comply with, and adhere to, these guidelines subject to the terms of this Agreement.
6. **Rights-of-Way and Easements.** Owner agrees to dedicate by General Warranty Deed or appropriate instrument of conveyance acceptable to the City, easements and rights-of-way for streets and other public ways and for other public purposes, as required by City master plans, ordinances, and resolutions. Such dedications shall occur immediately upon request of the City, except that internal rights-of-way shall be dedicated at the time of subdivision platting, unless the City specifies another time.
7. **Streets.** Owner agrees to design, improve, and provide signage, lighting, and signalization for all public streets and other public ways within or adjacent to the Property in accordance with City ordinances and resolutions and other applicable standards, subject to any reimbursement which may be provided for in such ordinances, resolutions, and standards, and to make such other improvements as required by City ordinances and resolutions, to guarantee construction of all required improvements, and, if requested by Fort Lupton, to dedicate to Fort Lupton any or all other required

improvements. Owner agrees to enter into an agreement pertaining to such improvements and other matters prior to any development and/or subdivision of the Property.

In the event traffic numbers and usage significantly exceed those represented by Owner and relied upon by the City for compilation of the traffic study applicable to this project, future improvements to the truck routes may be required by the City for reasons related to site activity or truck circulation patterns and numbers, roadway classification changes and newly permitted facilities affecting the truck haul route traffic usage. Owner shall pay a proportionate cost share of future improvements not described herein based on the Owner's percentage of truck total trips using the current data on the haul route in comparison to the numbers and usage represented by Owner in compilation of the traffic study. After execution of this Agreement, the City may retain a third party traffic study consultant to evaluate traffic data usage by Owner and provide said study to Owner prior to the imposition of any costs stated herein.

8. **Compliance with Master Plans.** Owner agrees that future development of the Property will comply with any adopted infrastructure plans, including but not limited to, transportation, drainage, water, sewer, land use and comprehensive plans.
9. **Special Improvement Districts.** If requested by Fort Lupton, Owner agrees to include the Property in one or more special improvement districts or other mechanisms established by Fort Lupton for making improvements to streets and other public ways, or for making other public improvements authorized by law, and Owner hereby appoints the City Administrator of Fort Lupton as Owner's attorney-in-fact for the purpose of executing all documents determined by Fort Lupton to be necessary for such inclusion. If requested by Owner, Fort Lupton agrees to consider the establishment of one or more special improvement districts for making such improvements.
10. **Compliance with Ordinances, Resolutions and Standards.** Owner agrees that the design, improvement, construction, development, and use of the Property shall be in conformance with, and that Owner shall comply with, all City ordinances and resolutions including, without limitation, ordinances and resolutions pertaining to subdivision, zoning, storm drainage, utilities, and flood control.
11. **Limitations.** Nothing contained in this Agreement shall constitute or be interpreted as a repeal of the City's ordinances or resolutions, or as a waiver of the City's legislative, governmental, or police powers to promote and protect the health, safety, and welfare of the City and its inhabitants; nor shall this Agreement prohibit the enactment or increase by the City of any tax or fee.
12. **Disconnection.** No right or remedy of disconnection of the Property from the City shall accrue from this Agreement, other than that provided by applicable State laws. In the event the Property or any portion thereof is disconnected at Owner's request, Fort Lupton shall have no obligation to serve the disconnected Property or portion thereof and this Agreement shall be void and of no further force and effect as to such Property or portion thereof.

13. **Severability.** The Parties agree that if any part, term, portion, or provision of this Agreement is held by a court of competent jurisdiction to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining parts, terms, portions, or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, portion, or provision held to be invalid.
14. **Municipal Services.** Fort Lupton agrees to make available to the Property all of the usual municipal services in accordance with the ordinances and policies of the City, which services include, but are not limited to, police protection and water and sewer services. Owner acknowledges that City services do not include, as of the date of the execution of this Agreement, fire protection or emergency medical services, but the Property is presently included within the boundaries of and is entitled to receive such services from the Fort Lupton Fire Protection District.
15. **Existing Water Rights.** Fort Lupton acknowledges that Owner's underground water rights are limited to certain wells located on the Property. Fort Lupton agrees that Owner shall retain the well rights until such time that municipal water serves the Property. At such time that the Property is served by municipal water the wells shall be transferred to the City at the City's option. In the event that Owner conveys its water rights to Fort Lupton, Owner shall convey all pertinent easements for access, use, maintenance and repair.
16. **Future Conveyance of Water Rights.** In accordance with Fort Lupton Municipal Code Section 13-122, Owner agrees to convey to the City all water rights necessary for development, and any related stock certificates evidencing ownership of the water rights, free and clear of all encumbrances and with all taxes and assessments related hereto paid in full, but the City retains the right to require cash in lieu thereof. Water rights may be conveyed on a pro-rata basis as the Property develops.

Owner hereby acknowledges its receipt of a copy of Fort Lupton Municipal Code Section 13-122 concerning City policy with respect to the dedication of water rights, or cash in lieu, to the City in connection with annexations, and agrees to comply with such resolutions and with any amendments thereto, including any applicable amendments adopted subsequent to the annexation of the subject Property.

17. **Parks and Public Lands.** Owner agrees to dedicate to the City, or pay cash in lieu of land, areas to be used for public purposes if required by City at the time of platting. Lands dedicated shall be acceptable to City and shall comprise six (6) percent of gross residential and two (2) percent of gross non-residential land. All dedicated lands shall be platted by the Owner in accordance the City's subdivision regulations. Owner agrees to pay to City at the time of building permit any applicable park development fees as enacted by City Council by ordinance.

18. **Cooperation.** The Parties agree that they will cooperate with one another in accomplishing the terms, conditions, and provisions of the Agreement, and will execute such additional documents as necessary to effectuate the same.
19. **Amendments.** This Agreement may be amended with the written consent of the City and Owner of the Property. Such amendments shall be in writing, shall be recorded with the County Clerk of Weld County, Colorado, shall be covenants running with the land, and shall be binding upon all persons or entities having an interest in the Property subject to the amendment unless otherwise specified in the amendment.
20. **Sole Agreement.** This Agreement embodies the entire agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement supersedes all previous communications, representations, or agreements, either verbal or written, between the Parties.
21. **Liability.** Owner agrees to indemnify and hold harmless the City and the City's officers, employees, agents, and contractors, from and against all liability, claims, and demands, including attorney's fees and court costs, which arise out of or are in any manner connected with the annexation of the Property, or with any other annexation or other action determined necessary or desirable by the City in order to effectuate the annexation of the Property, or which are in any manner connected with Fort Lupton's enforcement of this Agreement. Owner further agrees to investigate, handle, respond to, and to provide defense for and defend against or at the City's option to pay the attorney's fees for defense counsel of the City's choice for any such liability, claims, or demands.
22. **No Waiver of Governmental Immunity.** The City, its elected officials, officers and employees are relying upon, and do not waive or intent to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, C.R.S. Sec. 24-10-101 et seq. as amended or otherwise available to the City. Nothing herein shall operate as a waiver of any right the City has of governmental immunity under Colorado law which is specifically herein reserved.
23. **"Owner" Defined.** As used in this Agreement, the term "Owner" shall include any of the heirs, transferees, successors, or assigns of Owner, and all such parties shall have the right to enforce this Agreement, and shall be subject to the terms of this Agreement, as if they were the original Parties thereto.
24. **External References.** As used in this Agreement, unless otherwise specifically provided herein, any reference to any provision of any City ordinance, resolution, or policies are incorporated herein by reference, and the Parties agree that amendments or revisions thereto shall be binding upon Owner.
25. **Transferability.** This Agreement shall be binding upon and inure to the benefit of the heirs, transferees, successors, and assigns hereof, and shall constitute covenants running with the land.

26. **Recording.** This Agreement shall be recorded with the County Clerk of Weld County, Colorado, at Owner's expense.
27. **Enforcement.** Subject to the conditions precedent herein, this Agreement may be enforced in any court of competent jurisdiction.
28. **Termination.** This Agreement shall be null and void if the City fails to approve the annexation of the Property.
29. **No Assurance of Annexation.** The Owner acknowledges that the annexation and zoning of the Property are subject to the legislative discretion of the Fort Lupton City Council. No assurances of annexation or zoning have been made or relied upon by Owner. In the event that, in the exercise of its legislative discretion, any action with respect to the Property herein contemplated is not taken, then the sole and exclusive remedy for the breach hereof accompanied by the exercise of such discretion shall be the withdrawal of the petition for annexation by the Owner, or disconnection from the City in accordance with State law, as may be appropriate.
30. **Inclusion in NCWCD.** The Owner consents to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub-district pursuant to Section 97-45-136 (3.6) C.R.S. and to pay the appropriate inclusion fees and costs associated with such inclusion **within six months of the date of annexation.** Owner acknowledges that, upon inclusion into the district and sub-district, Owner's Property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and sub-district at the time of inclusion of Owner's lands. Owner agrees to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and sub-district can impose such mill levies and special assessments as it has the authority to impose. Owner also agrees to waive, upon inclusion, any right, which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.

Exhibit A

Legal Description

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception No. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West of the 6th PM, County of Weld, State of Colorado.

EXHIBIT B

Signed Petition for Annexation (Attached)

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF FORT LUPTON, COLORADO

We, the undersigned landowners, in accordance with Colorado law, hereby petition the City of Fort Lupton and its City Council for annexation to the City of Fort Lupton of the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and the State of Colorado, and to be known as the C & M Rodriguez Annexation to the City of Fort Lupton.

As part of this petition, your petitioners further state to the City Council that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the City of Fort Lupton.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fort Lupton or will be contiguous with the City of Fort Lupton within such time as required by Section 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the City of Fort Lupton.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fort Lupton.
 - e. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprises twenty acres or more, and, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the area proposed to be annexed for the annexation of such area to another municipality. The area proposed to be annexed is not part of any incorporated city, city and county, or town.

- h. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Fort Lupton was held within the twelve months preceding the filing of this petition.
 - i. The annexation of the area proposed to be annexed will not result in the detachment of said area from any school district.
 - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the City of Fort Lupton more than three miles in any direction from any point of the boundary of the City of Fort Lupton in any one year.
 - k. The territory to be annexed is 84.31 acres in total area.
 - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105 (1) (e), C.R. S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City of Fort Lupton, and the proposed land uses for the area.
 - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed but is not bounded on both sides by the City of Fort Lupton.
 - n. If required, an impact report will be prepared and filed pursuant to Section 31-12-108.5, C.R.S..
3. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the landowners and own more than fifty percent (50%) of the property, excluding public streets and alleys and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.
4. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of an annexation map shall be submitted to the City, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information:
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the annexation map.
 - d. The legal description.
 - e. Distinction of the boundary that is contiguous to the City and the length of same.
 - f. Lot and block numbers if the area is already platted.
 - g. Existing and proposed easements and rights-of-way.

- h. Existing and requested zoning and acreage of each requested zone.
 - i. Ownership of all parcels within and adjacent to the annexation.
 - j. Appropriate certification blocks as directed by the Planning Department.
5. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of a master plan shall be submitted to the City of Fort Lupton, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information.
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the master plan.
 - d. Existing and proposed easements and rights-of-way.
 - e. Block numbers and lot numbers with approximate dimensions.
 - f. Proposed gross and net residential density.
 - g. Existing watercourses with adequate easements for flood control.
 - h. Designation of all public sites to be reserved and dedicated.
 - i. Existing two-foot contours.
 - j. Appropriate certification blocks as directed by the Planning Department.
6. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of five (5) copies of all required supportive information shall be submitted to the City of Fort Lupton which shall include the following:
- a. Soils description and limitation.
 - b. Preliminary utility plan.
 - c. Mailing addresses of all property owners within five hundred (500) feet of the annexation.
 - d. Affidavit concerning the amount and historical use of all water rights owned.
 - e. Vicinity map with one and one-half (1 ½) mile radius, at a minimum scale of one (1) inch represents two thousand (2,000) feet.
 - f. Statement on community need for proposed annexation and zoning.
 - g. For all annexations in excess of ten (10) acres, the applicant shall obtain from the school district governing the area to be annexed a statement of the effect of the annexation upon the school district, including an estimate of the number of students generated by the proposed annexation and the capital construction required to educate such students.
7. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the City of Fort Lupton, except for general property taxes of the City of Fort Lupton, which shall become effective as of the January 1 next ensuing.

8. The zoning classification requested for the area proposed to be annexed is C-2 (Heavy Commercial), as shown on the annexation map attached hereto and incorporated herein.
9. As required by the City of Fort Lupton, an annexation agreement has been or will be executed by the petitioners herein and the City relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
10. As an expressed condition of annexation, landowner(s) consent(s) to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub district pursuant to Section 37-45-136 (3.6) C.R.S. to pay the appropriate fees and costs associated with such inclusion. Landowner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, landowner's(s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of landowners(s') lands. Landowner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Landowner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.
11. The non-refundable annexation application fee of \$ 1,146.80 is tendered herewith.

THEREFORE, the undersigned respectfully petition(s) the City Council of the City of Fort Lupton, to annex the territory described and referred to in Exhibit A to the City of Fort Lupton in accordance with and pursuant to the statutes of the State of Colorado.

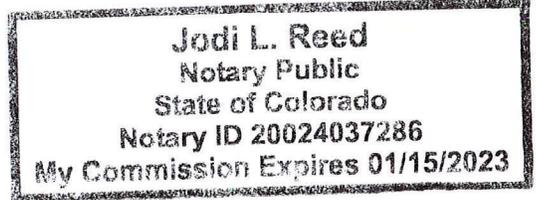
<u>Land Owner(s) Name(s) and Signature(s)</u>	<u>Mailing Address</u>	<u>Date of Signing</u>
<u>Cesar Rodriguez Gallardo</u>	_____	<u>02-19-2020</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The foregoing signature(s) was/were subscribed and sworn to before me this 19 day of February, 2020, by

Witness my hand and official seal.

My commission expires on 1-15-2023.

Jodi L Reed
Notary Public



Land Owned

See attached sheet

If necessary, attach separate sheet.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

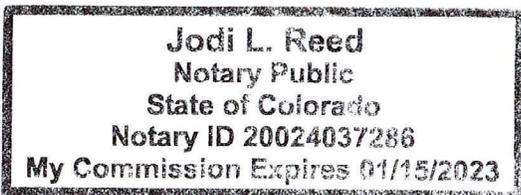
Shannon Toomey, being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

Shannon Toomey
(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 19 day of February, 2020, by Shannon Toomey.

Witness my hand and official seal.

My commission expires on 1-15-2023.



Jodi L. Reed
Notary Public

EXHIBIT A

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30"

EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;

2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;

3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;

4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;

5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;

THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED

BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
 2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
 3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
- THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°25'31" E FOR A DISTANCE OF 4733.45 FEET;

THENCE S 01°35'04" E FOR A DISTANCE OF 2619.96 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

THENCE ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20, N 89°18'45" E FOR A DISTANCE OF 35.00 FEET; THENCE S 00°18'28" E FOR A DISTANCE OF 1322.01 FEET; THENCE S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4; THENCE ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID WEST LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7.23 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE W 1/2 OF SECTION 17 AND THE NW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'51" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1358.99 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.81 FEET TO THE NE SECTION CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 17, N 87°19'17" E FOR A DISTANCE OF 22.85 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES;

1. S 00°32'01" E FOR A DISTANCE OF 2650.36 FEET;
2. S 00°29'30" E FOR A DISTANCE OF 2482.99 FEET;
3. S 09°58'26" E FOR A DISTANCE OF 121.84 FEET;
4. S 00°19'48" E FOR A DISTANCE OF 27.88 FEET;
5. N 89°38'15" E FOR A DISTANCE OF 95.00 FEET;
6. S 00°16'18" E FOR A DISTANCE OF 27.16 FEET;
7. S 33°22'45" W FOR A DISTANCE OF 90.10 FEET;
8. S 00°18'45" E FOR A DISTANCE OF 248.00 FEET;
9. S 89°41'15" W FOR A DISTANCE OF 50.00 FEET;
10. S 00°18'45" E FOR A DISTANCE OF 2293.50 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SECTION 20; THENCE ALONG SAID NORTH LINE S 89°18'45" W FOR A DISTANCE OF 45.00 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 20; THENCE N 01°35'04" W FOR A DISTANCE OF 2619.96 FEET; THENCE S 00°25'31" W FOR A DISTANCE OF 4733.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17.98 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 18 SAID POINT BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7,
 N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE;
 THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;
 THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;
 THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;
 THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;
 THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;
 THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;
 ON A CURVE TO THE LEFT HAVING A RADIUS OF 985.00 A DELTA ANGLE OF 14°34'53" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;
 THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
 THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;
 THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;
 1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
 2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
 3. S 04°32'43" E FOR A DISTANCE OF 1242.34 FEET TO A POINT OF CURVATURE;
 4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;
 5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;
 6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;
 THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
 THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.02 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;
 THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;
 THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;
 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;
 THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE,
S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.78 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

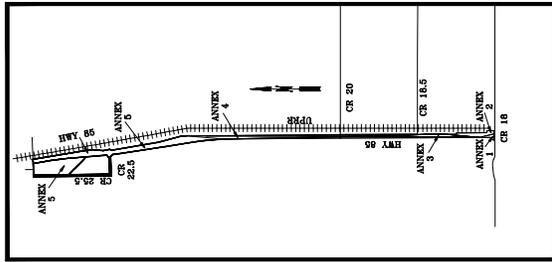
1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE,
N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

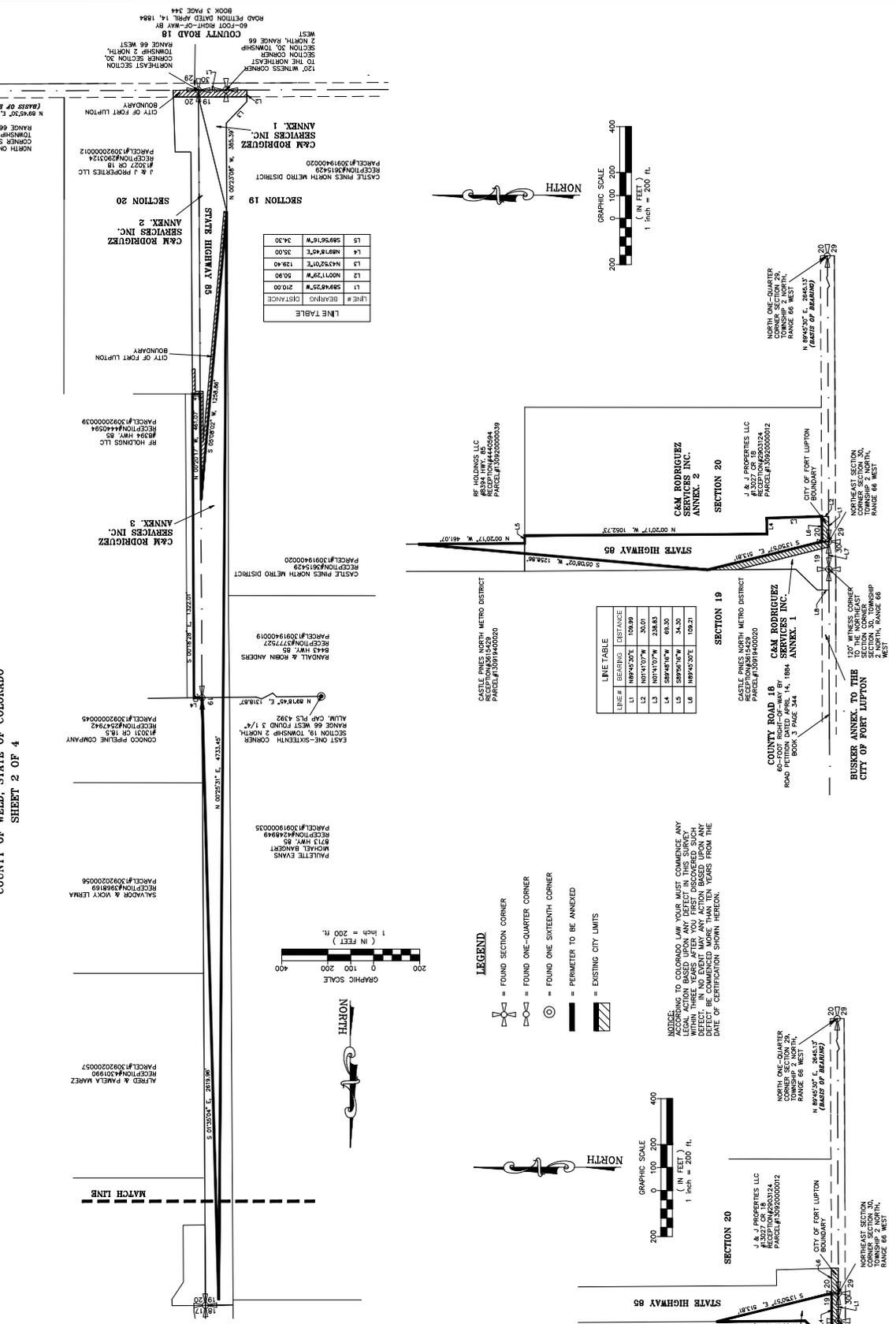
CONTAINING A COMBINED CALCULATED AREA OF 54.44 ACRES.

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°30'17" E	100.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	S89°42'57" W	200.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°30'17" E	100.00
L6	N89°42'57" E	100.21

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR MIST COMMENCE ANY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	DESCRIPTION	BY	
1	7/27/2020	ADDED RIGHT-OF-WAY	GH	
2	7/27/2020	ADDED RIGHT-OF-WAY	GH	

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

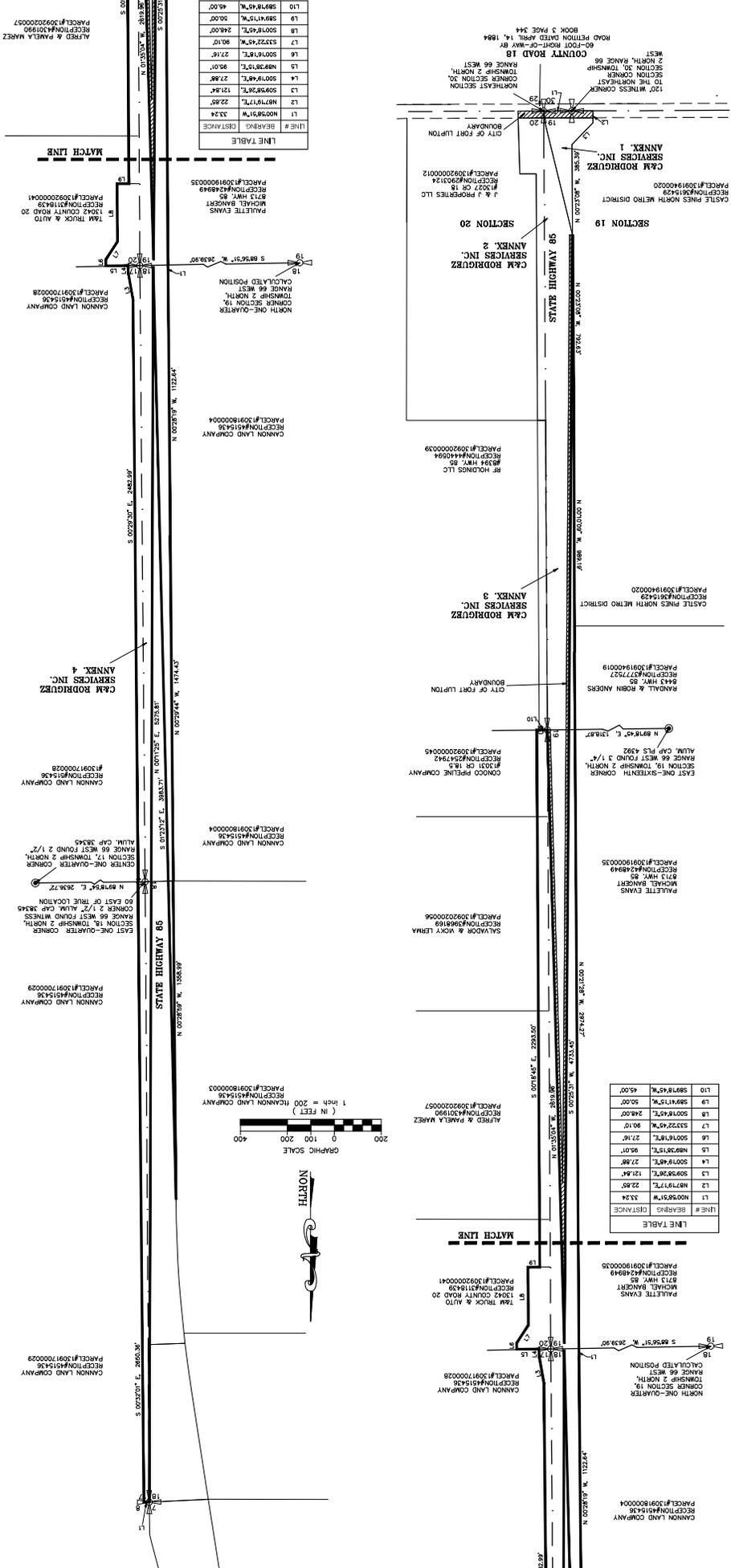
DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREOF.

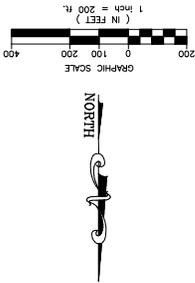
- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - ▨ = EXISTING CITY LIMITS



ANNEXATION MAP		SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.	
CLIENT: AG PROFESSIONALS		HAMMER LAND SURVEYING, INC.	
3050 67TH AVE. SUITE 200		4350 HIGHWAY 66	
GREELEY, COLORADO 80634		LONGMONT, CO 80504	
DATE: 1/21/2020		JOB#: 1322-06ANEX	
SHEET 3 OF 4			

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

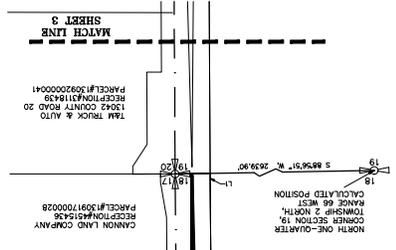
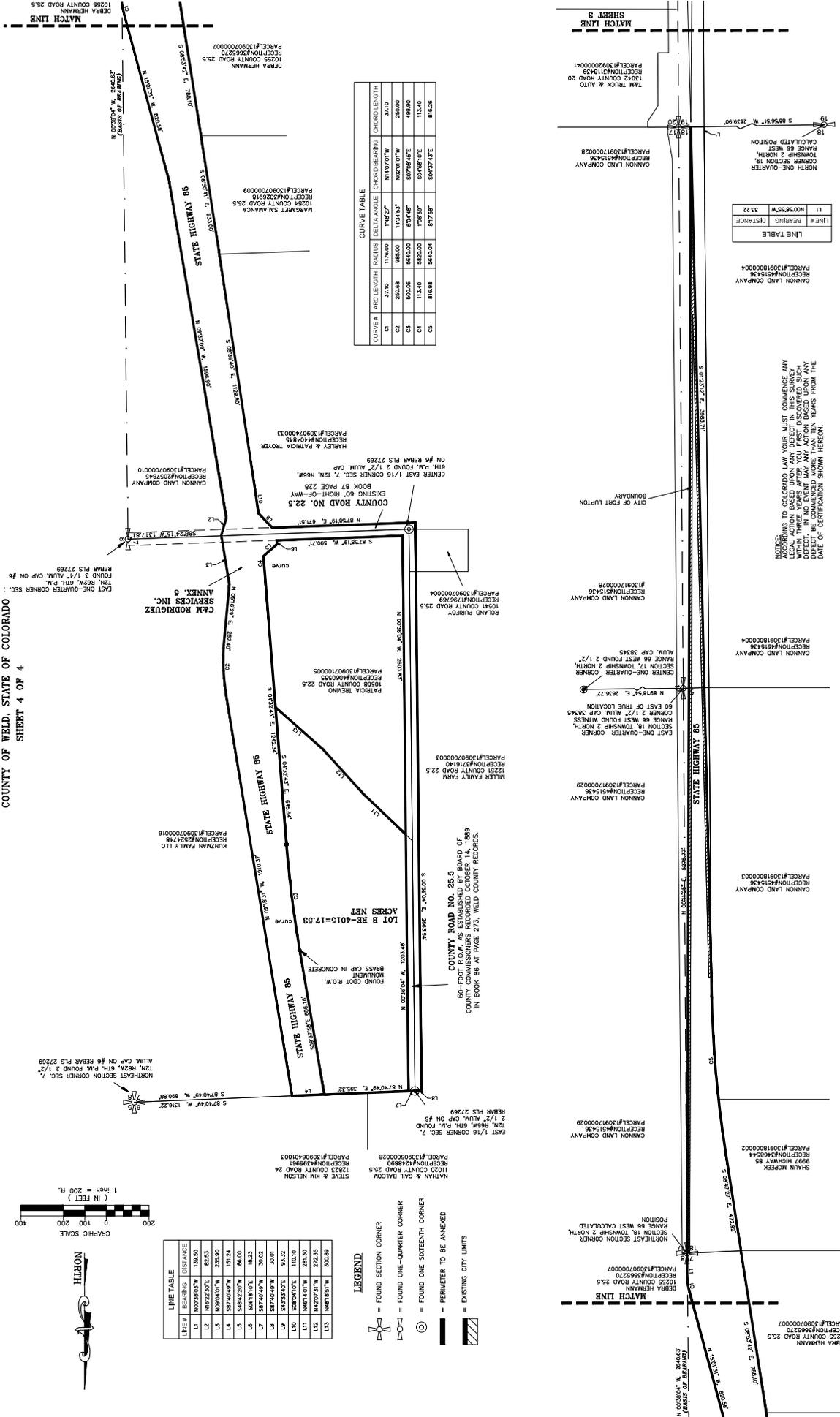


LINE#	BEARING	DISTANCE
L1	N00°05'56"W	33.22
L2	N10°22'27"E	65.33
L3	N09°04'54"W	235.90
L4	S81°24'24"W	151.24
L5	S80°48'22"W	66.00
L6	S87°46'49"W	1316.27
L7	S87°46'49"W	272.69
L8	S87°46'49"W	272.69
L9	S43°54'02"E	33.32
L10	S89°56'16"E	33.32
L11	N89°56'16"E	33.32
L12	N00°05'56"W	33.22

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	1740.00	7.6827°	N70°07'18"E	37.00
C2	65.00	3250.00	14.3247°	N65°34'41"E	65.00
C3	65.00	3250.00	14.3247°	S70°07'18"E	65.00
C4	111.40	5463.04	26.5494°	S76°42'41"E	111.40
C5	616.88	24630.4	67.5614°	S87°46'49"E	616.88



LINE#	BEARING	DISTANCE
L1	N00°05'56"W	33.22

NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

<p>ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.</p>		<p>DATE: 1/21/2020 JOB#1322-06ANNEX SHEET 4 OF 4</p>		
<p>CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634</p>		<p>PH: 970-535-9316</p>		
<p>HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504</p>		<p>PH: 970-535-9316</p>		
NO.	DATE	REVISION	BY	DESCRIPTION
1	2/17/2020	ADDRESS COMMENTS	GRH	
2	2/22/2020	ADDED NORTH-CORNER	GRH	

CITY COUNCIL RESOLUTION NO. 2020-R030

RESOLUTION NO. 2020R030

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5, AND SETTING THE PUBLIC HEARING FOR APRIL 21, 2020.

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Cesar Rodriguez Gallardo for 84.31 acres, more or less, and known as the C&M Rodriguez Annexations Nos. 1 – 5; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for C&M Rodriguez Annexation Nos. 1 – 5, and sets the hearing date for April 21, 2020, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 3rd DAY OF MARCH 2020.

City of Fort Lupton, Colorado



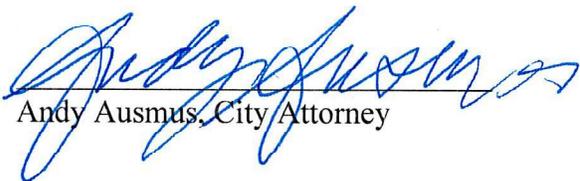
Zo Stieber, Mayor

Attest:



Maricela Peña, City Clerk

Approved as to form:



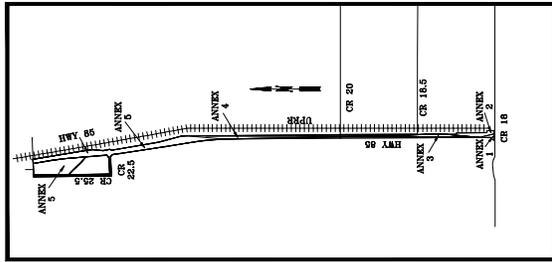
Andy Ausmus, City Attorney



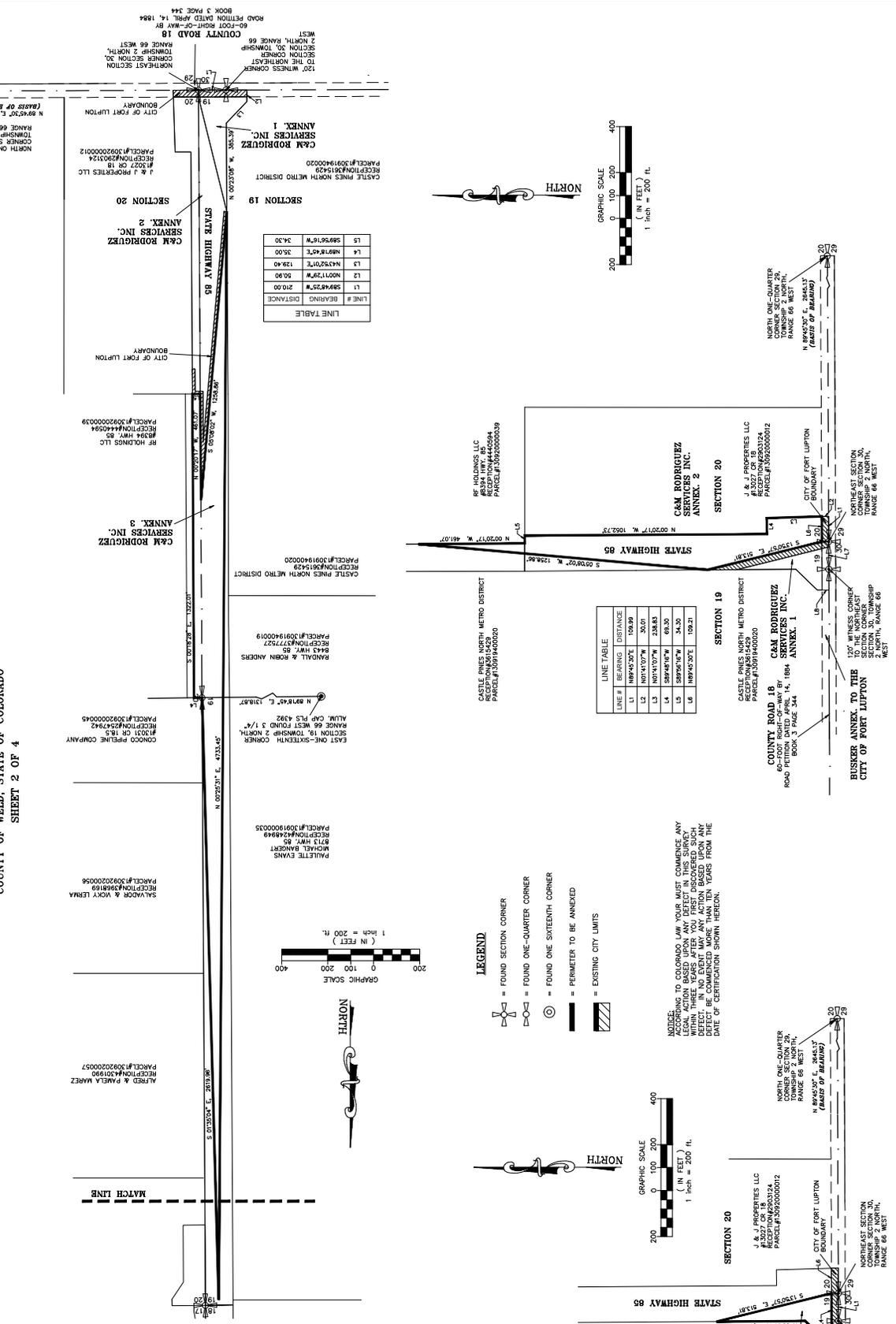
MAPS

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	50.01
L3	N00°17'29" W	238.83
L4	S89°42'57" W	69.30
L5	S89°42'57" W	54.30
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

- LEGEND**
- ⊕ = FOUND SECTION CORNER
 - ⊙ = FOUND ONE-QUARTER CORNER
 - ⊙ = FOUND ONE SIXTEENTH CORNER
 - = PERMETER TO BE ANNEXED
 - ▨ = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR MIST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	REVISION	BY
1	7/27/2020	ADDED RIGHT-OF-WAY	GHK
2	7/27/2020	ADDED RIGHT-OF-WAY	GHK

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-555-9318

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

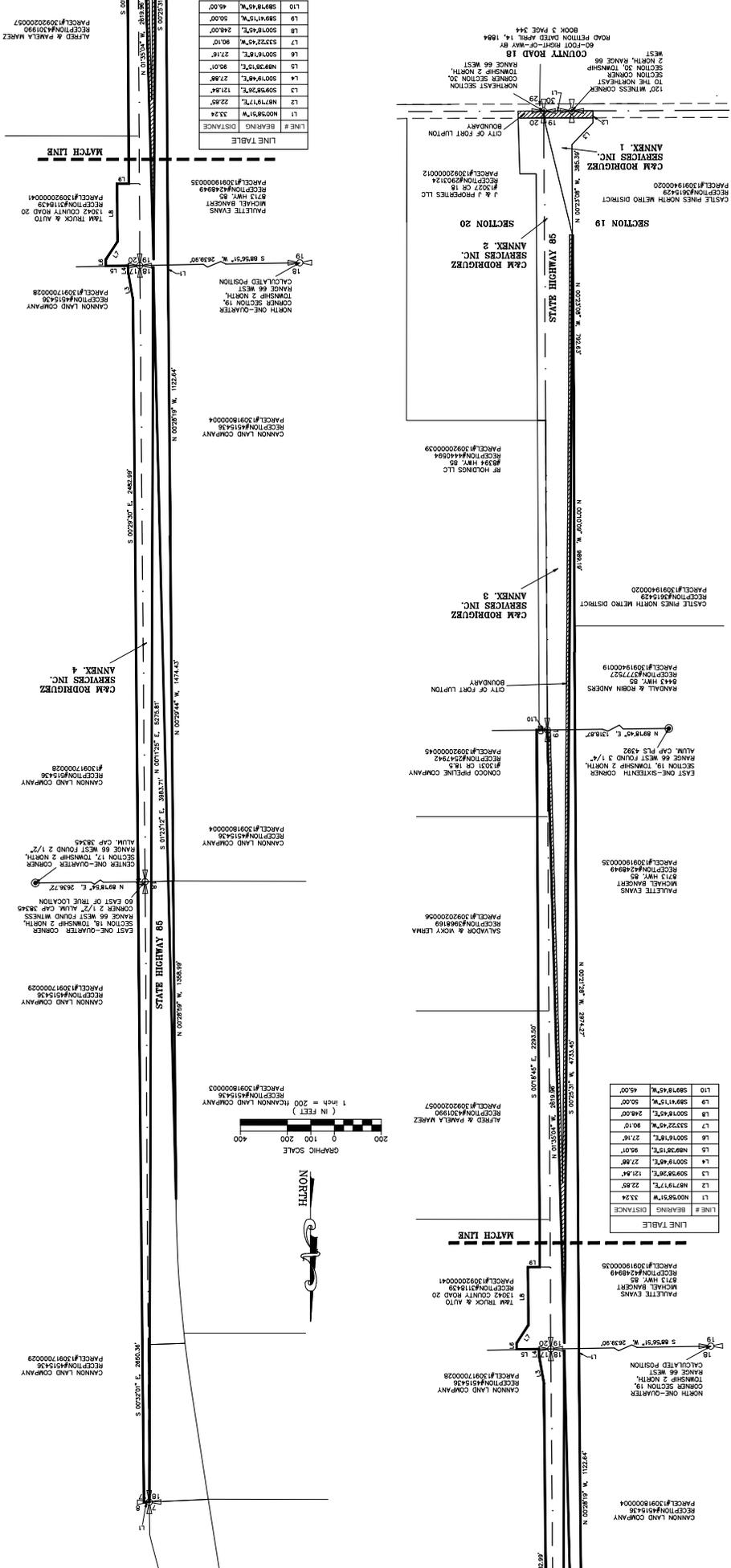
DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

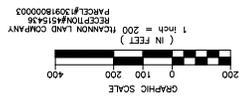
NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREOF.

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE-SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N009°51'W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	27.16'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	24.60'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'



LINE TABLE

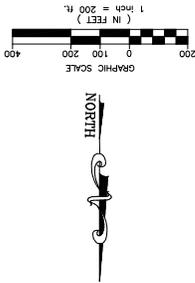
LINE #	BEARINGS	DISTANCE
L1	N009°51'W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	27.16'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	24.60'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'

ANNEXATION MAP		SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.	
CLIENT: AG PROFESSIONALS		HAMMER LAND SURVEYING, INC.	
3050 67TH AVE. SUITE 200		4350 HIGHWAY 66	
GREELEY, COLORADO 80634		LONGMONT, CO 80504	
PH: 970-535-9316		PH: 970-535-9316	
NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GRI
2	2/22/2020	ADDED NORTH-2-NET	GRI

DATE: 1/21/2020
 JOB# 1322-06ANEX
 SHEET 3 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

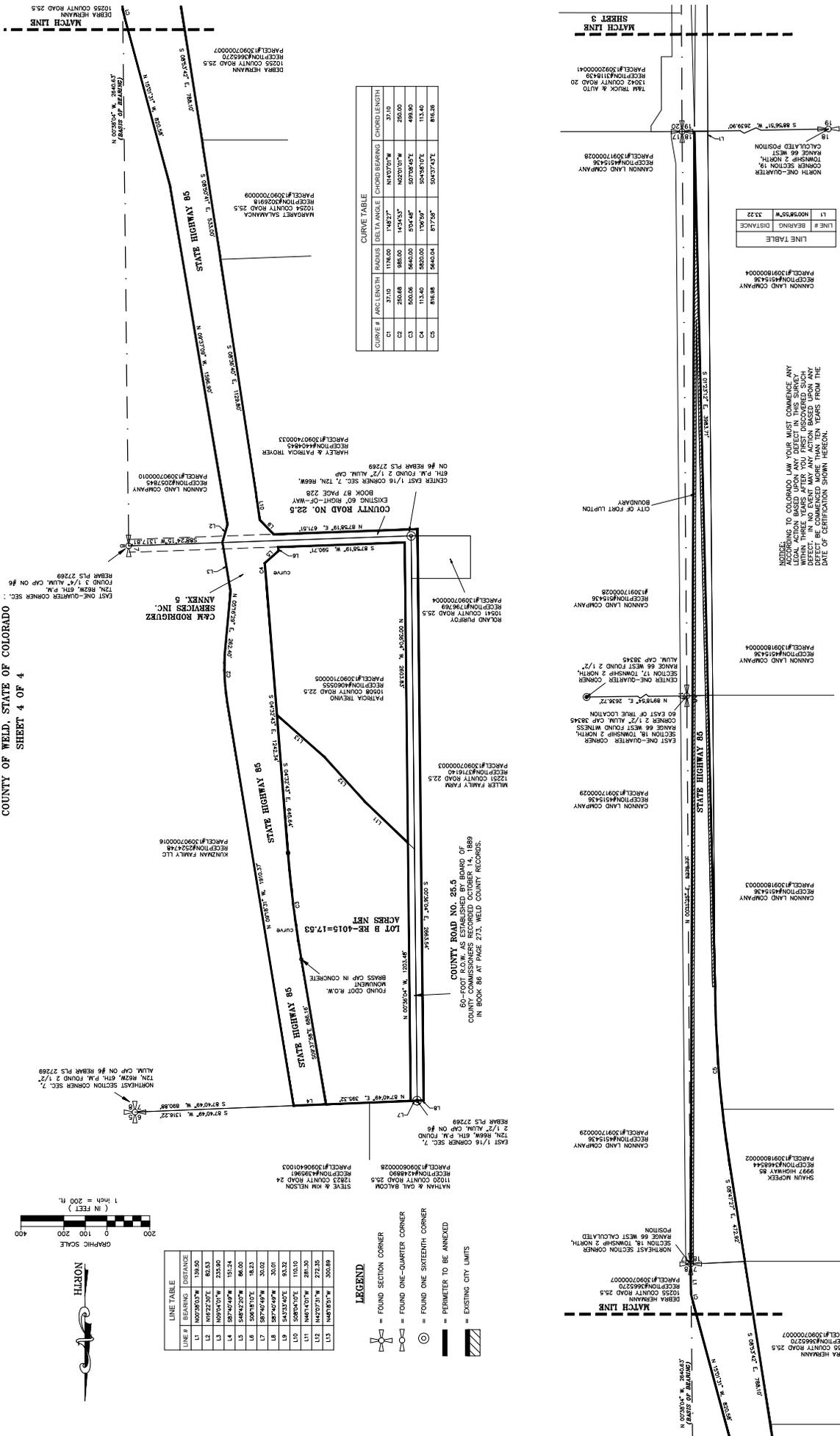


LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22
L2	N 01°22'02" E	69.33
L3	N 01°04'52" W	235.90
L4	S 87°42'49" W	151.24
L5	S 87°42'49" W	66.00
L6	S 87°42'49" W	151.24
L7	S 87°42'49" W	66.00
L8	S 87°42'49" W	151.24
L9	S 87°42'49" W	66.00
L10	S 87°42'49" W	151.24
L11	S 87°42'49" W	66.00
L12	S 87°42'49" W	151.24
L13	S 87°42'49" W	66.00
L14	S 87°42'49" W	151.24
L15	S 87°42'49" W	66.00
L16	S 87°42'49" W	151.24
L17	S 87°42'49" W	66.00
L18	S 87°42'49" W	151.24
L19	S 87°42'49" W	66.00
L20	S 87°42'49" W	151.24

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	1740.00	12.627°	N 00°07'55" W	37.00
C2	69.33	3480.00	25.254°	N 01°22'02" E	69.33
C3	235.90	11947.50	78.762°	N 01°04'52" W	235.90
C4	151.24	7578.00	50.475°	S 87°42'49" W	151.24
C5	66.00	3300.00	25.238°	S 87°42'49" W	66.00



NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. FAILURE TO COMMENCE SUCH SURVEY WITHIN THE THREE YEAR PERIOD MAY BE CONSIDERED A DEFECT BEING COMMITTED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22

<p>ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.</p>		<p>DATE: 1/21/2020 JOB# 1322-06ANNEX SHEET 4 OF 4</p>			
<p>CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634</p>		<p>PH: 970-535-9316</p>			
<p>HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504</p>		<p>PH: 970-535-9316</p>			
NO.	DATE	DESCRIPTION	BY	GCH	GCH
1	2/17/2020	ADDRESS COMMENTS			
2	2/22/2020	ADDED NORTH-CORNER			

REPORTS



Traffic

Fort Lupton Special Use Permit Application

Prepared for

C&M Rodriguez Services, Inc.

Traffic Narrative

Prepared for C&M Rodriguez Services, Inc.

Introduction

This traffic narrative has been prepared to accompany the Special Use Permit (SUP) application for an oil and gas service business for C&M Rodriguez, LLC, owners of a property located in part of the East ½ of the Northeast ¼ of Section 7, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado, being Lot B of Recorded Exemption RE-4015, containing approximately 18.35 acres. This SUP request is expected to be reviewed in conjunction with an Annexation and Zoning request. The C&M zoning request is for the C-1 (General Commercial) Zone District. The C-1 District is intended to provide a zone for concentrated commercial activities normally found in central business districts. Such concentrated business activities develop economic strength and, with proper development standards, create a convenient, compatible pattern of land use. This zoning is appropriate for the site due to its proximity to Highway 85, which currently supports similar businesses.

The purpose of this narrative is to document projected traffic generation relative to the existing street system. Off-site roadway warrants are not provided with this memorandum, nor are existing traffic counts documented.

Existing Conditions and Roadway Network

The proposed SUP site is located on the east side of Weld County Road (WCR) 25.5 and west of and adjacent to Hwy 85. Adjacent land uses include commercial, agricultural and rural residential properties, including a tractor implement dealer immediately to the north and a trucking company immediately to the south, agricultural uses to the south, agricultural and rural residential uses to the west.

Access to the site is located on WCR 25.5 approximately 1,740 ft. north of WCR 22.5. WCR 25.5, classified by Weld County as a local road, is an existing north/south gravel road with one lane in each direction. WCR 22.5, classified by Weld County as a local road, is an existing east/west gravel road with one lane in each direction. Both WCRs 25.5 and 22.5 currently have 60 ft. of right-of-way. WCR 22.5 accesses directly to Colorado State Highway 85. Hwy 85 is classified as a paved Colorado State Highway. The portion of Hwy 85 extending north from Fort Lupton to WCR 22.5 is expected to be annexed into Fort Lupton along with the subject property. The portions of WCRs 25.5 and 22.5 used to access the site from Hwy 85 are also expected to be included in the Fort Lupton annexation.

The intersection of WCR 22.5 and Hwy 85 includes a northbound left turn lane from Hwy 85 to WCR 22.5.

Proposed Development

The proposed SUP will allow an existing oil and gas service business to operate within the City of Fort Lupton. This business was previously permitted through Weld County under USR12-0019. Currently, the site contains an 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment. Services crews will depart daily to offsite work and return in the evening. This site will not be used as a retail site for public access or purchasing.

It is proposed that 2-4 full-time employees will work in the office on-site and 30 full-time employees will work off-site, visiting the site only temporarily to pick up or drop off equipment. Off-site employees will be at the facility for less than four hours per day. Normal business hours will be from 6:00 AM to 5:00 PM, Monday through Friday, however the site may be operational as early as 5:00 AM and as late as 10:00 PM, depending on the needs of the oil and gas industry.

Existing improved gravel surfaces will be used for outdoor storage of iron, hardware, welding supplies, installation equipment including tractors and trailers, service and miscellaneous business supplies. Oil and gas equipment may be stored outside temporarily while awaiting field installation. The entire site is enclosed by 6 ft. privacy fencing to screen the site from surrounding properties.

Trip Generation

Typical vehicles accessing the site include employee and owner vehicles and oil field service trucks. The following numbers are anticipated upon full build-out of the site:

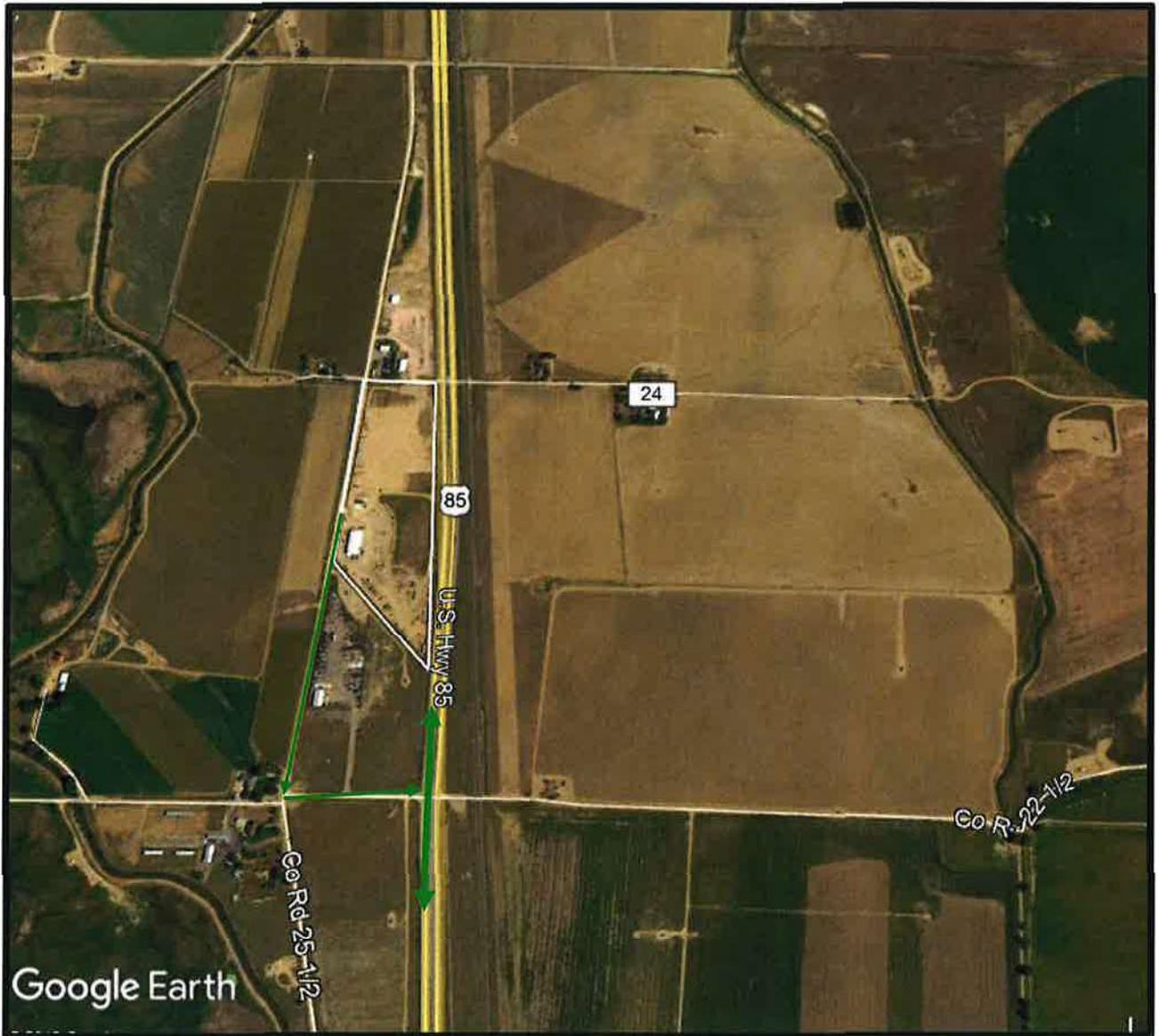
Belly dump trucks	12 per day
Dump trucks:	8 per day
1-ton trucks:	3 per day
Pickup trucks & cars:	30 per day for full-time employees

Highest traffic volumes are expected at the start of the business day between 5:00 AM and 6:00 AM and at the close of the business day between 4:00 PM and 5:00 PM. However, traffic is dispersed throughout the day depending on daily project needs.

Traffic Routes

The travel route for the site will be via the Hwy 85 and WCR 22.5 intersection to access WCR 25.5. Traffic entering and leaving the site will use the existing access on WCR 25.5. Traffic will disperse north or south on Hwy 85. In case of an emergency, traffic can be routed north to WCR 24.5 for access to Hwy 85. Figure 1 shows expected travel route.

Figure 1





Soils Report

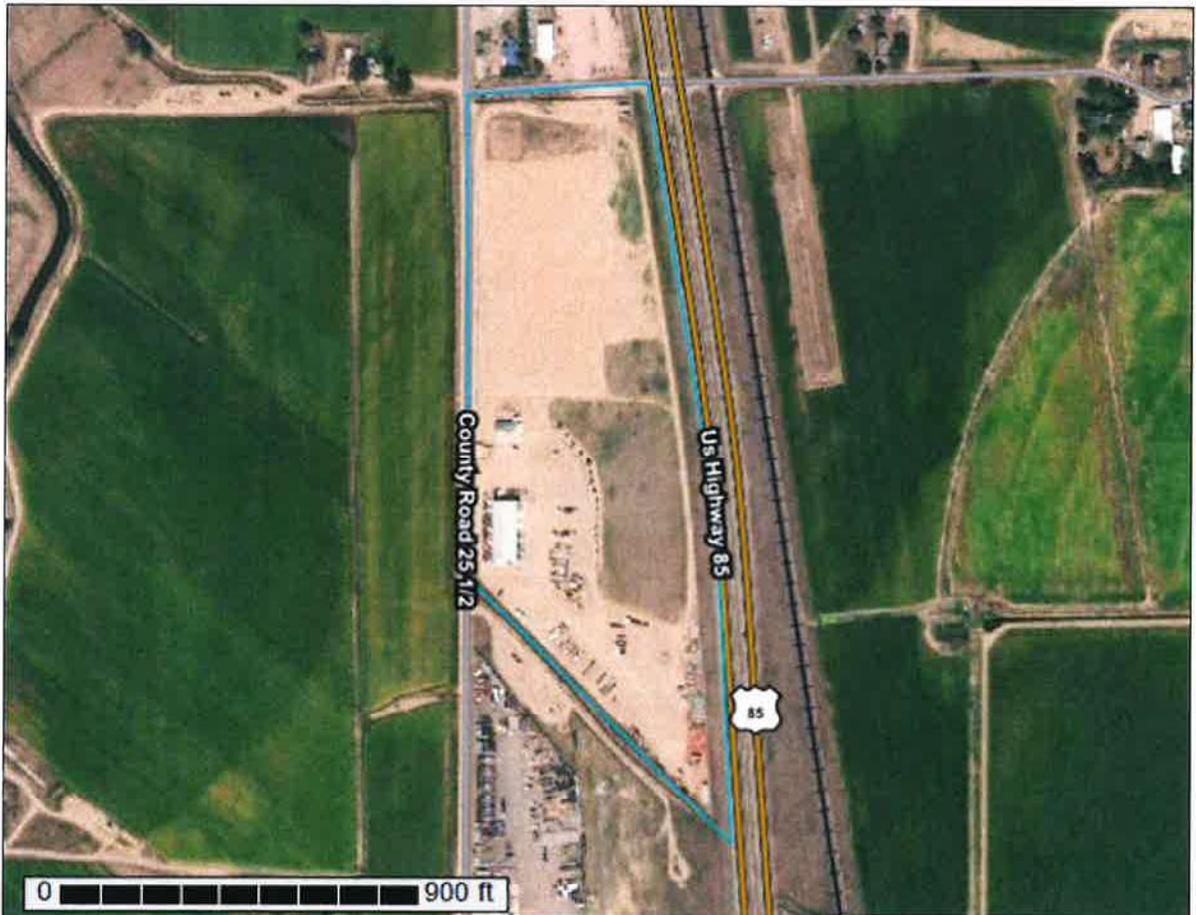
Fort Lupton Annexation Application

Prepared for

C&M Rodriguez Services, Inc.

Custom Soil Resource Report for Weld County, Colorado, Southern Part

C&M Rodriguez Services



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface	2
How Soil Surveys Are Made	5
Soil Map	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Weld County, Colorado, Southern Part.....	13
1—Altvan loam, 0 to 1 percent slopes.....	13
References	15

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



Soil Map may not be valid at this scale.

Map Scale: 1:3,410 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 13N WGS84

Custom Soil Resource Report

MAP LEGEND

- | | | |
|--|--|--|
| Area of Interest (AOI) |  Area of Interest (AOI) |  Spoil Area |
| Soils |  Soil Map Unit Polygons |  Stony Spot |
| |  Soil Map Unit Lines |  Very Stony Spot |
| |  Soil Map Unit Points |  Wet Spot |
| Special Point Features | |  Other |
|  Blowout | |  Special Line Features |
|  Borrow Pit | Water Features |  Streams and Canals |
|  Clay Spot | Transportation |  Rails |
|  Closed Depression |  Interstate Highways |  US Routes |
|  Gravel Pit |  Major Roads |  Local Roads |
|  Gravelly Spot | Background |  Aerial Photography |
|  Landfill | | |
|  Lava Flow | | |
|  Marsh or swamp | | |
|  Mine or Quarry | | |
|  Miscellaneous Water | | |
|  Perennial Water | | |
|  Rock Outcrop | | |
|  Saline Spot | | |
|  Sandy Spot | | |
|  Severely Eroded Spot | | |
|  Sinkhole | | |
|  Slide or Slip | | |
|  Sodic Spot | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
 Survey Area Data: Version 18, Sep 13, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 20, 2015—Oct 21, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
1	Altvan loam, 0 to 1 percent slopes	20.5	100.0%
Totals for Area of Interest		20.5	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Weld County, Colorado, Southern Part

1—Altvan loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 361j
Elevation: 4,500 to 4,900 feet
Mean annual precipitation: 14 to 16 inches
Mean annual air temperature: 46 to 48 degrees F
Frost-free period: 130 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Altvan and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Altvan

Setting

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium

Typical profile

H1 - 0 to 10 inches: loam
H2 - 10 to 25 inches: clay loam
H3 - 25 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Available water storage in profile: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Minor Components

Cascajo

Percent of map unit: 9 percent
Hydric soil rating: No

Custom Soil Resource Report

Aquic haplustolls

Percent of map unit: 1 percent

Landform: Swales

Hydric soil rating: Yes

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf



Drainage

Fort Lupton Special Use Permit Application
Prepared for

C&M Rodriguez Services, Inc.

Preliminary Drainage Report (Phase I)

For

C&M Rodriguez Services, Inc.
Fort Lupton Special Use Permit
East ½ of the Northeast ¼ of Section 7, Township 2N, Range 66W
of the 6th P.M.
Weld County, Colorado



AGPROfessionals
3050 67th Avenue, Suite 200
Greeley, CO 80634
(970) 535-9318

1/24/2020

Table of Contents

Certifications.....	3
General Location and Description.....	4
1. Location.....	4
2. Description of Property.....	4
Drainage Basins.....	5
1. Major Basin Description.....	5
2. Sub-Basin Description.....	5
Drainage Design Criteria.....	6
1. Development Criteria.....	6
2. Hydrological Criteria.....	6
3. Hydraulic Criteria.....	6
Drainage Facility Design.....	7
1. General Concept.....	7
2. Specific Details.....	7
Conclusions.....	8
1. Compliance with City of Fort Lupton Code.....	8
2. Drainage Concept.....	8
List of References.....	9
Appendices.....	

Certifications

I hereby affirm that this report and plan for the Special Use Permit for an oil and gas service business was prepared by me (or under my direct supervision) in accordance with the provisions of the City of Fort Lupton Storm Drainage Design and Technical Criteria for the owners thereof. I understand that the City of Fort Lupton does not and will not assume liability for drainage facilities designed by others. I am also aware of the provisions of the City Code as it pertains to the City's review.



1-24-2020
Chad TeVelde, PE
Registered Professional Engineer
State of Colorado No. 45122

Valene Lickley
Valene Lickley, EIT

General Location and Description

1. Location

The proposed site is located in part of the East ½ of the Northeast ¼ of Section 7, Township 2 North, Range 66 West of the 6th PM. The property is bordered on the west side by WCR 25 ½ and on the east side by Colorado Highway 85. The nearest county road to the south is WCR 22 ½ and the nearest county road to the north is WCR 24 ½. No other major roadways are located within or adjacent to the property. The site is currently proposing annexation into the City of Fort Lupton along with portions of Highway 85, WCR 22 ½, and WCR 25 ½ (see Vicinity Map in **Appendix A**).

2. Description of Property

The total proposed site is approximately 18.35 acres. The property was split through the Weld County Recorded Exemption process in 2007. There is an existing 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment. The remainder of the site is native grass and vegetation. An existing 6 ft. privacy fence screens the property from surrounding uses.

The property is requesting a Special Use Permit (SUP) for the operation of an oil and gas service business in conjunction with an Annexation and Zoning request into the City of Fort Lupton. The existing business was previously permitted through Weld County under USR12-0019 and is now seeking a Special Use Permit to operate within the City of Fort Lupton.

There is one type of soil: Alivan loam (0 to 1% slopes). Most of the soil is well drained with a low runoff class, hydrologic soil group B (see USDA-NRCS soil report in **Appendix B**).

Steve and Kim Nelson, and Nathan and Gail Balcom own the two parcels directly north of the subject property. Kenneth Miller owns the property to the west. Patricia Trevino owns the property to the south. Kunzman Family, LLC owns the property on the east side of Highway 85, which borders the property on the east side. The Nelson property is part of the Town of Platteville. The remaining surrounding properties are in Weld County.

There are no major open channels within or adjacent to the proposed property.

Drainage Basins

1. Major Basin Description

The proposed site is located in rural Weld County and is surrounded by undeveloped, agricultural land to the east and west, commercial uses to the south, and residential and commercial uses to the north. A Master Plan for the site area is not currently available. The proposed site was only considered as one major basin for the preliminary drainage evaluation. Historically, the basin drainage appears to flow predominantly towards the northwest. Flows appear to flow approximately one-quarter mile to the Platte Valley Canal and ultimately flows towards the South Platte River. Contours of the project location and the surrounding properties are shown on the United States Geological Survey (USGS) Topographic map in **Appendix C**.

A Federal Emergency Management Administration (FEMA) map of the project is included in **Appendix D**. The proposed site is located within FEMA panel 08123C1915E and is not currently located within a 100-year floodplain.

Potential off-site flows from a small area from the south flow northwest through the project site. The flows from the east will be intercepted by Colorado Highway 85. Potential offsite flows from the north will continue to flow north away from the site. Stormwater runoff from the west should continue to flow west, away from the site.

2. Sub-Basin Description

The site was evaluated as one drainage basin for the Phase I Drainage Report.

Drainage Design Criteria

1. Development Criteria

This proposed drainage design was developed using the criteria set forth in the Urban Storm Drainage Criteria Manual (USDCM) Volumes 1, 2 and 3 and the City of Fort Lupton's Storm Drainage Design and Technical Criteria (SDDTC) manual.

2. Hydrological Criteria

From Section 5.3 in the SDDTC, the estimated rainfall from the 5-year, 1-hour precipitation is 1.42 inches and the 100-year, 1-hour precipitation is 2.71 inches (see SDDTC One-Hour Point Rainfall in **Appendix E**). These values were used for runoff calculations.

Percentage of imperviousness was determined using the recommended values from UDFCD Table 6-3. The overall percentage of imperviousness for the proposed site will not change with the SUP and was estimated to be 36% (see percentage of imperviousness calculation in **Appendix F**).

Using these design storms and the UDFCD Detention Basin Volume Estimating spreadsheet, the existing and proposed peak runoff flowrates were estimated for the basin (see Table 1). Peak runoff flowrates for the existing and proposed site were calculated with the Modified FAA method using the time of concentration, runoff coefficients, and the precipitation depths from the UDFCD spreadsheet (see UDFCD Runoff Calculations in **Appendix G**). Because no additional improvements are proposed for the site, the existing and proposed peak runoff flowrates are identical.

Table 1: Peak Runoff Flowrates

Peak Runoff	5 Year Flowrate (cfs)	100 Year Flowrate (cfs)
Proposed	18.14	59.36
Existing	18.14	59.36

3. Hydraulic Criteria

As no additional improvements are proposed for the site, the 100-year flowrate from the site is not expected to increase. Therefore, an excess of historic flow is not anticipated, and a detention pond should not be required. Should the percentage of imperviousness increase or slopes of the project site increase, a new drainage study and report should be completed to ensure downstream users are not impacted and historic run-off flows and patterns are maintained.

A Water Quality Feature was designed and constructed during the Weld County USR Process. The water quality feature was designed to capture the water quality capture volume (WQCV) which promotes sedimentation and improves water quality downstream. Documents of the calculations and pictures of the construction are included in **Appendix H**.

Drainage Facility Design

1. General Concept

Due to no increase of percentage of imperviousness across the site, rural location of the project site, and shallow slopes across the site, a detention pond is not being proposed. Runoff should generally sheet flow toward the existing water quality feature in the northwest corner of the property. A proposed site plan is in **Appendix I**.

2. Specific Details

Periodic inspection of the runoff patterns will be evaluated to ensure the project site is not causing erosion and sedimentation. If the site is significantly impaired by run-off or percentage imperviousness is increased, the owner should assess the corrective action needed and have a licensed engineer re-evaluate the site and provide recommendations.

Conclusions

1. Compliance with City of Fort Lupton Code

The drainage design for the Special Use Permit, Annexation and Zoning request is consistent with the City of Fort Lupton Storm Drainage Design and Technical Criteria manual.

2. Drainage Concept

Historical flow patterns and run-off amounts should be maintained in such a manner that should reasonably preserve the natural character of the area and prevent property damage of the type generally attributed to run-off rate and velocity increases, diversions, concentration and/or unplanned ponding of storm run-off for the 100-year storm event. No irrigation companies or property owners should be affected by the proposed development.

Master Drainage recommendations are not available in the area of this project.

List of References

- City of Fort Lupton. "City of Fort Lupton Storm Drainage Design and Technical Criteria." City of Fort Lupton. Web. 22 January 2020.
<<http://www.fortlupton.org/DocumentCenter/View/2021>>.
- Federal Emergency Management Agency. "FEMA Flood Map Service Center." *FEMA Flood Map Service Center*. FEMA. Web. 21 January 2020.
<<https://msc.fema.gov/portal/search?AddressQuery=9230%20County%20Road%2024%20Weld%20County#searchresultsanchor>>.
- United States Department of Agriculture - Natural Resources Conservation Service. "Web Soil Survey." *Web Soil Survey*. USDA - NRCS, 2006. Web. 21 January 2020.
<<http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>>.
- Urban Drainage and Flood Control District. *Detention Basin Volume Estimating Workbook*. Computer software. *Software*. Vers. 2.34. <<http://udfcd.org/software>>.
- Urban Drainage and Flood Control District. "Urban Storm Drainage Criteria Manual Volumes 1." *USDCM: Volume 1 Management, Hydrology and Hydraulics*. UDFCD, Mar. 2017. Web. 22 January 2020. <<http://udfcd.org/volume-one>>.
- Urban Drainage and Flood Control District. "Urban Storm Drainage Criteria Manual Volumes 2." *USDCM: Volume 2 Structures, Storage and Recreation*. UDFCD, Sep. 2017. Web. 22 January 2020. <<http://udfcd.org/volume-one>>.
- United States Geological Survey. "Maps." Overview - Maps, United States Geological Survey. USGS, 2016. Web. 21 January 2020. <www.usgs.gov/products/maps/topo-maps>.
- Weld County. "Property Portal - Map Search." Property Portal - Map Search. Weld County. Web. 21 January 2020.
<<https://propertyreport.co.weld.co.us/?account=R4721807>>

Appendices

- A. Vicinity Map
- B. USDA-NRCS Soil Report
- C. USGS Topographic Map
- D. FEMA FIRM/ette Map
- E. SDDIC One-Hour Point Rainfall
- F. Percentage of Imperviousness
- G. UDFCD Runoff Calculations
- H. WQCV Design and Photos
- I. Site Plan

APPENDIX A

Vicinity Map

APPENDIX B

USDA-NRCS Soil Report



United States
Department of
Agriculture

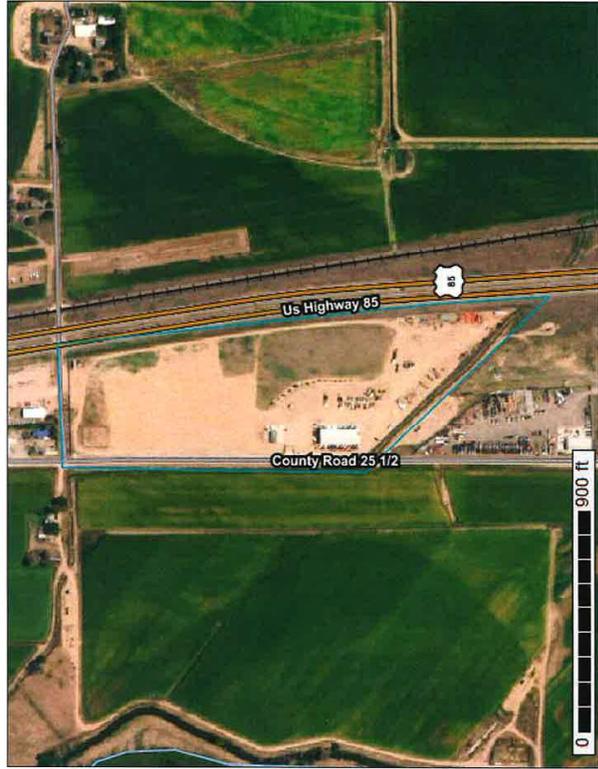


Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Weld County, Colorado, Southern Part

C&M Rodriguez Services, Inc.



January 20, 2020

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.gov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....	2
How Soil Surveys Are Made.....	5
Soil Map.....	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Weld County, Colorado, Southern Part.....	13
1—Alvan loam, 0 to 1 percent slopes.....	13
References.....	15

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

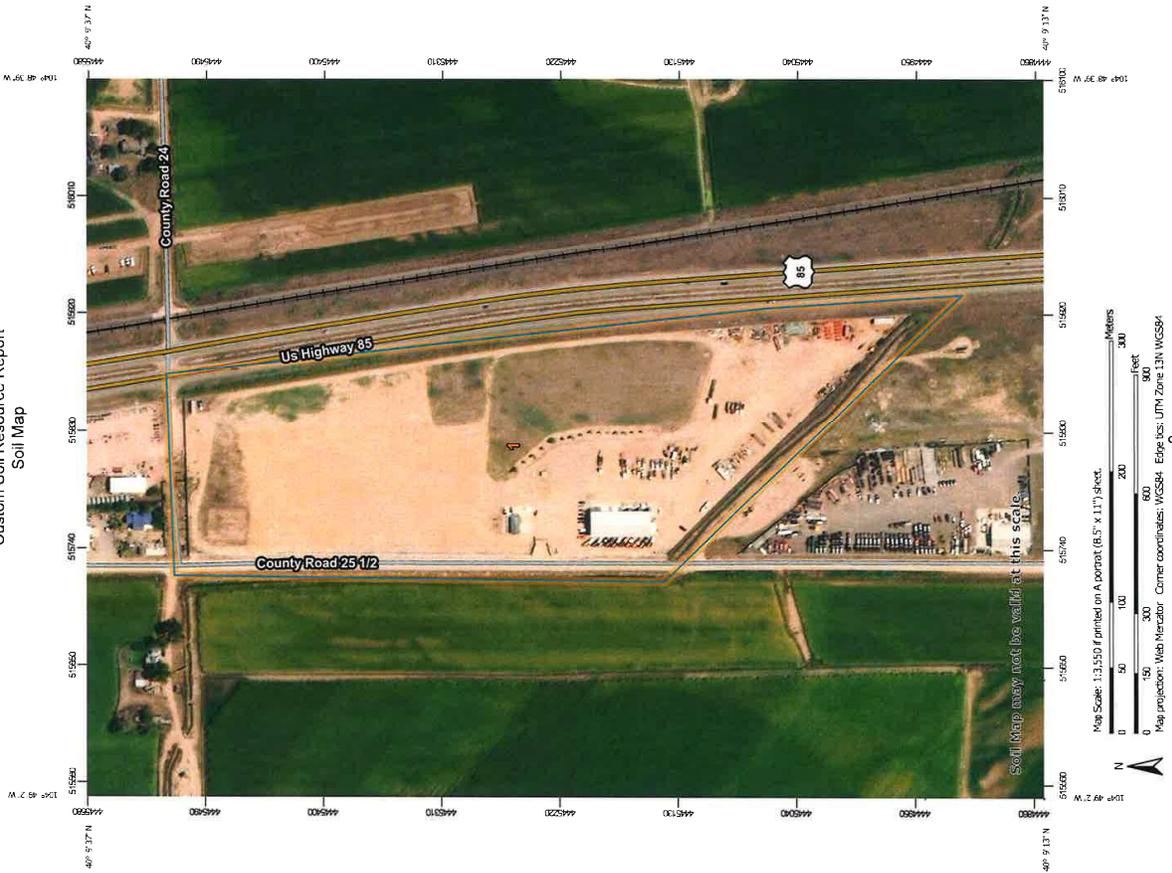
Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

	Area of Interest (AOI)
	Soils
	Soil Map Unit Polygons
	Soil Map Unit Lines
	Soil Map Unit Points
	Special Point Features
	Blowout
	Borrow Pit
	Clay Spot
	Closed Depression
	Gravel Pit
	Gravelly Spot
	Landfill
	Lava Flow
	Marsh or swamp
	Mine or Quarry
	Miscellaneous Water
	Perennial Water
	Rock Outcrop
	Saline Spot
	Severely Eroded Spot
	Sinkhole
	Slide or Slip
	Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: Web Mercator (EPSG:3857)
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
 Survey Area Data: Version 18, Sep 13, 2019
 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 20, 2015—Oct 21, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
1	Alluvial loam, 0 to 1 percent slopes	22.2	100.0%
Totals for Area of Interest		22.2	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases or soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Weld County, Colorado, Southern Part

1—Altvan loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 361j
Elevation: 4,500 to 4,900 feet
Mean annual precipitation: 14 to 16 inches
Mean annual air temperature: 46 to 48 degrees F
Frost-free period: 130 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Altvan and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Altvan

Setting

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium

Typical profile

H1 - 0 to 10 inches: loam
H2 - 10 to 25 inches: clay loam
H3 - 25 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Available water storage in profile: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Minor Components

Cascajo

Percent of map unit: 9 percent
Hydric soil rating: No

Custom Soil Resource Report

Aquic haplustolls

Percent of map unit: 1 percent

Landform: Swales

Hydric soil rating: Yes

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States. Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilias, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy, 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
- Timar, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

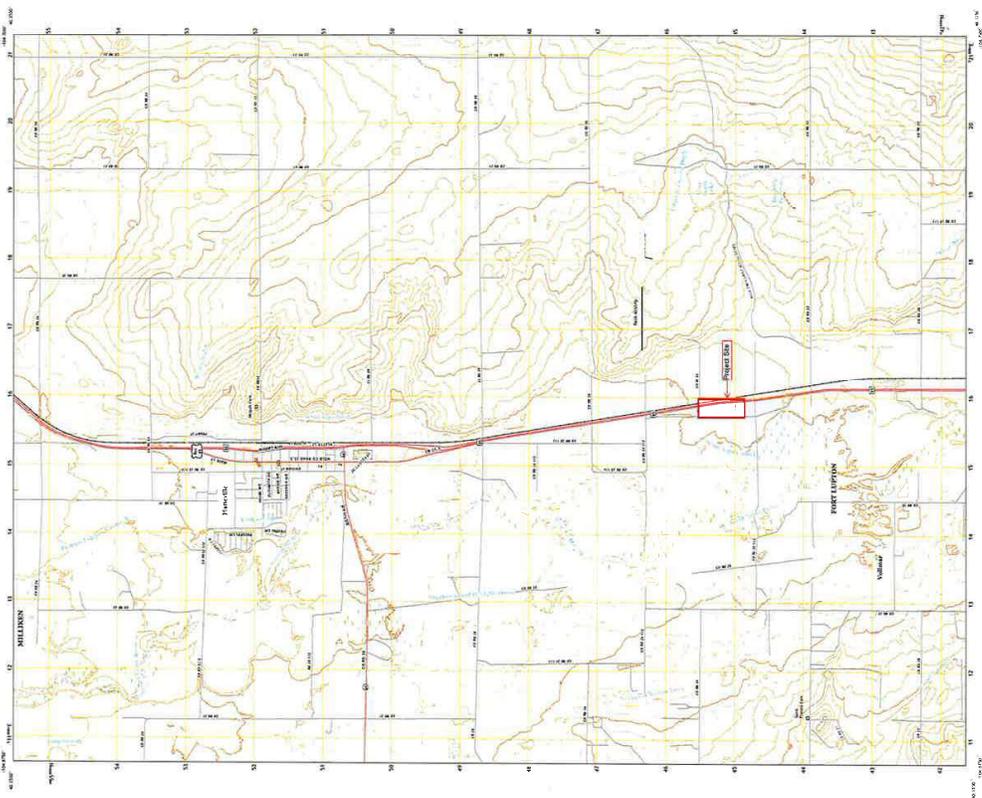
United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils?cid=nrcs142p2_053624

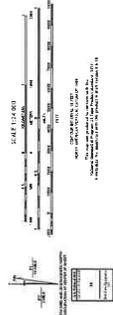
United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

APPENDIX C

USGS Topographic Map



PLATONVILLE, MO
7.5-MINUTE QUADRANGLE
7.5-MINUTE SERIES
DATE: 11/1/2011
SCALE: 1:25,000
ELEVATION: 1000 FT
PROJECTION: UTM
DATUM: NAD 83
UNIT: METERS
SOURCE: 1:25,000
DATE: 11/1/2011
BY: [Name]



APPENDIX D

FEMA FIRMette Map

National Flood Hazard Layer FIRmette



Legend

SEE FIS REPORT FOR DETAILS ON LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, X, Y, Z
- With BFE or Depth Zone AE, AO, AH, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee, Zone X

OTHER AREAS

- Area of Undetermined Flood Hazard Zone X
- Effective LOMs

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

CROSS SECTIONS WITH 1% ANNUAL CHANCE WATER SURFACE ELEVATION

- 17.5' - Coastal Transsect
- 20.2' - Cross Sections with 1% Annual Chance

OTHER FEATURES

- Hydrographic Feature
- Profile Baseline
- Coastal Transsect Baseline
- Jurisdiction Boundary
- Limit of Study
- Base Flood Elevation Line (BFE)

MAP PANELS

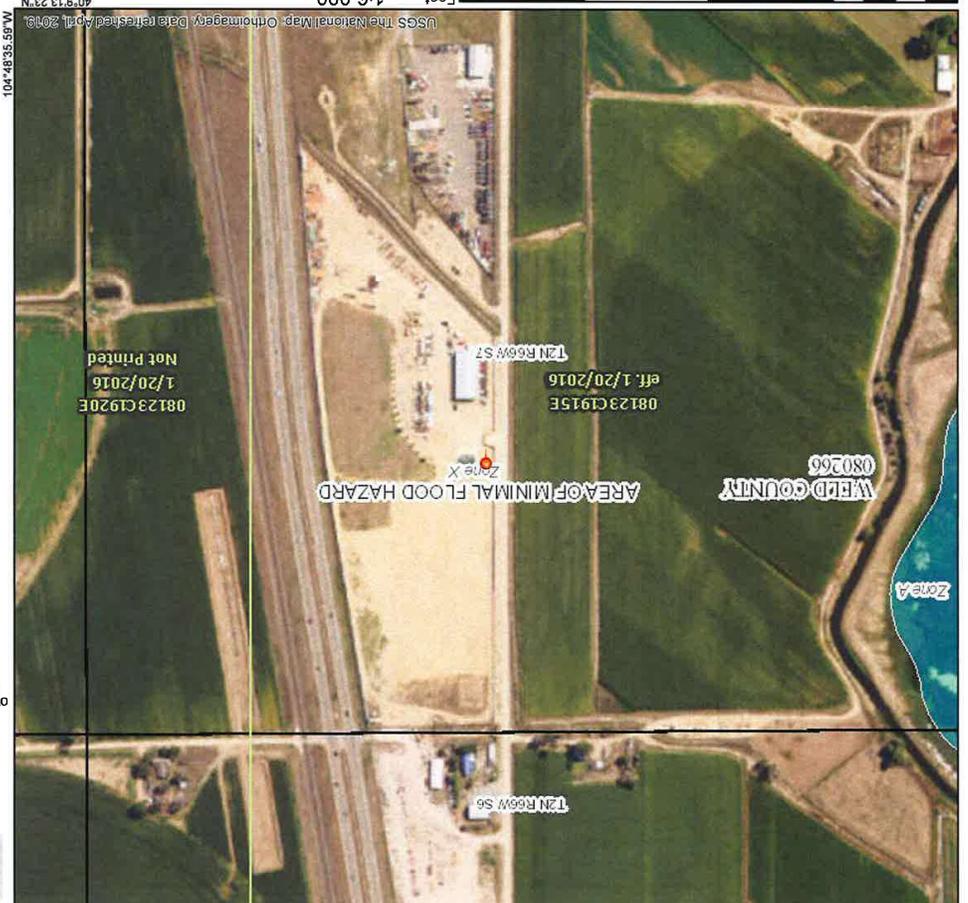
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/21/2020 at 4:10:50 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



USGS The National Map, Orthometry, Data Refreshed April 2019
 106°48'W 35°59'N
 40°9'13.23"N
 1:6,000
 Feet
 2,000
 1,500
 1,000
 500
 250
 0

40°9'40.22"N

APPENDIX E

SDDTC One-Hour Point Rainfall

**CITY OF FORT LUPTON
STORM DRAINAGE DESIGN AND TECHNICAL CRITERIA**

SECTION 5 RAINFALL

5.1 INTRODUCTION

Presented in this section is the design rainfall data to be used with the Rational Method and the Colorado Urban Hydrograph Procedure (CUHP). All hydrological analysis within the jurisdiction of these CRITERIA shall utilize the rainfall data presented herein for calculating storm runoff.

The design storms and Time-Intensity-Frequency curves for the CITY were developed using the rainfall data and procedures presented in the MANUAL and are presented herein for convenience.

5.2 COLORADO URBAN HYDROGRAPH PROCEDURE DESIGN STORMS

For drainage basins less than five square miles, a two-hour storm distribution without area adjustment of the point rainfall values shall be used for the Colorado Urban Hydrograph Procedure (CUHP). For drainage basins between five and ten square miles, a two-hour storm distribution shall be used with the incremental rainfall values adjusted for the large basin area in accordance with suggested procedures in the NOAA Atlas for Colorado. The adjustment is an attempt to relate the average of all point values for a given duration and frequency within a basin to the average depth over the basin for the same duration and frequency. For drainage basins between ten and twenty square miles, a three-hour storm duration with adjustment for area shall be used. The distribution for the last hour was obtained by uniformly distributing the difference between the two-hour and three-hour point rainfall values. The adjustment for the basin area was obtained from the NOAA Atlas for Colorado. The incremental rainfall distributions for all basin areas up to 20 square miles are presented in Table 501.

5.3 TIME-INTENSITY-FREQUENCY CURVES FOR THE RATIONAL METHOD

The one-hour design point rainfall values obtained from the NOAA Atlas for Colorado area are as follows:

ONE-HOUR POINT RAINFALL (IN.)

2-YEAR	5-YEAR	10-YEAR	50-YEAR	100-YEAR
1.00	1.42	1.68	2.35	2.71

The Time-Intensity-Frequency curves were developed by distributing the one-hour point rainfall values using the factors obtained from the NOAA Atlas presented below:

APPENDIX F

Percentage of Imperviousness

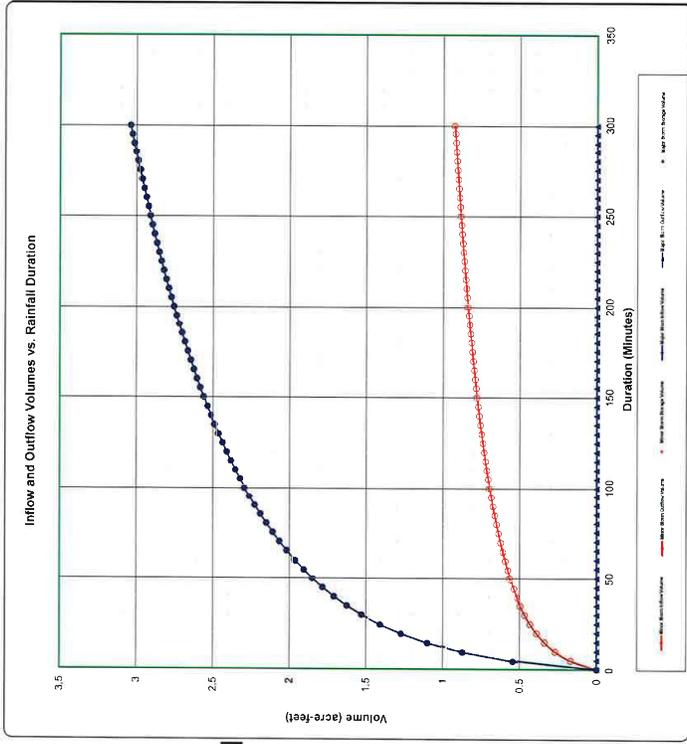
APPENDIX G

UDFCD Runoff Calculations

DETENTION VOLUME BY THE MODIFIED FAA METHOD	
Project: CAM Rodriguez Services, Inc. Basin ID: Existing Runoff (For catchments less than 100 acres only. For larger catchments, use hydrograph routing method) (NOTE: for catchments larger than 50 acres, CUPP hydrograph and routing are recommended)	
Determination of MLUR Detention Volume Using Modified FAA Method Catchment Drainage Area: 38.00 acres Type of Catchment: Rural Return Period for Detention Control: 5 years (10, 20, 50, or 100) Time of Concentration of Watershed: 12 minutes One-Year Precipitation: 1.82 inches Design Rainfall (SF Formula) $I = C_1 \cdot P \cdot (C_2 + C_3 \cdot T_c)$ Coefficient Two: 0.789 Coefficient Three: 0.789	Determination of MLUR Detention Volume Using Modified FAA Method Catchment Drainage Area: 38.00 acres Type of Catchment: Rural Return Period for Detention Control: 5 years (10, 20, 50, or 100) Time of Concentration of Watershed: 12 minutes One-Year Precipitation: 1.82 inches Design Rainfall (SF Formula) $I = C_1 \cdot P \cdot (C_2 + C_3 \cdot T_c)$ Coefficient Two: 0.789 Coefficient Three: 0.789
Determination of Average Outflow from the Basin (Continued): Runoff Coefficient: 0.24 Inflow Peak Rate: 18.13 cfs Attenuated Peak Outflow Rate: 4.33 cfs	Determination of Average Outflow from the Basin (Continued): Runoff Coefficient: 0.24 Inflow Peak Rate: 18.13 cfs Attenuated Peak Outflow Rate: 4.33 cfs

DETENTION VOLUME BY THE MODIFIED FAA METHOD

Project: CAM Rodriguez Services, Inc.
Basin ID: Existing Runoff



APPENDIX H

WQCV Design and Photos

C & M Rodriguez Services, Inc.

Water Quality Depression Calculations

Impervious Acreage

Roofs	Sq. Ft.
Shop	12000
Office	800
Shop (Phase II)	12000
Shop	0
Future	0
Total Roof Area(ft²)	24800

Concrete	
Garage Apron	0
Office Apron	400
Shop Apron	1500
Future Shop Apron (Phase II)	1500
South half of road	0
Total Concrete Area(ft²)	3400

Gravel Area/Gravel Roads	
Gravel Parking	200000
Gravel Road	2000
Gravel Parking (Phase II)	66500
Gravel Road (Phase II)	2000
Total Gravel Area(ft²)	270500

Total Drainage Area (Acres)	805860
Total Impervious Area (ft²)	28200
Total Gravel Area (ft²)	270500
Total Undeveloped/Grass Area (ft²)	507160
Total Property Area (Acre)	18.50
% Impervious	18%

SQ: 24 hr Drain time (approximate) - Look up method	0.11
Required Storage(acre-feet)*	0.170

* Based on Drainage Criteria Manual(V.3) Required Storage formula look up method

a =	1.00
WQCV = a * (.91 * i^{-1.19} + .78) =	0.108
Required Storage = (WQCV/12)(Total drainage area) =	0.166 acre-feet
Required Storage in Cubic Feet =	7250 cu-ft
Required Storage in Gallons =	54,235 gallons

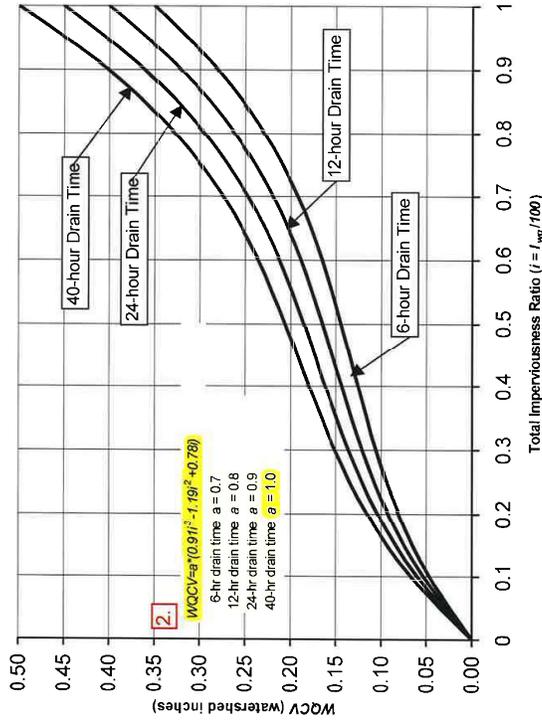


Figure SQ-2—Water Quality Capture Volume (WQCV), 80th Percentile Runoff Event

Procedures

- Find i (areas don't need to be exact just estimate) - this is the imperviousness of your site which tells us how much water soaks into the ground and how much runs off
 - Grass/Undeveloped = 2%
 - Gravel = 40%
 - Pavement = 100%
 - Rooftops = 90%
 - $i = \frac{[(\text{Area of Grass} * 0.02) + (\text{Area of Gravel} * 0.40) + (\text{Area of Pave} * 1.00) + (\text{Area of Roofs} * 0.90)]}{\text{Total Area of Site}}$
- Find WQCV from above highlighted #2 equation using $a=1.0$ and your i from step 1
- Find required storage from highlighted #3 equation on page SQ-24 using your WQCV from step 2 and the Total Site Area
- Show the area for the water quality depression on your site plan downstream of any parking, building or operations areas and label it as "Water Quality Feature, No Build Area". The depression should be 1'-2' deep and have enough volume for the required storage amount you calculated above. An exiting sump or depression can also be used if it meets the volume.

basins can provide less holding time for the predominant number of smaller storms. Larger basins can result in less net reduction of pollutants than is obtained when using the recommended 80th percentile capture volume that can be obtained from Figure SQ-2. Storms larger than the 80th percentile events still receive some treatment when their capacity is exceeded by larger storms, but at a somewhat lower efficiency. Thus, the law of diminishing returns for cost-effective pollutant removal takes effect, not only because of the large number of small storms found in the total population of storms, but because the first flush of runoff for larger storms is also captured and that pollutant removal continues to occur for in-line capture basins when the runoff exceeds their design capacity.

4.4 Determining the Water Quality Capture Volume

4.4.1 Use of Directly Connected Impervious Area

The procedures described in the RAINFALL and in the RUNOFF chapters of Volume 1 of the *Manual* are intended for the design of drainages and flood facilities that prevent damage to property and help protect human life. These procedures show that the depth of rainfall produced from a design storm varies somewhat throughout the Denver region and that runoff is a function of total imperviousness. Water quality enhancement focuses more on the smaller events that deliver frequent flow pulses and pollutant loads to the receiving waters. The runoff volume for smaller events is especially sensitive to the impervious area that is hydraulically connected to the stormwater runoff system.

The impervious portion of a watershed determines the runoff volume that needs to be used for the design of water quality facilities, and the percentage of impervious surface therefore becomes important in the design of structural BMPs. The RUNOFF chapter of the *Manual*, Volume 1, includes the methodology for calculating basin imperviousness. This procedure needs to be modified, however, when using the practice of *minimizing directly connected impervious areas* in combination with *extended detention basins*, *retention ponds*, *wetlands*, and other practices depended on a design water quality capture volume. Whenever applicable, the needed modifications are described in the appropriate chapters of this volume of the *Manual*.

4.4.2 Water Quality Capture Volume (WQCV)

All structural BMPs recommended in this volume of *Manual* are based on the 80th percentile event. Specific guidance for finding the needed WQCV is provided in each BMP types' design section. This WQCV varies with the type of BMP used and is based on the time it takes to fully drain the brim-full WQCV. Figure SQ-2 summarizes the WQCV requirements as a function of the tributary catchments total imperviousness as a ratio of the total area of the catchment for 6-, 12-, 24-, and 40-hour drain times of the WQCV.

Figure SQ-2 is appropriate for use in Colorado's high plains near the foothills. For other portions of Colorado or of United States, the WQCV obtained from this figure can be adjusted using the following relationships:

$$WQCV_o = d_o \frac{WQCV}{0.43}$$

in which,

- $WQCV$ = Water quality capture volume taken from Figure SQ-2
 $WQCV_o$ = Water quality capture volume outside the Denver region
 d_o = Depth of average runoff producing storm from Figure SQ-3 (watershed inches)

Once the WQCV in watershed inches is found from Figure SQ-2, then determine the required storage volume in acre-feet as follows:

$$3. \quad \text{Required storage} = \left[\frac{WQCV}{12} \right] (\text{Area})$$

in which,

- Required storage = Required storage volume in acre-feet
 Area = The tributary catchment's area upstream in acres

The independent variable in Figure SQ-2 is the total imperviousness ratio (i.e., $I_{wq}/100$) of the tributary watershed (catchment). The chapter on RUNOFF in Volume 1 of the *Manual* contains guidance for how to find the total imperviousness of a watershed and its use is recommended. Figures SQ-4, SQ-5 and SQ-6 are duplicated in this chapter to help the reader estimate the imperviousness of single family residential areas. Note that these figures require the knowledge of the average housing densities, types of housing, and average human occupied total square footage of the houses in the area to find the imperviousness of these areas.

Water Quality Feature - Photos





APPENDIX I

Site Plan



Nuisance and Waste Management Plan

Fort Lupton Special Use Permit Application

Prepared for

C&M Rodriguez Services, Inc.

Nuisance & Waste Management Plan

Special Use Permit (SUP)
Prepared for C&M Rodriguez Services, Inc.

Introduction

The proposed Special Use Permit (SUP) for C&M Rodriguez Services, Inc. will allow an existing oil and gas service business to operate within the City of Fort Lupton. This business was previously permitted through Weld County under USR12-0019. Currently, the site contains an 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment, and a 6-ft. privacy fence surrounding the entire site. Services crews will depart daily to offsite work and return in the evening. This site will not be used as a retail site for public access or purchasing.

2-4 full-time employees will work in the office on-site and 30 full-time employees will work off-site, visiting the site only temporarily to pick up or drop off equipment. Off-site employees will be at the facility for less than four hours per day. Normal business hours will be from 6:00 AM to 5:00 PM, Monday through Friday, however the site may be operational as early as 5:00 AM and as late as 10:00 PM, depending on the needs of the oil and gas industry.

Existing improved gravel surfaces will be used for outdoor storage of iron, hardware, welding supplies, installation equipment including tractors and trailers, service and miscellaneous business supplies. Oil and gas equipment may be stored outside temporarily while awaiting field installation. The entire site is enclosed by 6 ft. privacy fencing to screen the site from surrounding properties.

Light

Outdoor lighting is provided by wall-mounted lights. Sources of light are shielded so that light rays will not shine directly onto adjacent properties where such would cause a nuisance or interfere with the uses on adjacent properties. Neither the direct nor reflected light from any source will create a traffic hazard to operators of motor vehicles on public or private streets. No colored light will be used which may be confused with, or construed as, traffic control devices.

Dust Abatement

Lot surfaces at the entrance, and on the internal roadways parking areas and outdoor storage areas, are gravel and road base to reduce dust on-site. Lot surfaces not used for driving, parking, or storage are rangeland grass. Minimal vehicle speeds will be maintained on-site and on adjacent roadways to reduce dust conditions. Should nuisance dust conditions arise, a water

tanker truck or magnesium chloride may be used for moisture control on roadways to minimize nuisance dust conditions.

Waste

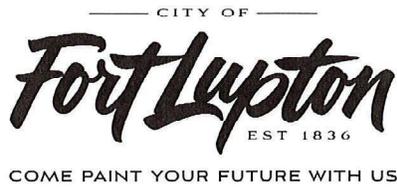
There will be no storage of wastes on-site. Any waste materials will be collected in dumpsters and sent to a landfill. All materials not collected in dumpsters will be stored inside. Chemicals stored on-site include standard household cleaning items in minimal volumes. While oil changes are not anticipated to be done on-site, if necessary, used oil and anti-freeze will be hauled off site to an appropriate facility for disposal. Any wastes produced from employees will be contained in a dumpster and regularly hauled off site by a sanitation service.

Employees may use the restroom located in the office, which is served by an existing septic system permitted under SP-1200117.

Noise

The property owner or operator will attempt to minimize noise generated during operation and maintain compliance with Weld County Noise Requirements. Nuisance noise levels are not anticipated as a result of the proposed use. Existing vegetation and surrounding fencing will provide sound absorption and screening.

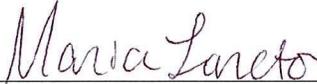
ANNEXATION IMPACT REPORT



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 10th day of March, 2020, I sent the following documents related to the C&M Rodriguez Annexation Nos. 1 – 5: Impact Report via certified mail with return-receipt requested to the following:

Weld County Commissioners
1150 O Street
PO Box 758
Greeley, CO 80631



City Official



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 10, 2020

C&M RODRIGUEZ ANNEXATION NOS. 1 – 5 ANNEXATION IMPACT REPORT

Statement of Purpose

This Annexation Impact Report, which has been prepared pursuant to Section 31-12-108.5 of the Colorado Revised Statutes, is based on the Annexation Petition for an annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 submitted by the Applicant, Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. It is being reviewed and evaluated by the City of Fort Lupton staff, and is scheduled for review by the City of Fort Lupton Planning Commission on April 9, 2020 at 6:00 PM and City Council on April 21, 2020 at 7:00 PM. Please contact the Planning Department at the address on the cover of this report, or at telephone number 303-857-6694, with any comments and/or questions.

Project Description

The property proposed for annexation is located in the East Half of Section 7, the East Half of Section 18, the East Half of Section 19, and the Southwest Quarter of Section 20, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado. The property is situated west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½. The annexation also includes road right of way. The total acreage of the C&M Rodriguez Annexation Nos. 1 – 5 is 56.21 acres, more or less. The annexation meets the 1/6th or 16.67% contiguity requirements set by State Statutes. The annexation map is attached along with the vicinity map.

Requested zoning for the properties proposed for annexation is 'C-2' Heavy Commercial and is substantially compliant with City of Fort Lupton Zoning Regulations. The land is currently zoned Agricultural in Weld County.

This report is divided into six elements, which correspond to C.R.S. 31-12-108.5(1)(a) through (f) and are set forth as follows:

- (a) a map or maps of the municipality and adjacent territory to show the following:
 - (I) The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;
 - (II) The present streets, major trunk water lines, sewer interceptors, and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation and;
 - (III) The existing and proposed land use pattern in the areas to be annexed.

- (b) a copy of any draft of the annexation agreement, if available;
- (c) a statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation;
- (d) a statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed;
- (e) a statement identifying existing districts within the area to be annexed;
- (f) a statement on the effect of annexation upon local public school district systems including the estimated number of students generated and the capital construction required to educate such students.

The following maps* have been attached as required in subparagraph (a) of C.R.S. Section 31-12-108.5:

- The present and proposed boundaries of the City of Fort Lupton in the immediate vicinity of the proposed annexation;
- The present streets, major water transmission mains, primary sanitary sewer outfalls, storm drainage infrastructure, ancillary utility mainlines, irrigation canals and ditches, and the proposed extension of such streets and utility services in the vicinity of the proposed annexation;
- The existing and proposed land use pattern in the area. The existing land use pattern is agricultural and residential.

In addition, pursuant to the requirements of subparagraphs (b) through (f), inclusive of said section, the following items have been addressed or presented:

- (a) A final Annexation Agreement and Annexation Ordinance shall be submitted to the Weld County Clerk and Recorder for recording and to the Weld County Attorney, upon request.
- (b) The plans of the City of Fort Lupton for extending municipal services to, or otherwise providing for, municipal services to the subject property to be annexed as follows:
 1. **On-Site / Off-Street Improvements:** The annexation agreement will address any future improvements.
 2. **Dry Utilities to Service Property:** Electrical, telephone, cable television and natural gas facilities are located in the vicinity of the property or already serving the property to be annexed.
 3. **Water Transmission and Sanitary Sewer Interceptors:** Water and sewer service can be extended to serve this site and will be addressed in the annexation agreement.
 4. **Police, Fire, and Other City Services:** Police protection will be provided by the City of Fort Lupton. Fire protection will be provided by the Fort Lupton Fire Protection District.
 5. **Water Distribution and Sewer Collection:** At the time of development that requires it, the developer of the property will be responsible for all construction of any required water and sanitary sewer systems in accordance with the City's Standards or agreements

with other service providers and Specifications for on-site services. This item will be addressed in the annexation agreement.

6. **Storm Drainage:** Storm drainage should not be negatively impacted.
 7. **Public Lands / Open Space:** The dedication of public lands and open space will be addressed in the annexation agreement.
 8. **Public Facility Extension:** The City does not anticipate that there will be a need for the Applicants to extend or construct any offsite public facilities, i.e. recreation centers, etc., for the annexation and initial zoning.
- (c) In the event that property is developed further and the extension of municipal services to the annexed property is required, the development of future water, sewer, and storm water infrastructure shall be accomplished by one or more of the following Financing Methods:
1. Development Fees and Surcharges collected by the City of Fort Lupton;
 2. Direct Developer Financing;
 3. Metropolitan Districts;
 4. Special Improvement Districts; and/or
 5. Otherwise by agreement between City and the Developer as deemed appropriate.
- (d) Consistent with C.R.S. 31-12-108.5, the Districts and all taxing entities are identified with the current 2019 property tax mill levy attached hereto.
- (f) This current annexation and zoning should not have any negative impact on the Weld County RE-8 Fort Lupton School District. Any future development proposals will be sent to the School District for review and comments. The School District has received a referral request for their review and comment.

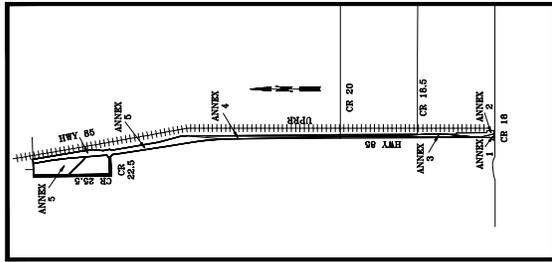
****Please contact Maria Lancto at mlancto@fortluptonco.gov or 303-857-6694 to request any of the provided maps in a larger format or in electronic format.***

Attachments:

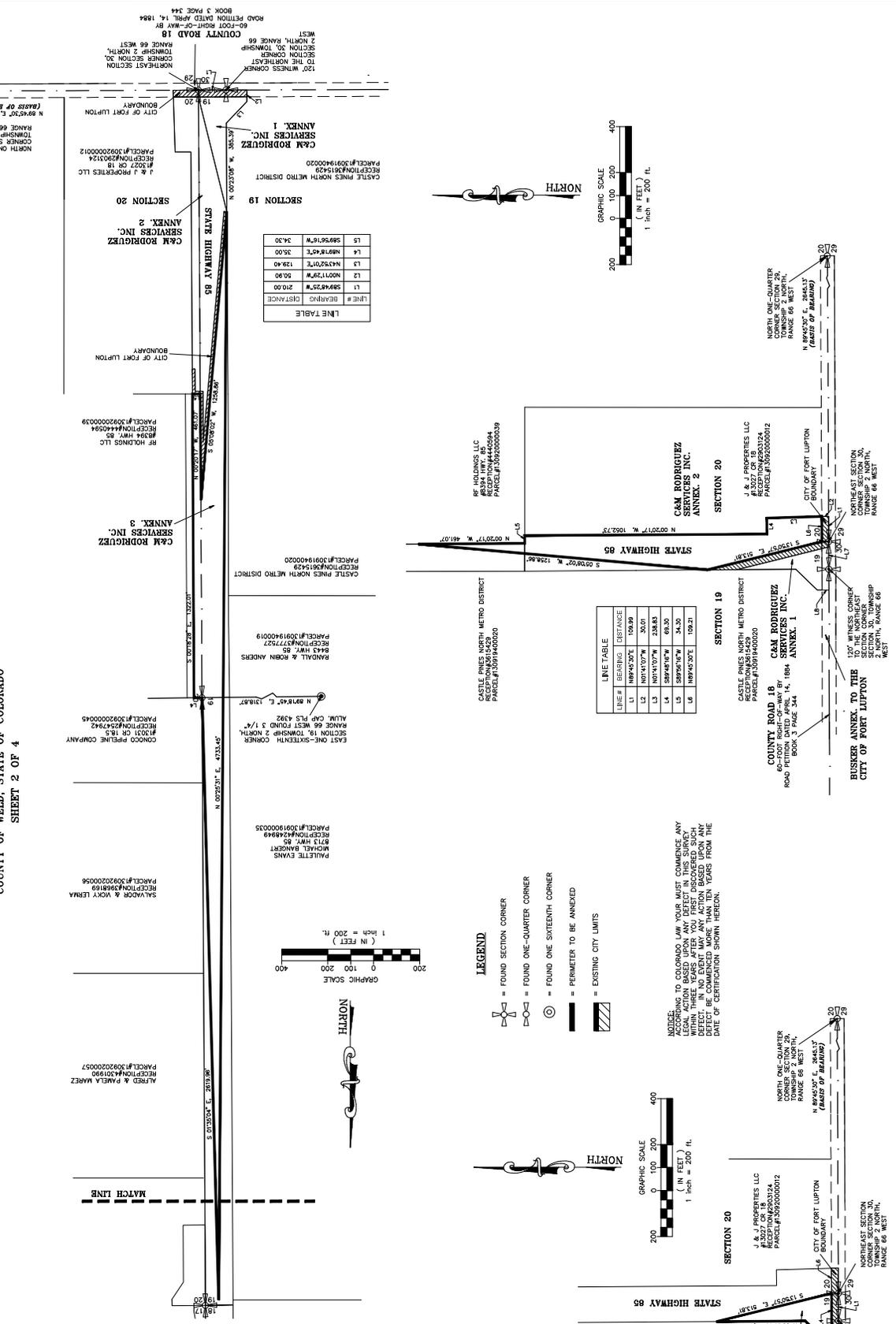
1. Annexation map and vicinity map with Fort Lupton boundary
2. Comprehensive Plan Land Use Map 2018
3. Zoning map
4. Water maps
5. Wastewater maps
6. Storm drainage study area maps
7. Storm sewer map
8. Irrigation canals and ditches map
9. Ultimate Roadway Network Map
10. 2019 Tax Levies Weld County, Colorado

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°30'17" E	100.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	50.01
L3	N00°17'29" W	238.83
L4	S89°42'57" W	69.30
L5	S89°42'57" W	54.30
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°30'17" E	100.00
L6	N89°42'57" E	100.21

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE-SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR MIST COMMENCE ANY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	REVISION	BY
1	7/27/2020	ADDED RIGHT-OF-WAY	GHK
2	7/27/2020	ADDED RIGHT-OF-WAY	GHK

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-555-9318

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

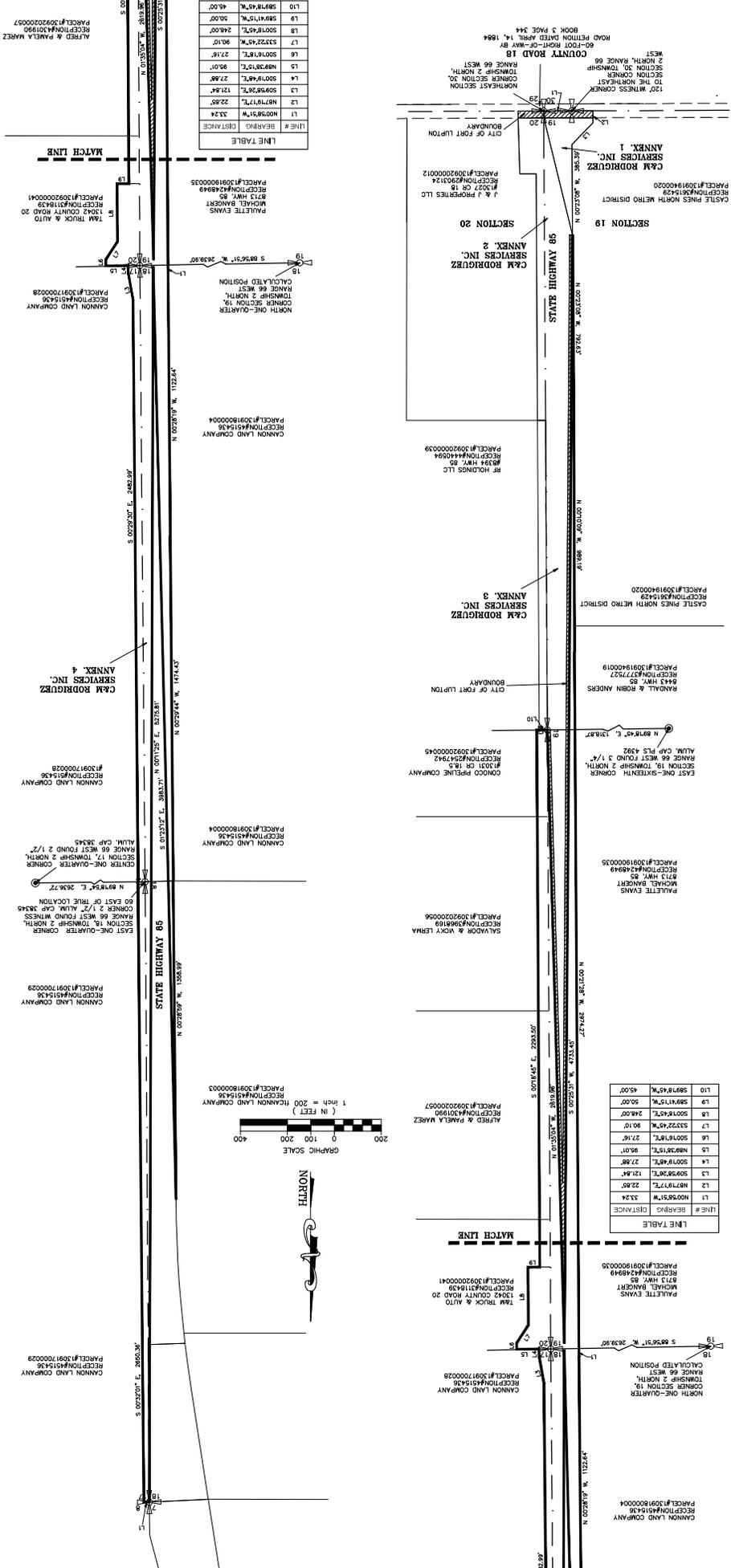
DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

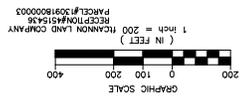
NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N008°51'W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°38'27"E	121.84'
L4	S00°19'48"E	27.08'
L5	N89°38'18"E	27.16'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	248.00'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'



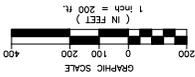
LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N008°51'W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°38'27"E	121.84'
L4	S00°19'48"E	27.08'
L5	N89°38'18"E	27.16'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	248.00'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'

		<p>ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.</p>	DATE: 1/21/2020 JOB# 1322-06ANEX SHEET 3 OF 4
<p>CLIENT: AG PROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634</p>		<p>HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504 PH: 970-535-9316</p>	
NO.	DATE	REVISION	BY
1	2/17/2020	ADDRESS COMMENTS	GRI
2	2/22/2020	ADDED RIGHT-OF-WAY	GRI

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

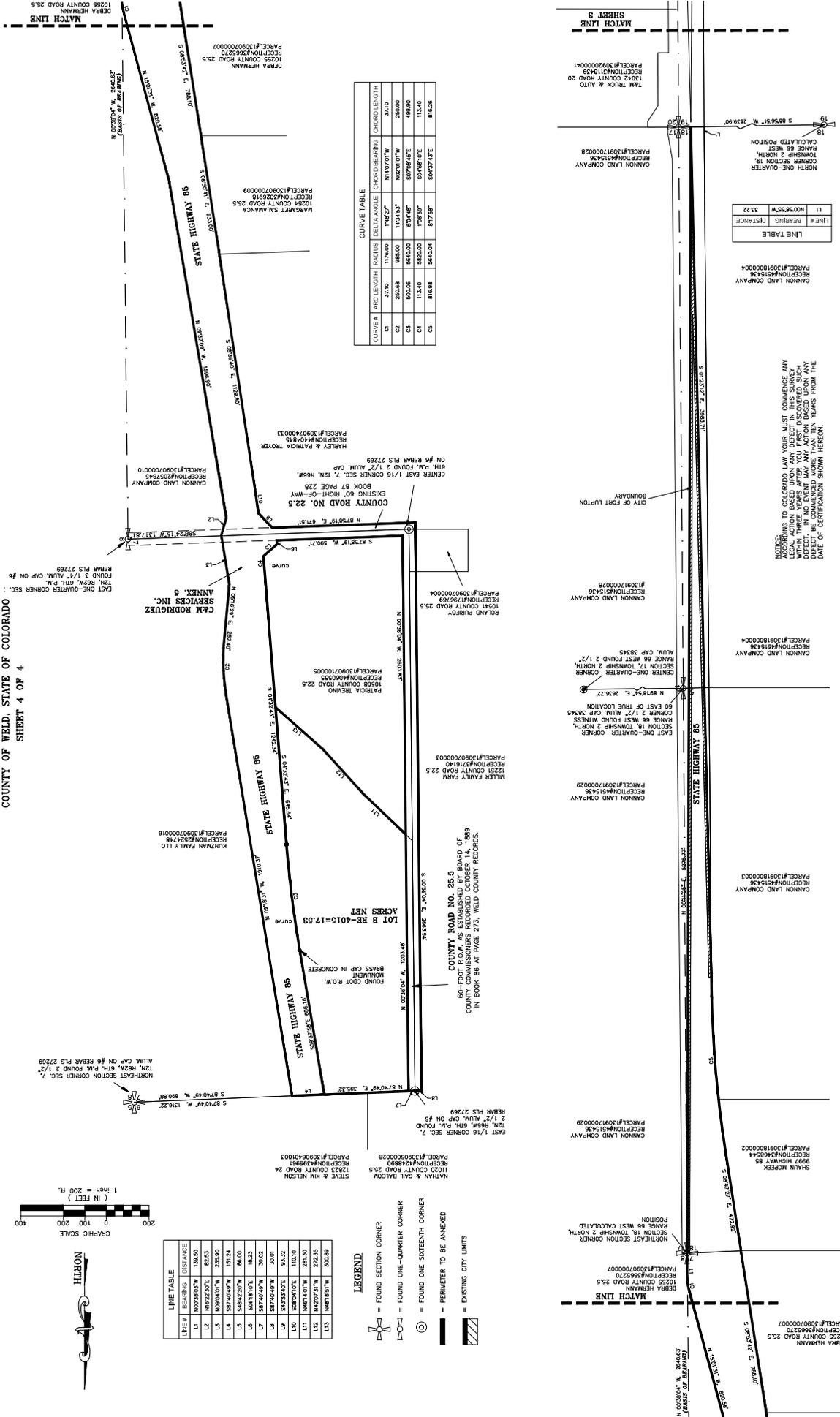


LINE #	BEARING	DISTANCE
L1	N00°09'56"W	33.22
L2	N10°22'27"E	65.33
L3	N09°04'54"W	235.90
L4	S81°24'54"W	151.24
L5	S80°48'22"E	66.00
L6	S87°46'49"W	1316.27
L7	S87°46'49"W	272.69
L8	S87°46'49"W	272.69
L9	S43°54'02"E	33.32
L10	S89°56'12"E	101.50
L11	S89°56'12"E	101.50
L12	N89°56'12"E	101.50
L13	N89°56'12"E	101.50
L14	N89°56'12"E	101.50
L15	N89°56'12"E	101.50
L16	N89°56'12"E	101.50
L17	N89°56'12"E	101.50
L18	N89°56'12"E	101.50
L19	N89°56'12"E	101.50
L20	N89°56'12"E	101.50

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

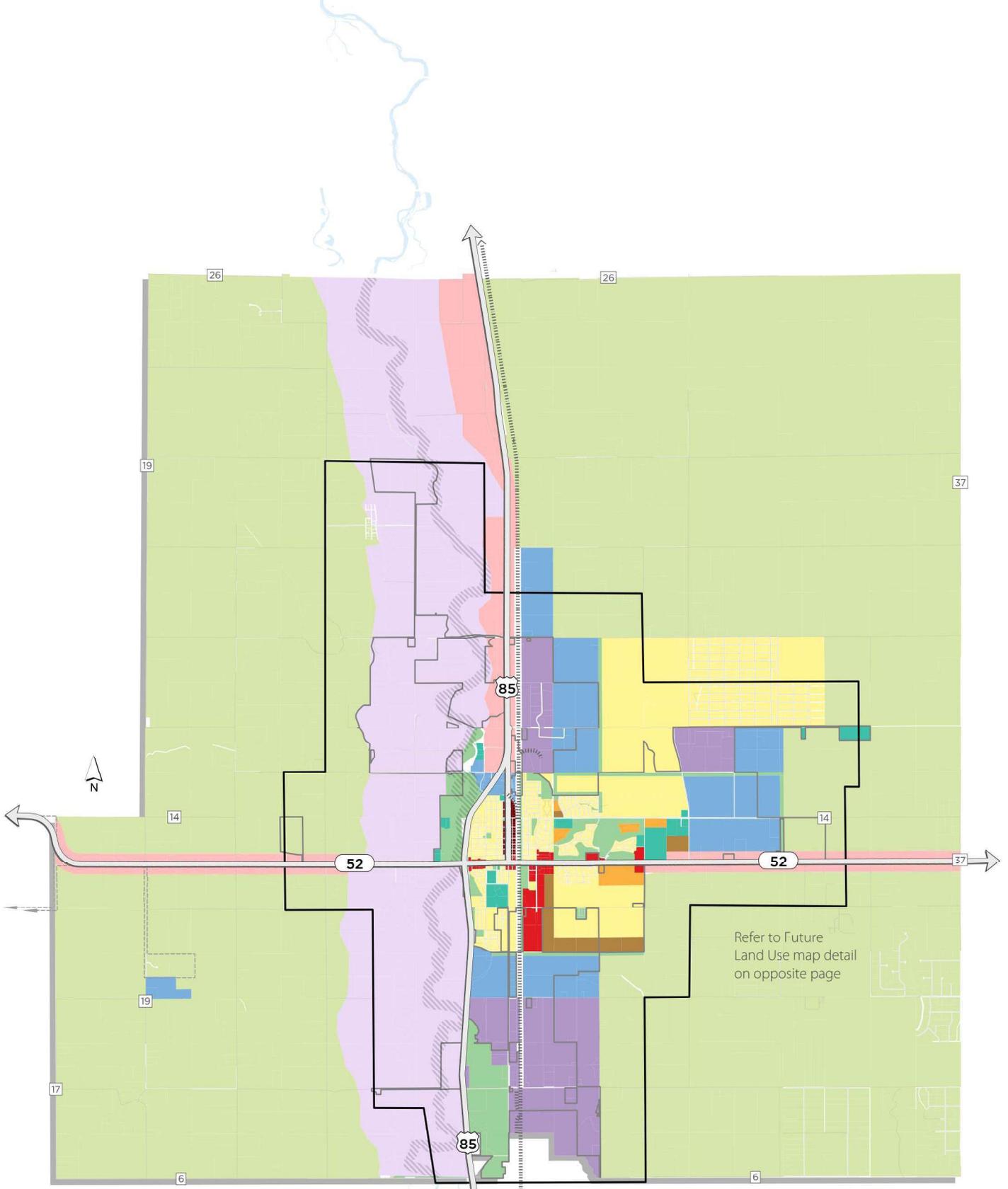
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	1740.00	7.6827°	N70°00'00"W	37.00
C2	60.00	2865.00	12.3727°	N65°00'00"W	60.00
C3	60.00	2865.00	12.3727°	N52°30'00"W	60.00
C4	111.40	5463.00	24.7454°	N37°30'00"W	111.40
C5	616.88	29470.00	61.9245°	N12°30'00"W	616.88



LINE #	BEARING	DISTANCE
L1	N00°09'56"W	33.22

NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT OR BE COMPLETED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

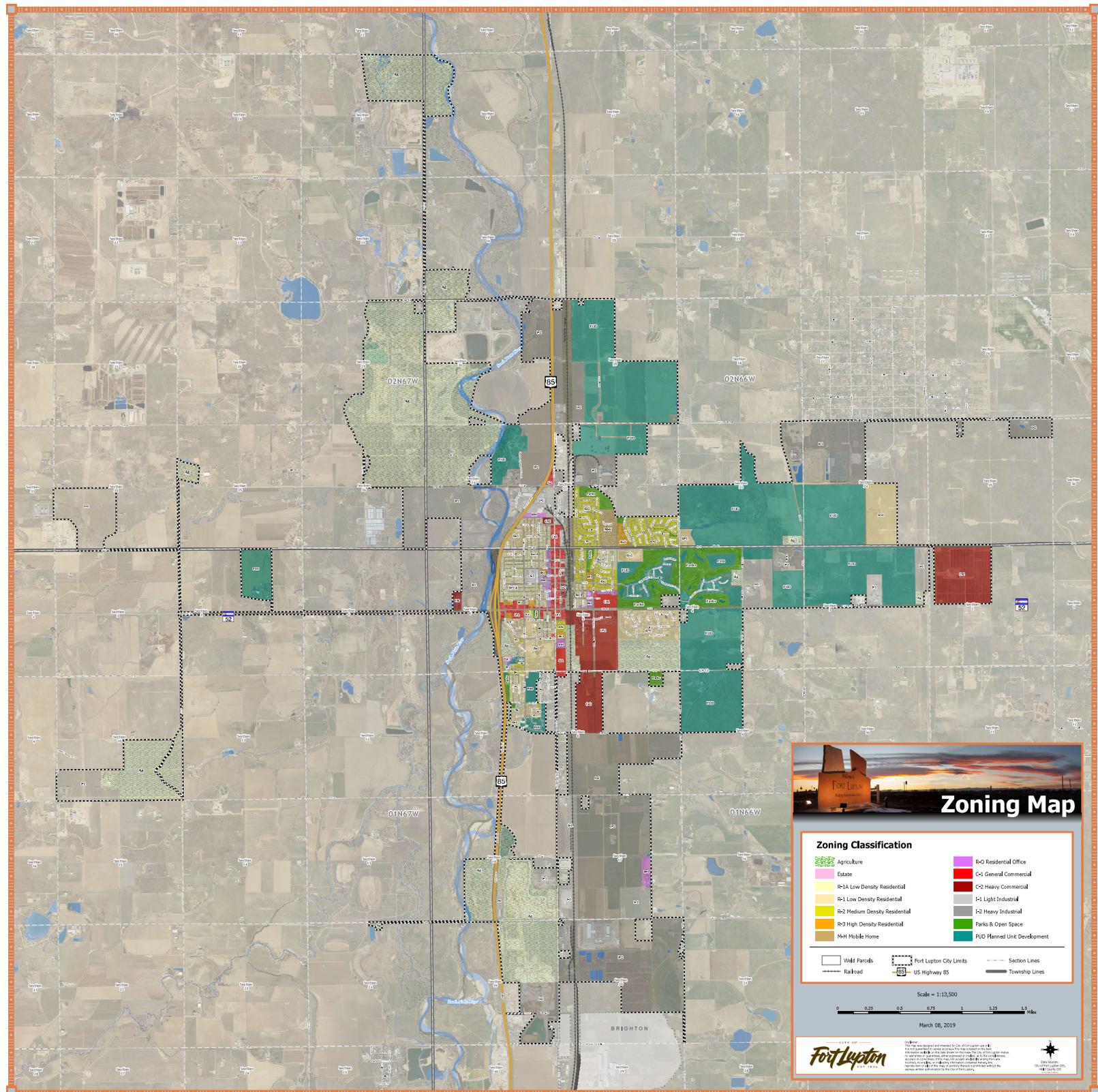
ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.		JOB#1322-06ANNEX SHEET 4 OF 4 DATE: 1/21/2020
CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634 PH: 970-535-9316		
HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504 PH: 970-535-9316		
DATE: 1/21/2020 ADDRESS COMMENT: 10255 COUNTY ROAD 25.5 ADDED POINT-CO-PLAN: 10255 COUNTY ROAD 25.5		



Future Land Use

Planning Area

- Riparian Zone
- Agricultural & Rural Residential
- Commercial General
- Light Industrial & Office
- Dacono City Limits
- Single-Family Detached
- Commercial Transition
- Mineral Zone
- Single-Family Attached
- Downtown Mixed-Use
- Parks & Open Space
- Multifamily
- Industrial
- Public / Semi-Public
- Existing Corporate Limits



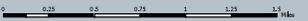

Zoning Map

Zoning Classification

- | | |
|--------------------------------|------------------------------|
| Agriculture | R-O Residential Office |
| Estate | C-1 General Commercial |
| R-1A Low Density Residential | C-2 Heavy Commercial |
| R-1 Low Density Residential | I-1 Heavy Industrial |
| R-2 Medium Density Residential | I-2 Light Industrial |
| R-3 High Density Residential | Parks & Open Space |
| M-H Mobile Home | PUD Planned Unit Development |

- | | | |
|--------------|-------------------------|----------------|
| Wild Parcels | Fort Lupton City Limits | Section Lines |
| Railroad | US Highway 85 | Township Lines |

Scale = 1:13,500



March 08, 2019



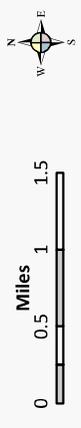
This map was prepared and printed for City of Fort Lupton on 03/08/2019. It is not intended to be used for any other purpose. The City of Fort Lupton is not responsible for any errors or omissions on this map. The City of Fort Lupton is not responsible for any actions taken based on this map. The City of Fort Lupton is not responsible for any actions taken based on this map. The City of Fort Lupton is not responsible for any actions taken based on this map.



Quadrant II

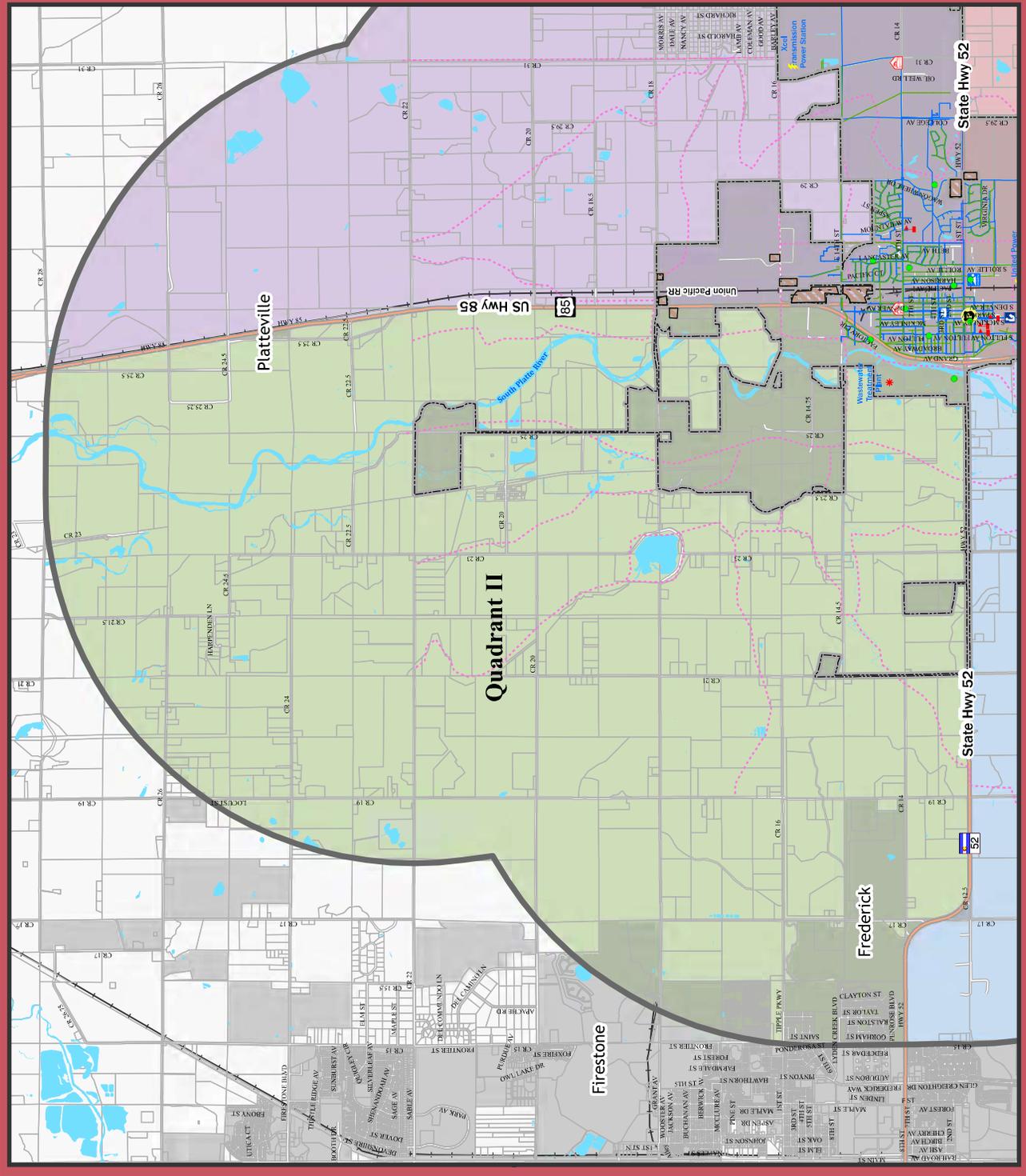
Legend

-  Three Mile Parcel Boundary with Quadrants
-  Weld County Parcels/ Adams County Parcels
-  Fort Lupton City Limits
-  Roads
-  Highways
-  Railroads
-  Water
-  Sanitary Sewer Lines
-  Waterlines
-  Planned Trails
-  Infill
-  Airport
-  Wastewater Treatment Plant
-  Transmission Power Station
-  Water Treatment Plant
-  Cemetery
-  Parks
-  Police Station
-  School
-  Fire Station
-  Post Office
-  Library
-  Rec Center

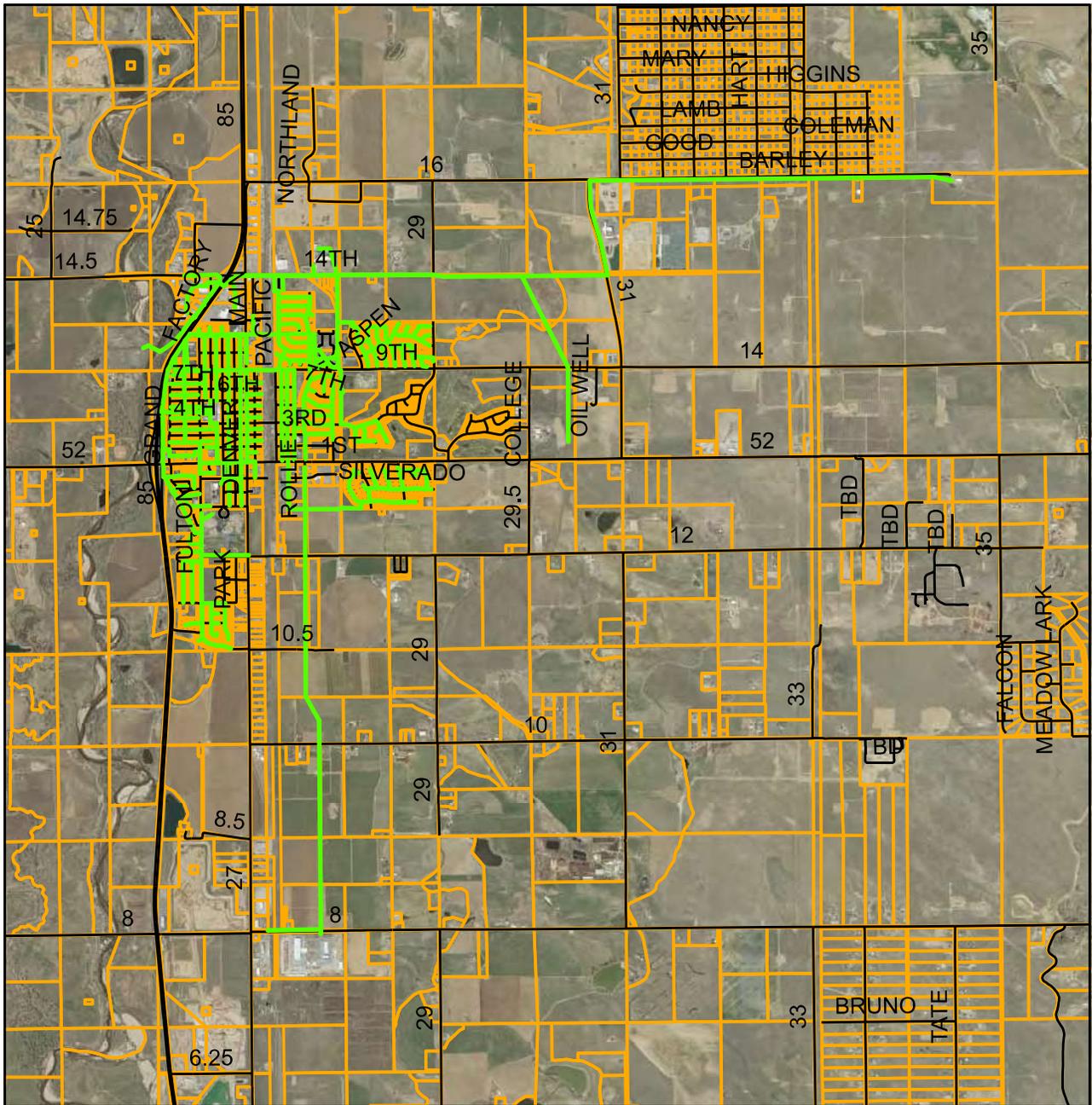


Data Sources: City of Fort Lupton GIS, Weld County GIS, Adams County GIS, Colorado Department of Transportation

Disclaimer: This map was designed and intended for City of Fort Lupton use only. It is not guaranteed to survey accuracy. This map is based on the best information available on the date shown on this map. The City of Fort Lupton makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of this map, nor accepts any liability arising from any incorrect, incomplete, or misleading information contained therein. Any reproduction or sale of this map, or portions thereof, is prohibited without the express written authorization by the City of Fort Lupton.

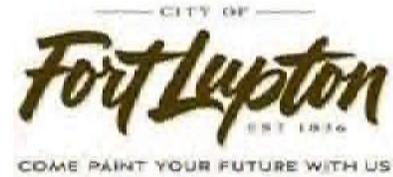
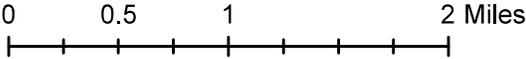


Fort Lupton Utility Map



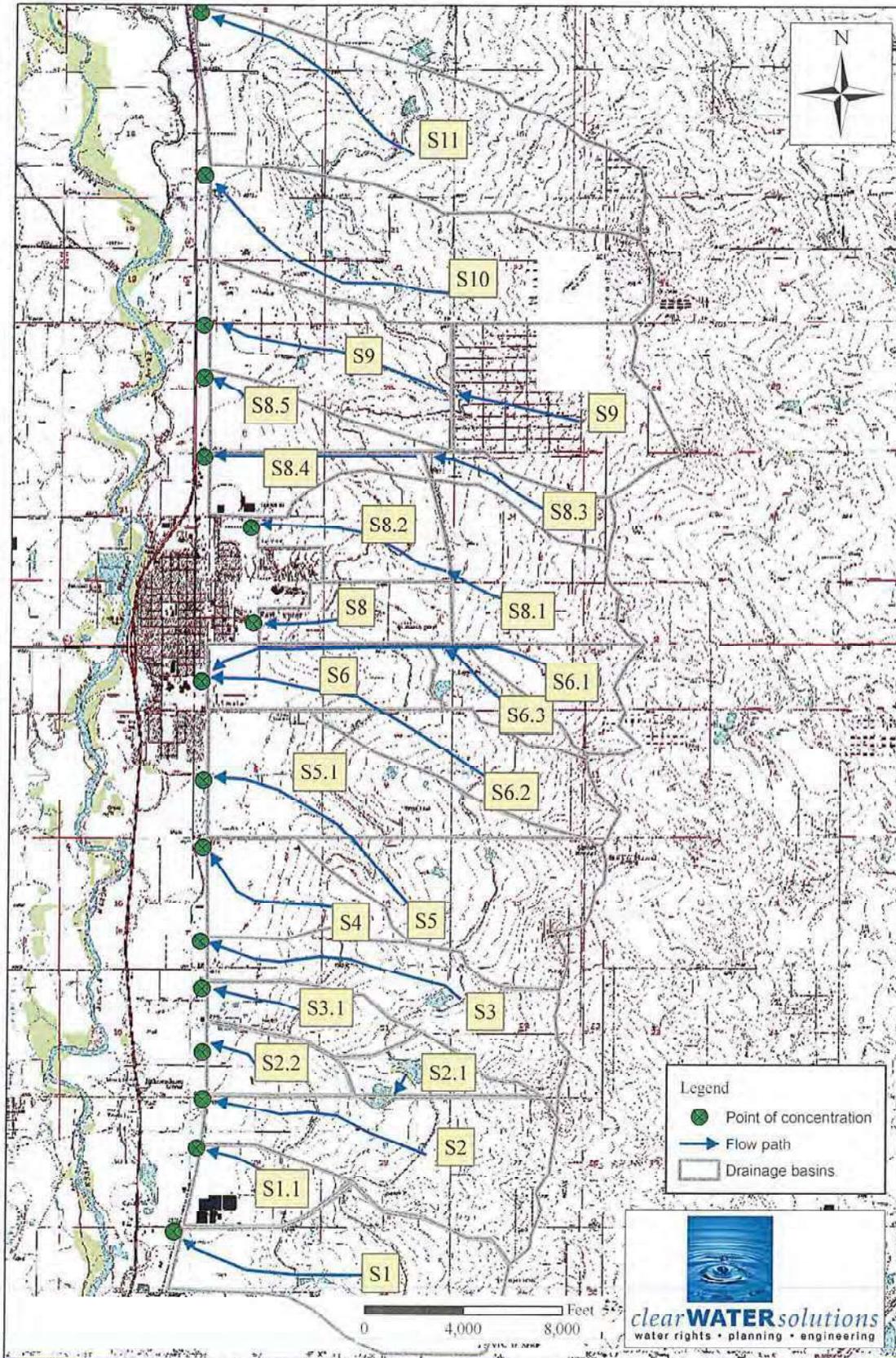
Utilities

— Sanitary Sewer

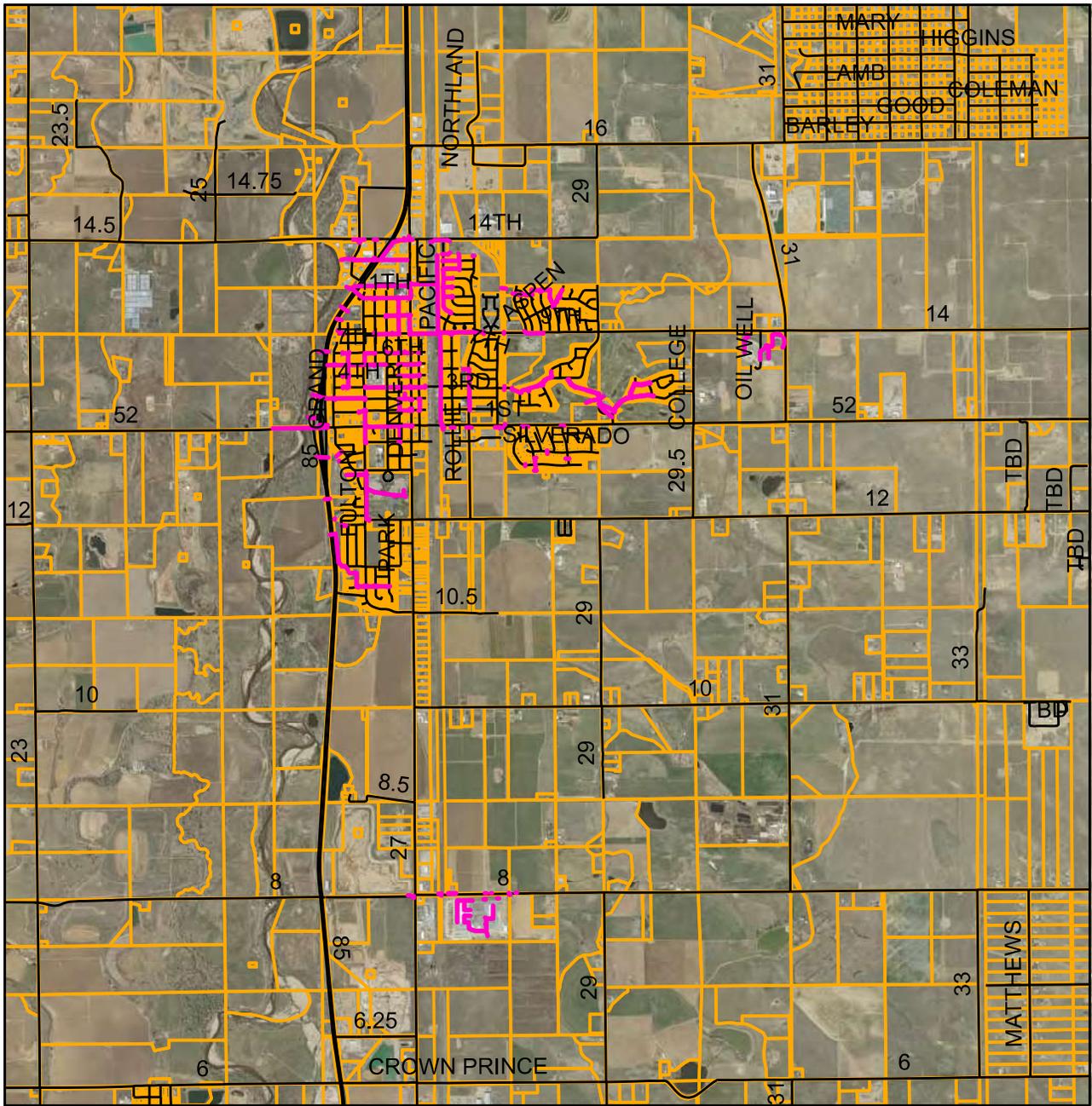


Utilities/Proposed Subdivision are in their best approximated locations as of 9/25/18 and are subject to change. Map is not for distribution among any other entity or persons other than intended recipient(s).

Figure 8-1
City of Fort Lupton
Storm Drainage Study Area

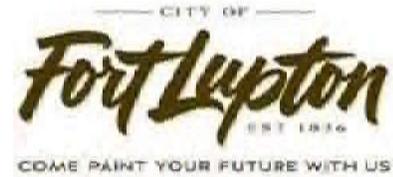
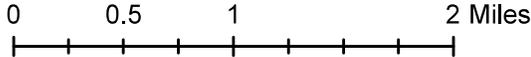


Fort Lupton Utility Map



Utilities

— Storm Sewer



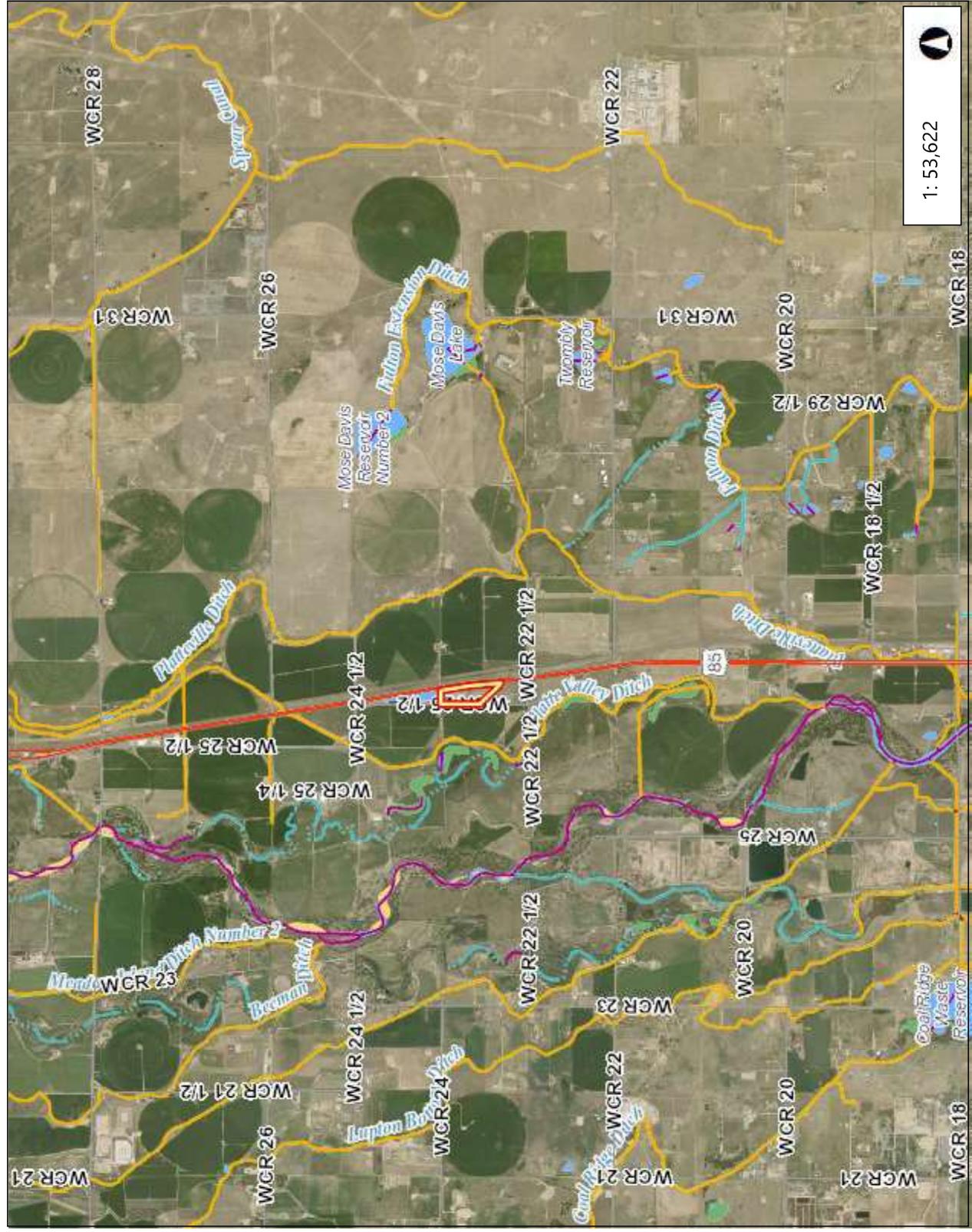
Utilities/Proposed Subdivision are in their best approximated locations as of 9/25/18 and are subject to change. Map is not for distribution among any other entity or persons other than intended recipient(s).



Legend

- Parcels
- Highway
- Road
- Road
- Highway
- County Boundary
- Creek / Canal - Large Scale
- Perennial
- Intermittent
- Ephemeral
- Artificial Path
- Canal Ditch
- Coastline
- Connector
- Pipeline
- Underground Conduit
- River - Large Scale
- Area of Complex Channels
- Area to be Submerged
- BayInlet
- Bridge
- CanalDitch
- DamWeir
- Flume
- Foreshore
- Hazard Zone

Notes



1: 53,622

8,936.9 0 4,468.46 8,936.9 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Weld County Colorado

FORT LUPTON - ULTIMATE ROADWAY NETWORK

**EXISTING NETWORK
ROAD IMPROVEMENTS**

4-LANE ARTERIAL	4-LANE ARTERIAL
RURAL COLLECTOR	RURAL COLLECTOR
URBAN COLLECTOR	URBAN COLLECTOR
RETAIL STREET	RETAIL STREET
UNION PACIFIC RR	UNION PACIFIC RR
4-LANE HIGHWAY	4-LANE HIGHWAY

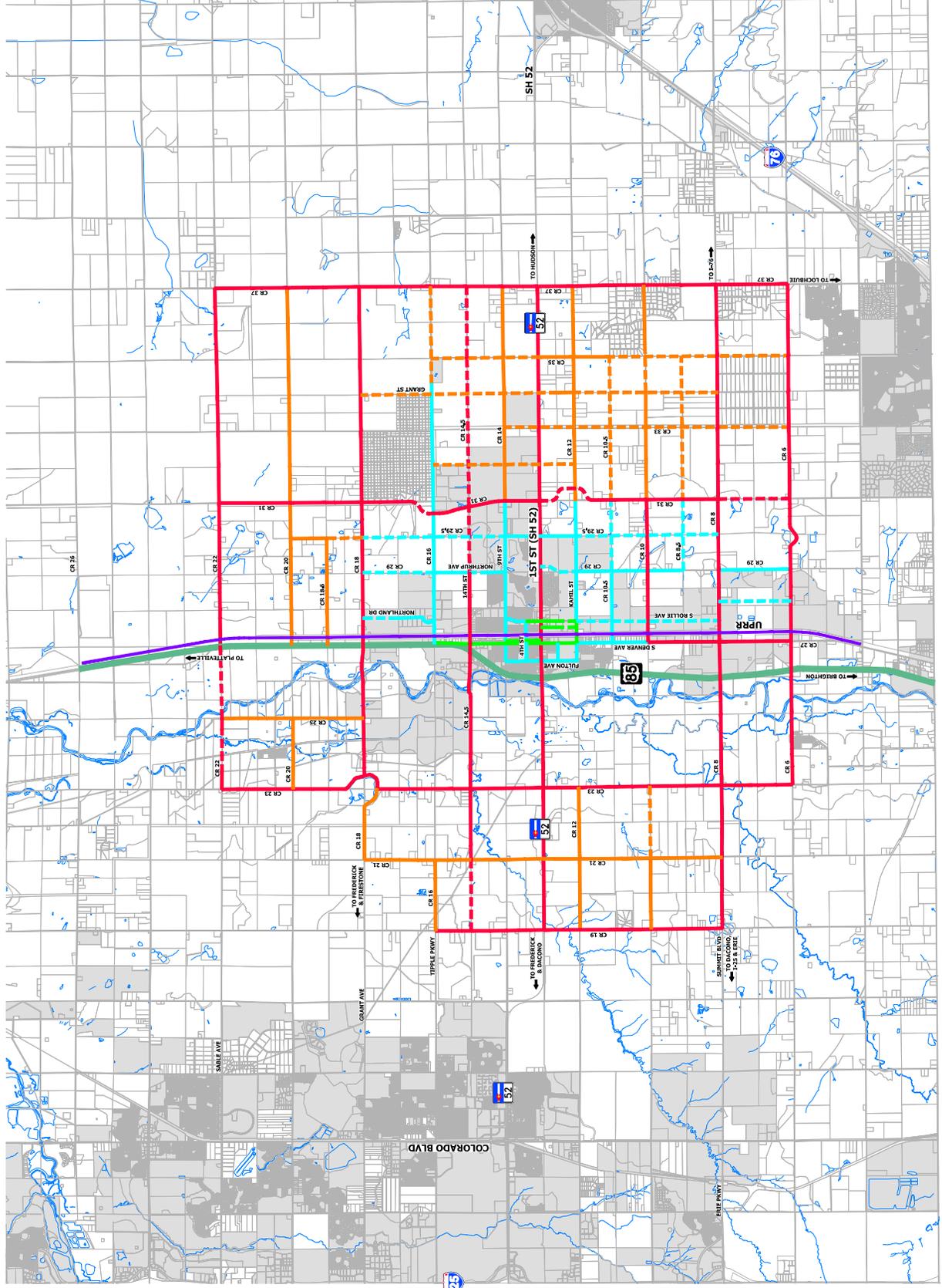
**FUTURE NETWORK
ROAD IMPROVEMENTS**

4-LANE ARTERIAL	4-LANE ARTERIAL
RURAL COLLECTOR	RURAL COLLECTOR
URBAN COLLECTOR	URBAN COLLECTOR
RETAIL STREET	RETAIL STREET

NOTE: FUTURE ROADWAYS ARE SHOWN ON A CONCEPTUAL BASIS.



2500 1500 0 2500 5000
ORIGINAL SCALE: 1" = 2500'



WELD COUNTY TAX DISTRICT AND AUTHORITY REPORT FOR TAX YEAR 2019

Tax District - 2229

<u>Authority Code</u>	<u>Authority Name</u>	<u>Mill Levy</u>
0100	WELD COUNTY	15.038000
0208	SCHOOL DIST RE8-FORT LUPTON	18.313000
0301	NORTHERN COLORADO WATER (NCW)	1.000000
0516	PLATTEVILLE-GILCREST FIRE	7.234000
0700	AIMS JUNIOR COLLEGE	6.354000
1050	HIGH PLAINS LIBRARY	3.217000
1201	PLATTE VALLEY CONSERVATION	0.000000
Total Levy		51.156000

Tax District - 2230

<u>Authority Code</u>	<u>Authority Name</u>	<u>Mill Levy</u>
0100	WELD COUNTY	15.038000
0208	SCHOOL DIST RE8-FORT LUPTON	18.313000
0516	PLATTEVILLE-GILCREST FIRE	7.234000
0700	AIMS JUNIOR COLLEGE	6.354000
1050	HIGH PLAINS LIBRARY	3.217000
1201	PLATTE VALLEY CONSERVATION	0.000000
Total Levy		50.156000

Tax District - 2232

<u>Authority Code</u>	<u>Authority Name</u>	<u>Mill Levy</u>
0100	WELD COUNTY	15.038000
0208	SCHOOL DIST RE8-FORT LUPTON	18.313000
0506	FORT LUPTON FIRE	9.412000
0530	FORT LUPTON FIRE (BOND 2022)	0.350000
0700	AIMS JUNIOR COLLEGE	6.354000
1050	HIGH PLAINS LIBRARY	3.217000
1201	PLATTE VALLEY CONSERVATION	0.000000
Total Levy		52.684000

Can lead to impact report

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Weld County Commissioners
 1150 O Street
 PO Box 758
 Greeley, CO 80631



9590 9402 3805 8032 5341 00

2. Article Number (Transfer from service label)

7019 1640 0000 5246 2982

PS Form 3811, July 2015 PSN 7530-02-000-9053

Attn: Maria Lando

COMPLETE THIS SECTION ON DELIVERY

- A. Signature **X** Agent Addressee
- B. Received by (Printed Name) **Tasia Carmichael** C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Mail
 - Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

PUBLIC COMMENTS

From: [Steve](#)
To: [Todd Hodges](#); [PlanningDept](#)
Subject: FW: C&M Rodriguez Annexation Nos. 1-5
Date: Friday, April 3, 2020 11:45:03 AM

Sorry that we got the email address wrong.

Steve

From: Steve <steve@overlandtractor.com>
Sent: Monday, March 30, 2020 8:14 AM
To: thodges@ftluptonco.gov
Cc: steve@overlandtractor.com
Subject: C&M Rodriguez Annexation Nos. 1-5

TO: Ft. Lupton Planning Commission and City Council

Greetings:

Our names are Steve and Kim Nelson, we own Overland Tractor and Supply, LLC. Our property abuts C&M Rodriguez's property on their northern boundary.

My concerns are primarily about the property that is being used as a storage yard. The tall cylindrical objects which I am told are combustors. They block visual line of sight to

My property. My business is dependent on customers being able to see my driveway onto Highway 85 and see my inventory on my display lot. The combustors are constantly

Being moved and sometimes they block everything.

The second problem that I have with them is that in the summertime and any hot weather, the noxious fumes that come from them are overpowering to myself and my customers.

There are times when we cannot work outside because the fumes make you feel sick.

We think that the only remedy for this problem is complete removal of all

combustors and any equipment that could present a similar problem.

We would recommend that the removal of all equipment be completed before an annexation agreement is finalized.

I am asking that you zone that parcel as commercial/retail, which would be complimentary to the character of the area. It is currently listed on the special use permit site plan as Equipment storage. Which should not be allowed.

There is a steel siding fence that surrounds this property that abuts my store. It is seven feet tall and prevents my customers from seeing my driveway until they have passed it

When coming north on Highway 85. This line of sight obstruction affects my ability to present my business to travelers on Highway 85. I am asking that all line of sight obstacles

To my business sign and entrance be removed or modified before annexation is granted.

In principal, I am supporting this annexation to Fort Lupton, with certain modifications. Fort Lupton has always been a good neighbor to me and to Platteville. I look forward to

Some adult supervision on that property.

Steve and Kim Nelson
Overland Tractor and Supply
12823 CR 24
Ft. Lupton, CO 80621
303-857-9405

7mj Rodriguez A

From: gail_balcom
To: [Todd Hodges](mailto:Todd.Hodges); mlancoto@fortluptonco.gov; [Alyssa Knutson](mailto:Alyssa.Knutson); PlanningDept
Subject: C&M Rodriguez Annexation
Date: Tuesday, April 7, 2020 9:22:42 AM

Good morning,

Our names are Nathan and Gail Balcom. We live on the north end of the C&M Rodriguez property and have been here for 10 years.

In July of last year C&M Rodriguez was ordered by the Weld County Commissioner to vacate their premises within 30 days. To date nothing has been removed. In fact more and more of the combustor towers are moved in weekly. These towers have a noxious odor, especially in warmer weather. It is often difficult to be out in our own yard due to the fumes. They are also very unsightly and are less than 40 yards from our front door.

In addition to these towers they are also storing RV's, boats and other companies' oil drilling equipment. There is constant noise from their lot and the trucks drive down our small dirt road at a high rate of speed. We have two grandchildren as well as family pets that are affected by both the fumes from the towers, the dust and noise from the traffic and the trash that is tossed from windows up and down our road.

We vehemently disapprove of this annexation and would hope Fort Lupton will send someone out to inspect the area prior to any decisions being made.

I have attached two photos of the towers, one from our picnic table and the other last night as they brought in an additional tower.

We will be on the call Thursday evening.

Sincerely,

Nathan and Gail Balcom





**Kenneth Miller and Miller Family Farms LLC.
12251 WCR 22.5 – Fort Lupton, CO. 80621**

Fort Lupton Planning Commission,

RE: C&M Rodriguez Annexation Section 7

I Kenneth Miller, along with Magness Land and Cattle Company own the ditch and easement roadway to maintain the ditch that lies just south of the Rodriguez property (section 7). It is not clear if this ditch is included in this annexation, however it is evident that I do not want my ditch or right-of-way easement used to maintain my ditch, in the city of Fort Lupton.

Miller Family Farms owns the ditch along Weld County Road 22 1/2 . The roadway is not needed for this annexation as you have already planned to annex along US highway 85 to the Rodriguez property. This ditch pre-dates the road by many years. It is center on the half section line and I own the maintenance right of the ditch on its north side.

In conclusion, I would prefer that the city not annex my ditches or interfere with my maintenance rights to service those ditches, and thus not interfere with my farming.

Thank you for your time.

Cordially,

Kenneth Miller

1/2" ALUM. CAP ON #6
BAR PLS 27269

S 87°40'49" W. 1316.22'
S 87°40'49" W. 890.88'

NOR
T2N,
ALU1

60-FOOT R.O.W. AS ESTABLISHED BY BOARD OF
COUNTY COMMISSIONERS RECORDED OCTOBER 14, 1989
IN BOOK 86 AT PAGE 273, WELD COUNTY RECORDS.

COUNTY ROAD NO. 25.5

LOT B RE-4015=17.53
ACRES NET

FOUND CDOT R.O.W.
MONUMENT
BRASS CAP IN CONCRETE

KUNZMAN FAMILY LLC
RECEPTION#2524748
PARCEL#130907000016

LLER FAMILY FARM
251 COUNTY ROAD 22.5
RECEPTION#3716140
PARCEL#130907000003

Water Rights Est. 1862

PATRICIA TREVINO
10508 COUNTY ROAD 22.5
RECEPTION#4060555
PARCEL#130907100005

ROLAND PURIFOY
10541 COUNTY ROAD 25.5
RECEPTION#1796769
PARCEL#130907000004

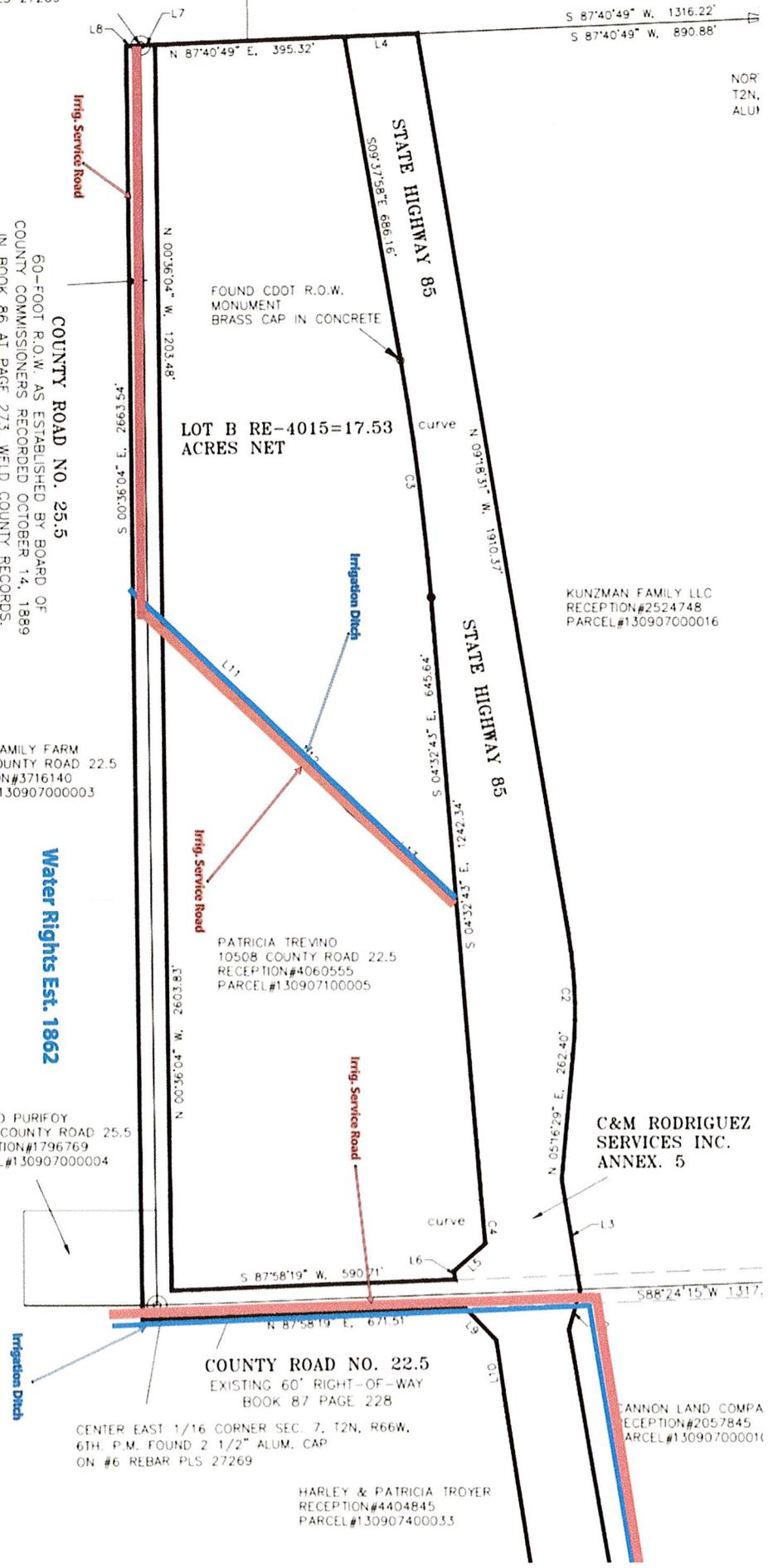
C&M RODRIGUEZ
SERVICES INC.
ANNEX. 5

CENTER EAST 1/16 CORNER SEC. 7, T2N, R66W,
6TH. P.M. FOUND 2 1/2" ALUM. CAP
ON #6 REBAR PLS 27269

COUNTY ROAD NO. 22.5
EXISTING 60' RIGHT-OF-WAY
BOOK 87 PAGE 228

CANNON LAND COMPA
RECEPTION#2057845
PARCEL#130907000011

HARLEY & PATRICIA TROYER
RECEPTION#4404845
PARCEL#130907400033



REFERRAL RESPONSES



March 10, 2020

Maria Lancto, Planner I
City of Fort Lupton
Transmission via email: planningdept@fortluptonco.gov

Re: C&M Annexation Nos. 1 - 5 and Special Use Permit
Part of the E ½ of the NE ¼ of Sec. 7, T2N, R66W, 6th P.M.
Water Division 1, Water District 2

Dear Mario Lancto:

We have received your March 4, 2020 request concerning the above-referenced annexation, rezone, and special use permit for a 18.35-acre parcel known as Lot B of Recorded Exemption RE-4015. The proposal is to annex this lot into the City of Fort Lupton, rezone from agricultural (A) to heavy commercial (C-2), and for a special use permit to allow for require heavy auto and truck traffic or outdoor storage and display. The parcel is currently used for an oil and gas service business with an office, shop building, and vehicle and equipment storage.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

Estimated water requirements and proposed uses were not provided. The proposed water supply source is an existing well, permit no. 76008-F. Well permit no. 76008-F was issued May 10, 2012 pursuant to section 37-90-137(4), C.R.S. and the findings of the state engineer dated May 10, 2012. The well is permitted to withdraw an average annual amount of 3.25 acre-feet at a maximum pumping rate of 15 GPM from the nontributary Laramie-Fox Hills aquifer. The well is permitted for commercial use and irrigation. The well, as permitted, can be used for commercial drinking and sanitary purposes for the business, but cannot be used for the business’s industrial purposes.

According to the submitted material, storm drainage facilities will be developed for the site. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S, the structure may be subject to administration by this office. The applicant should review [DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), to ensure that the notification, construction and operation of the proposed structures meet statutory and administrative requirements. The applicant is encouraged to use [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

If you or the applicant have any questions, please contact Wenli Dickinson at 303-866-3581 x8206 or at wenli.dickinson@state.co.us.



Sincerely,

A handwritten signature in blue ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial 'J'.

Joanna Williams, P.E.
Water Resources Engineer

Ec: Referral no. 27043
Water well permit no. 76008-F

From: [Kristen Thompson](#)
To: [Maria Lancto](#)
Cc: [Stephanie Darnell](#); [Todd Hodges](#); [Alyssa Knutson](#)
Subject: RE: Referral Response Request: C&M Annexation Nos. 1 - 5 and Special Use Permit
Date: Wednesday, March 18, 2020 9:08:50 AM
Attachments: [image002.png](#)
[image003.png](#)

Maria,

The Application lists the water provider as Central Weld County Water District. If that is correct, no action is needed. I was not aware that Central Weld's pipeline extended this far.

However, if Fort Lupton will be providing water service, the applicant will need to file a Petition for Inclusion into the Municipal Subdistrict Boundaries.

If you have any questions, please let me know.

Thank you
Kris



Kristen Thompson | Inclusion Specialist
220 Water Ave | Berthoud, CO 80513
Direct 970-622-2237
Main 800-369-RAIN (7246) | Fax 877-851-0018
www.northernwater.org | [Find us on Facebook](#)

Disclaimer Notice: An allotment of Colorado-Big Thompson water is subject to the Water Conservancy Act, C.R.S 37-45-101 et seq, the authority of the Board of Directors of the Northern Colorado Water Conservancy District, and other relevant laws and regulations. The information provided in this email is not binding on Northern Water because the legal rights to Colorado-Big Thompson Project Allotments are subject to the continuing discretion of the Board of Directors of Northern Water and other legal limitations and requirements. Northern Water staff and counsel cannot provide you with legal advice, and you are advised to seek legal counsel with respect to the subject matter of this email. You also have an independent obligation to review and confirm the accuracy and completeness of any information provided to you by Northern Water, and to supplement or correct the records of Northern Water with respect to any errors or omissions.

From: Maria Lancto <MLancto@Fortluptonco.gov>
Sent: Wednesday, March 4, 2020 11:49 AM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Stephanie Darnell <sdarnell@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>
Subject: Referral Response Request: C&M Annexation Nos. 1 - 5 and Special Use Permit

Good Morning/Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and special use permit that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [C&M Annexation and Special Use Permit](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 25, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, April 9, 2020 at 6:00 PM**
- **City Council on Tuesday, April 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to planningdept@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto
Planner I
130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694
Cell: 303.718.0172



The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

From: [Hice-Idler - CDOT, Gloria](#)
To: [Todd Hodges](#); [Alyssa Knutson](#)
Cc: [Allyson Mattson - CDOT](#); [Bilobran, Timothy](#)
Subject: C&M/Town of Fort Lupton/US 85
Date: Thursday, March 12, 2020 11:00:52 AM
Attachments: [image001.png](#)

CDOT has no comment regarding the annexation or rezone of the property. It does not appear that there's any planned increase of traffic volumes to the intersection of US 85 and WCR 22.5 at this time. If any change is planned that would increase traffic to that intersection, CDOT would have the warrant to re-evaluate access needs.

Gloria Hice-Idler

Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org





Fort Lupton Fire Protection District

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: www.fortluptonfire.org

Date: 03/25/2020

Project name: C&M Annexation

Project address: 10992 Cr 25.5, Fort Lupton, Co 80621

FLFPD Project # R2020-014

Plan reviewer: Taw Tamlin, Fire Marshal

The Fire District has reviewed the referral for **C&M Annexation** located at **10992 Cr 25.5**, Fort Lupton, CO 80621. The submittal was reviewed for compliance with 2012 International Fire Code (IFC) and National Fire Protection Association (NFPA) standards as adopted by the Fort Lupton Fire Protection District, City Council of Fort Lupton, and Weld County Commissioners. The following specific and general requirements and conditions shall be met.

Specific Requirements:

1. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. *2012 IFC, 505.1*
2. Fire apparatus access road (driveway) shall be designed and maintained to support the imposed loads of fire apparatus (56,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities (e.g. gravel, road base or recycled asphalt). *2012 IFC Section 503.2.3*
3. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. *2012 IFC, 506.1*
 - a. You can go to the following link to purchase a Knoxbox.
<https://www.knoxbox.com/>

4. A fire code inspection shall be required for a Certificate of Occupancy.
5. The following items shall be approved by the Fire District prior to construction. Click on <https://fortluptonfire.org/contractors/> for directions on submitting plans.
 - a. Building Construction
 - b. Instillation of Above Ground Storage Tanks
 - c. Instillation of Below Ground Storage Tanks

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.



Public Works

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

MEMO

To: Todd Hodges
Alyssa Knutson

From: Roy Vestal

Date: March 27, 2020

Subject: C&M Annexation Nos. 1 - 5 and Special Use Permit
Public Works Review

Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

Public Works has no objections to this site plan and annexation.

1. Drainage

- a. Assuming there is no new construction proposed, no drainage improvements are required, unless there is currently a known drainage issue in this area.
- b. Be advised, on page 7, General Concept - being a rural location is not reason not to provide detention.

2. Transportation

- a. CR 25.5 is likely to be a Collector in the future. Would require dedication of an additional 7.5 feet of ROW. No movement of existing fence required at this time.
- b. Will property owner be agreeable to a road maintenance agreement for snow removal and grading operations for CR 25 and CR 22.5?



Your Touchstone Energy® Cooperative 

Hello,

Thank you for inviting United Power, Inc. to review and comment on the C&M Annexation Nos. 1 - 5 and Special Use Permit. After review of the information, the building already exists and has power serviced to this site. If the developer needs additional or undegraded service, please have them contact United Power. The developer can visit <https://www.unitedpower.com/construction> and submit an application along with CAD data.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,

A handwritten signature in black ink that reads "Samantha Riblett".

Samantha Riblett
United Power, Inc
Right of Way Administrative Assistant
Main 303-659-0551 | D 303-637-1324



DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave

Greeley, CO 80631

Website: www.weldgov.com

Email: jflesher@weldgov.com

Phone: (970) 400-3552

Fax: (970) 304-6498

Via Email

March 24, 2020

Alyssa Knutson, Planner
City of Fort Lupton
130 S. McKinley Avenue
Fort Lupton, CO 80621

Subject: C&M Rodriguez Annexation and Special Use Permit

Dear Alyssa:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

On page 4 of the annexation map the parcel number and ownership is given on the south parcel, but it doesn't include the designation of Lot A of RE-4015 or the acreage. The north lot has the legal and acreage, but not the parcel number or owner name.

"STATE HIGHWAY 85" should be changed to "US HIGHWAY 85."

General comments:

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

The present zoning of adjacent and surrounding unincorporated properties are predominantly Agricultural. Owners of property in the area of this proposal should be made aware that agricultural uses, even when done in a manner consistent with good agricultural practices, may generate impacts such as noise, dust, flies, odors, aerial spraying, and slow-moving equipment on County roadways. It is important for future residents to note that adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement and recommends they be placed on all plats adjacent to unincorporated areas:

Right-to-Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged

to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

Weld County Right to Extract Mineral Resources Statement

Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the State's commercial mineral deposits are essential to the State's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.

Mineral resource locations are widespread throughout the County and person moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Weld County



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

March 29, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: C&M Annexation Nos. 1-5 and Special Use Permit, Case #s unknown

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **C&M Annexation Nos. 1-5 and Special Use Permit**. Please be advised that Public Service Company has existing intermediate pressure natural gas pipeline within the areas indicated in this proposed Annexation No. 4, both within and crossing. The City of Fort Lupton must send us notification after approval of the proposed annexation has been finalized. This notification should be sent to Jacob Van Laere (303-571-3818) at: Xcel Energy, 1123 West 3rd Avenue, Denver, Colorado 80223 or jacob.van.laere@xcelenergy.com. This will allow our mapping department to make the necessary updates to our mapping system.

Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Should the project require any new natural gas service or modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



March 20, 2020

VIA E-MAIL

Fort Lupton Planning & Building Department
Todd Hodges
130 S. McKinley Avenue
Fort Lupton, Colorado 80621
thodges@fortluptonco.gov

**NOTICE OF RIGHT-OF-WAY GRANT OWNED BY KERR-McGEE GATHERING
LLC**

Re: AGPRO Project #1322-06: Annexation, Change of Zone, and Special Use Permit
C&M Rodriguez Services, Inc. – Property Owner
Shannon Toomey – Representative
Township 2 North, Range 66 West, 6th P.M.
Section 7: Part of the E/2 of the NE/4
Weld County, Colorado

Mr. Hodges:

This letter is being sent by Kerr-McGee Gathering LLC (“KMGG”) to inform you KMGG is the owner of valid easements and pipelines located in the E/2 of the NE/4 of Section 7, Township 2 North, Range 66 West for which the Fort Lupton Planning & Building Department (“Town”) is reviewing AGPRO Project #1322-06: Annexation, Change of Zone and Special use Permit. KMGG is submitting this comment timely, in accordance with the Town’s procedural requirements.

The following are comments in support of this Notice:

1. KMGG is the owner of a valid Right-of-Way Grant that was executed on August 26, 1971, and recorded on September 29, 1971 with the Weld County Clerk and Recorder at reception number 1575996. Referenced Right-of-Way Grant contains pipeline number 16-71-257-8.

2. KMGG is the owner of a valid Right-of-Way Grant granted through a Surface Use Agreement that was executed on August 10, 2012 and recorded on August 24, 2012 with the Weld county Clerk and Recorder at reception number 3868475. Referenced Right-of-Way Grant contains pipeline number 99-8-3.

KMGG does not object to the proposed Annexation, Change of Zone and Special Use Permit provided the applicant conforms to the terms of the Right-of-Way Grants identified above.

Please contact me at 720-929-3714 if you have any questions or comments about this matter.

Sincerely,
KERR-McGEE GATHERING LLC

Grant Gerrard
Senior Landman

cc: Murph Shelby, Lead Counsel
Brett Cavanagh
Jake Billadeau
Heather Bennett
Kelly Reyos
C&M Rodriguez Services, Inc. c/o AGPRO Professionals – Shannon Toomey

LEGAL NOTIFICATIONS

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Thursday, April 9, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Tuesday, April 21, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearings is to consider an application submitted by Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. for an annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 and initial zoning to 'C-2' Heavy Commercial. There is one parcel included within the proposed annexation, as well as road rights of way. The property (Parcel 130907100006) is located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½. The Property is more particularly described below. The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303-867-6694.

LEGAL DESCRIPTION

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 1:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET; THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 2:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET; THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG THE EAST RIGHT-OF WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85; THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-

OF-WAY LINE OF SAID COUNTY ROAD 18; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 3:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET; THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°36'42" E FOR A DISTANCE OF 3773.65 FEET; THENCE S 01°38'43" E FOR A DISTANCE OF 2520.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19; THENCE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4.30 ACRES.

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 4:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, TOWNSHIP 2 NORTH,

RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET; THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°11'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'55" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1359.03 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET; THENCE N 00°10'39" E FOR A DISTANCE OF 5577.70 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18; THENCE ALONG SAID EAST LINE, S 00°22'43" E FOR A DISTANCE OF 1977.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 18; THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 18, S 00°29'30" E FOR A DISTANCE OF 2630.84 TO THE SOUTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 19, S 00°18'45" E FOR A DISTANCE OF 2643.80 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19; THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 19, S 00°20'17" E FOR A DISTANCE OF 860.57 FEET; THENCE DEPARTING SAID EAST LINE, N 01°38'43" W FOR A DISTANCE OF 2520.66 FEET; THENCE S 00°36'42" W FOR A DISTANCE OF 3773.65 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.43 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 WHICH LIES S 05°02'03" W 1298.21 FEET FROM THE NORTHEAST CORNER OF SECTION 18 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M. SAID POINT BEING THE POINT OF BEGINNING THENCE S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET; THENCE N 00°10'29" E FOR A DISTANCE OF 5577.66 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18; THENCE ALONG SAID EAST LINE N 00°22'43" W FOR A DISTANCE OF 672.54 FEET TO THE NORTHEAST SECTION CORNER OF SAID SECTION 18; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7, N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE; THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET; THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET; THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET; THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET; THENCE N 09°04'01" W FOR A

DISTANCE OF 235.90 FEET; THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE; ON A CURVE TO THE LEFT HAVING A RADIUS OF 984.87 A DELTA ANGLE OF 14°35'00" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET; THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7; THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET; THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 1242.33 FEET TO A POINT OF CURVATURE;
4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;
5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;
6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7; THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7; THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG THE WEST

RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;
1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-

WAY LINE, N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 56.21 ACRES.

RESOLUTION NO. 2020R030

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5, AND SETTING THE PUBLIC HEARING FOR APRIL 21, 2020.

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Cesar Rodriguez Gallardo for 84.31 acres, more or less, and known as the C&M Rodriguez Annexations Nos. 1 – 5; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for C&M Rodriguez Annexation Nos. 1 – 5, and sets the hearing date for April 21, 2020, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 3rd DAY OF MARCH 2020.

s/Zo Stieber
Zo Stieber, Mayor

Attest:
s/Maricela Peña
Maricela Peña, City Clerk

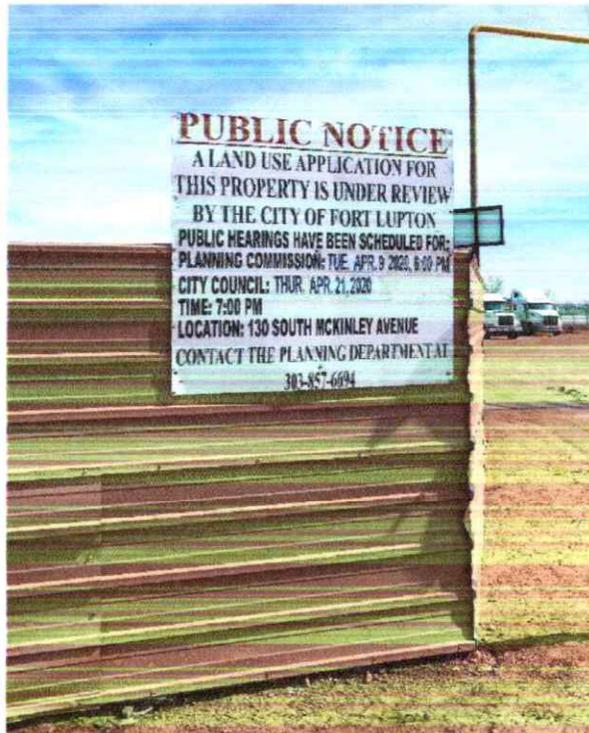
Approved as to form:
s/Andy Ausmus
Andy Ausmus, City Attorney

Sign Posting Affidavit

LUP2020-0008; ANX2020-0002; COZ2020-0002; SUP2020-0001.



Location: Posted on U.S. Highway 85



Location: Posted on County Road 25 1/2

I, Cesar Rodriguez Gallardo hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 16 day of March, 2020.

Cesar Rodriguez Gallardo

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Cesar Rodriguez Gallardo this 16th day of March, 2020. Witness my hand and seal.

My commission expires July 01 2023

[Signature]
Notary Public

(SEAL)

ELSA SALDIVAR
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154025848
MY COMMISSION EXPIRES JULY 01 2023



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 10th day of March, 2020, a true and correct copy of the foregoing Notice of Public Hearings and annexation map for the C&M Rodriguez Annexation Nos. 1 – 5 was sent via U.S. Mail, postage pre-paid, to the following addresses:

MILLER KENNETH C
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

BALCOM NATHAN WILMONT
BALCOM GAIL ANN
11020 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

KUNZMAN FAMILY LLC
10952 US HIGHWAY 85
FORT LUPTON, CO 80621

NELSON KIM
NELSON STEVE
12823 COUNTY ROAD 24
FORT LUPTON, CO 80621

NESON KIM
NELSON STEVE
112 MELODY LN
PLATTEVILLE, CO 80651

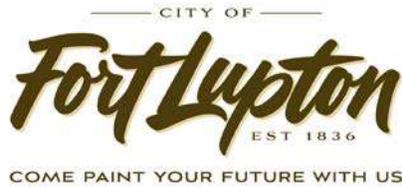
MILLER FAMILY FARM LLC
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

TREVINO PATRICIA
10508 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

C&M RODRIGUEZ SERVICES INC
PO BOX 677
FORT LUPTON, CO 80621



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Thursday, April 9, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Tuesday, April 21, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearings is to consider an application for an annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 and initial zoning to the 'C-2' Heavy Commercial Zone District for a property located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado. The annexation also includes road right of way. The legal description below describes the land proposed for annexation and initial zoning. The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303-867-6694.

LEGAL DESCRIPTION

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;

2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;

3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
 2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
 3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
 4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
 5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;
- THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
- THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;
- THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
 2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
 3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
- THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°36'42" E FOR A DISTANCE OF 3773.65 FEET;

THENCE S 01°38'43" E FOR A DISTANCE OF 2520.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19;
THENCE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4.30 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;

2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;

3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;

2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;

3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;

4. N 00°58'55" W FOR A DISTANCE OF 33.24 FEET;

5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;

6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;

7. N 00°28'59" W FOR A DISTANCE OF 1359.03 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'39" E FOR A DISTANCE OF 5577.70 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE, S 00°22'43" E FOR A DISTANCE OF 1977.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 18, S 00°29'30" E FOR A DISTANCE OF 2630.84 TO THE SOUTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 19, S 00°18'45" E FOR A DISTANCE OF 2643.80 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 19, S 00°20'17" E FOR A DISTANCE OF 860.57 FEET;

THENCE DEPARTING SAID EAST LINE, N 01°38'43" W FOR A DISTANCE OF 2520.66 FEET;

THENCE S 00°36'42" W FOR A DISTANCE OF 3773.65 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.43 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 WHICH LIES S 05°02'03" W 1298.21 FEET FROM THE NORTHEAST CORNER OF SECTION 18 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M. SAID POINT BEING THE POINT OF BEGINNING

THENCE S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'29" E FOR A DISTANCE OF 5577.66 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE N 00°22'43" W FOR A DISTANCE OF 672.54 FEET TO THE NORTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7, N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE;

THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;

THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;

THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;

THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;

THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;

THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;

ON A CURVE TO THE LEFT HAVING A RADIUS OF 984.87 A DELTA ANGLE OF 14°35'00" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;

THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;

THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;

2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 1242.33 FEET TO A POINT OF CURVATURE;

4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;

5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;

THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;
 1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
 2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
 3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 56.21 ACRES.

RESOLUTION NO. 2020R030

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 - 5, AND SETTING THE PUBLIC HEARING FOR APRIL 21, 2020.

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Cesar Rodriguez Gallardo for 84.31 acres, more or less, and known as the C&M Rodriguez Annexations Nos. 1 - 5; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for C&M Rodriguez Annexation Nos. 1 – 5, and sets the hearing date for April 21, 2020, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 3rd DAY OF MARCH 2020.

s/Zo Stieber
Zo Stieber, Mayor

Attest:

s/Maricela Peña
Maricela Peña, City Clerk

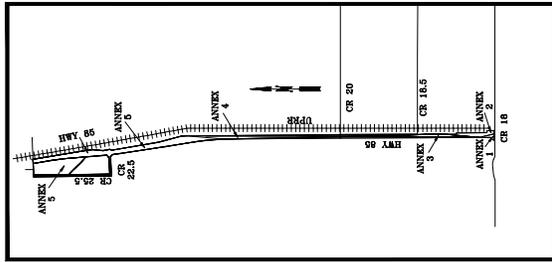
Approved as to form:

s/Andy Ausmus
Andy Ausmus, City Attorney

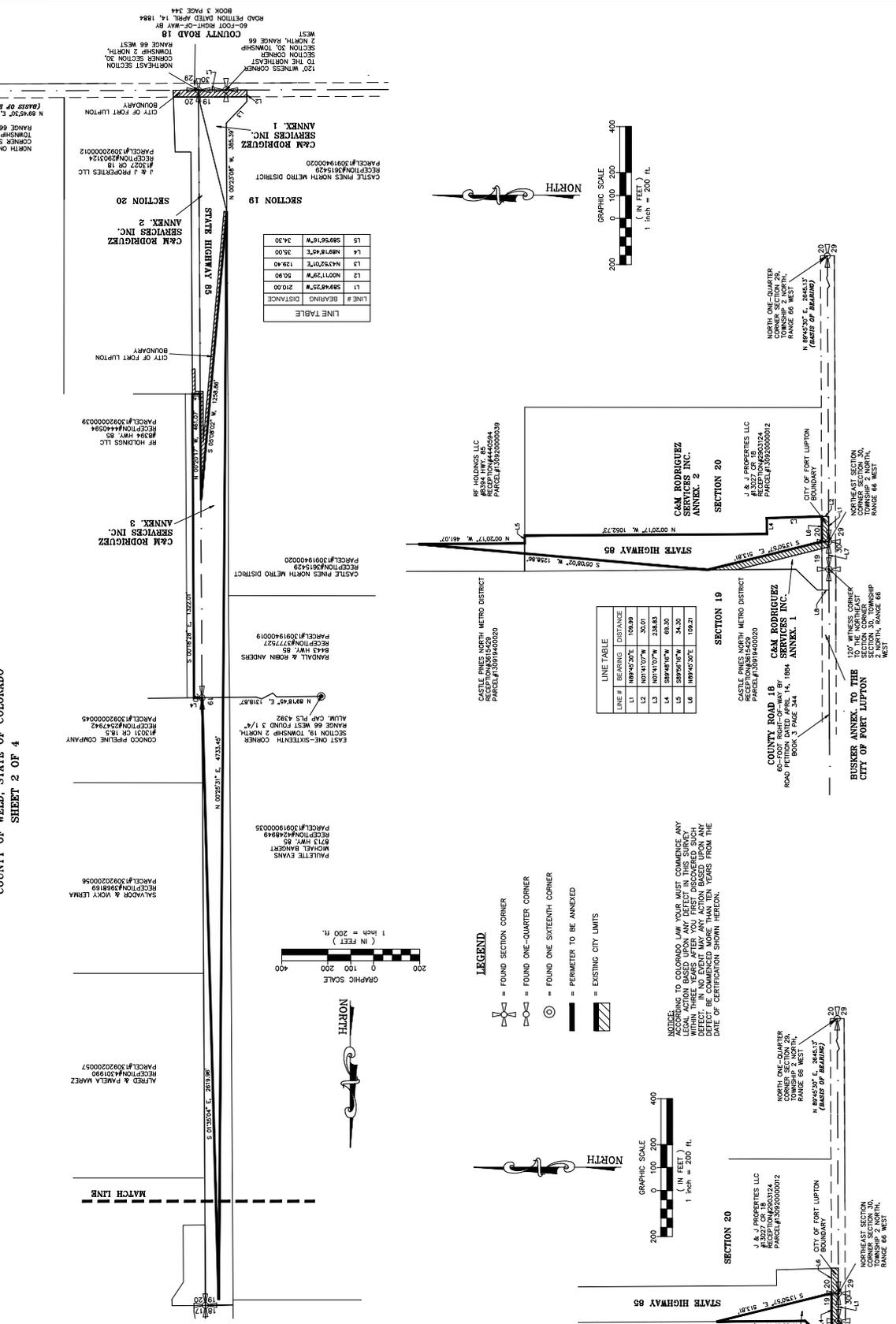
ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/FLDEVELOPMENT) AND SCROLLING DOWN TO THE ROWS TITLED: C&M RODRIGUEZ ANNEXATION, INITIAL ZONING, AND SPECIAL USE PERMIT.

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	50.01
L3	N00°17'29" W	238.83
L4	S89°42'57" W	69.30
L5	S89°42'57" W	54.30
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

- LEGEND**
- = FOUND SECTION CORNER
 - ⊙ = FOUND ONE-QUARTER CORNER
 - ⊙ = FOUND ONE SIXTEENTH CORNER
 - = PERMETER TO BE ANNEXED
 - ▨ = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR BEST COMMENCEMENT DATE FOR THIS ANNEXATION IS THE DATE OF THE SURVEY. IF YOU DISCOVER A DEFECT IN THIS ANNEXATION WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT, YOU MUST FILE A PETITION WITHIN THAT TIME PERIOD. THE DEFECT MUST BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	REVISION	BY
1	7/27/2020	ADDED RIGHT-OF-WAY	GHK
2	7/27/2020	ADDED RIGHT-OF-WAY	GHK

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634
 PH: 970-535-9318

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-535-9318

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

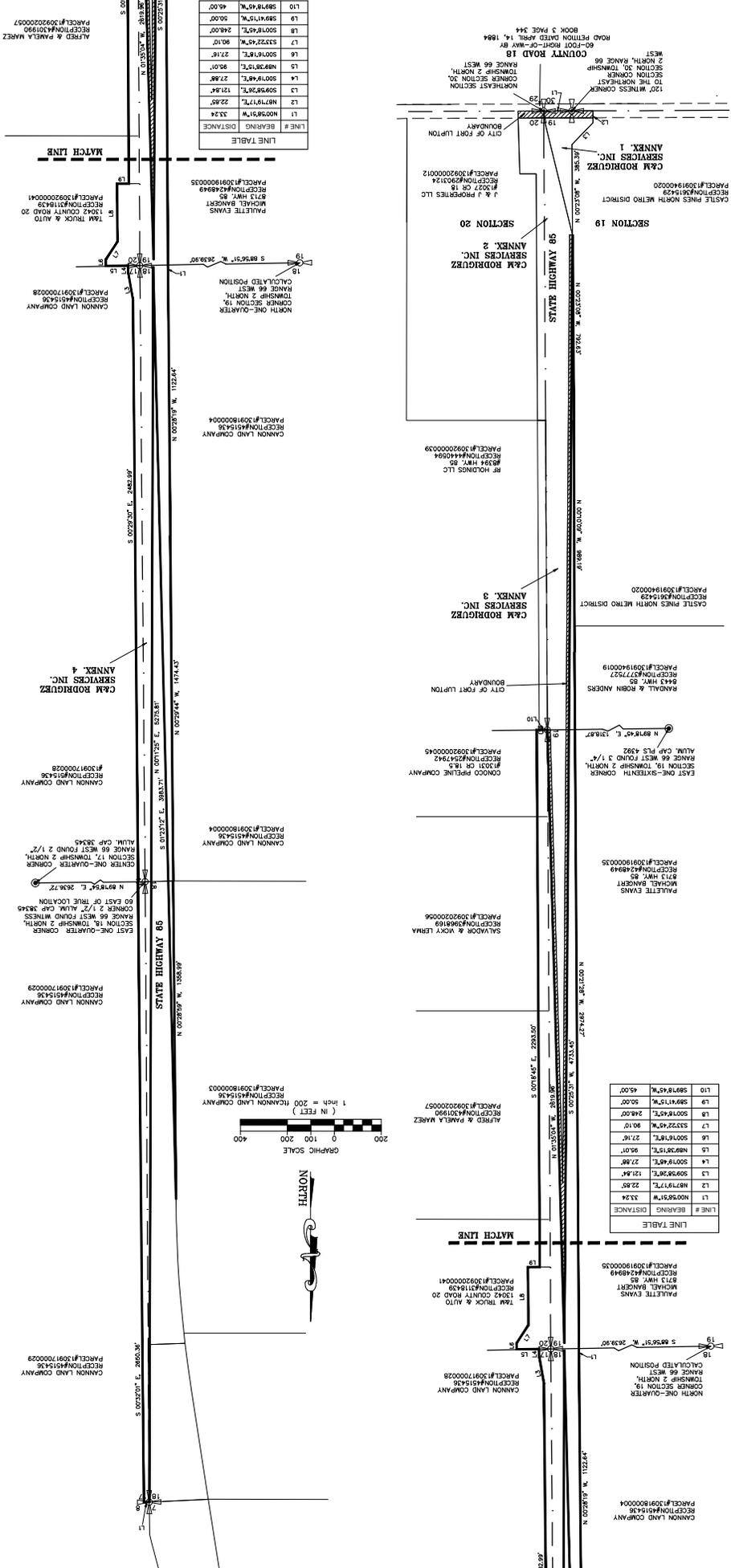
DATE: 1/21/2020
 JOB# 1322-06ANEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

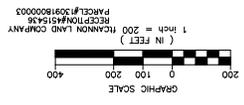
NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE-SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N00°58'51"W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	95.01'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	248.00'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'



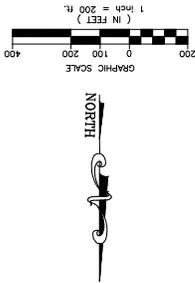
LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N00°58'51"W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	95.01'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	248.00'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'

ANNEXATION MAP		SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.	
CLIENT: AG PROFESSIONALS		HAMMER LAND SURVEYING, INC.	
3050 67TH AVE. SUITE 200		4350 HIGHWAY 66	
GREELEY, COLORADO 80634		LONGMONT, CO 80504	
PH: 970-535-9316		DATE: 1/21/2020	
JOB# 1322-06ANEX		SHEET 3 OF 4	

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

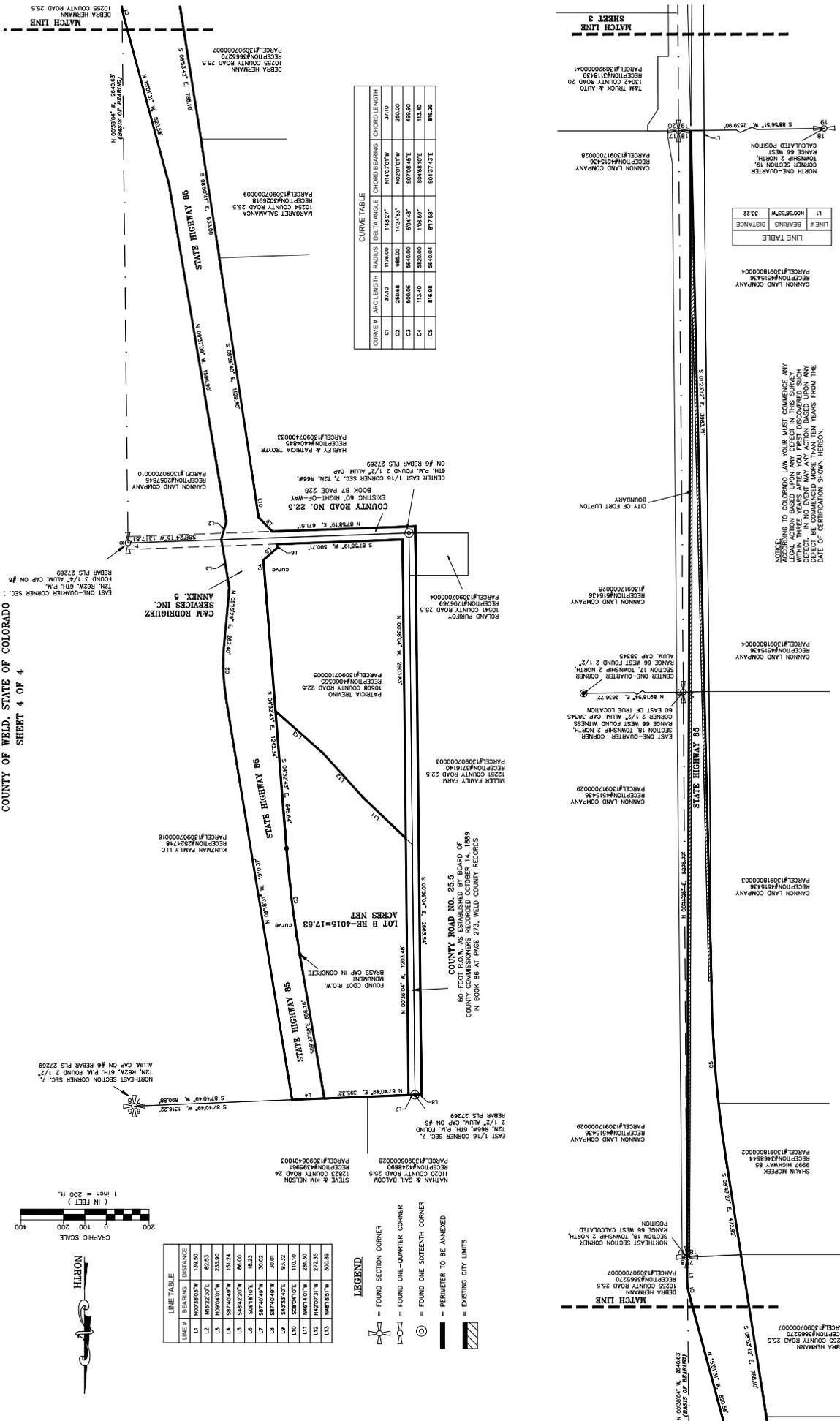


LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22
L2	N 01°22'02" E	69.33
L3	N 01°04'52" W	235.90
L4	S 87°42'49" W	151.24
L5	S 87°42'49" W	66.00
L6	S 87°42'49" W	151.24
L7	S 87°42'49" W	66.00
L8	S 87°42'49" W	151.24
L9	S 87°42'49" W	66.00
L10	S 87°42'49" W	151.24
L11	S 87°42'49" W	66.00
L12	S 87°42'49" W	151.24
L13	S 87°42'49" W	66.00
L14	S 87°42'49" W	151.24
L15	S 87°42'49" W	66.00

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	174.00	74.02°	N 00°07'55" W	33.00
C2	69.33	346.65	148.04°	N 01°22'02" E	68.66
C3	235.90	1178.50	471.07°	N 01°04'52" W	468.28
C4	151.24	756.20	302.48°	S 87°42'49" W	111.40
C5	66.00	327.00	132.00°	S 87°42'49" W	66.00



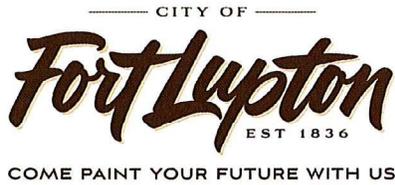
LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	174.00	74.02°	N 00°07'55" W	33.00

ANNEXATION MAP		SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.	
CLIENT: AGPROFESSIONALS		HAMMER LAND SURVEYING, INC.	
3050 67TH AVE. SUITE 200		4350 HIGHWAY 66	
GREELEY, COLORADO 80634		LONGMONT, CO 80504	
PH: 970-555-9316		PH: 970-555-9316	
NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GCH
2	2/22/2020	ADDED NORTH-CORNER	GCH

DATE: 1/21/2020
 JOB#: 1322-06ANNEX
 SHEET 4 OF 4

NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IF YOU DISCOVER A DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 10th day of March, 2020, a true and correct copy of the foregoing Notice of Public Hearings and Annexation Petition for the C&M Rodriguez Annexation Nos. 1 – 5 was sent via Certified Mail, Return-Receipt Requested, to the following addresses:

Aims Junior College
P.O. Box 69
Greeley, CO 80632

Platte Valley Conservation
57 West Bromley Lane
Brighton, CO 80601

High Plains Library
2650 W. 29th Street
Greeley, CO 80631

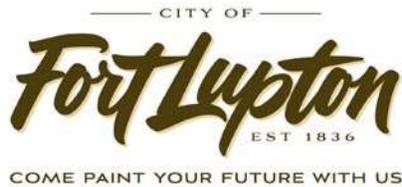
School Dist Re-8-Fort Lupton
Attention: Alan Kaylor
301 Reynolds Street
Fort Lupton, CO 80621
Platteville-Gilcrest Fire
303 Main St
Platteville, CO 80651

Northern Colorado Water Conservancy
220 Water Ave
Berthoud, CO 80513

Weld County Commissioners
1150 O Street
PO Box 758
Greeley, CO 80631



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Thursday, April 9, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Tuesday, April 21, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearings is to consider an application submitted by Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. for an annexation known as the C&M Annexation Nos. 1 – 5 and initial zoning to ‘C-2’ Heavy Commercial. There is one parcel included within the proposed annexation, as well as road rights of way. The property (Parcel 130907100006) is located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½. The Property is more particularly described below.

The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303- 867-6694.

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

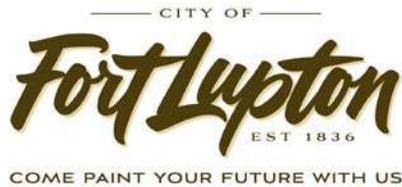
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;



3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;
THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;

2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;

3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;

4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;

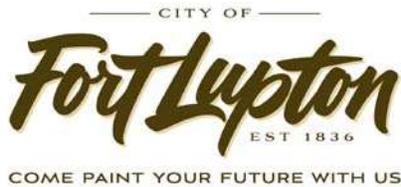
5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;

THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.



LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;

2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;

3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°36'42" E FOR A DISTANCE OF 3773.65 FEET;

THENCE S 01°38'43" E FOR A DISTANCE OF 2520.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19;

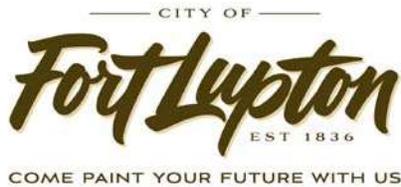
THENCE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4.30 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;



COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'55" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1359.03 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'39" E FOR A DISTANCE OF 5577.70 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE, S 00°22'43" E FOR A DISTANCE OF 1977.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 18, S 00°29'30" E FOR A DISTANCE OF 2630.84 TO THE SOUTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 19, S 00°18'45" E FOR A DISTANCE OF 2643.80 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

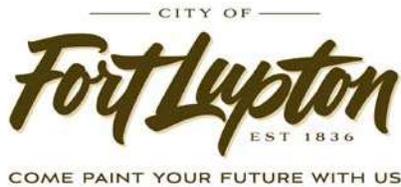
THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 19, S 00°20'17" E FOR A DISTANCE OF 860.57 FEET;

THENCE DEPARTING SAID EAST LINE, N 01°38'43" W FOR A DISTANCE OF 2520.66 FEET;

THENCE S 00°36'42" W FOR A DISTANCE OF 3773.65 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.43 ACRES.

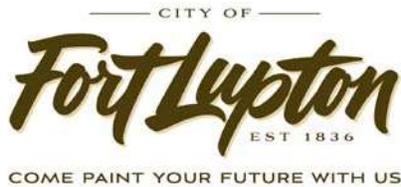
LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:



A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 WHICH LIES S 05°02'03" W 1298.21 FEET FROM THE NORTHEAST CORNER OF SECTION 18 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M. SAID POINT BEING THE POINT OF BEGINNING
THENCE S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;
THENCE N 00°10'29" E FOR A DISTANCE OF 5577.66 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;
THENCE ALONG SAID EAST LINE N 00°22'43" W FOR A DISTANCE OF 672.54 FEET TO THE NORTHEAST SECTION CORNER OF SAID SECTION 18;
THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7, N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE;
THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;
THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;
THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;
THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;
THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;
THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;
ON A CURVE TO THE LEFT HAVING A RADIUS OF 984.87 A DELTA ANGLE OF 14°35'00" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;
THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;
THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;
1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 1242.33 FEET TO A POINT OF CURVATURE;



4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;

5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;

THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;

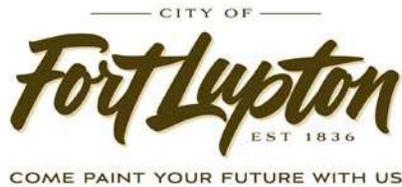
THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

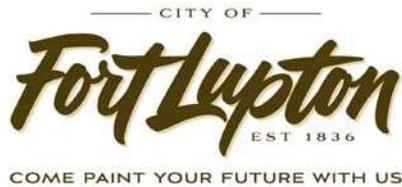
COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT



ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;
 1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
 2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
 3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 56.21 ACRES.



RESOLUTION NO. 2020R030

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5, AND SETTING THE PUBLIC HEARING FOR APRIL 21, 2020.

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Cesar Rodriguez Gallardo for 84.31 acres, more or less, and known as the C&M Rodriguez Annexations Nos. 1 – 5; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for C&M Rodriguez Annexation Nos. 1 – 5, and sets the hearing date for April 21, 2020, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 3rd DAY OF MARCH 2020.

s/Zo Stieber
Zo Stieber, Mayor

Attest:

s/Maricela Peña
Maricela Peña, City Clerk

Approved as to form:

s/Andy Ausmus
Andy Ausmus, City Attorney

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF FORT LUPTON, COLORADO

We, the undersigned landowners, in accordance with Colorado law, hereby petition the City of Fort Lupton and its City Council for annexation to the City of Fort Lupton of the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and the State of Colorado, and to be known as the C & M Rodriguez Annexation to the City of Fort Lupton.

As part of this petition, your petitioners further state to the City Council that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the City of Fort Lupton.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fort Lupton or will be contiguous with the City of Fort Lupton within such time as required by Section 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the City of Fort Lupton.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fort Lupton.
 - e. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprises twenty acres or more, and, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the area proposed to be annexed for the annexation of such area to another municipality. The area proposed to be annexed is not part of any incorporated city, city and county, or town.

- h. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Fort Lupton was held within the twelve months preceding the filing of this petition.
 - i. The annexation of the area proposed to be annexed will not result in the detachment of said area from any school district.
 - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the City of Fort Lupton more than three miles in any direction from any point of the boundary of the City of Fort Lupton in any one year.
 - k. The territory to be annexed is 84.31 acres in total area.
 - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105 (1) (e), C.R. S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City of Fort Lupton, and the proposed land uses for the area.
 - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed but is not bounded on both sides by the City of Fort Lupton.
 - n. If required, an impact report will be prepared and filed pursuant to Section 31-12-108.5, C.R.S..
3. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the landowners and own more than fifty percent (50%) of the property, excluding public streets and alleys and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.
4. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of an annexation map shall be submitted to the City, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information:
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the annexation map.
 - d. The legal description.
 - e. Distinction of the boundary that is contiguous to the City and the length of same.
 - f. Lot and block numbers if the area is already platted.
 - g. Existing and proposed easements and rights-of-way.

- h. Existing and requested zoning and acreage of each requested zone.
 - i. Ownership of all parcels within and adjacent to the annexation.
 - j. Appropriate certification blocks as directed by the Planning Department.
5. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of a master plan shall be submitted to the City of Fort Lupton, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information.
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the master plan.
 - d. Existing and proposed easements and rights-of-way.
 - e. Block numbers and lot numbers with approximate dimensions.
 - f. Proposed gross and net residential density.
 - g. Existing watercourses with adequate easements for flood control.
 - h. Designation of all public sites to be reserved and dedicated.
 - i. Existing two-foot contours.
 - j. Appropriate certification blocks as directed by the Planning Department.
6. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of five (5) copies of all required supportive information shall be submitted to the City of Fort Lupton which shall include the following:
- a. Soils description and limitation.
 - b. Preliminary utility plan.
 - c. Mailing addresses of all property owners within five hundred (500) feet of the annexation.
 - d. Affidavit concerning the amount and historical use of all water rights owned.
 - e. Vicinity map with one and one-half (1 ½) mile radius, at a minimum scale of one (1) inch represents two thousand (2,000) feet.
 - f. Statement on community need for proposed annexation and zoning.
 - g. For all annexations in excess of ten (10) acres, the applicant shall obtain from the school district governing the area to be annexed a statement of the effect of the annexation upon the school district, including an estimate of the number of students generated by the proposed annexation and the capital construction required to educate such students.
7. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the City of Fort Lupton, except for general property taxes of the City of Fort Lupton, which shall become effective as of the January 1 next ensuing.

8. The zoning classification requested for the area proposed to be annexed is C-2 (Heavy Commercial), as shown on the annexation map attached hereto and incorporated herein.
9. As required by the City of Fort Lupton, an annexation agreement has been or will be executed by the petitioners herein and the City relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
10. As an expressed condition of annexation, landowner(s) consent(s) to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub district pursuant to Section 37-45-136 (3.6) C.R.S. to pay the appropriate fees and costs associated with such inclusion. Landowner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, landowner's(s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of landowners(s') lands. Landowner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Landowner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.
11. The non-refundable annexation application fee of \$ 1,146.80 is tendered herewith.

THEREFORE, the undersigned respectfully petition(s) the City Council of the City of Fort Lupton, to annex the territory described and referred to in Exhibit A to the City of Fort Lupton in accordance with and pursuant to the statutes of the State of Colorado.

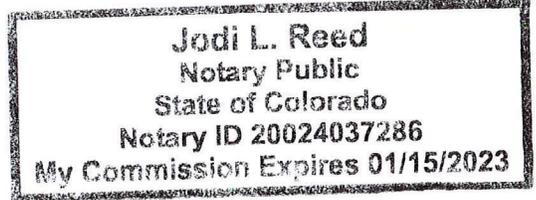
<u>Land Owner(s) Name(s) and Signature(s)</u>	<u>Mailing Address</u>	<u>Date of Signing</u>
<u>Cesar Rodriguez Gallardo</u>	_____	<u>02-19-2020</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The foregoing signature(s) was/were subscribed and sworn to before me this 19 day of February, 2020, by

Witness my hand and official seal.

My commission expires on 1-15-2023.

Jodi L Reed
Notary Public



Land Owned

See attached sheet

If necessary, attach separate sheet.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

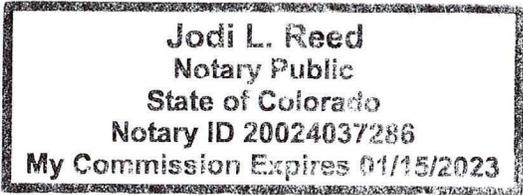
Shannon Toomey, being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

Shannon Toomey
(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 19 day of February, 2020, by Shannon Toomey.

Witness my hand and official seal.

My commission expires on 1-15-2023.



Jodi L. Reed
Notary Public

EXHIBIT A

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

TENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

TENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

TENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

TENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

TENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30"

EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;

2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;

3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;

4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;

5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;

THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED

BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
 2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
 3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
- THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°25'31" E FOR A DISTANCE OF 4733.45 FEET;

THENCE S 01°35'04" E FOR A DISTANCE OF 2619.96 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

THENCE ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20, N 89°18'45" E FOR A DISTANCE OF 35.00 FEET; THENCE S 00°18'28" E FOR A DISTANCE OF 1322.01 FEET; THENCE S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4; THENCE ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID WEST LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7.23 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE W 1/2 OF SECTION 17 AND THE NW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'51" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1358.99 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.81 FEET TO THE NE SECTION CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 17, N 87°19'17" E FOR A DISTANCE OF 22.85 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES;

1. S 00°32'01" E FOR A DISTANCE OF 2650.36 FEET;
2. S 00°29'30" E FOR A DISTANCE OF 2482.99 FEET;
3. S 09°58'26" E FOR A DISTANCE OF 121.84 FEET;
4. S 00°19'48" E FOR A DISTANCE OF 27.88 FEET;
5. N 89°38'15" E FOR A DISTANCE OF 95.00 FEET;
6. S 00°16'18" E FOR A DISTANCE OF 27.16 FEET;
7. S 33°22'45" W FOR A DISTANCE OF 90.10 FEET;
8. S 00°18'45" E FOR A DISTANCE OF 248.00 FEET;
9. S 89°41'15" W FOR A DISTANCE OF 50.00 FEET;
10. S 00°18'45" E FOR A DISTANCE OF 2293.50 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SECTION 20; THENCE ALONG SAID NORTH LINE S 89°18'45" W FOR A DISTANCE OF 45.00 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 20; THENCE N 01°35'04" W FOR A DISTANCE OF 2619.96 FEET; THENCE S 00°25'31" W FOR A DISTANCE OF 4733.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17.98 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 18 SAID POINT BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7,
 N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE;
 THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;
 THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;
 THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;
 THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;
 THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;
 THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;
 ON A CURVE TO THE LEFT HAVING A RADIUS OF 985.00 A DELTA ANGLE OF 14°34'53" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;
 THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
 THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;
 THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;
 1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
 2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
 3. S 04°32'43" E FOR A DISTANCE OF 1242.34 FEET TO A POINT OF CURVATURE;
 4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;
 5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;
 6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;
 THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
 THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.02 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;
 THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;
 THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;
 THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;
 THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE,
S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.78 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

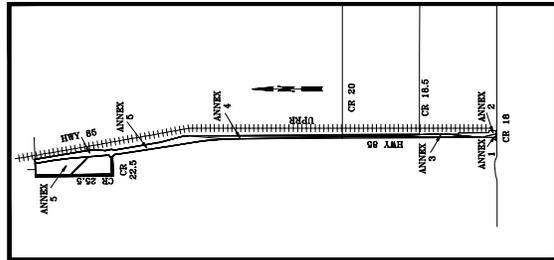
1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE,
N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

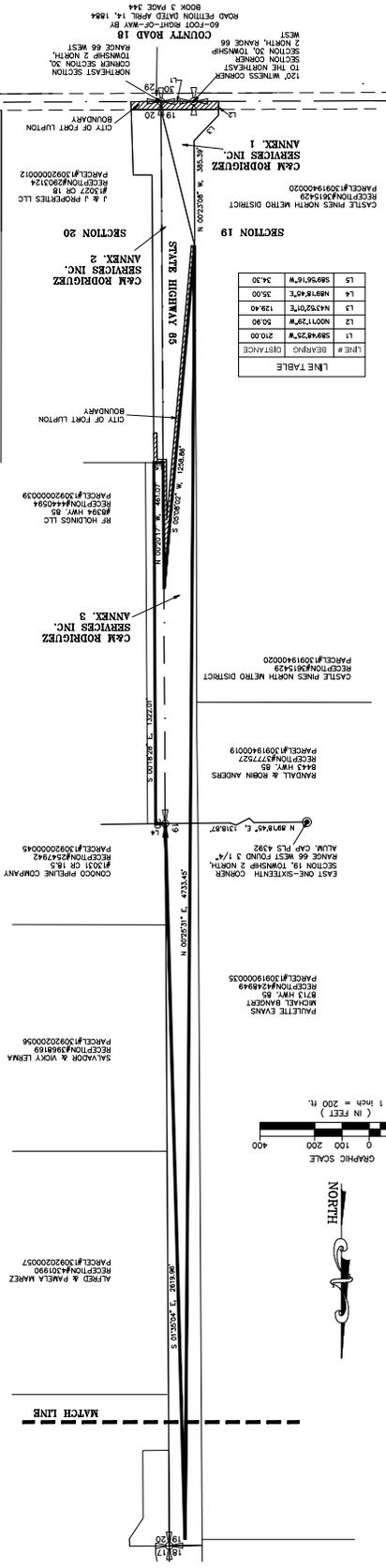
CONTAINING A COMBINED CALCULATED AREA OF 54.44 ACRES.

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR MIST COMMENCE ANY INTEREST IN THIS PROPERTY WILL BE FORFEITED IF YOU DO NOT FILE A CLAIM WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT OR IF YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	S89°42'57" W	200.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

NO.	DATE	DESCRIPTION	BY
1	7/27/2020	ADDED RIGHT-OF-WAY	GH
2	7/27/2020	ADDED RIGHT-OF-WAY	GH

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-555-9316

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

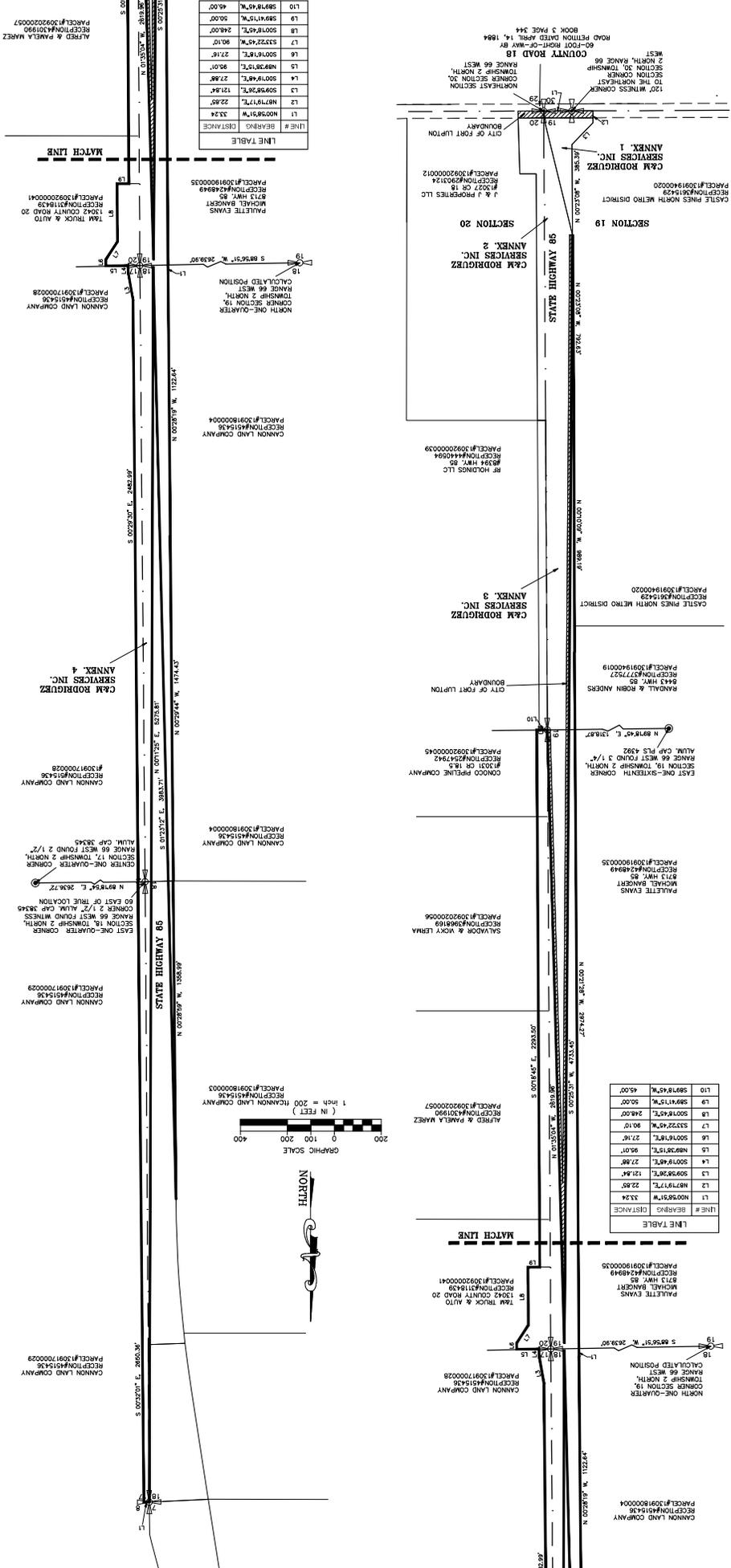
DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



LINE # BEARINGS DISTANCE

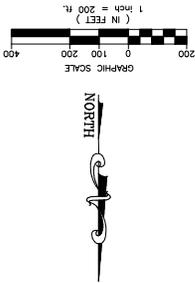
L10	S 89°18'45\"	45.00'
L9	S 88°11'51\"	50.00'
L8	S 00°18'45\"	246.00'
L7	S 33°22'45\"	90.10'
L6	S 00°18'45\"	27.16'
L5	N 89°38'18\"	27.16'
L4	S 00°18'45\"	27.16'
L3	S 09°28'28\"	121.84'
L2	N 87°19'17\"	22.85'
L1	N 00°58'51\"	33.24'

GRAPHIC SCALE
 1 inch = 200' (IN FEET)

NO.	DATE	DESCRIPTION	GRN	BY	ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.					DATE: 1/21/2020 JOB# 1322-06ANEX SHEET 3 OF 4
1	2/17/2020	ADDRESS COMMENTS	GRN	GRN						
2	2/22/2020	ADDED RIGHT-OF-WAY	GRN	GRN	CLIENT: AG PROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634					HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504 PH: 970-535-9316

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

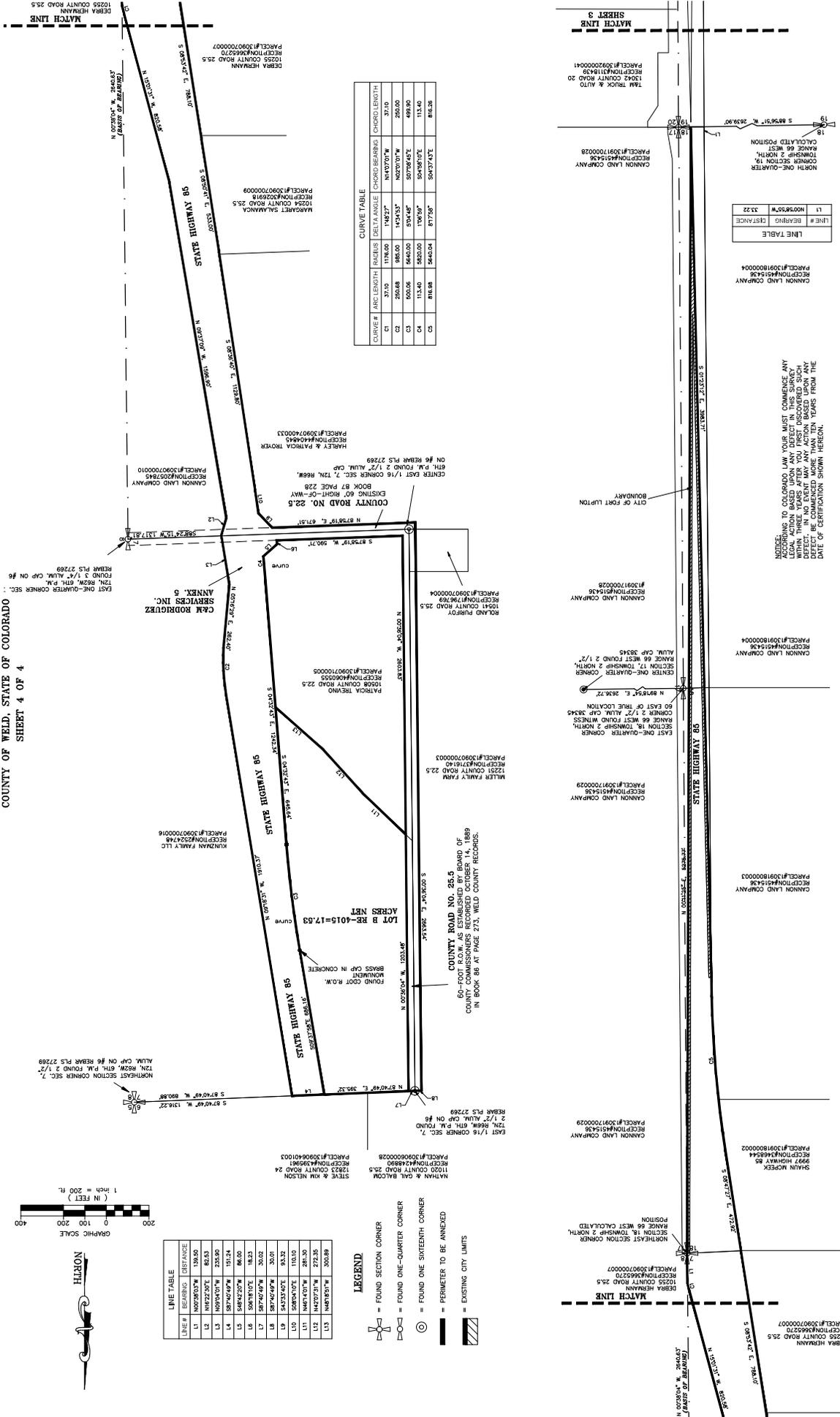


LINE#	BEARING	DISTANCE
L1	N00°09'56"W	33.22
L2	N10°22'27"E	65.33
L3	N09°04'54"W	235.90
L4	S81°24'24"W	151.24
L5	S80°48'22"W	66.00
L6	S87°46'49"W	1316.27
L7	S87°46'49"W	272.69
L8	S87°46'49"W	272.69
L9	S43°54'02"E	33.32
L10	S89°56'12"E	33.32
L11	N89°56'12"E	33.32
L12	N00°09'56"W	33.22

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	1740.00	7.6627°	N70°00'00"W	37.00
C2	60.00	2864.79	12.0000°	N60°00'00"W	60.00
C3	60.00	2864.79	12.0000°	S60°00'00"W	60.00
C4	111.40	5463.04	23.5643°	S36°43'27"W	111.40
C5	616.88	28420.04	67.5614°	S23°24'42"W	616.88



LINE#	BEARING	DISTANCE
L1	N00°09'56"W	33.22

NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY ANNEXATION WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. THIS DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

<p>CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634 PH: 970-535-9316</p>	<p>HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504 PH: 970-535-9316</p>	<p>ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.</p>
<p>DATE: 1/21/2020 JOB#1322-06ANNEX SHEET 4 OF 4</p>		

7019 1640 0000 5246 2951

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ 3.55	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.85	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	Postmark Here
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 0.80	
Total Postage and Fees \$ 7.20	
Sent To High Plains Library	
Street and Apt. No., or PO Box No. 2650 W. 29th Street	
City, State, ZIP+4® Greeley, CO 80631	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 2944

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ 3.55	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ 2.85	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	Postmark Here
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 0.80	
Total Postage and Fees \$ 7.20	
Sent To Northern Colorado Water Conservancy	
Street and Apt. No., or PO Box No. 220 Water Ave	
City, State, ZIP+4® Berthoud, CO 80513	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 2920

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ 3.55	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.85	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	Postmark Here
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 0.80	
Total Postage and Fees \$ 7.20	
Sent To Platte Valley Conservation	
Street and Apt. No., or PO Box No. 57 West Bronckey Ln	
City, State, ZIP+4® Brighton CO 80601	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 2913

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ 3.55	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ 2.85	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	Postmark Here
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 0.80	
Total Postage and Fees \$ 7.20	
Sent To School Dist Re-8 Fort Lupton	
Street and Apt. No., or PO Box No. 301 Reynolds Street	
City, State, ZIP+4® Fort Lupton CO 80701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 2906

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$ 3.55

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ 2.55
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$ 0.80

Total Postage and Fees

\$ 7.20

Sent To

Hatteville-Gilcrest Fine

Street and Apt. No., or PO Box No.

303 Main Street

City, State, ZIP+4®

Hatteville, CO 80651

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7019 1640 0000 5246 2937

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$ 3.55

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ 2.85
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$ 0.80

Total Postage and Fees

\$ 7.20

Sent To

Weld County Commissioners

Street and Apt. No., or PO Box No.

1150 Q Street PO Box 738

City, State, ZIP+4®

Greeley, CO 80631

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7019 1640 0000 5246 2968

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$ ~~3.55~~ 3.55

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ ~~2.55~~ 2.55
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$ 0.80

Total Postage and Fees

\$ 7.20

Sent To

Aims Junior College

Street and Apt. No., or PO Box No.

PO Box 69

City, State, ZIP+4®

Greeley, CO 80632

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFICATION

RE: NOTIFICATION OF MINERAL INTEREST OWNERS AND LESSEES

The undersigned Applicant certifies compliance with the provisions of C.R.S. § 24-65.5-103(1), and in support thereof, states and certifies as follows:

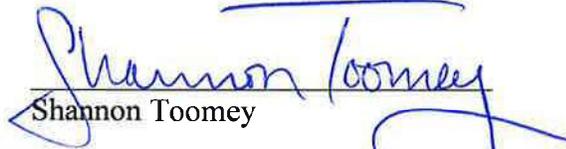
1. That Applicant has provided notice, (a copy of which is attached hereto as Exhibit "A"), containing the time and place of the initial public hearing on its application for Case Numbers **ANX2020-0002, COZ2020-0002, and SUP2020-0001**, the nature of the initial public hearing, the legal description by section, township and range of the property which is the subject of the initial public hearing, and the name of the applicant;

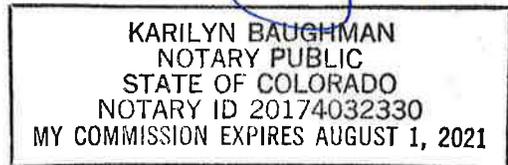
2. That said notice was provided thirty (30) days prior to the scheduled public hearing, that it was provided by certified mail, return receipt requested, or by a nationally recognized overnight courier;

3. That said Exhibit A includes the list of the names and addresses of the surface owners, mineral estate owners and lessees of mineral interests to whom the notice was sent, including those persons who have requested receipt of such notices, pursuant to C.R.S. § 24-65.5-103(3).

APPLICANT:

C&M Rodriguez Services, Inc.
c/o Shannon Toomey - AGPROfessionals


Shannon Toomey



STATE OF Colorado
COUNTY OF Weld

Subscribed and sworn to before me this 5th day of March, 2020, by
Shannon Toomey.


Notary Public

Note: This Certification must be received by the Fort Lupton Planning and Building Department prior to or at the initial public hearing. If the Certification is not received by that time, the hearing will be rescheduled to a later date, and Applicant must re-notify all owners of mineral interests.

Exhibit A



LAND SERVICES
OIL AND GAS TITLE

P.O. Box 336337
Greeley, CO 80633

Phone (970) 351-0733
Fax (970) 351-0867

LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION
(C&M Rodriguez Services, Inc. Property)

Subject Property:

Township 2 North, Range 66 West, 6th P.M., Weld County, CO

Section 7: Lot B of Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 under Reception No. 3463669, being a portion of the E½NE¼

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq. in the Subject Property based upon the records of the Weld County Assessor and Clerk Recorder as of February 24, 2020 at 7:45 a.m.:

Mineral Owners:

Anadarko E&P Company LP
c/o Anadarko Petroleum Corporation
Attn: Manager Land- Western Division
P.O. Box 9149
The Woodlands, TX 77387-9147

Anadarko Land Corporation
c/o Anadarko Petroleum Corporation
Attn: Manager Property & Rights-of-Way
P.O. Box 9149
The Woodlands, TX 77387-9147

Mineral Leasehold Owners:

Noble Energy, Inc.
Attn: Wattenberg Land Department
1625 Broadway, Suite 2000
Denver, CO 80202

Kerr-McGee Oil & Gas Onshore LP
Attn: Land Manager/Wattenberg
1099 18th Street, Suite 1500
Denver, CO 80202

K.P. Kauffman Company, Inc. (KPK)
1675 Broadway, Suite 2800
Denver, CO 80202

Dated this 2nd day of March, 2020.

ZEREN LAND SERVICES


By: Cynthia A. E. Zeren, CPL
Certified Professional Landman #4044

At the request of **AGPROfessionals** ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq.

Zeren Land Services, searched (i) the records of the Weld County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the Weld County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through February 24, 2020 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, **the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services**, for the listing.

In order to induce Zeren Land Services, to provide such services, **Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing.** Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). **Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.**

Date: March 2, 2020

ZEREN LAND SERVICES

By: 
Cynthia A. E. Zeren, as President

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 0509 77

Anadarko E&P Company LP
c/o Anadarko Petroleum Corporation
Attn: Manager Land- Western Division
P.O. Box 9149
The Woodlands, TX 77387

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

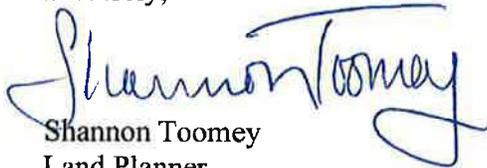
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,


Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 0027 23

Anadarko Land Corporation
c/o Anadarko Petroleum Corporation
Attn: Manager Property & Rights-of-Way
P.O. Box 9149
The Woodlands, TX 77387

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

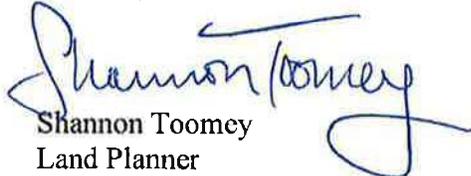
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 8171 36

Noble Energy, Inc.
Attn: Wattenberg Land Department
1625 Broadway, Suite 2000
Denver, CO 80202

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

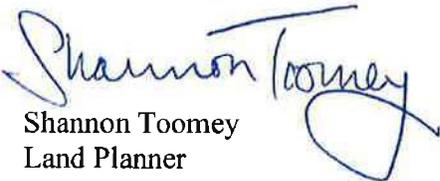
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 8772 53

Kerr-McGee Oil & Gas Onshore LP
Attn: Land Manager/Wattenberg
1099 18th Street, Suite 1500
Denver, CO 80202

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

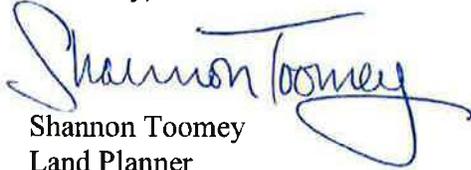
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 8673 15

K.P. Kauffman Company, Inc. (KPK)
1675 Broadway, Suite 2800
Denver, CO 80202

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

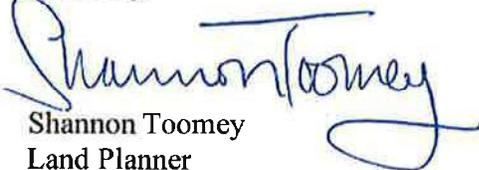
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E 1/2 of the NE 1/4 of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department



AGPROprofessionals
DEVELOPERS OF AGRICULTURE

3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 0027 23

Anadarko Land Corporation
Attn: Manager Property & Rights-of-W
c/o Anadarko Petroleum Corporation
P.O. Box 9149
The Woodlands TX 77387-9149

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2020
stamps
endicia



AGPROprofessionals
DEVELOPERS OF AGRICULTURE

3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 0509 77

Anadarko E&P Company LP
Attn: Manager Land- Western Division
c/o Anadarko Petroleum Corporation
P.O. Box 9149
The Woodlands TX 77387-9149

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2020
stamps
endicia



3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 8171 36

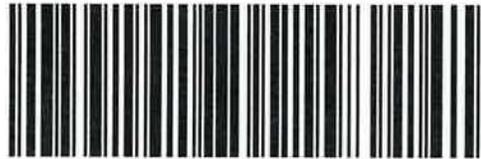
Noble Energy, Inc.
Attn: Wattenberg Land Department
1625 Broadway, Suite 2000
Denver CO 80202-4720

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2022
stamps
ending



3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 8673 15

K.P. Kauffman Company, Inc. (KPK)
1675 Broadway, Suite 2800
Denver CO 80202-4690

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2022
stamps
ending

 **AGPRO**professionals
DEVELOPERS OF AGRICULTURE
3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 8772 53

Kerr-McGee Oil & Gas Onshore LP
Attn: Land Manager/Wattenberg
1099 18th Street, Suite 1500
Denver CO 80202-1908

\$5.75
US POSTAGE
FIRST-CLASS PERMIT NO. 1000
FROM 80634
MAR 05 2005
stamp
ending



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 4th day of March, 2020, a true and correct copy of the foregoing flagpole notification letter for the C&M Rodriguez Annexation Nos. 1 – 5, with annexation map and legal description, was sent via U.S. Mail, postage pre-paid, to the following addresses:

TREVINO PATRICIA
10508 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

MILLER FAMILY FARM LLC
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

TROYER HARLEY D
TROYER PATRICIA S
10910 COUNTY ROAD 28
FORT LUPTON, CO 80621

CASTLE PINES NORTH METRO DISTRICT
7404 YORKSHIRE DR
CASTLE PINES, CO 80108

ANDERS RANDALL F
ANDERS ROBIN S
8443 US HIGHWAY 85
FORT LUPTON, CO 80621

BANGERT MICHAEL D
EVANS PAULETTE J
8713 US HIGHWAY 85
FORT LUPTON, CO 80621

CANNON LAND CO
3333 S WADSWORTH BLVD STE D-208
LAKEWOOD, CO 80227

MONTOYA SUZAN
PO BOX 13352
DENVER, CO 80201

MCPEEK SHAUN
9997 US HIGHWAY 85
FORT LUPTON, CO 80621

SALAMANCA MARGARET A
10254 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

HERMAN DEBRA
10225 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

NORTH STATION 85 LLC
1605 OAK RIDGE LN
LONGMONT, CO 80501

J & J PROPERTIES LLC
7754 UTE HWY
LONGMONT, CO 80503

RF HOLDINGS LLC
8394 HIGHWAY 85
FORT LUPTON, CO 80621

CONOCO PIPELINE COMPANY
PO BOX 1267
PONCA CITY, OK 74602

T & M TRUCK & AUTO LLC
13042 COUNTY ROAD 20
FORT LUPTON, CO 80621

LERMA SALVADOR
LERMA VICKY
1050 FULTON AVE
FORT LUPTON, CO 80621

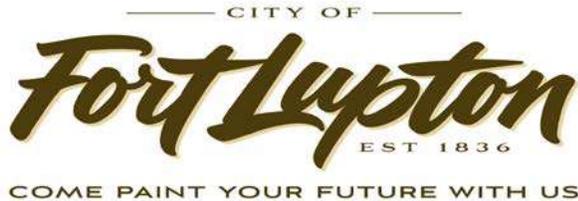
MAREZ ALFRED R
MAREZ PAMELA K
1953 DOMINICA CT
WINDSOR, CO 80550

KUNZMAN FAMILY LLC
10952 US HIGHWAY 85
FORT LUPTON, CO 80621

PURIFOY ROLLAND D
PO BOX 165
FORT LUPTON, CO 80621

Maria Lancto

City Official



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

TREVINO PATRICIA
10508 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

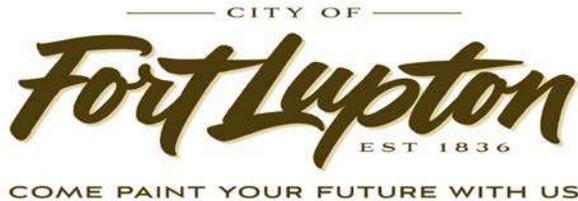
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

TROYER HARLEY D
TROYER PATRICIA S
10910 COUNTY ROAD 28
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

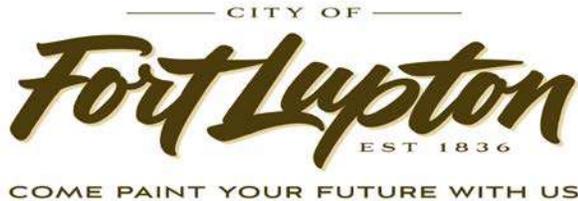
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

ANDERS RANDALL F
ANDERS ROBIN S
8443 US HIGHWAY 85
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

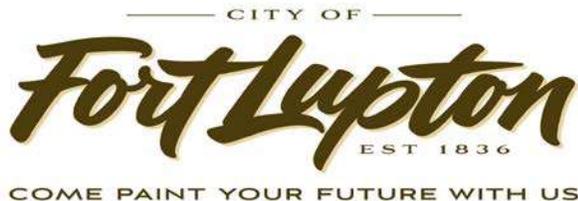
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303-857-6694

Fax: 303.857.0351

www.fortlupton.org

March 4, 2020

Via U.S. Mail

CANNON LAND CO
3333 S WADSWORTH BLVD STE D-208
LAKEWOOD, CO 80227

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

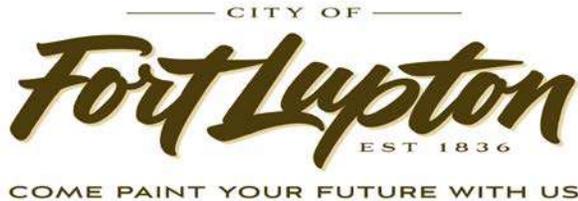
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

MCPEEK SHAUN
9997 US HIGHWAY 85
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

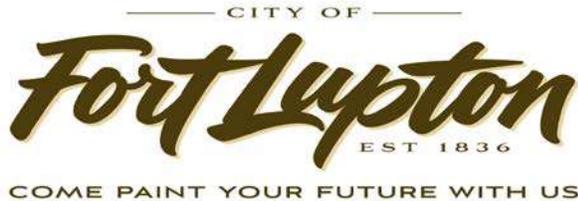
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

HERMAN DEBRA
10225 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

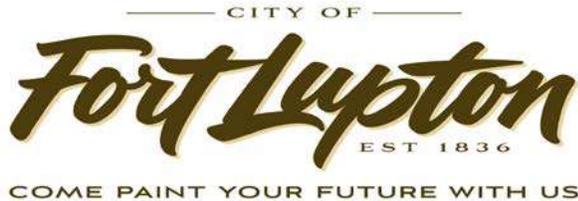
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

J & J PROPERTIES LLC
7754 UTE HWY
LONGMONT, CO 80503

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

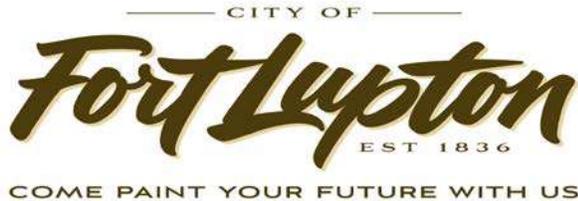
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

CONOCO PIPELINE COMPANY
PO BOX 1267
PONCA CITY, OK 74602

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

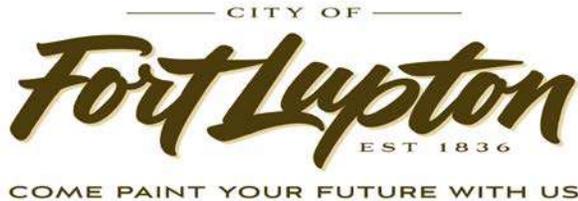
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

LERMA SALVADOR
LERMA VICKY
1050 FULTON AVE
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

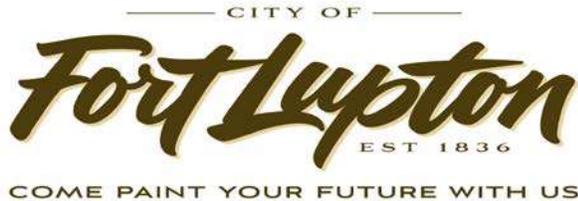
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

KUNZMAN FAMILY LLC
10952 US HIGHWAY 85
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

MILLER FAMILY FARM LLC
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

CASTLE PINES NORTH METRO DISTRICT
7404 YORKSHIRE DR
CASTLE PINES, CO 80108

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

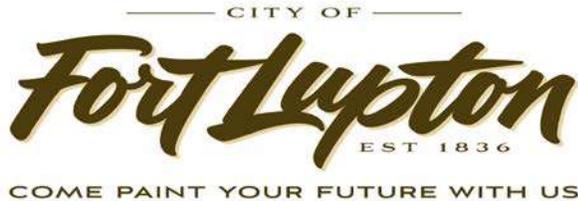
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

BANGERT MICHAEL D
EVANS PAULETTE J
8713 US HIGHWAY 85
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

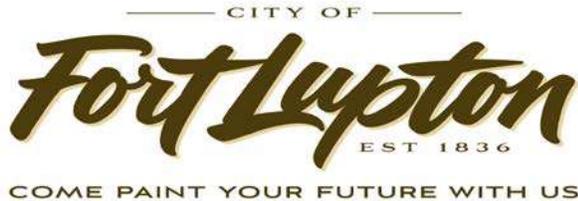
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

MONTOYA SUZAN
PO BOX 13352
DENVER, CO 80201

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

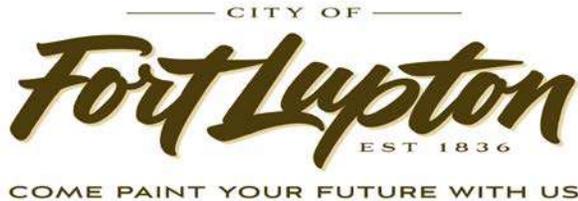
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

SALAMANCA MARGARET A
10254 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

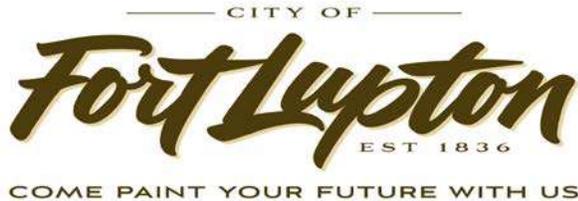
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

RF HOLDINGS LLC
8394 HIGHWAY 85
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

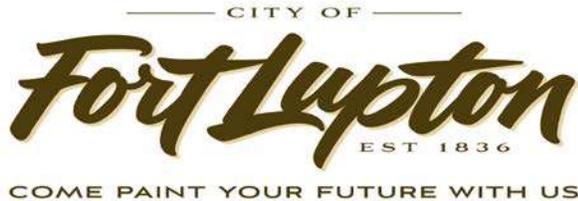
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

T & M TRUCK & AUTO LLC
13042 COUNTY ROAD 20
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

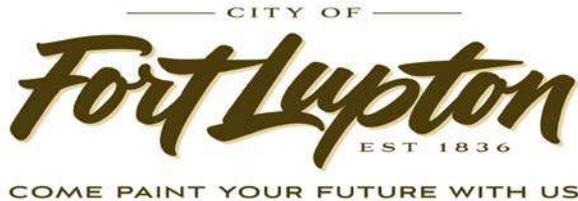
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

MAREZ ALFRED R
MAREZ PAMELA K
1953 DOMINICA CT
WINDSOR, CO 80550

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

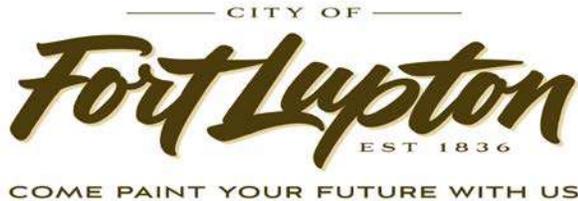
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

PURIFOY ROLLAND D
PO BOX 165
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

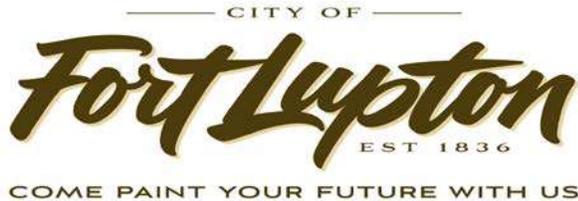
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

NESON STEVE
12823 COUNTY ROAD 24
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 4, 2020

Via U.S. Mail

VONASEK HOLLY
10501 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

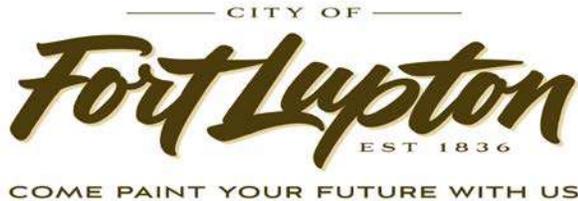
According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

March 13, 2020

Via U.S. Mail

Paulette Evans
725 S 9th Ave
Brighton, CO 80601

Re: C&M Rodriguez Annexation Nos. 1 – 5

Dear Landowner:

The purpose of this letter is to advise you that public hearings are scheduled with the Planning Commission and City Council for the City of Fort Lupton. The purpose of the public hearings is to determine whether certain property for which a petition for annexation has been filed with the City, to be known as the C&M Rodriguez Annexation Nos. 1 – 5, meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City, and to determine zoning for the proposed annexation. See the enclosed legal description of the property applying for annexation and a map that shows the area that is being proposed for annexation.

The public hearings will be held at City Hall, 130 S. McKinley Ave., Fort Lupton, Colorado and are scheduled for:

- **Planning Commission: Thursday, April 9, 2020 at 6:00 PM**
- **City Council: Tuesday, April 21, 2020 at 7:00 PM**

According to Weld County property records, you may own property along the roadway to be annexed by the City as a part of the C&M Rodriguez Annexation Nos. 1 – 5. If you own property that abuts the portion of the land being proposed for annexation, you have a right pursuant to C.R.S. § 31-12-105(1)(e.3) to petition the City for annexation in accordance with the procedures set forth in C.R.S. § 31-12-107.

If you have any further questions, please do not hesitate to contact me at 720.466.6128.

Sincerely,

Maria Lancto
Planner
City of Fort Lupton

Enclosures

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION

FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;

5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;

THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°36'42" E FOR A DISTANCE OF 3773.65 FEET;

THENCE S 01°38'43" E FOR A DISTANCE OF 2520.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19;

THENCE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4.30 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'55" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1359.03 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'39" E FOR A DISTANCE OF 5577.70 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE, S 00°22'43" E FOR A DISTANCE OF 1977.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 18, S 00°29'30" E FOR A DISTANCE OF 2630.84 TO THE SOUTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 19, S 00°18'45" E FOR A DISTANCE OF 2643.80 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 19, S 00°20'17" E FOR A DISTANCE OF 860.57 FEET;

THENCE DEPARTING SAID EAST LINE, N 01°38'43" W FOR A DISTANCE OF 2520.66 FEET;

THENCE S 00°36'42" W FOR A DISTANCE OF 3773.65 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.43 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 WHICH LIES S 05°02'03" W 1298.21 FEET FROM THE NORTHEAST CORNER OF SECTION 18 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M. SAID POINT BEING THE POINT OF BEGINNING

THENCE S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'29" E FOR A DISTANCE OF 5577.66 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE N 00°22'43" W FOR A DISTANCE OF 672.54 FEET TO THE NORTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7, N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE;

THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;

THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;

THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;

THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;

THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;

THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;

ON A CURVE TO THE LEFT HAVING A RADIUS OF 984.87 A DELTA ANGLE OF 14°35'00" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;

THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;

THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;

2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 1242.33 FEET TO A POINT OF CURVATURE;

4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;

5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;

THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;

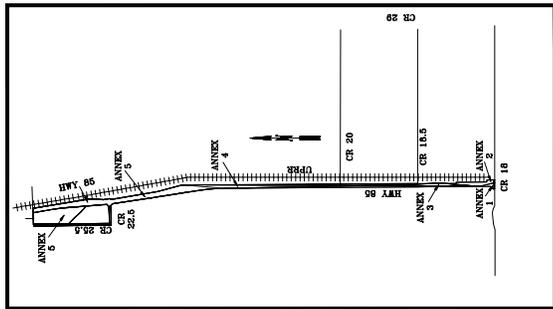
2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;

3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

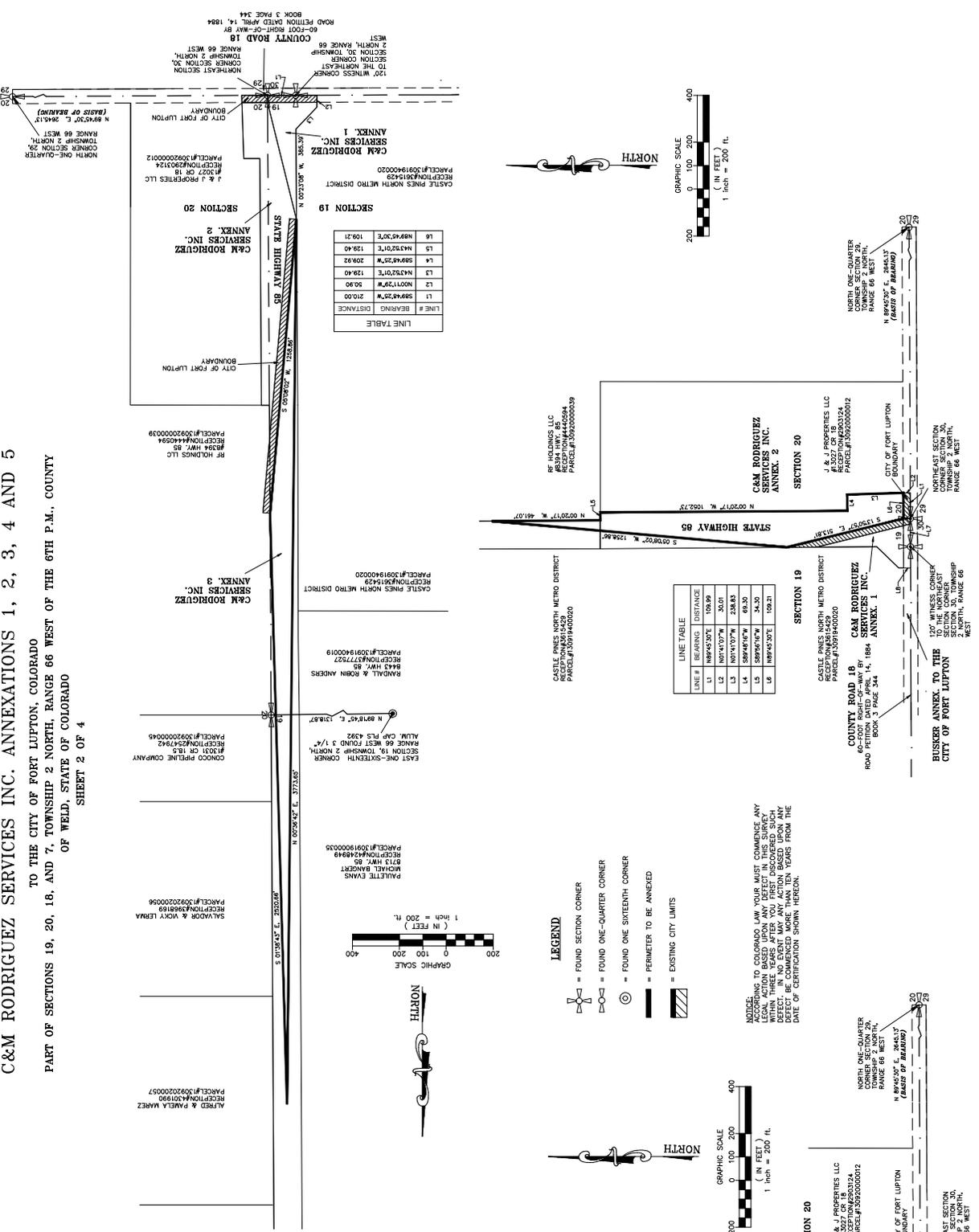
CONTAINING A COMBINED CALCULATED AREA OF 56.21 ACRES.

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY
 OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°48'27"W	210.00
L2	N00°17'29"W	200.00
L3	N00°17'29"W	200.00
L4	S89°48'27"W	200.00
L5	N33°30'17"E	126.40
L6	N89°45'30"E	109.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°45'30"E	109.09
L2	N01°10'07"W	50.01
L3	N01°10'07"W	238.83
L4	S89°48'19"W	69.30
L5	S89°48'19"W	54.30
L6	N89°45'30"E	109.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°48'27"W	210.00
L2	N00°17'29"W	200.00
L3	N00°17'29"W	200.00
L4	S89°48'27"W	200.00
L5	N33°30'17"E	126.40
L6	N89°45'30"E	109.21

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE-SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR MIST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GMH

CLIENT: AGPROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-535-9316

ANNEXATION MAP
 SECTIONS 19, 20, 18, AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

DATE: 1/21/2020
 JOB#1322-06ANNEX
 SHEET 2 OF 4

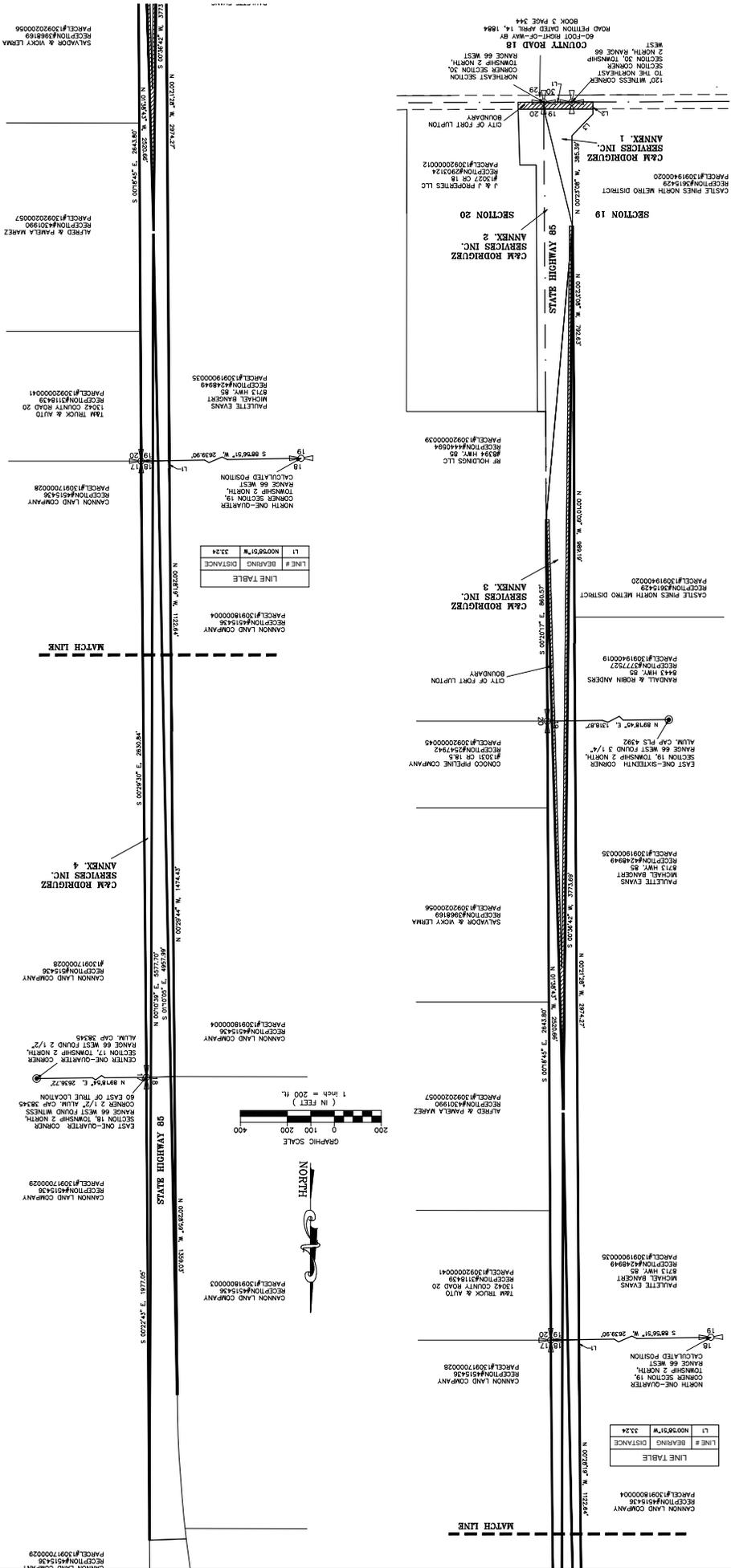
C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY
 OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

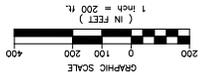
LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREOF.



LINE #	BEARING	DISTANCE
11	N 00°59'51" W	33.24



NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GCH

CLIENT: AGGRESSIVE LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-535-9316

ANNEXATION MAP
 SECTIONS 19, 20, 18, AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 3 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

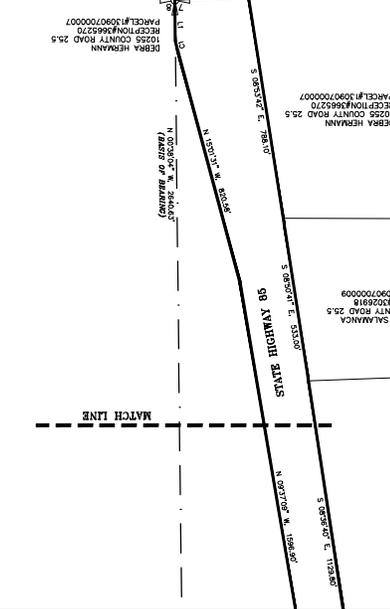
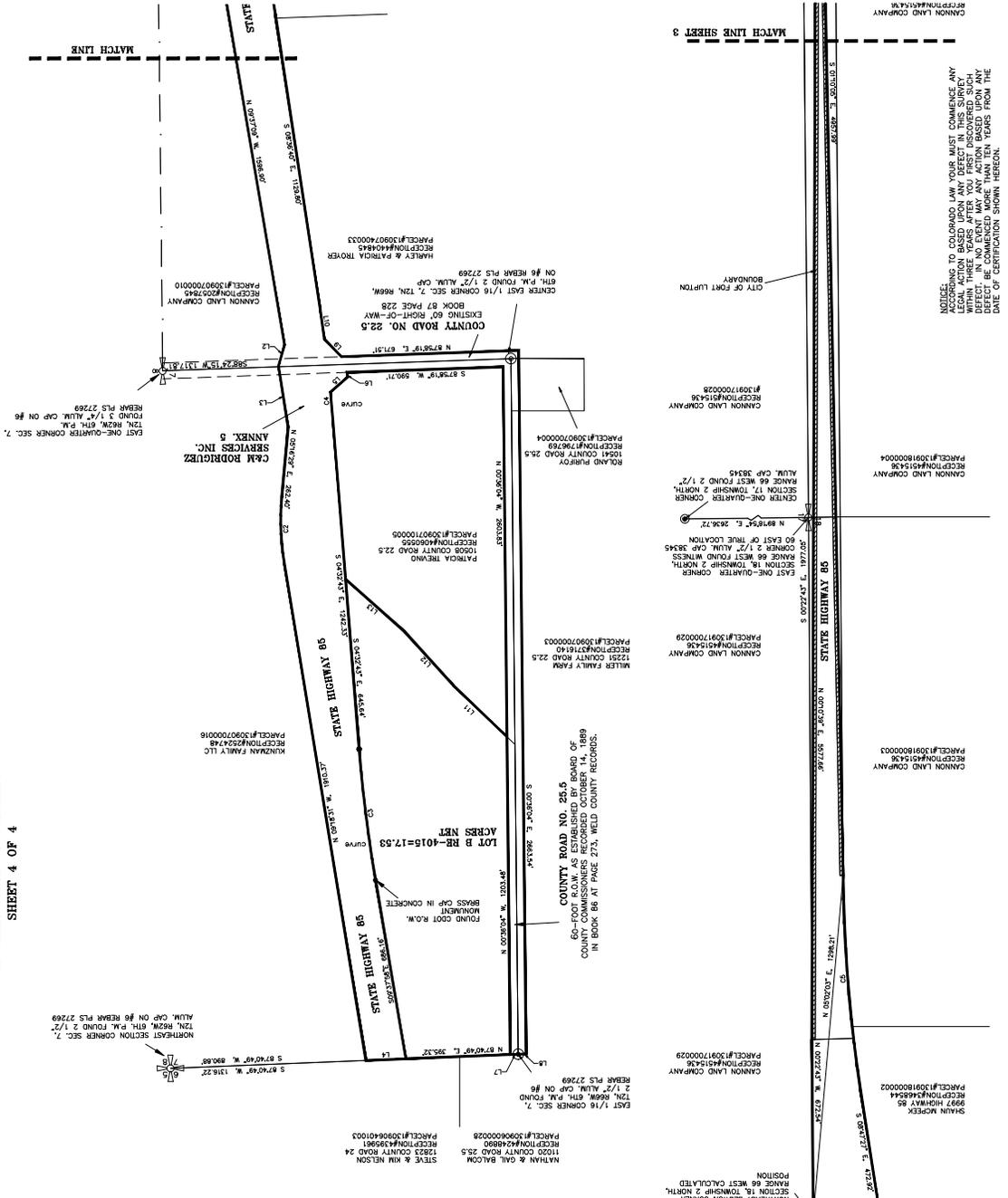
TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY
 OF WELD, STATE OF COLORADO
 SHEET 4 OF 4



CURVE #	ARC LENGTH	RADIUS	BETA ANGLE	CHORD BEARING	CHORD LENGTH
C1	371.0	1178.0	1°48'27"	N45°30'31"W	371.0
C2	250.8	984.7	1°43'50"	N20°20'31"W	250.8
C3	500.0	560.0	57°43'48"	S97°04'57"E	489.9
C4	113.4	560.0	17°06'39"	S89°58'04"E	113.4
C5	816.8	560.0	81°75'	S84°34'57"E	816.8

LINE #	BEARING	DISTANCE
L1	N07°40'27"W	196.50
L2	N07°22'07"W	65.53
L3	N09°24'07"W	235.80
L4	S87°42'49"W	102.24
L5	S84°22'27"W	86.00
L6	S89°58'04"W	300.00
L7	S84°34'57"W	300.00
L8	S43°14'00"W	83.33
L9	S00°00'00"W	300.00
L10	S00°00'00"W	110.00
L11	N45°30'31"W	272.50
L12	N43°21'31"W	272.50
L13	N15°21'31"W	300.00

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE-SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



	ANNEXATION MAP SECTIONS 19, 20, 18, AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.	CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634 PH: 970-535-9316	DATE: 1/21/2020 JOB#: 1322-06ANEX SHEET 4 OF 4
NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GKH

ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY DEFECT, IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF COMPLETION SHOWN HEREON.

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-082

ADOPT AN ORDINANCE TO INITIALLY ZONE LAND LEGALLY DESCRIBED IN EXHIBIT A OF THE PROPOSED ORDINANCE, AND KNOWN AS THE C&M RODRIGUEZ INITIAL ZONING, TO THE 'C-2' HEAVEY COMMERCIAL ZONE DISTRICT

I. Agenda Date: Council Meeting – April 21, 2020

- II. Attachments:**
- a. Proposed Ordinance
 - b. Planning Commission Resolution, Minutes & Staff Report
 - c. Land Use Application & Project Description
 - d. Annexation Maps (Showing Proposed Zoning)
 - e. Public Comments
 - f. Referral Responses
 - g. Legal Notifications

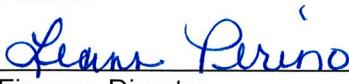
III. Summary Statement:

Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. (the "Applicant"), has submitted a request for initial zoning of certain land identified in Exhibit A of the Ordinance to the 'C-2' Heavy Commercial Zone District. The initial zoning is situated west and adjacent to U.S. Highway 85 an approximately 0.49 miles south of County Road 24 ½. City Council has previously reviewed and considered an Ordinance to approve the annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 at a hearing on April 21, 2020. This request is to initially zone the property included within that Annexation.

IV. Submitted by:

Planner

V. Finance Reviewed



Finance Director

VI. Approved for Presentation:



City Administrator

VII. Attorney Reviewed

Approved

Pending Approval

VIII. Certification of Council Approval:

City Clerk

Date

IX. Detail of Issue/Request:

Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. (the "Applicant"), has submitted a request for initial zoning of certain land identified in Exhibit A of the Ordinance to the 'C-2' Heavy Commercial Zone District. The initial zoning is situated west and adjacent to U.S. Highway 85 an approximately 0.49 miles south of County Road 24 ½. City Council has previously reviewed and considered an Ordinance to approve the annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 at a hearing on April 21, 2020. This request is to initially zone the property included within that Annexation.

This proposed initial zoning to 'C-2' Heavy Commercial conforms with the Commercial Transition Zone designation on the Future Land Use Map. Furthermore, similar land uses can be found nearby. The proposed use of the property is continuing operation of an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment. This use is being reviewed for a special use permit concurrently with this annexation, and will be considered by City Council at a separate hearing.

X. Legal/Political Considerations:

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site (only 100 feet required by the Code, but notice was sent with the notice of annexation, which requires a 500-foot notice), and publishing notice of the hearing at least fifteen days prior to the hearing.

XI. Alternatives/Options:

The City Council has the following options for this request:

- a) Adopt The Ordinance.*
- b) Do not adopt The Ordinance.*

XII. Financial Considerations:

The applicant has paid all applicable land use application fees and are covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the proposed Ordinance initially zoning the land described in Exhibit A of the proposed Ordinance to the 'C-2' Heavy Commercial Zone District.

ORDINANCE NO. 2020-xxxx

INTRODUCED BY: xxxx

ADOPT ORDINANCE 2020-xxxx INITIALLY ZONING LAND KNOWN AS THE C&M RODRIGUEZ INITIAL ZONING, LEGALLY DESCRIBED IN EXHIBIT A, TO THE ‘C-2’ HEAVY INDUSTRIAL ZONE DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO:

WHEREAS, under the procedures detailed in Section 16-9 of the Fort Lupton Municipal Code, the Applicant, Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc., submitted a request to initially zone 17.53± acres of land more particularly described in Exhibit A.

WHEREAS, the Planning Commission held a public hearing on the zone request on April 9, 2020, and recommended approval to City Council of the initial zoning of land described in Exhibit A to the ‘C-2’ Heavy Commercial Zone District, with all the uses-by-right allowed in said district.

WHEREAS, the City Council, after public notice and hearing, and consideration of the Planning Commission recommendation, declares that the official zoning map be amended to reflect the initial zone on the property described in Exhibit A of this Ordinance to the ‘C-2’ Heavy Commercial Zone District, and that The Ordinance is hereby approved.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 21st day of April 2020.

PUBLISHED in the Fort Lupton Press the ___th day of ____ 2020.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this ___rd day of ____ 2020.

PUBLISHED BY TITLE ONLY the ___th day of ____ 2020.

EFFECTIVE (after publication) the ___th day of ____ 2020.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

EXHIBIT A

LOT B OF RE 4015, LYING IN THE EAST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, OF THE 6TH P.M., WELD COUNTY, COLORADO.

RESOLUTION P2020-009

RESOLUTION NO. P2020-009

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF AN ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5 AND INITIAL ZONING TO ‘C-2’ HEAVY COMMERCIAL FOR LAND LEGALLY DESCRIBED IN EXHIBIT A.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing an application submitted by Cesar Rodriguez Gallardo for an annexation, known as the C&M Rodriguez Annexation Nos. 1 – 5 and Initial Zoning to the ‘C-2’ Heavy Commercial Zone District; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the annexation and initial zoning conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 500 feet, and posting of the hearing on the site.

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 and Initial Zoning to the ‘C-2’ Heavy Commercial Zone District, conditional upon the following:

- I. Prior to recording the annexation map:
 - A. The title of the annexation and initial zoning map shall include the Project No. LUP2020-0008, and Plan Nos. ANX2020-0002 and COZ2020-0002.
 - B. Any redline comments provided by City Staff shall be made to the annexation map.
 - C. Show the current and proposed zoning on the annexation map.
 - D. Written evidence shall be provided that the comments from the Public Works Director have been adequately addressed.
 - E. Written evidence shall be provided that the comments from the Northern Colorado Water Conservation District have been adequately addressed.

- F. Written evidence shall be provided that the comments from Kerr-McGee Gathering LLC have been adequately addressed.
- G. Written evidence shall be provided that the comments from Weld County Department of Planning Services have been adequately addressed.
- H. Written acknowledgement of the comments from Public Service Company of Colorado (Xcel Energy) shall be provided.

DONE THIS 9th DAY OF APRIL, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

EXHIBIT A
PROPERTY DESCRIPTION

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;

THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;
THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;
THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;
1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°25'31" E FOR A DISTANCE OF 4733.45 FEET;
THENCE S 01°35'04" E FOR A DISTANCE OF 2619.96 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;
THENCE ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 20, N 89°18'45" E FOR A DISTANCE OF 35.00 FEET; THENCE S 00°18'28" E FOR A DISTANCE OF 1322.01 FEET; THENCE S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4; THENCE ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;
THENCE DEPARTING SAID WEST LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7.23 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE W 1/2 OF SECTION 17 AND THE NW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;
THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'51" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1358.99 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.81 FEET TO THE NE SECTION CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 17, N 87°19'17" E FOR A DISTANCE OF 22.85 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES;

1. S 00°32'01" E FOR A DISTANCE OF 2650.36 FEET;
2. S 00°29'30" E FOR A DISTANCE OF 2482.99 FEET;
3. S 09°58'26" E FOR A DISTANCE OF 121.84 FEET;
4. S 00°19'48" E FOR A DISTANCE OF 27.88 FEET;
5. N 89°38'15" E FOR A DISTANCE OF 95.00 FEET;
6. S 00°16'18" E FOR A DISTANCE OF 27.16 FEET;
7. S 33°22'45" W FOR A DISTANCE OF 90.10 FEET;
8. S 00°18'45" E FOR A DISTANCE OF 248.00 FEET;
9. S 89°41'15" W FOR A DISTANCE OF 50.00 FEET;
10. S 00°18'45" E FOR A DISTANCE OF 2293.50 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SECTION 20; THENCE ALONG SAID NORTH LINE S 89°18'45" W FOR A DISTANCE OF 45.00 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 20; THENCE N 01°35'04" W FOR A DISTANCE OF 2619.96 FEET; THENCE S 00°25'31" W FOR A DISTANCE OF 4733.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17.98 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 18 SAID POINT BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7,

N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE; THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;

THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;

THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;

THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;

THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;

THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;

ON A CURVE TO THE LEFT HAVING A RADIUS OF 985.00 A DELTA ANGLE OF 14°34'53" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;

THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;

THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 1242.34 FEET TO A POINT OF CURVATURE;
4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;
5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;
THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;
THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;
THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.02 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;
THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;
THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;
THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85;
THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;
1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE,
S 01°23'12" E FOR A DISTANCE OF 3983.71 FEET; THENCE N 00°11'25" E FOR A DISTANCE OF 5275.78 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;

2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;

3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE,

N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 54.44 ACRES.

MINUTES

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles. She stated that

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two, and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT

C&M RODRIGUEZ ANNEXATION STAFF REPORT
PROJECT NO. LUP2020-0008 / PLAN NOS. ANX2020-0002 & COZ2020-0002

PROJECT DESCRIPTION

Project No.: LUP2020-0008 / Plan Nos. ANX2020-0002 & COZ2020-0002

Project name: C&M Rodriguez Annexation and Initial Zoning

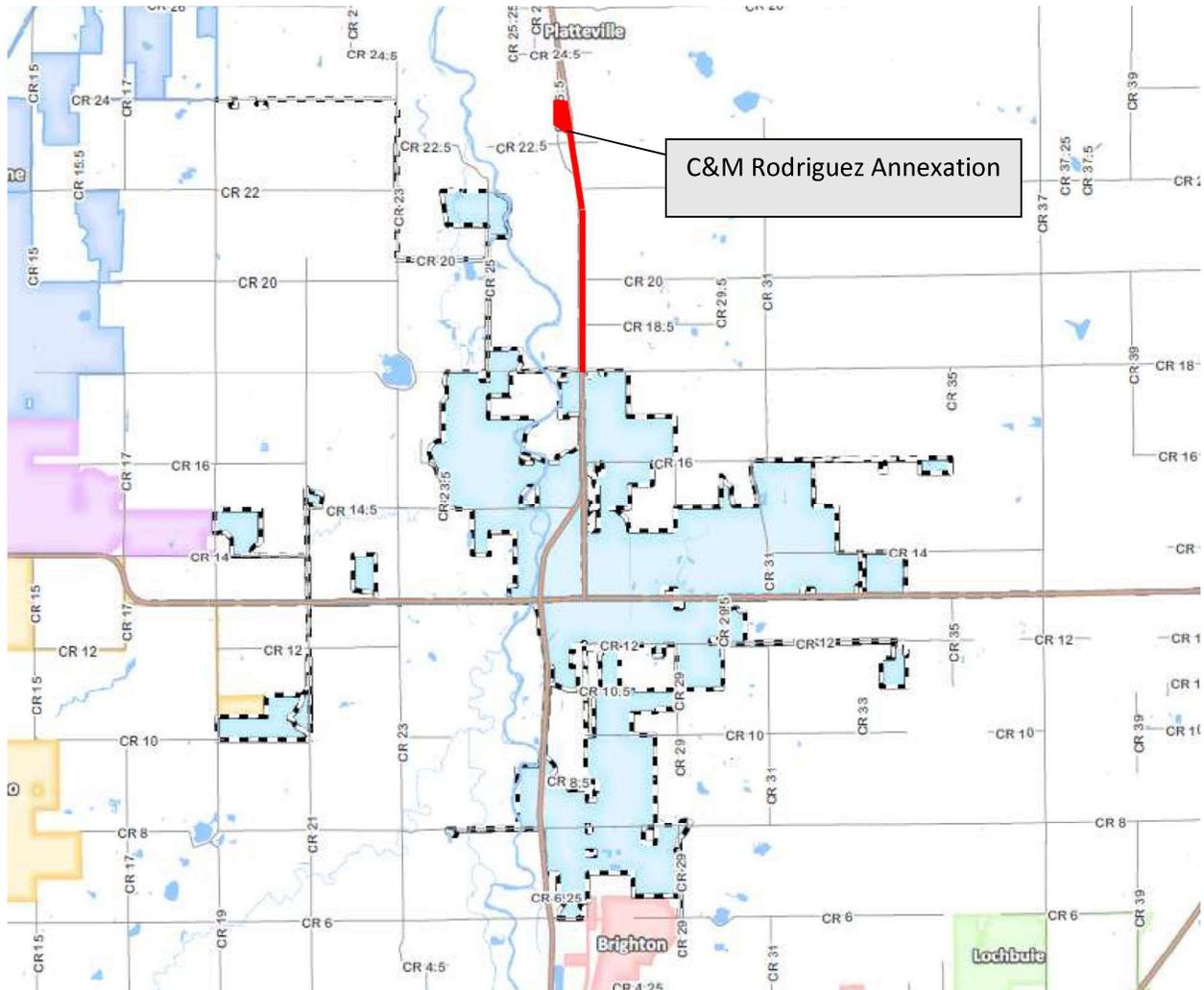
Owner's Name: Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. ("Applicant")

Representative: Shannon Toomey with AGPROfessionals

Location of Request:

The site consists of a parcel of land located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado (Parcel No. 130907100006) (the "Property"). A portion of Highway 85, County Road 22 ½ and County Road 25 ½ rights-of-way are also included in the annexation as a 'flagpole' in order to meet contiguity. The annexation is located in Sections 19, 20, 18, and 7, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado.





The Property is primarily surrounded by agricultural and rural residential land uses. Additionally, nearby there are several Weld County Use by Special Review permits including oil and gas service lines, mineral resource development facilities, a vehicle and RV storage/trucking facility and a tractor implement dealership. Unincorporated Weld County surrounds the property on the east, south, and west sides. The parcel to the north is within the Town of Platteville.

Nature of Request:

The Applicant has submitted a request for annexation of the parcel of land with initial designation to the 'C-2' Heavy Commercial Zone District. The Property is currently permitted under Weld County Use by Special Review Permit USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry. The site is currently developed with a shop/storage building and a modular office building. A 6' metal panel fence surrounds the property. A special use permit application has been submitted concurrently with this annexation request.

Site Size: Total: 84.31 acres

Subject Property: 17.53 acres

Proposed Zone District: 'C-2' Heavy Commercial

Concept Land Use Plan: The Applicant will be requesting a special use permit for an oil and gas service business with an office, shop, and outside storage area for vehicles and equipment. This request has been submitted concurrently with this annexation and initial zoning review, and will be reviewed at a separate public hearing before Planning Commission and City Council.

Existing Use: The use will remain the same. Currently the property contains an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment.

Hearing Dates: Planning Commission – April 9, 2020 at 6:00 PM; and
City Council – April 21, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as listed in the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

To staff's knowledge, there are no prior applications for these properties through the City of Fort Lupton. The Property is currently permitted under Weld County Use by Special Review Permit USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry.

APPLICATION PROCESS

The Applicants are requesting approval of an annexation and initial zoning to the 'A' Agricultural Zone District.

An annexation is processed under [Chapter 15: Annexation](#) of the Fort Lupton Municipal Code ("Code").

After required public notice of annexation and initial zoning, the Planning Commission shall review the annexation map, the concept land use plan and the zoning request at a public hearing, and shall submit a written recommendation to City Council.

The City Council shall then conduct a public hearing and consider the approval of an ordinance annexing the property to the City without election if it finds that the annexation is in compliance with the requirements of the Colorado Municipal Annexation Act of 1965, as amended, and the Fort Lupton Municipal Code. The City Council shall then either:

1. Approve, or approve with conditions, the ordinances for annexation and initial zoning. Approval may be contingent upon specific changes to the zoning or to the annexation agreement provided to the City Council prior to the public hearing.
2. Disapprove the ordinances to annex and initially zone the Property. If the City Council disapproves annexation, no similar request may be heard for a period of one year from the date of denial.

NOTIFICATION REQUIREMENTS

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site, and the

publishing notice of the hearing in the Fort Lupton Press for four consecutive weeks, with the first publication being at least 30 days prior to the City Council public hearing.

In addition, notice of the public hearings, as well as the resolution and petition, was sent to the Weld County Commissioners and Weld County Attorney, the school district and all special districts on March 10, 2020 by certified mail, return-receipt requested. The annexation impact report was sent on March 10, 2020 to the Weld County Commissioners by certified mail, return-receipt requested.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

This annexation meets the requirements set forth by the Municipal Annexation Act of 1965, as amended and by [Chapter 15 of the Municipal Code](#) relating to Annexation. The Planning Department staff has determined that the applicant has submitted all required documents pursuant to the Code.

Section 15-3 of the Municipal Code outlines the Annexation Policy, which is:

- a) The City Council shall have the sole discretion in the annexation of territory proposed for annexation to the City, and the City is under no obligation to approve any annexation petition.

Staff Comment: On March 3, 2020, the City Council accepted the annexation petition and set the public hearing date for this matter on April 21, 2020.

- b) Land to be annexed shall conform to the goals, policies and strategies of the City.

Staff Comment: The Planning Department finds that the annexation meets the goals, policies and strategies of the City, specifically in relation to the Comprehensive Plan, which is further explained later in this Staff Report.

- c) The petitioner for annexation of land to the City shall be responsible for paying all required fees and for all related costs and overhead incurred by the City in reviewing and processing the annexation petition.

Staff Comment: The Applicant has paid all required land use fees, and has a fee deposit established to cover any costs related to the project.

- d) Annexation shall not divide tracts of land in such a way as to prevent annexation of adjoining land.

Staff Comment: The proposed annexation will not prevent future annexation of land.

- e) All annexations shall be accompanied by an [annexation] agreement between the petitioner and the City, stating conditions related to municipal services or other terms of annexation that are not specifically provided for in the Code.

Staff Comment: The Applicant and City Attorney are working in good faith to finalize an annexation agreement. A draft will be provided to the Fort Lupton City Council for consideration prior to the public hearing.

- f) Unless specifically deferred by the City Council, zoning of the property shall occur concurrently with the annexation. Proposed zoning shall conform to a concept land use plan submitted with the annexation petition. In the event that sufficient planning has not been done to define zoning boundaries at the time of annexation, the City may zone the property "A," Agricultural, as an interim zoning classification.

Staff Comment: The Applicant is requesting zoning to the 'C-2' Heavy Commercial Zone District.

- g) Required contiguity of noncontiguous parcels proposed for annexation may be achieved by annexation of one (1) or more portions of street right-of-way or other public way, a process commonly referred to as “flagpole” annexation.

Staff Comment: The proposed annexation meets the required contiguity of noncontiguous parcels.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area as the Commercial Transition land use type. This designation identifies potential growth areas for commercial development outside the municipal boundaries or primary commercial districts of Fort Lupton. These areas should support gradual, long-term commercial investment outward from the City’s urban core, including incremental transitioning of agricultural uses to commercial development. The proposed zoning to C-2 Heavy Commercial conforms to this land use designation.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

Building Inspector	CDOT	CenturyLink
City Attorney	Comcast	Division of Water Resources
Fort Lupton Fire Protection District	GIS Specialist	NCWCD
OMI	Platteville Ditch Company	Police Chief
Postmaster	Public Works Director	Town of Platteville
United Power	Weld County Department of Planning	Weld County Department of Public Health & Environment
Weld County Public Works	Weld County School District RE-8	Xcel Energy

RECOMMENDATION

Staff recommends conditional approval of the C&M Rodriguez Annexation and Initial Zoning to 'C-2' Heavy Industrial. Conditions are listed on the proposed Resolution provided to Planning Commission.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

LAND USE APPLICATION & PROJECT DESCRIPTION



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
 Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: Cesar Rodriguez Gallardo
 Company: C&M Rodriguez Services, Inc.
 Phone: (303) 746-4530 Email: jr.cmrodriguez@gmail.com
 Address: PO Box 677, Fort Lupton, CO 80621

Preferred method of contact? Email: Phone: Mail:

2) Representative Name: Shannon Toomey
 Company: AGPROfessionals
 Phone: (970) 535-9318 Email: stoomey@agpros.com
 Address: 3050 67th Avenue, Greeley, CO 80634

Preferred method of contact? Email: Phone: Mail:

3) Billing Contact (where invoices should be directed to): Cesar Rodriguez
 Billing Company: C&M Rodriguez Services, Inc.
 Phone: (303) 746-453 Email: jr.cmrodriguez@gmail.com
 Address: PO Box 677 Fort Lupton, CO 80621

B. SITE DESCRIPTION

Site Address: 10992 County Road 25 1/2

Parcel Number: 130907100006

Existing Zone Classification: Agriculture Proposed Zone Classification: C-2

Water Type: District Name: Central Weld County Water District

Sewage Type: Septic Tank District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|--|---|---|
| <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input type="checkbox"/> Minor Subdivision | <input checked="" type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input checked="" type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

D. PROJECT DESCRIPTION

Project Name: C&M Rodriguez

Please provide a short description of the proposed project in the space provided below:

Annexation, change of zone, and special use permit for the 18.35-acre property. Change of zone will be from Agriculture to C-2. Property contains existing oil and gas service business with an office, shop building, and outside storage area for vehicles and equipment. The proposed SUP will re-permit this use in Fort Lupton. The site will not be used for public access.

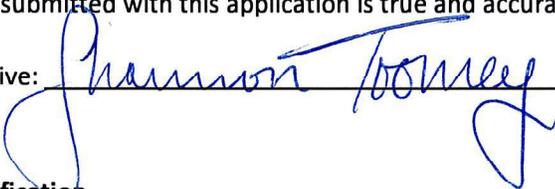
E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 2/17/2020

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: Cesar Rodriguez Gullardo Date: 02-19-2020

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Annexation and Zoning Project Narrative

Prepared for C&M Rodriguez Services, Inc.

Introduction

C&M Rodriguez Services, Inc. (C&M) is requesting the annexation and zoning of their property located in part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 7, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado, being Lot B of Recorded Exemption RE-4015, containing 18.35 acres, more or less. The subject property is adjacent to Colorado Highway 85 and Weld County Road (CR) 25.5, approximately $\frac{1}{8}$ mile north of Weld County Road 22.5. The C&M Annexation requests the annexation of only the C&M parcel located at 10992 County Road 25.5 and portions of Highway 85, County Road 22.5 and County Road 25.5. The total annexation area, including right-of-way, is approximately 76.59 acres.

The subject property is eligible for annexation and capable of integration into the City of Fort Lupton. The annexation area is less than three miles from the City of Fort Lupton's municipal boundaries. Annexation proceedings have not been commenced by another municipality. Additionally, a community of interest exists between the area proposed to be annexed and the City of Fort Lupton as this will be the northern border with the Town of Platteville.

The C&M zoning request is the C-2 (Heavy Commercial) Zone District. The C-2 Zone District is intended to provide an environment adaptable to commercial uses that require heavy auto and truck traffic or outdoor storage and display. Such business activities develop economic strength and, with proper development standards, create a convenient, compatible pattern of land use. This zoning is appropriate for the site due to its proximity to Highway 85, which currently supports similar businesses. The subject property is located at the northern extents of the town's intended boundaries and should be considered a transitional area for potential growth for commercial development along the Highway 85 corridor. The adjacent property located to the north was annexed to Platteville and retained its Agricultural zoning while supporting a commercial business.

Description of Site

The subject property was created through the Weld County Recorded Exemption process in 2007. In 2008, Use by Special Review USR-1591 which encumbered Lots A and B of RE-4015, was approved for outdoor vehicle, RV, and equipment storage. In 2012, C&M vacated USR-1591 from Lot B and permitted the property under USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry. The site is currently developed with a 9,000 sq. ft. shop/storage building and an 800 sq. ft. modular office building. The site is screened by a continuous 6' metal panel fence surrounding the

ENGINEERING, PLANNING, CONSULTING & REAL ESTATE

3050 67th Avenue, Suite 200 □ Greeley, CO 80634

970.535.9318 / office □ 970.535.9854 / fax □ www.agpros.com

property with the eastern edge being adjacent to Highway 85 and WCR 25.5 to the west. C&M understands that a City of Ft. Lupton Special Use permit will be required as part of the land use development process.

The operations area of the site is an improved gravel surface with native grass and vegetation outside of the improved surface. Existing trees are central to the property.

The existing land uses in the area surrounding the subject property are primarily agricultural and rural residential with several Weld County Use by Special Review permits including oil and gas service lines, mineral resource development facilities, a vehicle and RV storage/trucking facility and a tractor implement dealership.

The property is within the Central Weld County Water District (CWCWD). As part of the 2012 development process for USR12-0019, CWCWD provided a non-opposition letter for a well permit due to CWCWD's inability to serve the site. Well Permit 76008-F was approved on May 10, 2013 for commercial use and provides water to the site. An existing septic system permitted under SP-1200117 currently provides sewage disposal on the property. The commercial well and septic system are proposed to serve the subject property until a water and wastewater main is extended adjacent to the subject property, water and sanitary tap(s) are purchased, and appropriate infrastructure is installed. It is unknown if the City of Fort Lupton has plans for extending or providing municipal services to the area to be annexed. However, the water and septic system are adequate for the current use.

Potential Impacts on Surrounding Properties and Districts

The property is located immediately adjacent to Highway 85, a farm tractor implement dealership located in Platteville, an auto body and paint business, and a vehicle outdoor storage facility. The proposed zoning is compatible with the existing and expected future development of the area as the adjacent businesses are commercial and light industrial in nature. As the subject property and surrounding properties are currently in the Weld County (A) Agricultural Zone District or the Town of Platteville (A) Agricultural Zone District, this zoning request is not expected to change the character of the area as we would expect the Highway 85 corridor to continue to develop with commercial and light industrial uses in the future.

The proposed zoning is consistent with the Comprehensive Plan and Three Mile Area Plan. Agricultural and rural residential uses are identified for the site and surrounding area on the Future Land Use Map included in the Fort Lupton Comprehensive Plan. The subject property is located in Quadrant II of the Three Mile Area Plan. Future land uses identified for this area include agricultural, rural residential, commercial transition, light industrial and office, mineral zone, parks and open space and public / semi-public. The existing site improvements make the property suitable for future commercial transition or light industrial uses in keeping with future plans for the area.

Districts within the area to be annexed include:

- Central Weld County Water District
- Valley RE-1 School District
- Platteville-Gilcrest Fire Protection District
- Longmont Conservation District
- High Plains Library District
- AIMS

The annexation and zoning are not expected to impact the school district governing the area to be annexed.

Conclusion

The subject property is eligible for annexation and capable of integration into the City of Fort Lupton.

Because the property is located within the Highway 85 corridor the land and future annexation opportunities lend themselves to a mixture of commercial, industrial and residential development. Annexation will also create an anchor point for development within the Highway 85 corridor and Quadrant II to allow the City to control the development of adjacent lands in order to preserve and promote the best interest of the City.

The proposed annexation and zoning align with the intent of the City of Fort Lupton's Comprehensive Plan, specifically the following section of the Growth and Development Chapter:

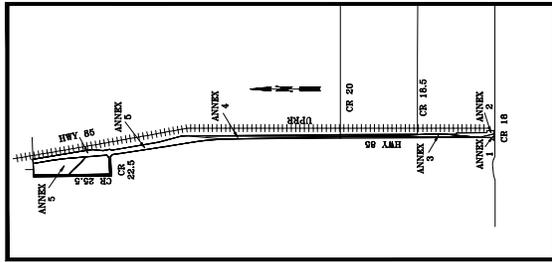
- **Commercial** – The intent of C-2 Heavy Commercial District is to provide an environment adaptable to commercial uses that require heavy auto and truck traffic or outdoor storage and display.

The proposed uses will complement the surrounding land uses currently adjacent to the property. The proposed uses are not expected to be detrimental to the public health, safety, or general welfare as similar uses exist through other entities in the surrounding area. The proposed annexation and zoning will conform to applicable City of Fort Lupton zoning regulations and standards.

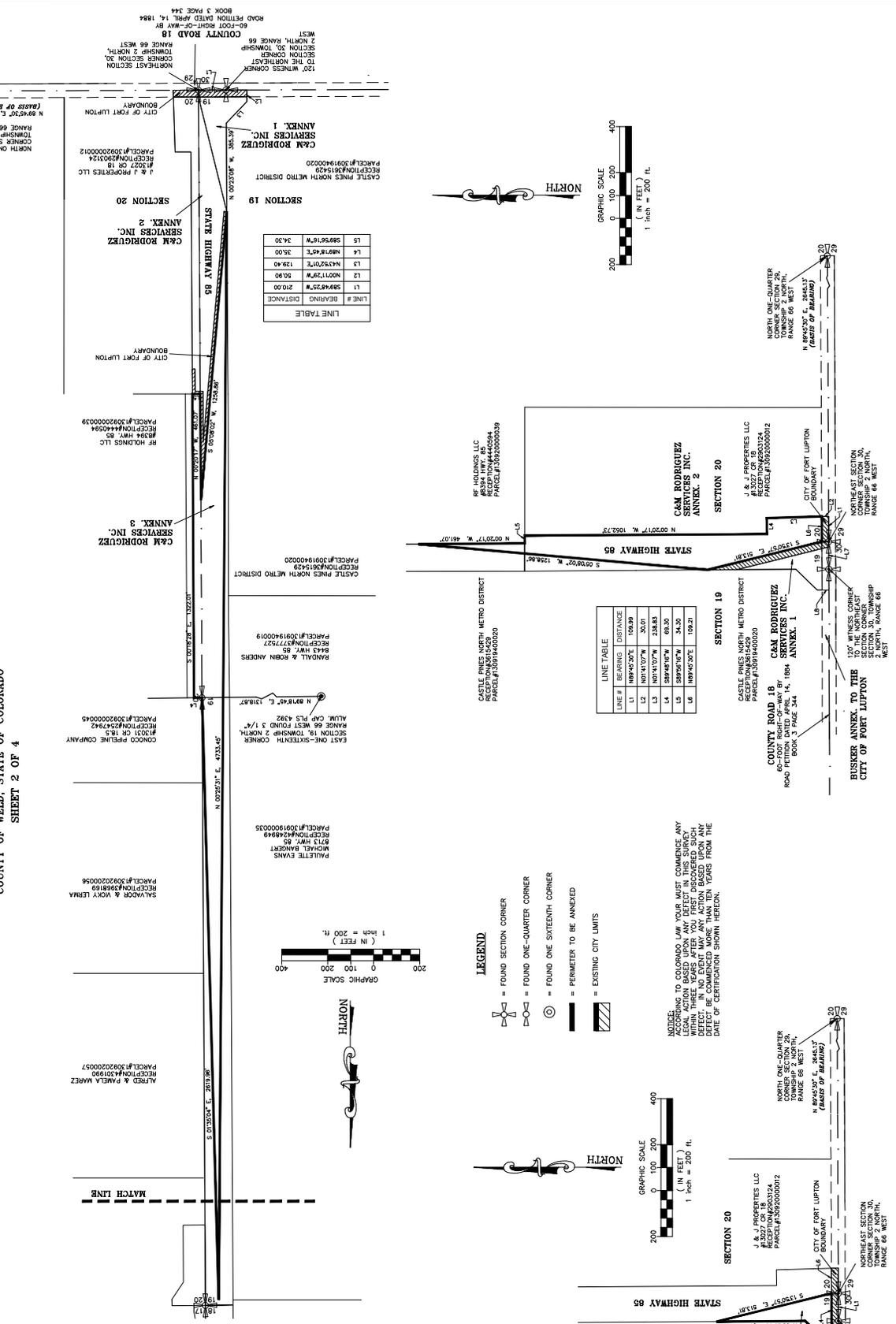
MAPS

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	S89°42'57" W	54.30
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

- LEGEND**
- ⊕ = FOUND SECTION CORNER
 - ⊙ = FOUND ONE-QUARTER CORNER
 - ⊗ = FOUND ONE SIXTEENTH CORNER
 - = PERMETER TO BE ANNEXED
 - ▨ = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR BEST COMMENCEMENT DATE FOR THIS SURVEY SHALL BE THE DATE OF THE FIRST DISCOVERY OF A DEFECT BEING MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	REVISION	BY
1	7/27/2020	ADDED RIGHT-OF-WAY	GHK
2	7/27/2020	ADDED RIGHT-OF-WAY	GHK

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-555-9318

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

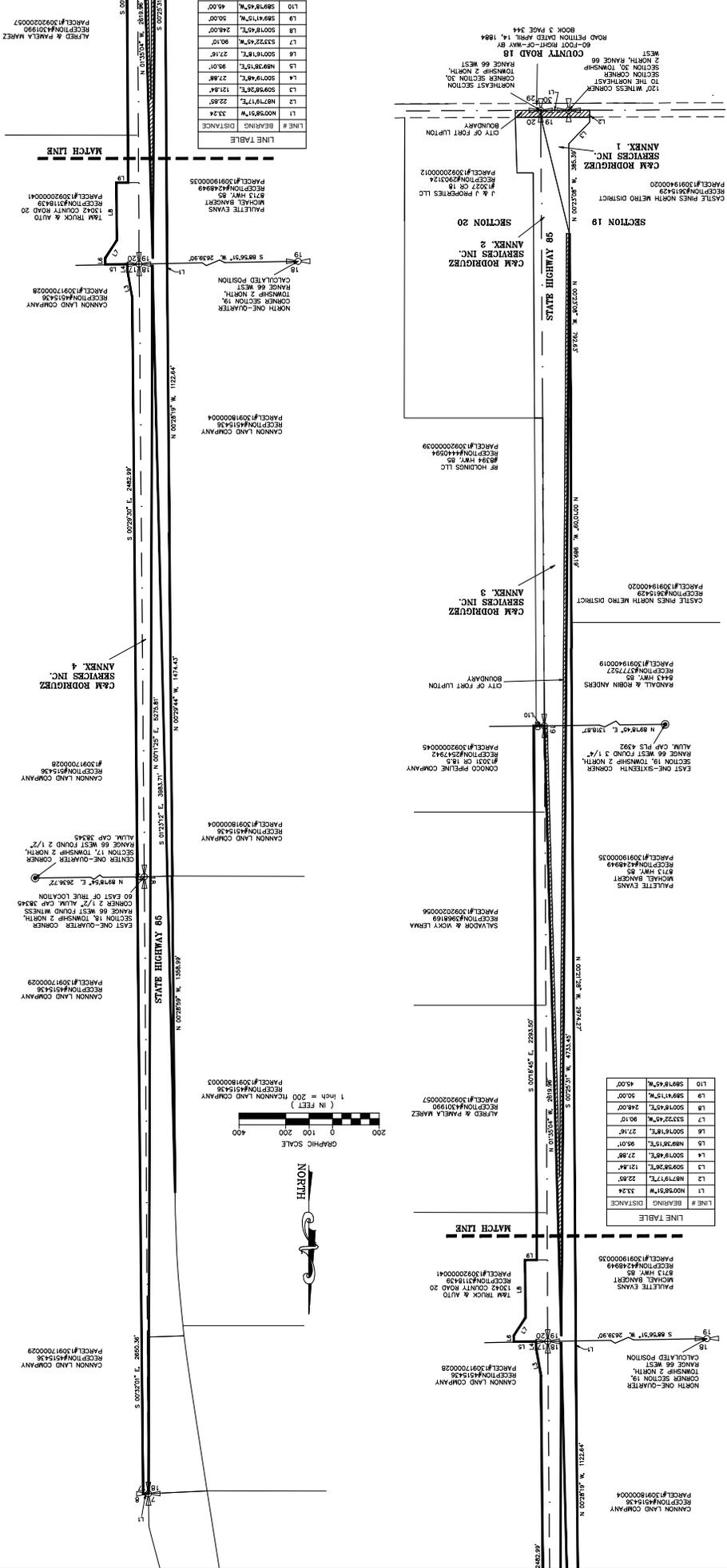
DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

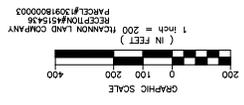
NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N00°58'51"W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	95.01'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	248.00'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'



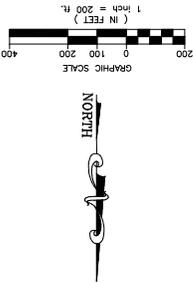
LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N00°58'51"W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	95.01'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	248.00'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'

ANNEXATION MAP		SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.		JOB#1322-06ANEX SHEET 3 OF 4
CLIENT: AG PROFESSIONALS		HAMMER LAND SURVEYING, INC.		DATE: 1/21/2020
3050 67TH AVE. SUITE 200		4350 HIGHWAY 66		
GREELEY, COLORADO 80634		LONGMONT, CO 80504		
PH: 970-535-9316		PH: 970-535-9316		

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

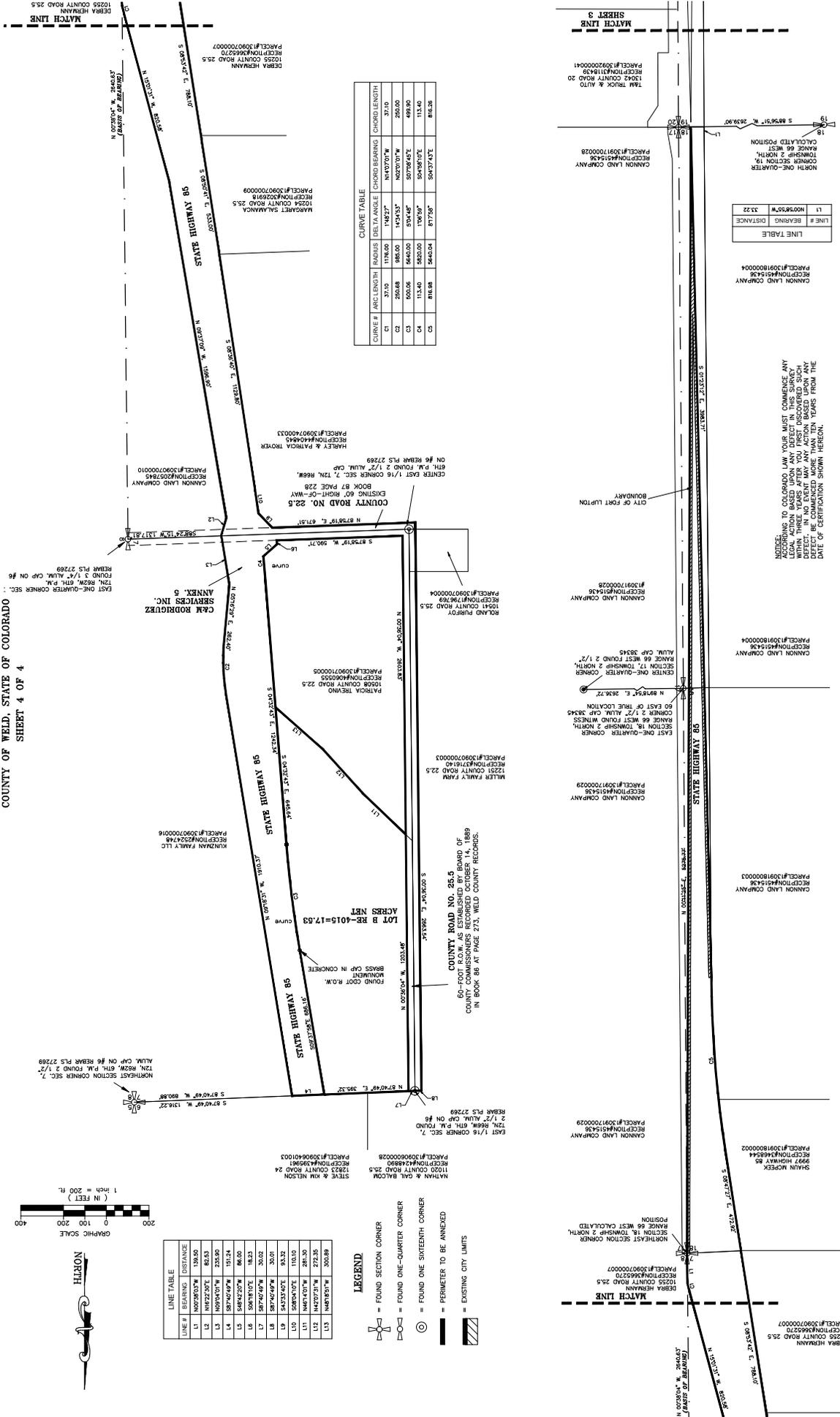


LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22
L2	N 01°22'02" E	69.33
L3	N 01°04'52" W	235.90
L4	S 87°42'49" W	151.24
L5	S 87°42'49" W	66.00
L6	S 87°42'49" W	151.24
L7	S 87°42'49" W	66.00
L8	S 87°42'49" W	151.24
L9	S 87°42'49" W	66.00
L10	S 87°42'49" W	151.24
L11	S 87°42'49" W	66.00
L12	S 87°42'49" W	151.24
L13	S 87°42'49" W	66.00
L14	S 87°42'49" W	151.24
L15	S 87°42'49" W	66.00
L16	S 87°42'49" W	151.24
L17	S 87°42'49" W	66.00
L18	S 87°42'49" W	151.24
L19	S 87°42'49" W	66.00
L20	S 87°42'49" W	151.24

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	1740.00	7.6827°	N 00°07'55" W	37.00
C2	69.33	3466.67	15.3654°	N 01°22'02" E	69.33
C3	235.90	11896.67	47.0962°	N 01°04'52" W	235.90
C4	151.24	7464.44	30.7308°	S 87°42'49" W	151.24
C5	66.00	3232.22	15.3654°	S 87°42'49" W	66.00



LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22

NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. FAILURE TO DO SO MAY BE CONSIDERED A DEFECT BEING COMMITTED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.		DATE: 1/21/2020 JOB# 1322-06ANNEX SHEET 4 OF 4
CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634 PH: 970-535-9316		
C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5 TO THE CITY OF FORT LIPTON, COLORADO PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO SHEET 4 OF 4	HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504 PH: 970-535-9316	
LINE TABLE L1 N 00°07'55" W 33.22	MATCH LINE 3 MATCH LINE 4	

PUBLIC COMMENTS

From: [Steve](#)
To: [Todd Hodges](#); [PlanningDept](#)
Subject: FW: C&M Rodriguez Annexation Nos. 1-5
Date: Friday, April 3, 2020 11:45:03 AM

Sorry that we got the email address wrong.

Steve

From: Steve <steve@overlandtractor.com>
Sent: Monday, March 30, 2020 8:14 AM
To: thodges@ftluptonco.gov
Cc: steve@overlandtractor.com
Subject: C&M Rodriguez Annexation Nos. 1-5

TO: Ft. Lupton Planning Commission and City Council

Greetings:

Our names are Steve and Kim Nelson, we own Overland Tractor and Supply, LLC. Our property abuts C&M Rodriguez's property on their northern boundary.

My concerns are primarily about the property that is being used as a storage yard. The tall cylindrical objects which I am told are combustors. They block visual line of sight to

My property. My business is dependent on customers being able to see my driveway onto Highway 85 and see my inventory on my display lot. The combustors are constantly

Being moved and sometimes they block everything.

The second problem that I have with them is that in the summertime and any hot weather, the noxious fumes that come from them are overpowering to myself and my customers.

There are times when we cannot work outside because the fumes make you feel sick.

We think that the only remedy for this problem is complete removal of all

combustors and any equipment that could present a similar problem.

We would recommend that the removal of all equipment be completed before an annexation agreement is finalized.

I am asking that you zone that parcel as commercial/retail, which would be complimentary to the character of the area. It is currently listed on the special use permit site plan as Equipment storage. Which should not be allowed.

There is a steel siding fence that surrounds this property that abuts my store. It is seven feet tall and prevents my customers from seeing my driveway until they have passed it

When coming north on Highway 85. This line of sight obstruction affects my ability to present my business to travelers on Highway 85. I am asking that all line of sight obstacles

To my business sign and entrance be removed or modified before annexation is granted.

In principal, I am supporting this annexation to Fort Lupton, with certain modifications. Fort Lupton has always been a good neighbor to me and to Platteville. I look forward to

Some adult supervision on that property.

Steve and Kim Nelson
Overland Tractor and Supply
12823 CR 24
Ft. Lupton, CO 80621
303-857-9405

7mj Rodriguez A

From: gail_balcom
To: [Todd Hodges](mailto:Todd.Hodges); mlancoto@fortluptonco.gov; [Alyssa Knutson](mailto:Alyssa.Knutson); PlanningDept
Subject: C&M Rodriguez Annexation
Date: Tuesday, April 7, 2020 9:22:42 AM

Good morning,

Our names are Nathan and Gail Balcom. We live on the north end of the C&M Rodriguez property and have been here for 10 years.

In July of last year C&M Rodriguez was ordered by the Weld County Commissioner to vacate their premises within 30 days. To date nothing has been removed. In fact more and more of the combustor towers are moved in weekly. These towers have a noxious odor, especially in warmer weather. It is often difficult to be out in our own yard due to the fumes. They are also very unsightly and are less than 40 yards from our front door.

In addition to these towers they are also storing RV's, boats and other companies' oil drilling equipment. There is constant noise from their lot and the trucks drive down our small dirt road at a high rate of speed. We have two grandchildren as well as family pets that are affected by both the fumes from the towers, the dust and noise from the traffic and the trash that is tossed from windows up and down our road.

We vehemently disapprove of this annexation and would hope Fort Lupton will send someone out to inspect the area prior to any decisions being made.

I have attached two photos of the towers, one from our picnic table and the other last night as they brought in an additional tower.

We will be on the call Thursday evening.

Sincerely,

Nathan and Gail Balcom





**Kenneth Miller and Miller Family Farms LLC.
12251 WCR 22.5 – Fort Lupton, CO. 80621**

Fort Lupton Planning Commission,

RE: C&M Rodriguez Annexation Section 7

I Kenneth Miller, along with Magness Land and Cattle Company own the ditch and easement roadway to maintain the ditch that lies just south of the Rodriguez property (section 7). It is not clear if this ditch is included in this annexation, however it is evident that I do not want my ditch or right-of-way easement used to maintain my ditch, in the city of Fort Lupton.

Miller Family Farms owns the ditch along Weld County Road 22 1/2 . The roadway is not needed for this annexation as you have already planned to annex along US highway 85 to the Rodriguez property. This ditch pre-dates the road by many years. It is center on the half section line and I own the maintenance right of the ditch on its north side.

In conclusion, I would prefer that the city not annex my ditches or interfere with my maintenance rights to service those ditches, and thus not interfere with my farming.

Thank you for your time.

Cordially,

Kenneth Miller

1/2" ALUM. CAP ON #6
BAR PLS 27269

S 87°40'49" W. 1316.22'
S 87°40'49" W. 890.88'

NOR
T2N,
ALU1

60-FOOT R.O.W. AS ESTABLISHED BY BOARD OF
COUNTY COMMISSIONERS RECORDED OCTOBER 14, 1989
IN BOOK 86 AT PAGE 273, WELD COUNTY RECORDS.

COUNTY ROAD NO. 25.5

LOT B RE-4015=17.53
ACRES NET

FOUND CDOT R.O.W.
MONUMENT
BRASS CAP IN CONCRETE

KUNZMAN FAMILY LLC
RECEPTION#2524748
PARCEL#130907000016

LLER FAMILY FARM
1251 COUNTY ROAD 22.5
RECEPTION#3716140
PARCEL#130907000003

Water Rights Est. 1862

PATRICIA TREVINO
10508 COUNTY ROAD 22.5
RECEPTION#4060555
PARCEL#130907100005

ROLAND PURIFOY
10541 COUNTY ROAD 25.5
RECEPTION#1796769
PARCEL#130907000004

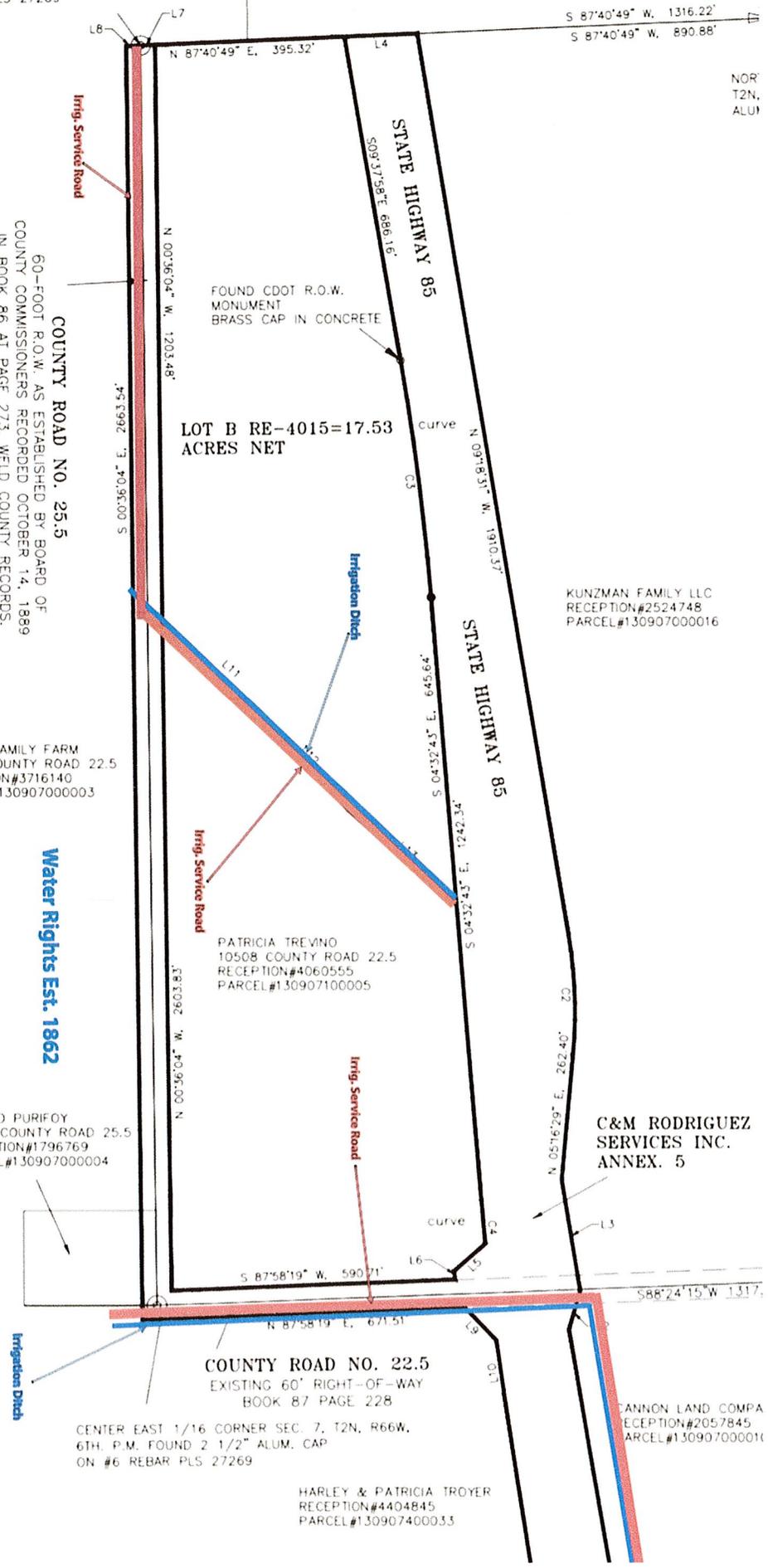
C&M RODRIGUEZ
SERVICES INC.
ANNEX. 5

CENTER EAST 1/16 CORNER SEC. 7, T2N, R66W,
6TH. P.M. FOUND 2 1/2" ALUM. CAP
ON #6 REBAR PLS 27269

COUNTY ROAD NO. 22.5
EXISTING 60' RIGHT-OF-WAY
BOOK 87 PAGE 228

CANNON LAND COMPA
RECEPTION#2057845
PARCEL#130907000011

HARLEY & PATRICIA TROYER
RECEPTION#4404845
PARCEL#130907400033



REFERRAL RESPONSES



March 10, 2020

Maria Lancto, Planner I
City of Fort Lupton
Transmission via email: planningdept@fortluptonco.gov

Re: C&M Annexation Nos. 1 - 5 and Special Use Permit
Part of the E ½ of the NE ¼ of Sec. 7, T2N, R66W, 6th P.M.
Water Division 1, Water District 2

Dear Mario Lancto:

We have received your March 4, 2020 request concerning the above-referenced annexation, rezone, and special use permit for a 18.35-acre parcel known as Lot B of Recorded Exemption RE-4015. The proposal is to annex this lot into the City of Fort Lupton, rezone from agricultural (A) to heavy commercial (C-2), and for a special use permit to allow for require heavy auto and truck traffic or outdoor storage and display. The parcel is currently used for an oil and gas service business with an office, shop building, and vehicle and equipment storage.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

Estimated water requirements and proposed uses were not provided. The proposed water supply source is an existing well, permit no. 76008-F. Well permit no. 76008-F was issued May 10, 2012 pursuant to section 37-90-137(4), C.R.S. and the findings of the state engineer dated May 10, 2012. The well is permitted to withdraw an average annual amount of 3.25 acre-feet at a maximum pumping rate of 15 GPM from the nontributary Laramie-Fox Hills aquifer. The well is permitted for commercial use and irrigation. The well, as permitted, can be used for commercial drinking and sanitary purposes for the business, but cannot be used for the business’s industrial purposes.

According to the submitted material, storm drainage facilities will be developed for the site. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S, the structure may be subject to administration by this office. The applicant should review [DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), to ensure that the notification, construction and operation of the proposed structures meet statutory and administrative requirements. The applicant is encouraged to use [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

If you or the applicant have any questions, please contact Wenli Dickinson at 303-866-3581 x8206 or at wenli.dickinson@state.co.us.



Sincerely,

A handwritten signature in blue ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial 'J'.

Joanna Williams, P.E.
Water Resources Engineer

Ec: Referral no. 27043
Water well permit no. 76008-F

From: [Kristen Thompson](#)
To: [Maria Lancto](#)
Cc: [Stephanie Darnell](#); [Todd Hodges](#); [Alyssa Knutson](#)
Subject: RE: Referral Response Request: C&M Annexation Nos. 1 - 5 and Special Use Permit
Date: Wednesday, March 18, 2020 9:08:50 AM
Attachments: [image002.png](#)
[image003.png](#)

Maria,

The Application lists the water provider as Central Weld County Water District. If that is correct, no action is needed. I was not aware that Central Weld's pipeline extended this far.

However, if Fort Lupton will be providing water service, the applicant will need to file a Petition for Inclusion into the Municipal Subdistrict Boundaries.

If you have any questions, please let me know.

Thank you
Kris



Kristen Thompson | Inclusion Specialist
220 Water Ave | Berthoud, CO 80513
Direct 970-622-2237
Main 800-369-RAIN (7246) | Fax 877-851-0018
www.northernwater.org | [Find us on Facebook](#)

Disclaimer Notice: An allotment of Colorado-Big Thompson water is subject to the Water Conservancy Act, C.R.S 37-45-101 et seq, the authority of the Board of Directors of the Northern Colorado Water Conservancy District, and other relevant laws and regulations. The information provided in this email is not binding on Northern Water because the legal rights to Colorado-Big Thompson Project Allotments are subject to the continuing discretion of the Board of Directors of Northern Water and other legal limitations and requirements. Northern Water staff and counsel cannot provide you with legal advice, and you are advised to seek legal counsel with respect to the subject matter of this email. You also have an independent obligation to review and confirm the accuracy and completeness of any information provided to you by Northern Water, and to supplement or correct the records of Northern Water with respect to any errors or omissions.

From: Maria Lancto <MLancto@Fortluptonco.gov>
Sent: Wednesday, March 4, 2020 11:49 AM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Stephanie Darnell <sdarnell@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>
Subject: Referral Response Request: C&M Annexation Nos. 1 - 5 and Special Use Permit

Good Morning/Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and special use permit that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [C&M Annexation and Special Use Permit](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 25, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, April 9, 2020 at 6:00 PM**
- **City Council on Tuesday, April 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to planningdept@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto
Planner I
130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694
Cell: 303.718.0172



The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

From: [Hice-Idler - CDOT, Gloria](#)
To: [Todd Hodges](#); [Alyssa Knutson](#)
Cc: [Allyson Mattson - CDOT](#); [Bilobran, Timothy](#)
Subject: C&M/Town of Fort Lupton/US 85
Date: Thursday, March 12, 2020 11:00:52 AM
Attachments: [image001.png](#)

CDOT has no comment regarding the annexation or rezone of the property. It does not appear that there's any planned increase of traffic volumes to the intersection of US 85 and WCR 22.5 at this time. If any change is planned that would increase traffic to that intersection, CDOT would have the warrant to re-evaluate access needs.

Gloria Hice-Idler

Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org





Fort Lupton Fire Protection District

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: www.fortluptonfire.org

Date: 03/25/2020

Project name: C&M Annexation

Project address: 10992 Cr 25.5, Fort Lupton, Co 80621

FLFPD Project # R2020-014

Plan reviewer: Taw Tamlin, Fire Marshal

The Fire District has reviewed the referral for **C&M Annexation** located at **10992 Cr 25.5**, Fort Lupton, CO 80621. The submittal was reviewed for compliance with 2012 International Fire Code (IFC) and National Fire Protection Association (NFPA) standards as adopted by the Fort Lupton Fire Protection District, City Council of Fort Lupton, and Weld County Commissioners. The following specific and general requirements and conditions shall be met.

Specific Requirements:

1. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. *2012 IFC, 505.1*
2. Fire apparatus access road (driveway) shall be designed and maintained to support the imposed loads of fire apparatus (56,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities (e.g. gravel, road base or recycled asphalt). *2012 IFC Section 503.2.3*
3. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. *2012 IFC, 506.1*
 - a. You can go to the following link to purchase a Knoxbox.
<https://www.knoxbox.com/>

4. A fire code inspection shall be required for a Certificate of Occupancy.
5. The following items shall be approved by the Fire District prior to construction. Click on <https://fortluptonfire.org/contractors/> for directions on submitting plans.
 - a. Building Construction
 - b. Instillation of Above Ground Storage Tanks
 - c. Instillation of Below Ground Storage Tanks

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.



Public Works

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

MEMO

To: Todd Hodges
Alyssa Knutson

From: Roy Vestal

Date: March 27, 2020

Subject: C&M Annexation Nos. 1 - 5 and Special Use Permit
Public Works Review

Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

Public Works has no objections to this site plan and annexation.

1. Drainage

- a. Assuming there is no new construction proposed, no drainage improvements are required, unless there is currently a known drainage issue in this area.
- b. Be advised, on page 7, General Concept - being a rural location is not reason not to provide detention.

2. Transportation

- a. CR 25.5 is likely to be a Collector in the future. Would require dedication of an additional 7.5 feet of ROW. No movement of existing fence required at this time.
- b. Will property owner be agreeable to a road maintenance agreement for snow removal and grading operations for CR 25 and CR 22.5?



Your Touchstone Energy® Cooperative 

Hello,

Thank you for inviting United Power, Inc. to review and comment on the C&M Annexation Nos. 1 - 5 and Special Use Permit. After review of the information, the building already exists and has power serviced to this site. If the developer needs additional or undegraded service, please have them contact United Power. The developer can visit <https://www.unitedpower.com/construction> and submit an application along with CAD data.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,

Samantha Riblett
United Power, Inc
Right of Way Administrative Assistant
Main 303-659-0551 | D 303-637-1324



DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave

Greeley, CO 80631

Website: www.weldgov.com

Email: jflesher@weldgov.com

Phone: (970) 400-3552

Fax: (970) 304-6498

Via Email

March 24, 2020

Alyssa Knutson, Planner
City of Fort Lupton
130 S. McKinley Avenue
Fort Lupton, CO 80621

Subject: C&M Rodriguez Annexation and Special Use Permit

Dear Alyssa:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

On page 4 of the annexation map the parcel number and ownership is given on the south parcel, but it doesn't include the designation of Lot A of RE-4015 or the acreage. The north lot has the legal and acreage, but not the parcel number or owner name.

"STATE HIGHWAY 85" should be changed to "US HIGHWAY 85."

General comments:

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

The present zoning of adjacent and surrounding unincorporated properties are predominantly Agricultural. Owners of property in the area of this proposal should be made aware that agricultural uses, even when done in a manner consistent with good agricultural practices, may generate impacts such as noise, dust, flies, odors, aerial spraying, and slow-moving equipment on County roadways. It is important for future residents to note that adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement and recommends they be placed on all plats adjacent to unincorporated areas:

Right-to-Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged

to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

Weld County Right to Extract Mineral Resources Statement

Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the State's commercial mineral deposits are essential to the State's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.

Mineral resource locations are widespread throughout the County and person moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Weld County



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

March 29, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: C&M Annexation Nos. 1-5 and Special Use Permit, Case #s unknown

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **C&M Annexation Nos. 1-5 and Special Use Permit**. Please be advised that Public Service Company has existing intermediate pressure natural gas pipeline within the areas indicated in this proposed Annexation No. 4, both within and crossing. The City of Fort Lupton must send us notification after approval of the proposed annexation has been finalized. This notification should be sent to Jacob Van Laere (303-571-3818) at: Xcel Energy, 1123 West 3rd Avenue, Denver, Colorado 80223 or jacob.van.laere@xcelenergy.com. This will allow our mapping department to make the necessary updates to our mapping system.

Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Should the project require any new natural gas service or modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



March 20, 2020

VIA E-MAIL

Fort Lupton Planning & Building Department
Todd Hodges
130 S. McKinley Avenue
Fort Lupton, Colorado 80621
thodges@fortluptonco.gov

**NOTICE OF RIGHT-OF-WAY GRANT OWNED BY KERR-McGEE GATHERING
LLC**

Re: AGPRO Project #1322-06: Annexation, Change of Zone, and Special Use Permit
C&M Rodriguez Services, Inc. – Property Owner
Shannon Toomey – Representative
Township 2 North, Range 66 West, 6th P.M.
Section 7: Part of the E/2 of the NE/4
Weld County, Colorado

Mr. Hodges:

This letter is being sent by Kerr-McGee Gathering LLC (“KMGG”) to inform you KMGG is the owner of valid easements and pipelines located in the E/2 of the NE/4 of Section 7, Township 2 North, Range 66 West for which the Fort Lupton Planning & Building Department (“Town”) is reviewing AGPRO Project #1322-06: Annexation, Change of Zone and Special use Permit. KMGG is submitting this comment timely, in accordance with the Town’s procedural requirements.

The following are comments in support of this Notice:

1. KMGG is the owner of a valid Right-of-Way Grant that was executed on August 26, 1971, and recorded on September 29, 1971 with the Weld County Clerk and Recorder at reception number 1575996. Referenced Right-of-Way Grant contains pipeline number 16-71-257-8.

2. KMGG is the owner of a valid Right-of-Way Grant granted through a Surface Use Agreement that was executed on August 10, 2012 and recorded on August 24, 2012 with the Weld county Clerk and Recorder at reception number 3868475. Referenced Right-of-Way Grant contains pipeline number 99-8-3.

KMGG does not object to the proposed Annexation, Change of Zone and Special Use Permit provided the applicant conforms to the terms of the Right-of-Way Grants identified above.

Please contact me at 720-929-3714 if you have any questions or comments about this matter.

Sincerely,
KERR-McGEE GATHERING LLC

Grant Gerrard
Senior Landman

cc: Murph Shelby, Lead Counsel
Brett Cavanagh
Jake Billadeau
Heather Bennett
Kelly Reyos
C&M Rodriguez Services, Inc. c/o AGPRO Professionals – Shannon Toomey

LEGAL NOTIFICATIONS

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Thursday, April 9, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Tuesday, April 21, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearings is to consider an application submitted by Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. for an annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 and initial zoning to 'C-2' Heavy Commercial. There is one parcel included within the proposed annexation, as well as road rights of way. The property (Parcel 130907100006) is located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½. The Property is more particularly described below. The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303-867-6694.

LEGAL DESCRIPTION

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 1:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET; THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 2:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET; THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG THE EAST RIGHT-OF WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85; THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-

OF-WAY LINE OF SAID COUNTY ROAD 18; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 3:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET; THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°36'42" E FOR A DISTANCE OF 3773.65 FEET; THENCE S 01°38'43" E FOR A DISTANCE OF 2520.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19; THENCE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4.30 ACRES.

**LEGAL DESCRIPTION C&M
RODRIGUEZ SERVICES INC.
ANNEXATION NO. 4:**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, TOWNSHIP 2 NORTH,

RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET; THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;
2. N 00°11'09" W FOR A DISTANCE OF 989.19 FEET;
3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;
4. N 00°58'55" W FOR A DISTANCE OF 33.24 FEET;
5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;
6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;
7. N 00°28'59" W FOR A DISTANCE OF 1359.03 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET; THENCE N 00°10'39" E FOR A DISTANCE OF 5577.70 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18; THENCE ALONG SAID EAST LINE, S 00°22'43" E FOR A DISTANCE OF 1977.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 18; THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 18, S 00°29'30" E FOR A DISTANCE OF 2630.84 TO THE SOUTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 19, S 00°18'45" E FOR A DISTANCE OF 2643.80 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19; THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 19, S 00°20'17" E FOR A DISTANCE OF 860.57 FEET; THENCE DEPARTING SAID EAST LINE, N 01°38'43" W FOR A DISTANCE OF 2520.66 FEET; THENCE S 00°36'42" W FOR A DISTANCE OF 3773.65 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.43 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 WHICH LIES S 05°02'03" W 1298.21 FEET FROM THE NORTHEAST CORNER OF SECTION 18 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M. SAID POINT BEING THE POINT OF BEGINNING THENCE S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET; THENCE N 00°10'29" E FOR A DISTANCE OF 5577.66 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18; THENCE ALONG SAID EAST LINE N 00°22'43" W FOR A DISTANCE OF 672.54 FEET TO THE NORTHEAST SECTION CORNER OF SAID SECTION 18; THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7, N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE; THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET; THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET; THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET; THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET; THENCE N 09°04'01" W FOR A

DISTANCE OF 235.90 FEET; THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE; ON A CURVE TO THE LEFT HAVING A RADIUS OF 984.87 A DELTA ANGLE OF 14°35'00" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET; THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7; THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET; THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 1242.33 FEET TO A POINT OF CURVATURE;
4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;
5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;
6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7; THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7; THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG THE WEST

RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;
1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-

WAY LINE, N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 56.21 ACRES.

RESOLUTION NO. 2020R030

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 – 5, AND SETTING THE PUBLIC HEARING FOR APRIL 21, 2020.

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Cesar Rodriguez Gallardo for 84.31 acres, more or less, and known as the C&M Rodriguez Annexations Nos. 1 – 5; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for C&M Rodriguez Annexation Nos. 1 – 5, and sets the hearing date for April 21, 2020, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 3rd DAY OF MARCH 2020.

s/Zo Stieber
Zo Stieber, Mayor

Attest:
s/Maricela Peña
Maricela Peña, City Clerk

Approved as to form:
s/Andy Ausmus
Andy Ausmus, City Attorney

Sign Posting Affidavit

LUP2020-0008; ANX2020-0002; COZ2020-0002; SUP2020-0001.



Location: Posted on U.S. Highway 85



Location: Posted on County Road 25 1/2

I, Cesar Rodriguez Gallardo hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 16 day of March, 2020.

Cesar Rodriguez Gallardo

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Cesar Rodriguez Gallardo this 16th day of March, 2020. Witness my hand and seal.

My commission expires July 01 2023

[Signature]
 Notary Public

(SEAL)

ELSA SALDIVAR
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20154025848
 MY COMMISSION EXPIRES JULY 01 2023



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 10th day of March, 2020, a true and correct copy of the foregoing Notice of Public Hearings and annexation map for the C&M Rodriguez Annexation Nos. 1 – 5 was sent via U.S. Mail, postage pre-paid, to the following addresses:

MILLER KENNETH C
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

BALCOM NATHAN WILMONT
BALCOM GAIL ANN
11020 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

KUNZMAN FAMILY LLC
10952 US HIGHWAY 85
FORT LUPTON, CO 80621

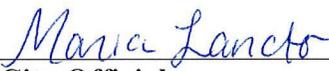
NELSON KIM
NELSON STEVE
12823 COUNTY ROAD 24
FORT LUPTON, CO 80621

NESON KIM
NELSON STEVE
112 MELODY LN
PLATTEVILLE, CO 80651

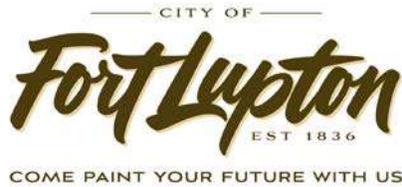
MILLER FAMILY FARM LLC
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

TREVINO PATRICIA
10508 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

C&M RODRIGUEZ SERVICES INC
PO BOX 677
FORT LUPTON, CO 80621



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Thursday, April 9, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Tuesday, April 21, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearings is to consider an application for an annexation known as the C&M Rodriguez Annexation Nos. 1 – 5 and initial zoning to the 'C-2' Heavy Commercial Zone District for a property located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado. The annexation also includes road right of way. The legal description below describes the land proposed for annexation and initial zoning. The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303-867-6694.

LEGAL DESCRIPTION

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;

2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;

3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S 89°48'25" W FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 0.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 20, N 89°45'30" E FOR A DISTANCE OF 109.99 FEET;

THENCE DEPARTING SAID SOUTH LINE N 01°41'07" W FOR A DISTANCE OF 30.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

1. N 01°41'07" W FOR A DISTANCE OF 238.83 FEET;
 2. S 89°48'16" W FOR A DISTANCE OF 69.30 FEET;
 3. N 00°20'17" W FOR A DISTANCE OF 1052.73 FEET;
 4. S 89°56'16" W FOR A DISTANCE OF 34.30 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 20;
 5. ALONG SAID WEST LINE, N 00°20'17" W FOR A DISTANCE OF 461.07 FEET;
- THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
- THENCE S 13°50'57" E FOR A DISTANCE OF 513.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 18;
- THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 89°45'30" E FOR A DISTANCE OF 109.21 TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.83 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;
 2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;
 3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
- THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE N 00°36'42" E FOR A DISTANCE OF 3773.65 FEET;

THENCE S 01°38'43" E FOR A DISTANCE OF 2520.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19;
THENCE S 05°08'02" W FOR A DISTANCE OF 1258.86 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4.30 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE E 1/2 OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M.;

THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;

THENCE DEPARTING SAID SOUTH LINE N 00°11'29" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 18 AS GRANTED BY A ROAD PETITION FILED APRIL 14, 1884 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. N 00°11'29" W FOR A DISTANCE OF 20.90 FEET;

2. N 43°52'01" E FOR A DISTANCE OF 129.40 FEET;

3. N 00°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. N 00°23'08" W FOR A DISTANCE OF 792.63 FEET;

2. N 00°10'09" W FOR A DISTANCE OF 989.19 FEET;

3. N 00°21'28" W FOR A DISTANCE OF 2974.27 FEET TO A POINT ON THE NORTH LINE OF SECTION 19;

4. N 00°58'55" W FOR A DISTANCE OF 33.24 FEET;

5. N 00°28'19" W FOR A DISTANCE OF 1122.64 FEET;

6. N 00°29'44" W FOR A DISTANCE OF 1474.43 FEET TO THE NORTH LINE OF THE SE 1/4 OF SECTION 18;

7. N 00°28'59" W FOR A DISTANCE OF 1359.03 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'39" E FOR A DISTANCE OF 5577.70 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE, S 00°22'43" E FOR A DISTANCE OF 1977.05 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 18, S 00°29'30" E FOR A DISTANCE OF 2630.84 TO THE SOUTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 19, S 00°18'45" E FOR A DISTANCE OF 2643.80 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

THENCE ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 19, S 00°20'17" E FOR A DISTANCE OF 860.57 FEET;

THENCE DEPARTING SAID EAST LINE, N 01°38'43" W FOR A DISTANCE OF 2520.66 FEET;

THENCE S 00°36'42" W FOR A DISTANCE OF 3773.65 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.43 ACRES.

LEGAL DESCRIPTION C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE E 1/2 OF SECTION 18, AND THE E 1/2 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE EAST LINE OF THE SE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR NORTH 00°38'04" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 WHICH LIES S 05°02'03" W 1298.21 FEET FROM THE NORTHEAST CORNER OF SECTION 18 TOWNSHIP 2 NORTH RANGE 66 WEST OF THE 6TH P.M. SAID POINT BEING THE POINT OF BEGINNING

THENCE S 01°10'05" E FOR A DISTANCE OF 4957.99 FEET;

THENCE N 00°10'29" E FOR A DISTANCE OF 5577.66 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE ALONG SAID EAST LINE N 00°22'43" W FOR A DISTANCE OF 672.54 FEET TO THE NORTHEAST SECTION CORNER OF SAID SECTION 18;

THENCE ON THE EAST LINE OF THE SE 1/4 OF SAID SECTION 7, N 00°38'03" W FOR A DISTANCE OF 139.50 FEET TO A POINT OF CURVATURE;

THENCE DEPARTING SAID EAST LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1176.00 FEET A DELTA ANGLE OF 01°48'27" FOR AN ARC DISTANCE OF 37.10 FEET THE CHORD OF WHICH BEARS N 14°07'01" W FOR A DISTANCE OF 37.10 FEET;

THENCE N 15°01'31" W FOR A DISTANCE OF 820.58 FEET;

THENCE N 09°37'09" W FOR A DISTANCE OF 1596.90 FEET;

THENCE N 16°22'30" E FOR A DISTANCE OF 82.53 FEET;

THENCE N 09°04'01" W FOR A DISTANCE OF 235.90 FEET;

THENCE N 05°16'29" E FOR A DISTANCE OF 262.40 FEET TO A POINT OF CURVATURE;

ON A CURVE TO THE LEFT HAVING A RADIUS OF 984.87 A DELTA ANGLE OF 14°35'00" FOR AN ARC LENGTH OF 250.68 FEET THE CHORD OF WHICH BEARS N 02°01'01" W FOR A DISTANCE OF 250.00 FEET;

THENCE N 09°18'31" W FOR A DISTANCE OF 1910.37 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE S 87°40'49" W FOR A DISTANCE OF 151.24 FEET;

THENCE DEPARTING SAID NORTH LINE ALONG THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85 THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;

2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;

3. S 04°32'43" E FOR A DISTANCE OF 1242.33 FEET TO A POINT OF CURVATURE;

4. ON A CURVE TO THE LEFT HAVING A RADIUS OF 5820.00 FEET A DELTA ANGLE OF 01°06'59" FOR AN ARC DISTANCE OF 113.40 FEET THE CHORD OF WHICH BEARS S 04°58'10" E FOR A DISTANCE OF 113.40 FEET;

5. S 48°42'20" W FOR A DISTANCE OF 86.00 FEET;

6. S 06°18'10" E FOR A DISTANCE OF 18.23 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22.5;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S 87°58'19" W FOR A DISTANCE OF 590.71 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°36'04" W FOR A DISTANCE OF 2603.83 FEET TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 7;

THENCE ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SAID SECTION 7;

THENCE CONTINUING ALONG SAID NORTH LINE, S 87°40'49" W FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 25.5;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S 00°36'04" E FOR A DISTANCE OF 2663.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 22.5;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N 87°58'19" E FOR A DISTANCE OF 671.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 85; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

1. S 43°33'40" E FOR A DISTANCE OF 93.32 FEET;
2. S 08°04'10" E FOR A DISTANCE OF 110.10 FEET;
3. S 08°36'40" E FOR A DISTANCE OF 1129.80 FEET;
4. S 08°50'41" E FOR A DISTANCE OF 533.00 FEET;
5. S 08°53'42" E FOR A DISTANCE OF 788.10 FEET;
6. S 08°47'27" E FOR A DISTANCE OF 472.92 FEET TO A POINT OF CURVATURE;
7. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.04 FEET A DELTA ANGLE OF 08°17'58" FOR AN ARC LENGTH OF 816.98 FEET THE CHORD OF WHICH BEARS S 04°37'43" E FOR A DISTANCE OF 816.26 FEET TO THE POINT OF BEGINNING. ALONG WITH A PARCEL OF LAND DESCRIBED AS FOLLOWS;

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., TO BEAR SOUTH 87°40'48" WEST BETWEEN THE MONUMENTS SHOWN ON THIS SURVEY AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SAID SECTION 7, THENCE S 87°40'48" W FOR A DISTANCE OF 890.88 TO THE NORTHEAST CORNER OF LOT B OF RE-4015 AND ALSO A POINT ON THE WEST RIGHT-OF-WAY OF HIGHWAY 85 BEING THE POINT OF BEGINNING; THENCE ALONG HIGHWAY 85 THE FOLLOWING THREE (3) COURSES AND DISTANCES;

1. S 09°37'58" E FOR A DISTANCE OF 686.16 TO A POINT OF CURVATURE;
2. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5640.00 FEET A DELTA ANGLE OF 05°04'48" FOR AN ARC DISTANCE OF 500.06 FEET THE CHORD OF WHICH BEARS S 07°08'45" E FOR A DISTANCE OF 499.90 FEET;
3. S 04°32'43" E FOR A DISTANCE OF 645.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE ALONG THE SOUTH LINE OF SAID LOT B THE FOLLOWING THREE (3) COURSES AND DISTANCES;
 1. N 48°18'51" W FOR A DISTANCE OF 300.89 FEET;
 2. N 42°07'31" W FOR A DISTANCE OF 272.35 FEET;
 3. N 46°14'01" W FOR A DISTANCE OF 281.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 25.5; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°36'04" W FOR A DISTANCE OF 1203.48 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE N 87°40'49" E FOR A DISTANCE OF 395.32 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED CALCULATED AREA OF 56.21 ACRES.

RESOLUTION NO. 2020R030

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE C&M RODRIGUEZ ANNEXATION NOS. 1 - 5, AND SETTING THE PUBLIC HEARING FOR APRIL 21, 2020.

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Cesar Rodriguez Gallardo for 84.31 acres, more or less, and known as the C&M Rodriguez Annexations Nos. 1 - 5; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for C&M Rodriguez Annexation Nos. 1 – 5, and sets the hearing date for April 21, 2020, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 3rd DAY OF MARCH 2020.

s/Zo Stieber
Zo Stieber, Mayor

Attest:

s/Maricela Peña
Maricela Peña, City Clerk

Approved as to form:

s/Andy Ausmus
Andy Ausmus, City Attorney

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/FLDEVELOPMENT) AND SCROLLING DOWN TO THE ROWS TITLED: C&M RODRIGUEZ ANNEXATION, INITIAL ZONING, AND SPECIAL USE PERMIT.

**ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION
CAN BE FOUND AT BITLY/PLD/DEV/PLM AND SCROLLING DOWN TO
THE ROWS TITLED: C&M RODRIGUEZ ANNEXATION, INITIAL ZONING, AND
SPECIAL USE PERMIT.**

**C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5
TO THE CITY OF FORT LUPTON, COLORADO
PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
COUNTY OF WELD, STATE OF COLORADO
SHEET 1 OF 4**

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 1:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 2:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 3:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE SE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 4:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 5:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE E 1/2 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 6:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 7:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 8:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

LEGAL DESCRIPTION: C&M RODRIGUEZ SERVICES INC. ANNEXATION NO. 9:
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO LOCATED IN THE NE 1/4 OF SECTION 19, AND THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: CONSIDERING THE NORTH LINE OF THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TO BEAR NORTH 89°45'30" EAST RELATIVE HERETO;
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 19, S 89°48'25" W FOR A DISTANCE OF 210.00 FEET;
THENCE DEPARTING SAID SOUTH LINE FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 85;
PETITION FILED APRIL 14, 1984 IN BOOK 3 AT PAGE 344 WELD COUNTY RECORDS, THE POINT OF BEGINNING;
(3) COURSES AND DISTANCES:
1. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
2. N 07°11'29" W FOR A DISTANCE OF 20.90 FEET;
3. N 07°23'08" W FOR A DISTANCE OF 385.39 FEET TO THE POINT OF BEGINNING;
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE S 13°50'57" E FOR A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING A CALCULATED AREA OF 6.83 ACRES.

MADE'S CERTIFICATE:
THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE _____ DAY OF _____, A.D., 20____, AND THAT THE MAJOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY SAID ORDINANCE NO. _____, HAS ACCEPTED THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS _____ DAY OF _____, 20____.

MAYOR

CITY CLERK

SUBSCRIBERS' CERTIFICATE:
I, GARY K. HAMMER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS PLAN ACCURATELY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

GARY K. HAMMER, C.O. P.L.S. 24307

DATE _____

CONTRIBUTOR NOTE ANNEXATION NO. 1:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 2:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 3:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 4:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 5:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 6:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 7:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 8:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

CONTRIBUTOR NOTE ANNEXATION NO. 9:
PROPOSED ANNEXATION BOUNDARY TO EXISTING CITY LIMITS BOUNDARY:
EXISTING ZONE = 3" (WELD COUNTY AGRICULTURAL)
PROPOSED ZONE = EXISTING
ACREAGE = 17.98 ACRES ±

APPLICANT:
C&M RODRIGUEZ GALLARDO
ATTN: JIM WAYPOT
10897 COUNTY ROAD 25.5
GREELEY, CO 80634
PH: 970-555-3918

NOTICE:
THIS ANNEXATION MAP, YOUR BEST COPY, MUST BE FILED WITH THE CITY OF FORT LUPTON, COLORADO, WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IF YOU DISCOVER A DEFECT IN THIS ANNEXATION MAP, IT MUST BE CORRECTED WITHIN THREE YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREIN.

CLIENT: AG PROFESSIONALS
3050 67TH AVE. SUITE 200
GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
4350 HIGHWAY 66
LONGMONT, CO 80504
PH: 970-555-9318

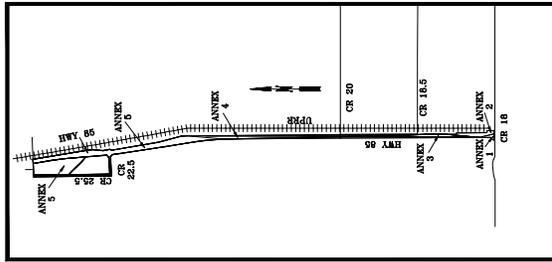
ANNEXATION MAP
SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
RANGE 68 WEST, 6TH P.M.

DATE: /21/2020
JOB#: 322-06ANEX
SHEET: 1 OF 4

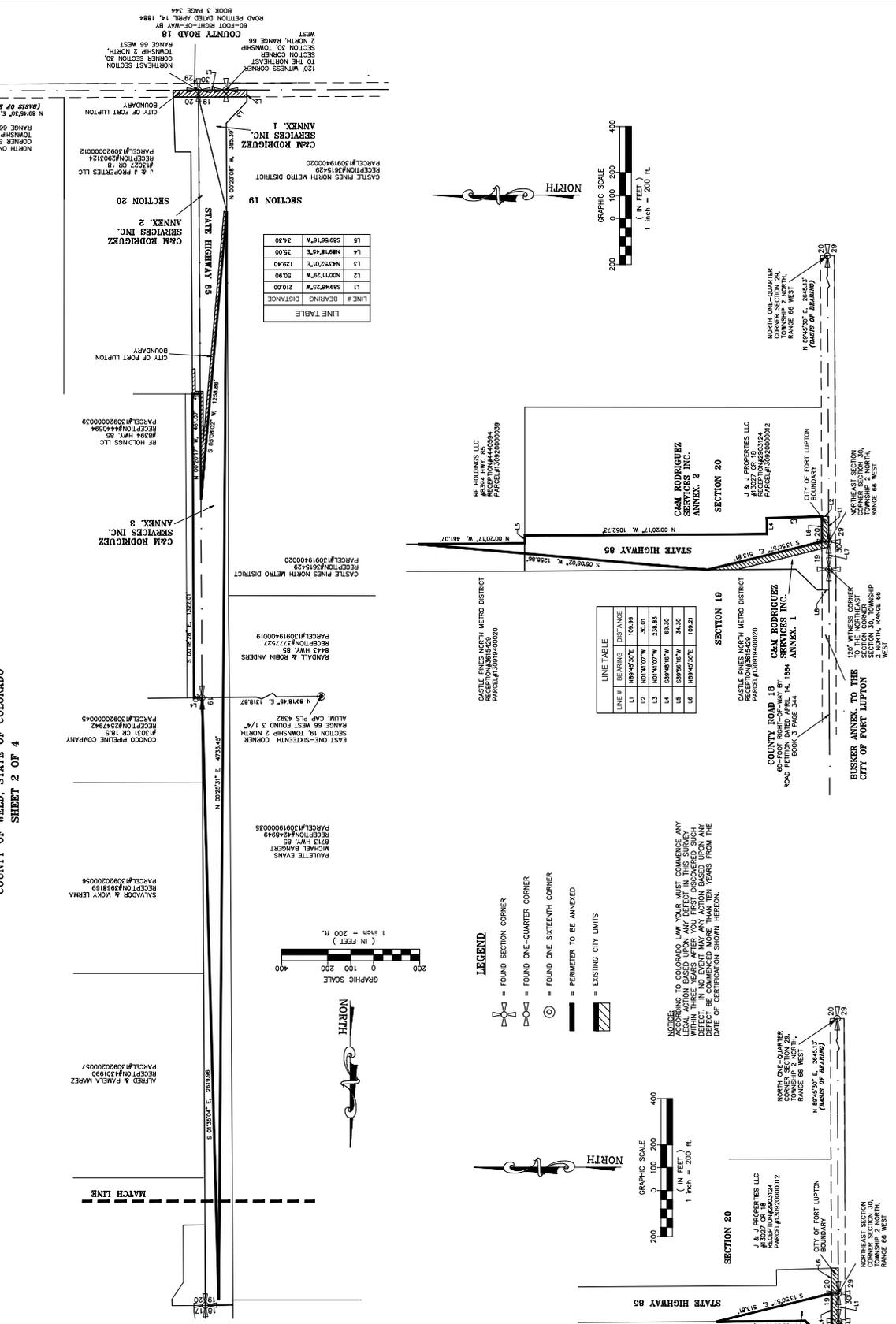
NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GRI
2	2/22/2020	ADDED NORTH-OF-WAY	GRI

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LIPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 4



VICINITY MAP 1" = 2000'



LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°42'57" E	100.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	S89°42'57" W	54.30
L6	N89°42'57" E	100.21

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°42'57" W	210.00
L2	N00°17'29" W	200.00
L3	N00°17'29" W	200.00
L4	S89°42'57" W	200.00
L5	N33°32'01" E	100.00
L6	N89°42'57" E	100.21

- LEGEND**
- ⊕ = FOUND SECTION CORNER
 - ⊙ = FOUND ONE-QUARTER CORNER
 - ⊗ = FOUND ONE SIXTEENTH CORNER
 - = PERMETER TO BE ANNEXED
 - ▨ = EXISTING CITY LIMITS

NOTICE: ACCORDING TO COLORADO LAW, YOUR MIST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

NO.	DATE	REVISION	BY
1	7/27/2020	ADDED RIGHT-OF-WAY	GKH
2	7/27/2020	ADDED RIGHT-OF-WAY	GKH

CLIENT: AG PROFESSIONALS
 3050 67TH AVE. SUITE 200
 GREELEY, COLORADO 80634

HAMMER LAND SURVEYING, INC.
 4350 HIGHWAY 66
 LONGMONT, CO 80504
 PH: 970-555-9318

ANNEXATION MAP
 SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH,
 RANGE 66 WEST, 6TH P.M.

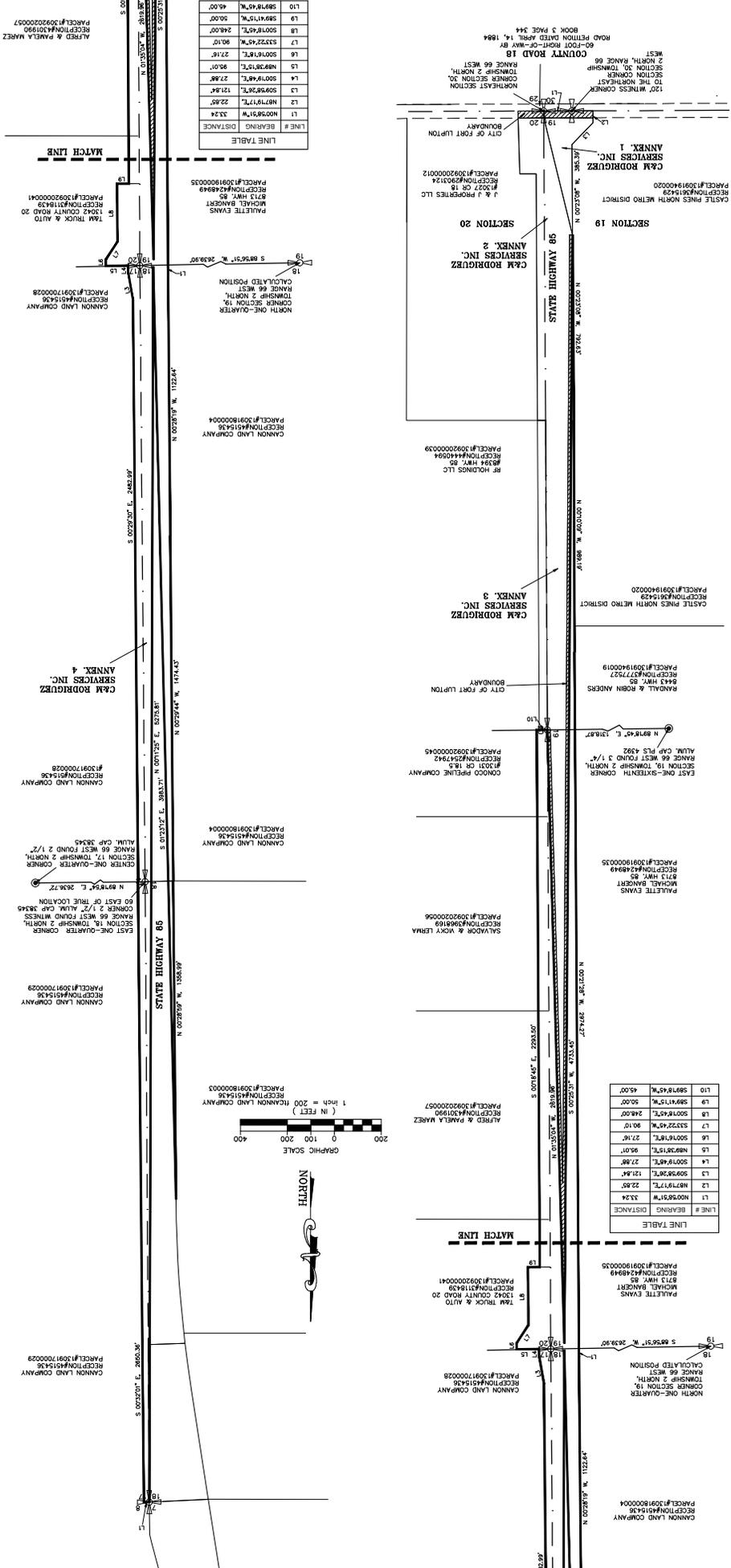
DATE: 1/21/2020
 JOB# 1322-06ANNEX
 SHEET 2 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 3 OF 4

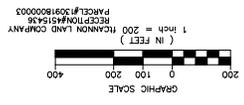
NOTICE:
 ACCORDING TO COLORADO LAW YOUR MUST COMMENCE ANY
 WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH
 DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE
 DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- = FOUND SECTION CORNER
 - = FOUND ONE-QUARTER CORNER
 - = FOUND ONE-SIXTEENTH CORNER
 - = PERIMETER TO BE ANNEXED
 - = EXISTING CITY LIMITS



LINE TABLE

LINE #	BEARINGS	DISTANCE
L1	N00°58'51"W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	95.01'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	24.60'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'



LINE TABLE

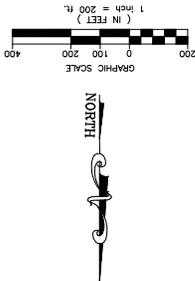
LINE #	BEARINGS	DISTANCE
L1	N00°58'51"W	33.24'
L2	N87°19'17"E	22.85'
L3	S09°28'27"E	121.84'
L4	S00°19'48"E	27.01'
L5	N89°38'18"E	95.01'
L6	S00°18'18"E	27.16'
L7	S33°22'45"W	90.15'
L8	S00°18'17"E	24.60'
L9	S88°18'45"W	50.00'
L10	S89°18'45"W	45.00'

ANNEXATION MAP		SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.	
CLIENT: AG PROFESSIONALS		HAMMER LAND SURVEYING, INC.	
3050 67TH AVE. SUITE 200		4350 HIGHWAY 66	
GREELEY, COLORADO 80634		LONGMONT, CO 80504	
PH: 970-535-9316		PH: 970-535-9316	
NO.	DATE	DESCRIPTION	BY
1	2/17/2020	ADDRESS COMMENTS	GRI
2	2/22/2020	ADDED NORTH-2-NET	GRI

DATE: 1/21/2020
 JOB# 1322-06ANEX
 SHEET 3 OF 4

C&M RODRIGUEZ SERVICES INC. ANNEXATIONS 1, 2, 3, 4 AND 5

TO THE CITY OF FORT LUPTON, COLORADO
 PART OF SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 4 OF 4

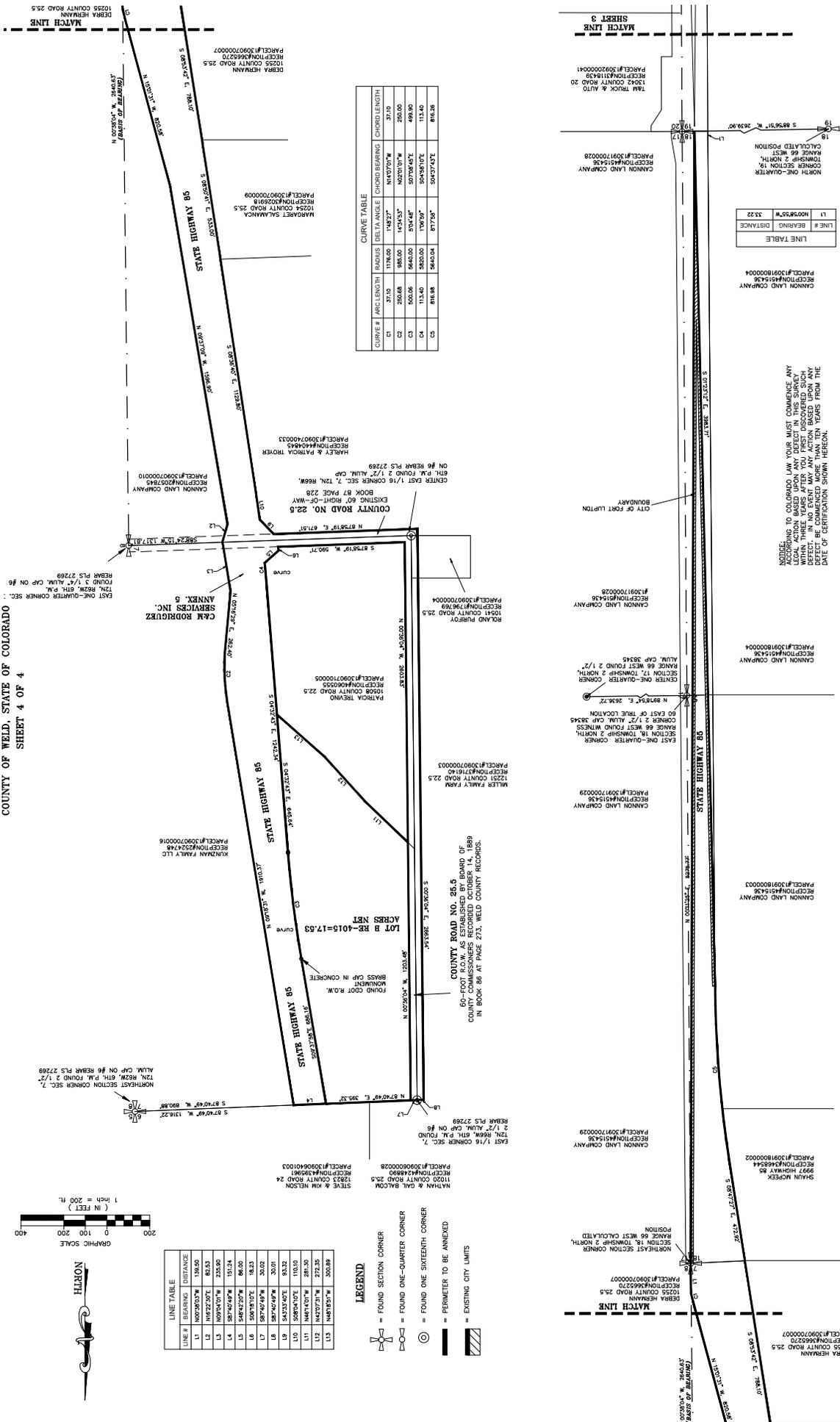


LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22
L2	N 01°22'02" E	69.33
L3	N 01°04'51" W	235.90
L4	S 87°42'49" W	151.24
L5	S 87°42'49" W	66.00
L6	S 87°42'49" W	151.24
L7	S 87°42'49" W	66.00
L8	S 87°42'49" W	151.24
L9	S 87°42'49" W	66.00
L10	S 87°42'49" W	151.24
L11	S 87°42'49" W	66.00
L12	S 87°42'49" W	151.24
L13	S 87°42'49" W	66.00
L14	S 87°42'49" W	151.24
L15	S 87°42'49" W	66.00
L16	S 87°42'49" W	151.24
L17	S 87°42'49" W	66.00
L18	S 87°42'49" W	151.24
L19	S 87°42'49" W	66.00
L20	S 87°42'49" W	151.24

LEGEND

- = FOUND SECTION CORNER
- = FOUND ONE-QUARTER CORNER
- = FOUND ONE-SIXTEENTH CORNER
- = PERIMETER TO BE ANNEXED
- = EXISTING CITY LIMITS

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	37.00	174.00	7.6827°	N 00°07'55" W	37.00
C2	69.33	346.65	15.3654°	N 01°22'02" E	69.33
C3	235.90	1185.30	46.0962°	N 01°04'51" W	235.90
C4	151.24	756.20	29.0476°	S 87°42'49" W	151.24
C5	66.00	330.00	11.5361°	S 87°42'49" W	66.00



LINE #	BEARING	DISTANCE
L1	N 00°07'55" W	33.22

NOTICE: ACCORDING TO COLORADO LAW, YOUR MUST COMMENCE ANY SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

ANNEXATION MAP SECTIONS 19, 20, 18, 17 AND 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.		DATE: 1/21/2020 JOB# 1322-06ANNEX SHEET 4 OF 4	
CLIENT: AGPROFESSIONALS 3050 67TH AVE. SUITE 200 GREELEY, COLORADO 80634 PH: 970-535-9316		HAMMER LAND SURVEYING, INC. 4350 HIGHWAY 66 LONGMONT, CO 80504 PH: 970-535-9316	
NO.	DATE	BY	DESCRIPTION
1	2/17/2020	GRH	ADDRESS COMMENTS
2	2/22/2020	GRH	ADDED NORTH-CORNER

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-083

APPROVE A RESOLUTION FOR AN APPLICATION FOR A SPECIAL USE PERMIT FOR AN OIL AND GAS SERVICE BUSINESS WITH AN OFFICE, SHOP, AND OUTSIDE STORAGE AREA FOR VEHICLES AND EQUIPMENT, KNOWN AS THE C&M RODRIGUEZ SPECIAL USE PERMIT.

I. **Agenda Date:** Council Meeting – April 21, 2020

- II. **Attachments:**
- a. Proposed Resolution
 - b. Planning Commission Resolution, Minutes & Staff Report
 - c. Land Use Application
 - d. Special Use Permit Application & Project Description
 - e. Special Use Permit Maps
 - f. Reports
 - g. Public Comments
 - h. Referral Responses
 - i. Legal Notifications

III. **Summary Statement:**

Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. (the "Applicant") has submitted a request for a special use permit in order to continue the use of an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment for a property located west and adjacent to U.S. Highway 85 an approximately 0.49 miles south of County Road 24 ½.

IV. **Submitted by:**

Planner

V. **Finance Reviewed**



Finance Director

VI. **Approved for Presentation:**



City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. (the "Applicant") has submitted a request for a special use permit in order to continue the use of an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment for a property located west and adjacent to U.S. Highway 85 an approximately 0.49 miles south of County Road 24 ½.

The Property is located within the 'C-2' Heavy Commercial Zone District (after approval of an initial zoning by City Council at a concurrent hearing), which does not list oil and gas uses as a use by right and therefore requires a special use permit. The area is designated as Commercial Transition on the Future Land Use Map; the request is appropriate for this area. Additional information on this application is included in the materials attached to this Action Memorandum.

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.
Staff Comment: The Applicant has been working with City staff to comply with applicable provisions of the Code, and has submitted all required special use permit application materials as required.
2. The special use shall not substantially alter the character of the district or the neighborhood.
Staff Comment: The Property is surrounded by agricultural, rural residential, and oil and gas operation land uses. There are also small commercial operations in the vicinity of the property as well. Additional uses in the vicinity include oil and gas service lines, mineral resource development facilities, a vehicle and RV storage/trucking facility and a tractor implement dealership. The proposed use is consistent with these surrounding uses. In addition, there will be screening and buffering on the site.
3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.
Staff Comment: The Applicant anticipates up to 12 belly dump truck trips per day, 8 dump truck trips per day, 3 1-ton truck trips per day, and 30 vehicle trips per day for full-time employees. Traffic will continue to utilize the existing access off of County Road 25 ½. The Public Works Director did not site concerns with this traffic.
4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.
Staff Comment: These items are addressed in the code, as well as addressed as conditions of approval on the proposed resolution.
5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.
Staff Comment: A special use permit is non-transferable, and therefore if a new owner were to occupy the Property, oil and gas services business with an office, shop, and outside storage of vehicles and equipment will no longer be permitted unless a new application was submitted and

approved. The Planning Department staff will ensure compliance with other conditions of approval, either as listed on the proposed Resolution or as added by City Council.

X. Legal/Political Considerations:

The proposed use is not a specific listed use by right in the 'C-2' Heavy Commercial Zone District. The intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district. A special use review requires a public hearing before Planning Commission and City Council.

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings was published in the Fort Lupton Press on March 25, 2020.

Notice of the public hearings were posted at least fifteen (15) days prior to the hearings, as required by the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 10, 2020.

XI. Alternatives/Options:

The City Council has the following three options for each request:

- a) Approve the request;*
- b) Deny the request; or*
- c) Refer the request back to Planning Commission for further study.*

XII. Financial Considerations:

The Applicant has paid all applicable land use application fees and is covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the C&M Rodriguez Special Use Permit for an oil and gas services business with an office, shop, and outside storage area for vehicles and equipment. The conditions are listed in the proposed Resolution provided to Council.

RESOLUTION NO. 2020Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING A SPECIAL USE PERMIT FOR AN OIL AND GAS SERVICE BUSINESS WITH AN OFFICE, SHOP, AND OUTSIDE STORAGE AREA FOR VEHICLES AND EQUIPMENT, KNOWN AS THE C&M RODRIGUEZ SPECIAL USE PERMIT, ON A PROPERTY LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing the application from Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. for a special use permit for an oil and gas service business with an office, shop, and outside storage area for vehicles and equipment; and

WHEREAS, after review of the application and supporting information, and consideration of staff comments, applicant's presentation and any public input, the Planning Commission recommended approval, with conditions, of the special use permit application; and

WHEREAS, the City Council held a public hearing to consider and review the request for the special use permit on April 21, 2020; and

WHEREAS, after review of the application and supporting information, the City Council finds that the special use permit conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council reviewed the plans and supporting documentation, referral comments, as well as any citizen input in response to this application. Based upon the review of applicable policies and goals in the Fort Lupton Comprehensive Plan, review of the Zoning Regulations, and analysis of referral comments and the facts presented on this date, the City Council hereby approves the C&M Rodriguez Special Use Permit for an oil and gas service business with office, shop, and outside storage area for vehicles and equipment, with the following conditions:

- I. Prior to recording the special use permit map:
 - A. The title of the special use permit may shall include the Project No.: LUP2020-0008 & Plan No. SUP2020-0001.
 - B. Any redline comments provided by City staff shall be made to the special use permit map.

- C. Written evidence shall be provided that the comments from the Public Works Director have been adequately addressed, including dedicating by separate document and additional 7.5 feet of right of way and delineating the additional right of way on the map.
- D. Written evidence shall be provided that the comments from the Division of Water Resources have been adequately addressed.
- E. Written evidence shall be provided that the comments from the Northern Colorado Water Conservation District have been adequately addressed.
- F. Written evidence shall be provided that the comments from Kerr-McGee Gathering LLC have been adequately addressed.
- G. Written acknowledgement of the comments from Public Service Company of Colorado (Xcel Energy) shall be provided.
- H. Written evidence shall be provided that the comments from the Weld County Planning Department have been adequately addressed.
- I. Add a handicap parking space that complies with the Code and other applicable laws.
- J. Any operations not included in the Special Use Permit shall be removed.
- K. The following notes shall be added to the special use permit map:
 - 1. Dead and dying landscape material shall be replaced at the earliest reasonable date.
 - 2. Any change of use, or continued use if there is a change of ownership, shall be submitted to the City for review prior to operation.
 - 3. Fencing shown encroaches into the right of way. The City retains the right and authority to require removal of any fencing in the future, at the property owner(s) expense, in the future if needed for street expansion, improvements or utility construction.
 - 4. Any future structures or signage must be submitted to the City for separate review and any required permits.
 - 5. The City reserves the right to reevaluate traffic impacts in the future if there is an increase from what was represented to the City in evaluating the special use permit.
 - 6. The Site shall maintain compliance with State residential noise standards.

II. Prior to certificate of occupancy:

- A. Written evidence shall be provided to show that the comments from the Fort Lupton Fire Protection District have been adequately addressed.
- B. One set of Mylars of the special use permit map shall be submitted for recording with the Weld County Clerk & Recorder.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL THIS 21st DAY OF APRIL 2020.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

RESOLUTION P2020-010

RESOLUTION NO. P2020-010

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF A SPECIAL USE PERMIT FOR AN OIL AND GAS SERVICE BUSINESS WITH AN OFFICE, SHOP, AND OUTSIDE STORAGE AREA FOR VEHICLES AND EQUIPMENT, KNOWN AS THE C&M RODRIGUEZ SPECIAL USE PERMIT, ON A PROPERTY LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing the application from Cesar Rodriguez Gallardo for a special use permit for an oil and gas service business with an office, shop, and outside storage area for vehicles and equipment; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the special use permit conforms to Colorado Revised Statutes and City codes and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the C&M Rodriguez Special Use Permit for an oil and gas service business with an office, shop, and outside storage area for vehicles and equipment, conditional upon the following:

- I. Prior to recording the special use permit map:
 - A. The title of the special use permit may shall include the Project No.: LUP2020-0008 & Plan No. SUP2020-0001.
 - B. Any redline comments provided by City staff shall be made to the special use permit map.
 - C. Written evidence shall be provided that the comments from the Public Works Director have been adequately addressed, including dedicating by separate document and additional 7.5 feet of right of way and delineating the additional right of way on the map.

- D. Written evidence shall be provided that the comments from the Division of Water Resources have been adequately addressed.
 - E. Written evidence shall be provided that the comments from the Northern Colorado Water Conservation District have been adequately addressed.
 - F. Written evidence shall be provided that the comments from Kerr-McGee Gathering LLC have been adequately addressed.
 - G. Written acknowledgement of the comments from Public Service Company of Colorado (Xcel Energy) shall be provided.
 - H. Written evidence shall be provided that the comments from the Weld County Planning Department have been adequately addressed.
 - I. Add a handicap parking space that complies with the Code and other applicable laws.
 - J. Any operations not included in the Special Use Permit shall be removed.
 - K. The following notes shall be added to the special use permit map:
 - 1. Dead and dying landscape material shall be replaced at the earliest reasonable date.
 - 2. Any change of use, or continued use if there is a change of ownership, shall be submitted to the City for review prior to operation.
 - 3. Fencing shown encroaches into the right of way. The City retains the right and authority to require removal of any fencing in the future, at the property owner(s) expense, in the future if needed for street expansion, improvements or utility construction.
 - 4. Any future structures or signage must be submitted to the City for separate review and any required permits.
 - 5. The City reserves the right to reevaluate traffic impacts in the future if there is an increase from what was represented to the City in evaluating the special use permit.
 - 6. The Site shall maintain compliance with State residential noise standards.
- II. Prior to certificate of occupancy:
- A. Written evidence shall be provided to show that the comments from the Fort Lupton Fire Protection District have been adequately addressed.

- B. One set of Mylars of the special use permit map shall be submitted for recording with the Weld County Clerk & Recorder.

DONE THIS 9th DAY OF APRIL, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

MINUTES

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles. She stated that

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two , and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT

**C&M RODRIGUEZ SPECIAL USE PERMIT STAFF REPORT
PROJECT NO. LUP2020-0008 & PLAN NO. SUP2020-0001**

PROJECT DESCRIPTION

Project No.: LUP2020-0008 / Plan No.: SUP2020-0001

Project Name: C&M Rodriguez Special Use Permit

Owner's Name: Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. ("Applicant")

Representative: Shannon Toomey with AGPROfessionals

Location of Request:

The site consists of a parcel of land located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado (Parcel No. 130907100006) (the "Property"). The Property is located in the East Half of the Northeast Quarter of Section 7, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado.



Nature of Request:

The Applicant has submitted a request for a Special Use Permit in order to operate an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment.

Site Size: The Property is 17.53 acres, more or less, and has a separate annexation and initial zoning application being reviewed concurrently with this application.

Zone District: Proposed 'C-2' Heavy Commercial Zone District, with concurrent initial zoning review.

Proposed Use: The use of the property will not change at this time. The property has an existing business that is permitted in Weld County under a Use by Special Review Permit. Annexation into the City of Fort Lupton, requires that the Property be permitted under the City's Special Use Permit.

Existing Use: The Property currently contains an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment.

Hearing Dates: Planning Commission – April 9, 2020 at 6:00 PM; and
City Council – April 21, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as listed in the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

To staff's knowledge, there are no prior applications for this Property through the City of Fort Lupton.

APPLICATION PROCESS

The Applicant is requesting approval of a special use permit. A special use permit application is processed under [Section 16-7](#) of the Code.

After required public notice of the special use permit application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

NOTIFICATION REQUIREMENTS

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings was published in the Fort Lupton Press on March 25, 2020.

Notice of the public hearings were posted at least fifteen (15) days prior to the hearings, as required by the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 10, 2020.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The Applicant submitted an application for annexation and initial zoning to the 'C-2' Heavy Commercial Zone District, which was reviewed at a separate public hearing before the Planning Commission. The existing oil and gas business with outside storage of vehicles and equipment is not a listed use by right in the 'C-2' Heavy Commercial Zone District. Section 16-7 of the Fort Lupton Municipal Code (the "Code") states that similar or compatible uses may be permitted as special uses, subject to such conditions and limitations as the City may prescribe to ensure that the location and operation of the special uses will comply with special use criteria. Pursuant to Section 16-7(a), special uses are granted to individuals or entities, and not to the property itself. Therefore, this proposed use requires a special use permit review prior to beginning business operations. A special use review requires a public hearing before Planning Commission and City Council. The intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district.

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.

Staff Comment: The Applicant has been working with City staff to comply with applicable provisions of the Code, and has submitted all required special use permit application materials as required.

2. The special use shall not substantially alter the character of the district or the neighborhood.

Staff Comment: The Property is surrounded by agricultural and rural residential, as well as several Weld County Use by Special Review permits for heavy commercial land uses. The proposed use is consistent with these surrounding uses. In addition, the site is screened with a 6' metal fence. Furthermore, the area is planned for commercial transition land uses in the future.

3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.

Staff Comment: The Applicant anticipates up to 12 belly dump trucks, 8 dump trucks, 3 1-ton trucks, and 30 pickup trucks & cars per day. Traffic will continue to utilize the existing access off of County Road 25 ½, and disperse north and south to U.S. Highway 85.

4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

Staff Comment: These items are addressed in the code, as well as addressed as conditions of approval on the proposed resolution.

5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.

Staff Comment: A special use permit in non-transferable, and therefore if a new owner were to occupy the Property, the oil and gas services business with outside storage of vehicles and equipment will no longer be permitted unless a new application was submitted and approved. The Planning Department staff will ensure compliance with other conditions of approval, either as listed on the proposed Resolution or as added by City Council.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area as the Commercial Transition land use type. This designation identifies potential growth areas for commercial development outside the municipal boundaries or primary commercial districts of Fort Lupton. These areas should support gradual, long-term commercial investment outward from the City’s urban core, including incremental transitioning of agricultural uses to commercial development.

The property is surrounded by agricultural and rural residential land uses, as well as several special use permits for uses similar to consistent with commercial transition land uses. The proposed use substantively conforms to the designated land use type and zoning.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

Building Inspector	CDOT	CenturyLink
City Attorney	Comcast	Division of Water Resources
Fort Lupton Fire Protection District	GIS Specialist	NCWCD
OMI	Platteville Ditch Company	Police Chief
Postmaster	Public Works Director	Town of Platteville
United Power	Weld County Department of Planning	Weld County Department of Public Health & Environment
Weld County Public Works	Weld County School District RE-8	Xcel Energy

RECOMMENDATION

Staff recommends conditional approval of the C&M Rodriguez Special Use Permit. Conditions are listed on the proposed Resolution provided to Planning Commission.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

LAND USE APPLICATION



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
 Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: Cesar Rodriguez Gallardo
 Company: C&M Rodriguez Services, Inc.
 Phone: (303) 746-4530 Email: jr.cmrodriguez@gmail.com
 Address: PO Box 677, Fort Lupton, CO 80621

Preferred method of contact? Email: Phone: Mail:

2) Representative Name: Shannon Toomey
 Company: AGPROfessionals
 Phone: (970) 535-9318 Email: stoomey@agpros.com
 Address: 3050 67th Avenue, Greeley, CO 80634

Preferred method of contact? Email: Phone: Mail:

3) Billing Contact (where invoices should be directed to): Cesar Rodriguez
 Billing Company: C&M Rodriguez Services, Inc.
 Phone: (303) 746-453 Email: jr.cmrodriguez@gmail.com
 Address: PO Box 677 Fort Lupton, CO 80621

B. SITE DESCRIPTION

Site Address: 10992 County Road 25 1/2

Parcel Number: 130907100006

Existing Zone Classification: Agriculture Proposed Zone Classification: C-2

Water Type: District Name: Central Weld County Water District

Sewage Type: Septic Tank District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|--|---|---|
| <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input type="checkbox"/> Minor Subdivision | <input checked="" type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input checked="" type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

D. PROJECT DESCRIPTION

Project Name: C&M Rodriguez

Please provide a short description of the proposed project in the space provided below:

Annexation, change of zone, and special use permit for the 18.35-acre property. Change of zone will be from Agriculture to C-2. Property contains existing oil and gas service business with an office, shop building, and outside storage area for vehicles and equipment. The proposed SUP will re-permit this use in Fort Lupton. The site will not be used for public access.

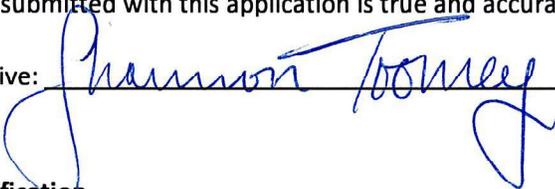
E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 2/17/2020

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: Cesar Rodriguez Gullardo Date: 02-19-2020

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

APPLICATION FOR SPECIAL USE PERMIT

A preapplication conference and site visit may be required prior to submitting the Special Use Permit Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 720-466-6128.

Applicant should provide the following:

- 1. Plat of area with proposed zoning with vicinity map identifying site and surrounding area. If you are constructing a new building or adding to an existing building as part of this application, you must also submit a plot plan, construction plans, and a drainage plan. Approval of the special use permit will be based upon the drawings submitted unless changes are recommended by the engineer, planning commission, or city council.
2. Information as requested.

The applicant is responsible for the following:

- 1. Posting a hearing notice on the property 15 days prior to the hearing.

Name of Property Owner: C&M Rodriguez Services, Inc. Phone: (303) 746-4530

Address: P.O. Box 677, Fort Lupton, CO 80621

Applicant (if different from owner): Shannon Toomey - AGPROfessionals

Address: 3050 67th Avenue, Greeley, CO 80634

Home Phone: (970) 535-9318 Cell Phone:

Address or location of Property for which Special Use Permit is being requested:

10992 County Road 25 1/2

Legal Description PT E2NE4 7-2-66, being Lot B RE-4015

Current Zoning: A (Agricultural)

Reason for Request:

Annexation, change of zone, and special use permit request for the 18.35-acre property. The change of zone will be from A (Agricultural) to C-2 (Heavy Commercial). The property contains an existing oil and gas service business with an office, shop, and outside storage area for vehicles and equipment. The proposed SUP will re-permit this existing use in Fort Lupton. The site will not be for public access.
Please answer the following questions in detail.

1. What is the proposed use?

The site currently contains an office, shop building, and outdoor storage area for vehicles and equipment. The site is used by an existing oil and gas service business. Service crews depart daily to offsite work and return in the evening. The proposed SUP will permit the existing use in Fort Lupton. The site will not be used as a retail site for public access.

2. How will the proposed use impact the surrounding properties as it relates to the following areas:

Noise Nuisance noise levels are not anticipated. Service crews arrive in the morning and depart for offsite work, returning in the evening to return trucks or equipment.

Dust Gravel and road base are used at the site entrance and on internal roadways and parking areas to control dust. Minimal vehical speeds will be maintained to minimize excessive dust conditions. Should nuisance dust conditions occur, a water tanker truck or magnesium chloride may be used on roadways.

Odor The site is not anticipated to produce nuisance odors.

Safety The proposed use is not anticipated to impact the safety of the surrounding properties. A permitted septic system provides sewage disposal on-site, as approved by the Weld County Department of Public Health and Environemnt.

Traffic Vehicles entering and exiting site will use designated haul routes to travel to the nearest paved road. Vehicles will follow designated speed limits and all applicable traffic laws.

Light Outdoor lighting will be shielded and directed downward.

3. What are the proposed hours of operation?

The business is proposed to operate Monday through Sunday from 5 AM to 10 PM, or dawn to dark, however normal business hours will be from 6 AM to 5 PM.

4. Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?

No special licenses or permits are required for this use.

5. If this application is for a daycare, how many children will you be caring for?

N/A

6. If this application is for an assisted living facility, how many units will you have in the facility?

N/A

7. How many employees will work at the proposed facility?

Up to 35 employees will be employed at this facility. 4 will work on-site for 8 hours per day. 30 will work off-site, spending less than 4 hours on-site per day.

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signatures: Shannon Toomey

Date: 2/17/2020

Special Use Permit Narrative

Prepared for C&M Rodriguez Services, Inc.

Introduction

C&M Rodriguez Services, Inc. (C&M) is requesting a Special Use Permit (SUP) for their property located in part of the East ½ of the Northeast ¼ of Section 7, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado, being Lot B of Recorded Exemption RE-4015, containing approximately 18.35 acres. The subject property is adjacent to Colorado Highway 85 and Weld County Road (CR) 25.5, approximately ¼ mile north of CR 22.5. This SUP request is expected to be reviewed in conjunction with an Annexation and Zoning request. The C&M zoning request is for the C-2 (Heavy Commercial) Zone District. The C-2 District is intended to provide an environment adaptable to commercial uses that require heavy auto and truck traffic or outdoor storage and display. Such business activities develop economic strength and, with proper development standards, create a convenient, compatible pattern of land use. This zoning is appropriate for the site due to its proximity to Highway 85, which currently supports similar businesses.

The proposed SUP will allow an existing oil and gas service business to operate within the City of Fort Lupton. This business was previously permitted through Weld County under USR12-0019. Currently, the site contains an 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment. Services crews will depart daily to offsite work and return in the evening. This site will not be used as a retail site for public access or purchasing.

It is proposed that 2-4 full-time employees will work in the office on-site and 30 full-time employees will work off-site, visiting the site only temporarily to pick up or drop off equipment. Off-site employees will be at the facility for less than four hours per day. Normal business hours will be from 6:00 AM to 5:00 PM, Monday through Friday, however the site may be operational as early as 5:00 AM and as late as 10:00 PM, depending on the needs of the oil and gas industry.

Existing improved gravel surfaces will be used for outdoor storage of oil and gas installation equipment and construction materials, including iron, hardware, welding supplies, trucks, tractors, trailers, service and miscellaneous business supplies. Oil and gas construction materials may be stored outside temporarily while awaiting field installation. No fuel tanks are proposed to be located on-site. Multiple enclosed combustors are currently stored on-site and will be removed prior to operation under the proposed SUP. The entire site is enclosed by 6 ft. privacy fencing to screen items stored on-site from surrounding properties.

Description of Site

The subject property was created through the Weld County Recorded Exemption process in 2007. In 2008, Use by Special Review USR-1591, which encumbered Lots A and B of RE-4015, was approved for outdoor vehicle, RV, and equipment storage. In 2012, C&M vacated USR-1591 from Lot B and permitted the property under USR12-0019 for a Mineral Resource Development Facility including roustabout and trucking services for the oil and gas industry. The site is currently developed with a 9,000 sq. ft. shop/storage building and an 800 sq. ft. modular office building. The site is screened by a continuous 6 ft. metal panel fence surrounding the property with the eastern edge being adjacent to Highway 85 and WCR 25.5 to the west.

The operations area of the site is an improved gravel surface with native grass and vegetation outside of the improved surface. Existing trees are central to the property.

Surrounding Land Uses

The existing land uses surrounding the subject property are primarily agricultural and rural residential with several Weld County Use by Special Review permits, including oil and gas service lines, mineral resource development facilities, a vehicle and RV storage/trucking facility and a tractor implement dealership. The adjacent property directly north of the site is located within the Town of Platteville and is zoned Agricultural. The adjacent properties to the east, south, and west are located within Weld County and are zoned Agricultural. Although the surrounding area is zoned Agricultural, the proposed SUP is compatible with the existing commercial uses located along the Highway 85 corridor.

Project Impact: Benefits & Potential Hazards

The property is located immediately adjacent to Highway 85, a farm tractor implement dealership located in Platteville, an auto body and paint business, and a vehicle outdoor storage facility. The proposed SUP is compatible with the existing and expected future development of the area as the adjacent businesses are also commercial and light industrial in nature. Although the subject property and surrounding properties are currently zoned A (Agricultural), this request is not expected to change the character of the area as the Highway 85 corridor continues to develop with commercial and light industrial uses in the future.

The proposed SUP is consistent with the Comprehensive Plan and Three Mile Area Plan. Agricultural and rural residential uses are identified for the site and surrounding area on the Future Land Use Map included in the Fort Lupton Comprehensive Plan. The subject property is located in Quadrant II of the Three Mile Area Plan. Future land uses identified for this area include agricultural, rural residential, commercial transition, light industrial and office, mineral zone, parks and open space and public / semi-public. The existing site improvements make the property suitable for future commercial transition or light industrial uses in keeping with future plans for the area.

A Nuisance and Waste Management Plan has been prepared for this request and is included with the application materials. The property owner or operator will attempt to minimize noise generated during operations and maintain compliance with Fort Lupton Noise Requirements. The property currently contains wall-mounted lights and light poles. Sources of light are shielded so that light rays will not shine directly onto adjacent properties. Neither the direct nor reflected light from any source will create a traffic hazard to operators of motor vehicles on public or private streets. No colored light will be used which may be confused with, or construed as, traffic control devices.

The property owner or operator will be responsible for controlling noxious weeds on the site. Trash will be collected in a covered, confined trash dumpster and removed at least weekly by a trash removal company as described in the Nuisance and Waste Management Plan.

The operation is not expected to generate disproportionate amounts of fugitive dust. Lot surfaces are improved gravel surfaces. A 6 ft. metal panel fence currently surrounds the property. Watering of surfaces will occur as needed to suppress dust.

Access and Traffic Impacts

Weld County classifies CR 25.5 and CR 22.5 as local gravel roads. Highway 85 is classified as a paved Colorado State Highway. There is one existing access to the site located on CR 25.5 approximately 1,740 ft. north of CR 22.5. This access was permitted through Weld County as a commercial access for the C&M Rodriguez Services USR. There is an additional access that was permitted for the USR located on CR 25.5 approximately 2,600 ft. north of CR 22.5. No additional accesses are proposed. Parking and driving surfaces are road base and gravel, consistent with roadways and development in the area.

Typical vehicles accessing the site include employee and owner vehicles and oil field service trucks. The following numbers are anticipated upon full build-out of the site:

Belly dump trucks	12 per day
Dump trucks:	8 per day
1-ton trucks:	2 per day
Pickup trucks & cars:	30 per day for full-time employees

Highest traffic volumes are expected at the start of the business day between 5:00 AM and 6:00 AM and at the close of the business day between 4:00 PM and 5:00 PM.

Districts and Services: Stormwater Management, Sanitary Service, Water Supply

Historically, the site drains to the north to the County barrow ditch. The site has been graded to sheet flow to a drainage collection area at the northwest corner of the lot. A drainage narrative is included with the application materials.

The property is within the Central Weld County Water District (CWCWD). As part of the 2012 development process for USR12-0019, CWCWD provided a non-opposition letter for a well permit due to CWCWD's inability to serve the site. Well Permit 76008-F was approved on May 10, 2013 for commercial use and provides water to the site. An existing septic system permitted under SP-1200117 currently provides sewage disposal on the property. The commercial well and septic system are proposed to serve the subject property until a water and wastewater main is extended adjacent to the subject property, water and sanitary tap(s) are purchased, and appropriate infrastructure is installed. It is unknown if the City of Fort Lupton has plans for extending or providing municipal services to the area to be annexed. However, the water and septic system are adequate for the current use.

Fire Protection

Fire protection will be provided by the Platteville-Gilcrest Fire Protection District. A Knox-box is located at the gated access to allow emergency vehicles access to the site.

Landscaping & Screening

Screening is provided by a 6 ft. metal panel fence that surrounds the entire site, as shown on the SUP Site Plan. Landscaping includes an existing tree line located east of the shop/storage building and outdoor storage area. These trees serve to partially screen parking and outdoor storage from Highway 85. No additional landscaping or screening is proposed.

Conclusion

The existing oil and gas service business, previously permitted in Weld County under USR12-0019, is requesting a new permit to operate within the City of Fort Lupton. The proposed SUP complements the surrounding land uses currently adjacent to the property and will conform to applicable City of Fort Lupton zoning regulations and standards. The existing site improvements make the property suitable for commercial transition uses in keeping with future plans for the Highway 85 corridor. The SUP is not expected to be detrimental to the public health, safety, or general welfare of the area as similar uses exist through other entities in the surrounding area.

MAPS

REPORTS



Traffic

Fort Lupton Special Use Permit Application

Prepared for

C&M Rodriguez Services, Inc.

Traffic Narrative

Prepared for C&M Rodriguez Services, Inc.

Introduction

This traffic narrative has been prepared to accompany the Special Use Permit (SUP) application for an oil and gas service business for C&M Rodriguez, LLC, owners of a property located in part of the East ½ of the Northeast ¼ of Section 7, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado, being Lot B of Recorded Exemption RE-4015, containing approximately 18.35 acres. This SUP request is expected to be reviewed in conjunction with an Annexation and Zoning request. The C&M zoning request is for the C-1 (General Commercial) Zone District. The C-1 District is intended to provide a zone for concentrated commercial activities normally found in central business districts. Such concentrated business activities develop economic strength and, with proper development standards, create a convenient, compatible pattern of land use. This zoning is appropriate for the site due to its proximity to Highway 85, which currently supports similar businesses.

The purpose of this narrative is to document projected traffic generation relative to the existing street system. Off-site roadway warrants are not provided with this memorandum, nor are existing traffic counts documented.

Existing Conditions and Roadway Network

The proposed SUP site is located on the east side of Weld County Road (WCR) 25.5 and west of and adjacent to Hwy 85. Adjacent land uses include commercial, agricultural and rural residential properties, including a tractor implement dealer immediately to the north and a trucking company immediately to the south, agricultural uses to the south, agricultural and rural residential uses to the west.

Access to the site is located on WCR 25.5 approximately 1,740 ft. north of WCR 22.5. WCR 25.5, classified by Weld County as a local road, is an existing north/south gravel road with one lane in each direction. WCR 22.5, classified by Weld County as a local road, is an existing east/west gravel road with one lane in each direction. Both WCRs 25.5 and 22.5 currently have 60 ft. of right-of-way. WCR 22.5 accesses directly to Colorado State Highway 85. Hwy 85 is classified as a paved Colorado State Highway. The portion of Hwy 85 extending north from Fort Lupton to WCR 22.5 is expected to be annexed into Fort Lupton along with the subject property. The portions of WCRs 25.5 and 22.5 used to access the site from Hwy 85 are also expected to be included in the Fort Lupton annexation.

The intersection of WCR 22.5 and Hwy 85 includes a northbound left turn lane from Hwy 85 to WCR 22.5.

Proposed Development

The proposed SUP will allow an existing oil and gas service business to operate within the City of Fort Lupton. This business was previously permitted through Weld County under USR12-0019. Currently, the site contains an 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment. Services crews will depart daily to offsite work and return in the evening. This site will not be used as a retail site for public access or purchasing.

It is proposed that 2-4 full-time employees will work in the office on-site and 30 full-time employees will work off-site, visiting the site only temporarily to pick up or drop off equipment. Off-site employees will be at the facility for less than four hours per day. Normal business hours will be from 6:00 AM to 5:00 PM, Monday through Friday, however the site may be operational as early as 5:00 AM and as late as 10:00 PM, depending on the needs of the oil and gas industry.

Existing improved gravel surfaces will be used for outdoor storage of iron, hardware, welding supplies, installation equipment including tractors and trailers, service and miscellaneous business supplies. Oil and gas equipment may be stored outside temporarily while awaiting field installation. The entire site is enclosed by 6 ft. privacy fencing to screen the site from surrounding properties.

Trip Generation

Typical vehicles accessing the site include employee and owner vehicles and oil field service trucks. The following numbers are anticipated upon full build-out of the site:

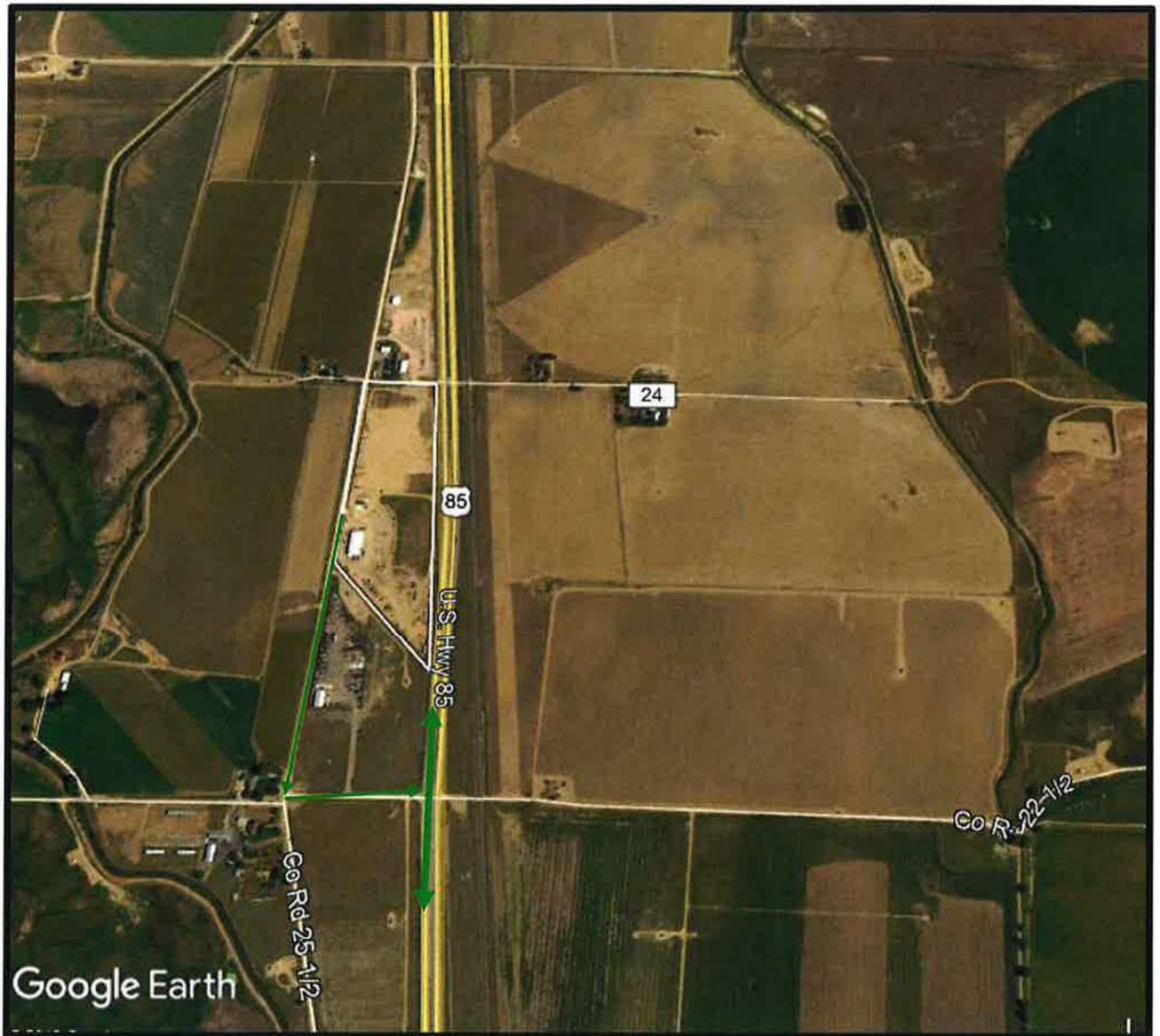
Belly dump trucks	12 per day
Dump trucks:	8 per day
1-ton trucks:	3 per day
Pickup trucks & cars:	30 per day for full-time employees

Highest traffic volumes are expected at the start of the business day between 5:00 AM and 6:00 AM and at the close of the business day between 4:00 PM and 5:00 PM. However, traffic is dispersed throughout the day depending on daily project needs.

Traffic Routes

The travel route for the site will be via the Hwy 85 and WCR 22.5 intersection to access WCR 25.5. Traffic entering and leaving the site will use the existing access on WCR 25.5. Traffic will disperse north or south on Hwy 85. In case of an emergency, traffic can be routed north to WCR 24.5 for access to Hwy 85. Figure 1 shows expected travel route.

Figure 1





Soils Report

Fort Lupton Annexation Application

Prepared for

C&M Rodriguez Services, Inc.

Custom Soil Resource Report for Weld County, Colorado, Southern Part

C&M Rodriguez Services



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface	2
How Soil Surveys Are Made	5
Soil Map	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Weld County, Colorado, Southern Part.....	13
1—Altvan loam, 0 to 1 percent slopes.....	13
References	15

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



Map Scale: 1:3,410 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 13N WGS84

Custom Soil Resource Report

MAP LEGEND

- | | | |
|--|--|--|
| Area of Interest (AOI) |  Area of Interest (AOI) |  Spoil Area |
| Soils |  Soil Map Unit Polygons |  Stony Spot |
| |  Soil Map Unit Lines |  Very Stony Spot |
| |  Soil Map Unit Points |  Wet Spot |
| Special Point Features | |  Other |
|  Blowout | |  Special Line Features |
|  Borrow Pit | Water Features |  Streams and Canals |
|  Clay Spot | Transportation |  Rails |
|  Closed Depression |  Interstate Highways |  US Routes |
|  Gravel Pit |  Major Roads |  Local Roads |
|  Gravelly Spot | Background |  Aerial Photography |
|  Landfill | | |
|  Lava Flow | | |
|  Marsh or swamp | | |
|  Mine or Quarry | | |
|  Miscellaneous Water | | |
|  Perennial Water | | |
|  Rock Outcrop | | |
|  Saline Spot | | |
|  Sandy Spot | | |
|  Severely Eroded Spot | | |
|  Sinkhole | | |
|  Slide or Slip | | |
|  Sodic Spot | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
 Survey Area Data: Version 18, Sep 13, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 20, 2015—Oct 21, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
1	Altvan loam, 0 to 1 percent slopes	20.5	100.0%
Totals for Area of Interest		20.5	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Weld County, Colorado, Southern Part

1—Altvan loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 361j
Elevation: 4,500 to 4,900 feet
Mean annual precipitation: 14 to 16 inches
Mean annual air temperature: 46 to 48 degrees F
Frost-free period: 130 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Altvan and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Altvan

Setting

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium

Typical profile

H1 - 0 to 10 inches: loam
H2 - 10 to 25 inches: clay loam
H3 - 25 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Available water storage in profile: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Minor Components

Cascajo

Percent of map unit: 9 percent
Hydric soil rating: No

Custom Soil Resource Report

Aquic haplustolls

Percent of map unit: 1 percent

Landform: Swales

Hydric soil rating: Yes

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf



Drainage

Fort Lupton Special Use Permit Application
Prepared for

C&M Rodriguez Services, Inc.

Preliminary Drainage Report (Phase I)

For

C&M Rodriguez Services, Inc.
Fort Lupton Special Use Permit
East ½ of the Northeast ¼ of Section 7, Township 2N, Range 66W
of the 6th P.M.
Weld County, Colorado



AGPROfessionals
3050 67th Avenue, Suite 200
Greeley, CO 80634
(970) 535-9318

1/24/2020

Table of Contents

Certifications.....3
General Location and Description.....4
1. Location.....4
2. Description of Property.....4
Drainage Basins.....5
1. Major Basin Description.....5
2. Sub-Basin Description.....5
Drainage Design Criteria.....6
1. Development Criteria.....6
2. Hydrological Criteria.....6
3. Hydraulic Criteria.....6
Drainage Facility Design.....7
1. General Concept.....7
2. Specific Details.....7
Conclusions.....8
1. Compliance with City of Fort Lupton Code.....8
2. Drainage Concept.....8
List of References.....9
Appendices

Certifications

I hereby affirm that this report and plan for the Special Use Permit for an oil and gas service business was prepared by me (or under my direct supervision) in accordance with the provisions of the City of Fort Lupton Storm Drainage Design and Technical Criteria for the owners thereof. I understand that the City of Fort Lupton does not and will not assume liability for drainage facilities designed by others. I am also aware of the provisions of the City Code as it pertains to the City's review.



1-24-2020
Chad TeVelde, PE
Registered Professional Engineer
State of Colorado No. 45122

Valene Lickley
Valene Lickley, EIT

General Location and Description

1. Location

The proposed site is located in part of the East ½ of the Northeast ¼ of Section 7, Township 2 North, Range 66 West of the 6th PM. The property is bordered on the west side by WCR 25 ½ and on the east side by Colorado Highway 85. The nearest county road to the south is WCR 22 ½ and the nearest county road to the north is WCR 24 ½. No other major roadways are located within or adjacent to the property. The site is currently proposing annexation into the City of Fort Lupton along with portions of Highway 85, WCR 22 ½, and WCR 25 ½ (see Vicinity Map in **Appendix A**).

2. Description of Property

The total proposed site is approximately 18.35 acres. The property was split through the Weld County Recorded Exemption process in 2007. There is an existing 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment. The remainder of the site is native grass and vegetation. An existing 6 ft. privacy fence screens the property from surrounding uses.

The property is requesting a Special Use Permit (SUP) for the operation of an oil and gas service business in conjunction with an Annexation and Zoning request into the City of Fort Lupton. The existing business was previously permitted through Weld County under USR12-0019 and is now seeking a Special Use Permit to operate within the City of Fort Lupton.

There is one type of soil: Alivan loam (0 to 1% slopes). Most of the soil is well drained with a low runoff class, hydrologic soil group B (see USDA-NRCS soil report in **Appendix B**).

Steve and Kim Nelson, and Nathan and Gail Balcom own the two parcels directly north of the subject property. Kenneth Miller owns the property to the west. Patricia Trevino owns the property to the south. Kunzman Family, LLC owns the property on the east side of Highway 85, which borders the property on the east side. The Nelson property is part of the Town of Platteville. The remaining surrounding properties are in Weld County.

There are no major open channels within or adjacent to the proposed property.

Drainage Basins

1. Major Basin Description

The proposed site is located in rural Weld County and is surrounded by undeveloped, agricultural land to the east and west, commercial uses to the south, and residential and commercial uses to the north. A Master Plan for the site area is not currently available. The proposed site was only considered as one major basin for the preliminary drainage evaluation. Historically, the basin drainage appears to flow predominantly towards the northwest. Flows appear to flow approximately one-quarter mile to the Platte Valley Canal and ultimately flows towards the South Platte River. Contours of the project location and the surrounding properties are shown on the United States Geological Survey (USGS) Topographic map in **Appendix C**.

A Federal Emergency Management Administration (FEMA) map of the project is included in **Appendix D**. The proposed site is located within FEMA panel 08123C1915E and is not currently located within a 100-year floodplain.

Potential off-site flows from a small area from the south flow northwest through the project site. The flows from the east will be intercepted by Colorado Highway 85. Potential offsite flows from the north will continue to flow north away from the site. Stormwater runoff from the west should continue to flow west, away from the site.

2. Sub-Basin Description

The site was evaluated as one drainage basin for the Phase I Drainage Report.

Drainage Design Criteria

1. Development Criteria

This proposed drainage design was developed using the criteria set forth in the Urban Storm Drainage Criteria Manual (USDCM) Volumes 1, 2 and 3 and the City of Fort Lupton's Storm Drainage Design and Technical Criteria (SDDTC) manual.

2. Hydrological Criteria

From Section 5.3 in the SDDTC, the estimated rainfall from the 5-year, 1-hour precipitation is 1.42 inches and the 100-year, 1-hour precipitation is 2.71 inches (see SDDTC One-Hour Point Rainfall in **Appendix E**). These values were used for runoff calculations.

Percentage of imperviousness was determined using the recommended values from UDFCD Table 6-3. The overall percentage of imperviousness for the proposed site will not change with the SUP and was estimated to be 36% (see percentage of imperviousness calculation in **Appendix F**).

Using these design storms and the UDFCD Detention Basin Volume Estimating spreadsheet, the existing and proposed peak runoff flowrates were estimated for the basin (see Table 1). Peak runoff flowrates for the existing and proposed site were calculated with the Modified FAA method using the time of concentration, runoff coefficients, and the precipitation depths from the UDFCD spreadsheet (see UDFCD Runoff Calculations in **Appendix G**). Because no additional improvements are proposed for the site, the existing and proposed peak runoff flowrates are identical.

Table 1: Peak Runoff Flowrates

Peak Runoff	5 Year Flowrate (cfs)	100 Year Flowrate (cfs)
Proposed	18.14	59.36
Existing	18.14	59.36

3. Hydraulic Criteria

As no additional improvements are proposed for the site, the 100-year flowrate from the site is not expected to increase. Therefore, an excess of historic flow is not anticipated, and a detention pond should not be required. Should the percentage of imperviousness increase or slopes of the project site increase, a new drainage study and report should be completed to ensure downstream users are not impacted and historic run-off flows and patterns are maintained.

A Water Quality Feature was designed and constructed during the Weld County USR Process. The water quality feature was designed to capture the water quality capture volume (WQCV) which promotes sedimentation and improves water quality downstream. Documents of the calculations and pictures of the construction are included in **Appendix H**.

Drainage Facility Design

1. General Concept

Due to no increase of percentage of imperviousness across the site, rural location of the project site, and shallow slopes across the site, a detention pond is not being proposed. Runoff should generally sheet flow toward the existing water quality feature in the northwest corner of the property. A proposed site plan is in **Appendix I**.

2. Specific Details

Periodic inspection of the runoff patterns will be evaluated to ensure the project site is not causing erosion and sedimentation. If the site is significantly impaired by run-off or percentage imperviousness is increased, the owner should assess the corrective action needed and have a licensed engineer re-evaluate the site and provide recommendations.

Conclusions

1. Compliance with City of Fort Lupton Code

The drainage design for the Special Use Permit, Annexation and Zoning request is consistent with the City of Fort Lupton Storm Drainage Design and Technical Criteria manual.

2. Drainage Concept

Historical flow patterns and run-off amounts should be maintained in such a manner that should reasonably preserve the natural character of the area and prevent property damage of the type generally attributed to run-off rate and velocity increases, diversions, concentration and/or unplanned ponding of storm run-off for the 100-year storm event. No irrigation companies or property owners should be affected by the proposed development.

Master Drainage recommendations are not available in the area of this project.

List of References

- City of Fort Lupton. "City of Fort Lupton Storm Drainage Design and Technical Criteria." City of Fort Lupton. Web. 22 January 2020.
<<http://www.fortlupton.org/DocumentCenter/View/2021>>.
- Federal Emergency Management Agency. "FEMA Flood Map Service Center." *FEMA Flood Map Service Center*. FEMA. Web. 21 January 2020.
<<https://msc.fema.gov/portal/search?AddressQuery=9230%20County%20Road%2024%20Weld%20County#searchresultsanchor>>.
- United States Department of Agriculture - Natural Resources Conservation Service. "Web Soil Survey." *Web Soil Survey*. USDA - NRCS, 2006. Web. 21 January 2020.
<<http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>>.
- Urban Drainage and Flood Control District. *Detention Basin Volume Estimating Workbook*. Computer software. *Software*. Vers. 2.34. <<http://udfcd.org/software>>.
- Urban Drainage and Flood Control District. "Urban Storm Drainage Criteria Manual Volumes 1." *USDCM: Volume 1 Management, Hydrology and Hydraulics*. UDFCD, Mar. 2017. Web. 22 January 2020. <<http://udfcd.org/volume-one>>.
- Urban Drainage and Flood Control District. "Urban Storm Drainage Criteria Manual Volumes 2." *USDCM: Volume 2 Structures, Storage and Recreation*. UDFCD, Sep. 2017. Web. 22 January 2020. <<http://udfcd.org/volume-one>>.
- United States Geological Survey. "Maps." Overview - Maps, United States Geological Survey. USGS, 2016. Web. 21 January 2020. <www.usgs.gov/products/maps/topo-maps>.
- Weld County. "Property Portal - Map Search." Property Portal - Map Search. Weld County. Web. 21 January 2020.
<<https://propertyreport.co.weld.co.us/?account=R4721807>>

Appendices

- A. Vicinity Map
- B. USDA-NRCS Soil Report
- C. USGS Topographic Map
- D. FEMA FIRM/ette Map
- E. SDDIC One-Hour Point Rainfall
- F. Percentage of Imperviousness
- G. UDFCD Runoff Calculations
- H. WQCV Design and Photos
- I. Site Plan

APPENDIX A

Vicinity Map

APPENDIX B

USDA-NRCS Soil Report



United States
Department of
Agriculture

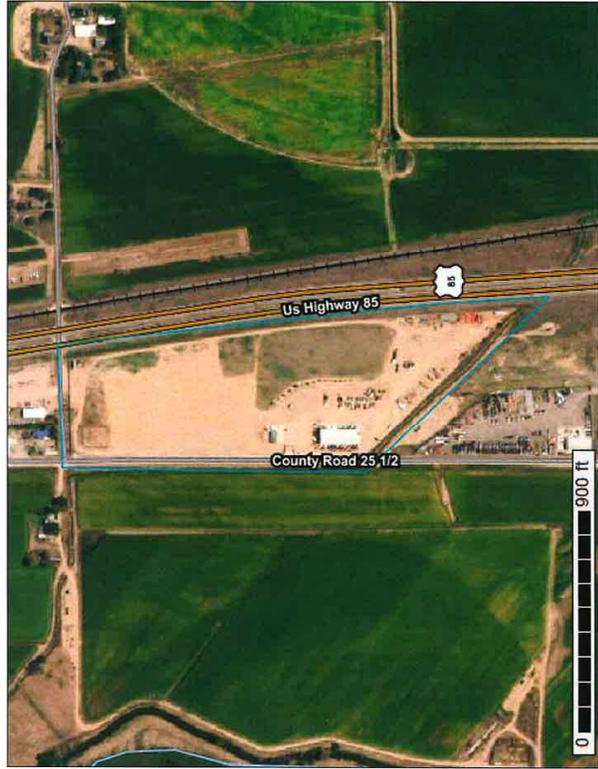


Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Weld County, Colorado, Southern Part

C&M Rodriguez Services, Inc.



January 20, 2020

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.gov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....	2
How Soil Surveys Are Made.....	5
Soil Map.....	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Weld County, Colorado, Southern Part.....	13
1—Alvan loam, 0 to 1 percent slopes.....	13
References.....	15

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:3,250 (printed on A portrait (8.5" x 11") sheet.
Map projection: Web Mercator Corner coordinates: WGS84 Edge: UTM Zone 13N WGS84

MAP LEGEND

	Area of Interest (AOI)
	Soils
	Soil Map Unit Polygons
	Soil Map Unit Lines
	Soil Map Unit Points
	Special Point Features
	Blowout
	Borrow Pit
	Clay Spot
	Closed Depression
	Gravel Pit
	Gravelly Spot
	Landfill
	Lava Flow
	Marsh or swamp
	Mine or Quarry
	Miscellaneous Water
	Perennial Water
	Rock Outcrop
	Saline Spot
	Severely Eroded Spot
	Sinkhole
	Slide or Slip
	Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: Web Mercator (EPSG:3857)
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
 Survey Area Data: Version 18, Sep 13, 2019
 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 20, 2015—Oct 21, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
1	Alhuan loam, 0 to 1 percent slopes	22.2	100.0%
Totals for Area of Interest		22.2	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases or soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Weld County, Colorado, Southern Part

1—Altvan loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 361j
Elevation: 4,500 to 4,900 feet
Mean annual precipitation: 14 to 16 inches
Mean annual air temperature: 46 to 48 degrees F
Frost-free period: 130 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Altvan and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Altvan

Setting

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium

Typical profile

H1 - 0 to 10 inches: loam
H2 - 10 to 25 inches: clay loam
H3 - 25 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Available water storage in profile: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Ecological site: Loamy Plains (R067BY002CO)
Hydric soil rating: No

Minor Components

Cascajo

Percent of map unit: 9 percent
Hydric soil rating: No

Custom Soil Resource Report

Aquic haplustolls

Percent of map unit: 1 percent

Landform: Swales

Hydric soil rating: Yes

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States. Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilias, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy, 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
- Timar, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

APPENDIX C

USGS Topographic Map

APPENDIX D

FEMA FIRMette Map

National Flood Hazard Layer FIRmette



Legend

SEE FIS REPORT FOR DETAILS ON LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, X, Y, Z
- With BFE or Depth Zone AE, AO, AH, VE, AP
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee, Zone X

OTHER AREAS

- Area of Undetermined Flood Hazard Zone X
- Effective LOMs

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

CROSS SECTIONS WITH 1% ANNUAL CHANCE WATER SURFACE ELEVATION

- 17.5
- 20.2

OTHER FEATURES

- Coastal Transsect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transsect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

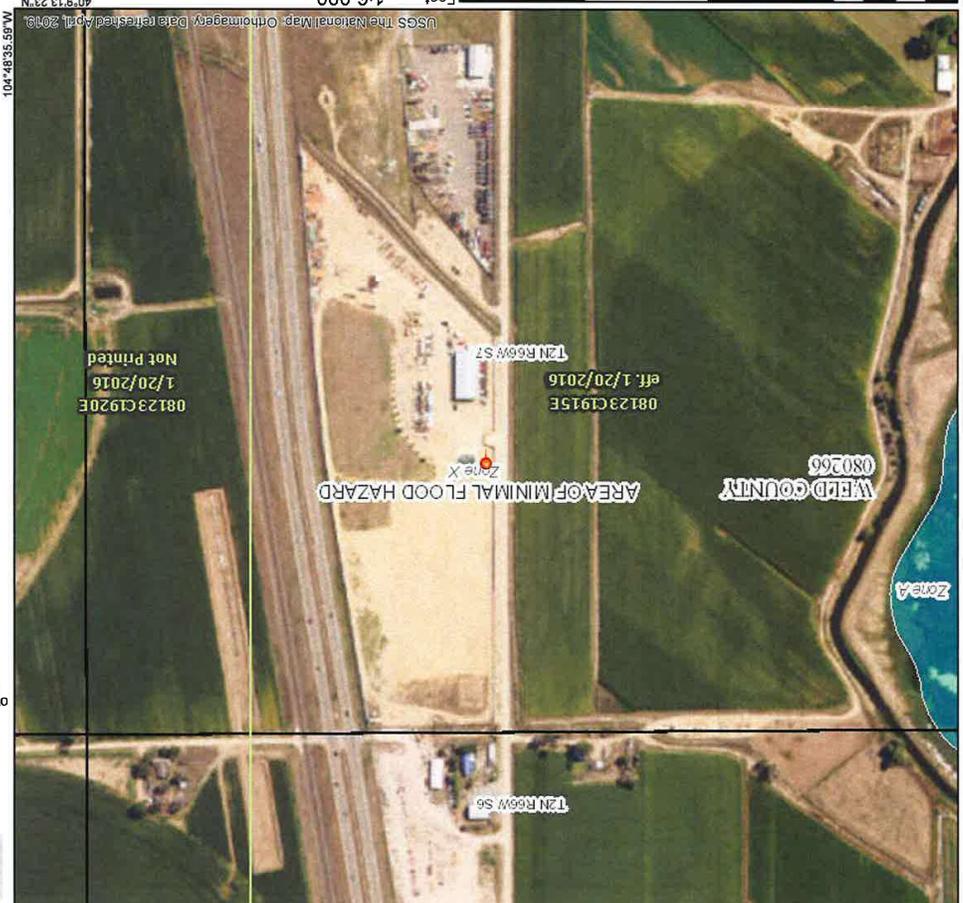
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/21/2020 at 4:10:50 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map images for unmapped and unmapped areas cannot be used for regulatory purposes.



USGS The National Map, Orthometry, Data Refreshed April 2019
 106° 48' 56.59\"/>

40° 9' 13.23\"/>

APPENDIX E

SDDTC One-Hour Point Rainfall

**CITY OF FORT LUPTON
STORM DRAINAGE DESIGN AND TECHNICAL CRITERIA**

SECTION 5 RAINFALL

5.1 INTRODUCTION

Presented in this section is the design rainfall data to be used with the Rational Method and the Colorado Urban Hydrograph Procedure (CUHP). All hydrological analysis within the jurisdiction of these CRITERIA shall utilize the rainfall data presented herein for calculating storm runoff.

The design storms and Time-Intensity-Frequency curves for the CITY were developed using the rainfall data and procedures presented in the MANUAL and are presented herein for convenience.

5.2 COLORADO URBAN HYDROGRAPH PROCEDURE DESIGN STORMS

For drainage basins less than five square miles, a two-hour storm distribution without area adjustment of the point rainfall values shall be used for the Colorado Urban Hydrograph Procedure (CUHP). For drainage basins between five and ten square miles, a two-hour storm distribution shall be used with the incremental rainfall values adjusted for the large basin area in accordance with suggested procedures in the NOAA Atlas for Colorado. The adjustment is an attempt to relate the average of all point values for a given duration and frequency within a basin to the average depth over the basin for the same duration and frequency. For drainage basins between ten and twenty square miles, a three-hour storm duration with adjustment for area shall be used. The distribution for the last hour was obtained by uniformly distributing the difference between the two-hour and three-hour point rainfall values. The adjustment for the basin area was obtained from the NOAA Atlas for Colorado. The incremental rainfall distributions for all basin areas up to 20 square miles are presented in Table 501.

5.3 TIME-INTENSITY-FREQUENCY CURVES FOR THE RATIONAL METHOD

The one-hour design point rainfall values obtained from the NOAA Atlas for Colorado area are as follows:

ONE-HOUR POINT RAINFALL (IN.)

2-YEAR	5-YEAR	10-YEAR	50-YEAR	100-YEAR
1.00	1.42	1.68	2.35	2.71

The Time-Intensity-Frequency curves were developed by distributing the one-hour point rainfall values using the factors obtained from the NOAA Atlas presented below:

APPENDIX F

Percentage of Imperviousness

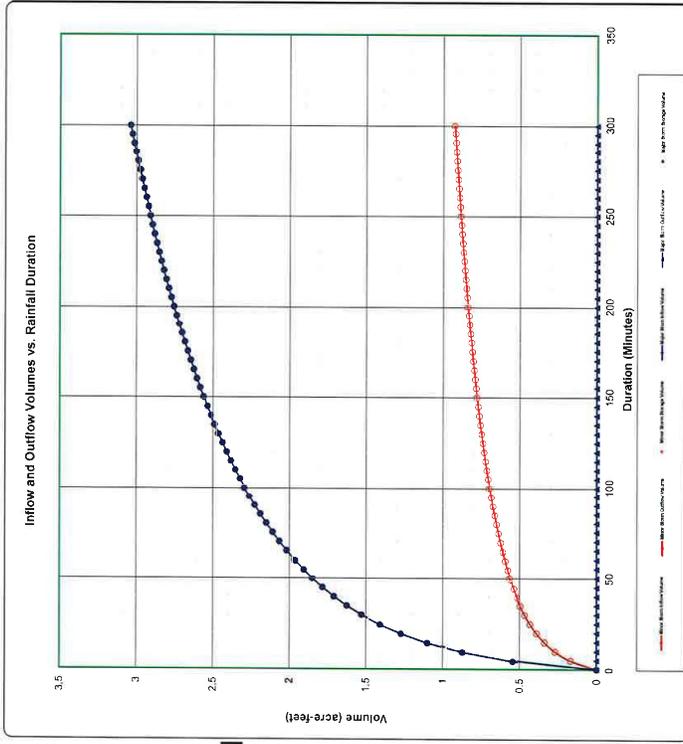
APPENDIX G

UDFCD Runoff Calculations

DETENTION VOLUME BY THE MODIFIED FAA METHOD	
Project: CAM Rodriguez Services, Inc. Basin ID: Existing Runoff (For catchments less than 100 acres only. For larger catchments, use hydrograph routing method) (NOTE: for catchments larger than 50 acres, CUPP hydrograph and routing are recommended)	
Determination of MLUR Detention Volume Using Modified FAA Method Catchment Drainage Area: 38.00 acres Type of Catchment: Rural Return Period for Detention Control: 5 years (10, 25, 50, or 100) Time of Concentration of Watershed: 12 minutes One-Year Precipitation: 1.82 inches Design Rainfall (DF Formula) $I = C_d \cdot P \cdot A^{0.075} \cdot C_c$: 2.62 inches Coefficient C_d : 0.789 Coefficient C_c : 1.0	Determination of MLUR Detention Volume Using Modified FAA Method Catchment Drainage Area: 38.00 acres Type of Catchment: Rural Return Period for Detention Control: 5 years (10, 25, 50, or 100) Time of Concentration of Watershed: 12 minutes One-Year Precipitation: 1.82 inches Design Rainfall (DF Formula) $I = C_d \cdot P \cdot A^{0.075} \cdot C_c$: 2.62 inches Coefficient C_d : 0.789 Coefficient C_c : 1.0
Determination of Average Outflow from the Basin (Continued): Runoff Coefficient: 0.24 Inflow Peak Runoff: 18.14 cfs Attenuated Peak Outflow Rate: 4.33 cfs	Determination of Average Outflow from the Basin (Continued): Runoff Coefficient: 0.24 Inflow Peak Runoff: 18.14 cfs Attenuated Peak Outflow Rate: 4.33 cfs

DETENTION VOLUME BY THE MODIFIED FAA METHOD

Project: CAM Rodriguez Services, Inc.
Basin ID: Existing Runoff



APPENDIX H

WQCV Design and Photos

C & M Rodriguez Services, Inc.

Water Quality Depression Calculations

Impervious Acreage

Roofs	Sq. Ft.
Shop	12000
Office	800
Shop (Phase II)	12000
Shop	0
Future	0
Total Roof Area(ft²)	24800

Concrete	
Garage Apron	0
Office Apron	400
Shop Apron	1500
Future Shop Apron (Phase II)	1500
South half of road	0
Total Concrete Area(ft²)	3400

Gravel Area/Gravel Roads	
Gravel Parking	200000
Gravel Road	2000
Gravel Parking (Phase II)	66500
Gravel Road (Phase II)	2000
Total Gravel Area(ft²)	270500

Total Drainage Area (Acres)	805860
Total Impervious Area (ft²)	28200
Total Gravel Area (ft²)	270500
Total Undeveloped/Grass Area (ft²)	507160
Total Property Area (Acre)	18.50
% Impervious	18%

SQ: 24 hr Drain time (approximate) - Look up method	0.11
Required Storage(acre-feet)*	0.170

* Based on Drainage Criteria Manual(V.3) Required Storage formula look up method

a =	1.00
WQCV = a * (.91 * i^{-1.19} + .78) =	0.108
Required Storage = (WQCV/12)(Total drainage area) =	0.166 acre-feet
Required Storage in Cubic Feet =	7250 cu-ft
Required Storage in Gallons =	54,235 gallons

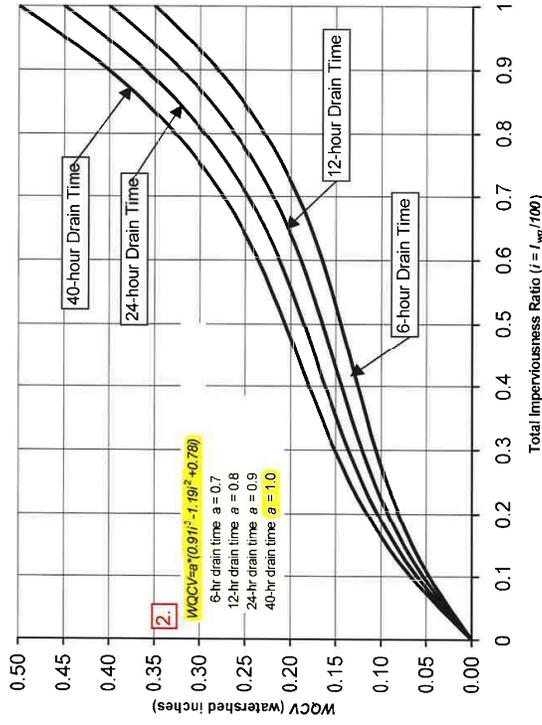


Figure SQ-2—Water Quality Capture Volume (WQCV), 80th Percentile Runoff Event

Procedures

1. Find i (areas don't need to be exact just estimate) - this is the imperviousness of your site which tells us how much water soaks into the ground and how much runs off
 - Grass/Undeveloped = 2%
 - Gravel = 40%
 - Pavement = 100%
 - Rooftops = 90%
$$i = \frac{[(\text{Area of Grass} * 0.02) + (\text{Area of Gravel} * 0.40) + (\text{Area of Pave} * 1.00) + (\text{Area of Roofs} * 0.90)]}{\text{Total Area of Site}}$$
2. Find WQCV from above highlighted #2 equation using $a=1.0$ and your i from step 1
3. Find required storage from highlighted #3 equation on page SQ-24 using your WQCV from step 2 and the Total Site Area
4. Show the area for the water quality depression on your site plan downstream of any parking, building or operations areas and label it as "Water Quality Feature, No Build Area". The depression should be 1'-2' deep and have enough volume for the required storage amount you calculated above. An exiting sump or depression can also be used if it meets the volume.

basins can provide less holding time for the predominant number of smaller storms. Larger basins can result in less net reduction of pollutants than is obtained when using the recommended 80th percentile capture volume that can be obtained from Figure SQ-2. Storms larger than the 80th percentile events still receive some treatment when their capacity is exceeded by larger storms, but at a somewhat lower efficiency. Thus, the law of diminishing returns for cost-effective pollutant removal takes effect, not only because of the large number of small storms found in the total population of storms, but because the first flush of runoff for larger storm is also captured and that pollutant removal continues to occur for in-line capture basins when the runoff exceeds their design capacity.

4.4 Determining the Water Quality Capture Volume

4.4.1 Use of Directly Connected Impervious Area

The procedures described in the RAINFALL and in the RUNOFF chapters of Volume 1 of the *Manual* are intended for the design of drainages and flood facilities that prevent damage to property and help protect human life. These procedures show that the depth of rainfall produced from a design storm varies somewhat throughout the Denver region and that runoff is a function of total imperviousness. Water quality enhancement focuses more on the smaller events that deliver frequent flow pulses and pollutant loads to the receiving waters. The runoff volume for smaller events is especially sensitive to the impervious area that is hydraulically connected to the stormwater runoff system.

The impervious portion of a watershed determines the runoff volume that needs to be used for the design of water quality facilities, and the percentage of impervious surface therefore becomes important in the design of structural BMPs. The RUNOFF chapter of the *Manual*, Volume 1, includes the methodology for calculating basin imperviousness. This procedure needs to be modified, however, when using the practice of *minimizing directly connected impervious areas* in combination with *extended detention basins*, *retention ponds*, *wetlands*, and other practices depended on a design water quality capture volume. Whenever applicable, the needed modifications are described in the appropriate chapters of this volume of the *Manual*.

4.4.2 Water Quality Capture Volume (WQCV)

All structural BMPs recommended in this volume of *Manual* are based on the 80th percentile event. Specific guidance for finding the needed WQCV is provided in each BMP types' design section. This WQCV varies with the type of BMP used and is based on the time it takes to fully drain the brim-full WQCV. Figure SQ-2 summarizes the WQCV requirements as a function of the tributary catchments total imperviousness as a ratio of the total area of the catchment for 6-, 12-, 24-, and 40-hour drain times of the WQCV.

Figure SQ-2 is appropriate for use in Colorado's high plains near the foothills. For other portions of Colorado or of United States, the WQCV obtained from this figure can be adjusted using the following relationships:

$$WQCV_o = d_o \frac{WQCV}{0.43}$$

in which,

- WQCV = Water quality capture volume taken from Figure SQ-2
- WQCV_o = Water quality capture volume outside the Denver region
- d_o = Depth of average runoff producing storm from Figure SQ-3 (watershed inches)

Once the WQCV in watershed inches is found from Figure SQ-2, then determine the required storage volume in acre-feet as follows:

$$3. \quad \text{Required storage} = \left[\frac{WQCV}{12} \right] (\text{Area})$$

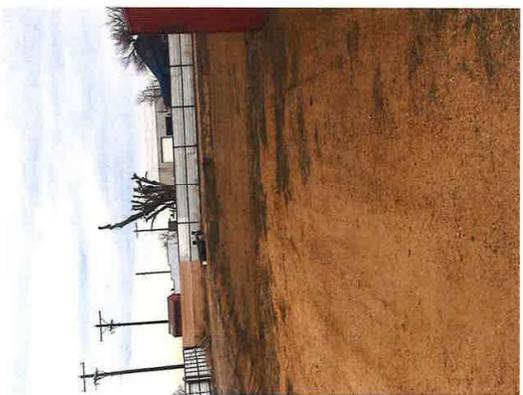
in which,

- Required storage = Required storage volume in acre-feet
- Area = The tributary catchment's area upstream in acres

The independent variable in Figure SQ-2 is the total imperviousness ratio (i.e., $I_{wq}/100$) of the tributary watershed (catchment). The chapter on RUNOFF in Volume 1 of the *Manual* contains guidance for how to find the total imperviousness of a watershed and its use is recommended. Figures SQ-4, SQ-5 and SQ-6 are duplicated in this chapter to help the reader estimate the imperviousness of single family residential areas. Note that these figures require the knowledge of the average housing densities, types of housing, and average human occupied total square footage of the houses in the area to find the imperviousness of these areas.

Water Quality Feature - Photos





APPENDIX I

Site Plan



Nuisance and Waste Management Plan

Fort Lupton Special Use Permit Application

Prepared for

C&M Rodriguez Services, Inc.

Nuisance & Waste Management Plan

Special Use Permit (SUP)
Prepared for C&M Rodriguez Services, Inc.

Introduction

The proposed Special Use Permit (SUP) for C&M Rodriguez Services, Inc. will allow an existing oil and gas service business to operate within the City of Fort Lupton. This business was previously permitted through Weld County under USR12-0019. Currently, the site contains an 800 sq. ft. modular office and a 9,000 sq. ft. shop/storage building. The site also features improved gravel and road base surfaces for outdoor storage of vehicles and equipment, and a 6-ft. privacy fence surrounding the entire site. Services crews will depart daily to offsite work and return in the evening. This site will not be used as a retail site for public access or purchasing.

2-4 full-time employees will work in the office on-site and 30 full-time employees will work off-site, visiting the site only temporarily to pick up or drop off equipment. Off-site employees will be at the facility for less than four hours per day. Normal business hours will be from 6:00 AM to 5:00 PM, Monday through Friday, however the site may be operational as early as 5:00 AM and as late as 10:00 PM, depending on the needs of the oil and gas industry.

Existing improved gravel surfaces will be used for outdoor storage of iron, hardware, welding supplies, installation equipment including tractors and trailers, service and miscellaneous business supplies. Oil and gas equipment may be stored outside temporarily while awaiting field installation. The entire site is enclosed by 6 ft. privacy fencing to screen the site from surrounding properties.

Light

Outdoor lighting is provided by wall-mounted lights. Sources of light are shielded so that light rays will not shine directly onto adjacent properties where such would cause a nuisance or interfere with the uses on adjacent properties. Neither the direct nor reflected light from any source will create a traffic hazard to operators of motor vehicles on public or private streets. No colored light will be used which may be confused with, or construed as, traffic control devices.

Dust Abatement

Lot surfaces at the entrance, and on the internal roadways parking areas and outdoor storage areas, are gravel and road base to reduce dust on-site. Lot surfaces not used for driving, parking, or storage are rangeland grass. Minimal vehicle speeds will be maintained on-site and on adjacent roadways to reduce dust conditions. Should nuisance dust conditions arise, a water

tanker truck or magnesium chloride may be used for moisture control on roadways to minimize nuisance dust conditions.

Waste

There will be no storage of wastes on-site. Any waste materials will be collected in dumpsters and sent to a landfill. All materials not collected in dumpsters will be stored inside. Chemicals stored on-site include standard household cleaning items in minimal volumes. While oil changes are not anticipated to be done on-site, if necessary, used oil and anti-freeze will be hauled off site to an appropriate facility for disposal. Any wastes produced from employees will be contained in a dumpster and regularly hauled off site by a sanitation service.

Employees may use the restroom located in the office, which is served by an existing septic system permitted under SP-1200117.

Noise

The property owner or operator will attempt to minimize noise generated during operation and maintain compliance with Weld County Noise Requirements. Nuisance noise levels are not anticipated as a result of the proposed use. Existing vegetation and surrounding fencing will provide sound absorption and screening.

PUBLIC COMMENTS

From: [Steve](#)
To: [Todd Hodges](#); [PlanningDept](#)
Subject: FW: C&M Rodriguez Annexation Nos. 1-5
Date: Friday, April 3, 2020 11:45:03 AM

Sorry that we got the email address wrong.

Steve

From: Steve <steve@overlandtractor.com>
Sent: Monday, March 30, 2020 8:14 AM
To: thodges@ftluptonco.gov
Cc: steve@overlandtractor.com
Subject: C&M Rodriguez Annexation Nos. 1-5

TO: Ft. Lupton Planning Commission and City Council

Greetings:

Our names are Steve and Kim Nelson, we own Overland Tractor and Supply, LLC. Our property abuts C&M Rodriguez's property on their northern boundary.

My concerns are primarily about the property that is being used as a storage yard. The tall cylindrical objects which I am told are combustors. They block visual line of sight to

My property. My business is dependent on customers being able to see my driveway onto Highway 85 and see my inventory on my display lot. The combustors are constantly

Being moved and sometimes they block everything.

The second problem that I have with them is that in the summertime and any hot weather, the noxious fumes that come from them are overpowering to myself and my customers.

There are times when we cannot work outside because the fumes make you feel sick.

We think that the only remedy for this problem is complete removal of all

combustors and any equipment that could present a similar problem.

We would recommend that the removal of all equipment be completed before an annexation agreement is finalized.

I am asking that you zone that parcel as commercial/retail, which would be complimentary to the character of the area. It is currently listed on the special use permit site plan as Equipment storage. Which should not be allowed.

There is a steel siding fence that surrounds this property that abuts my store. It is seven feet tall and prevents my customers from seeing my driveway until they have passed it

When coming north on Highway 85. This line of sight obstruction affects my ability to present my business to travelers on Highway 85. I am asking that all line of sight obstacles

To my business sign and entrance be removed or modified before annexation is granted.

In principal, I am supporting this annexation to Fort Lupton, with certain modifications. Fort Lupton has always been a good neighbor to me and to Platteville. I look forward to

Some adult supervision on that property.

Steve and Kim Nelson
Overland Tractor and Supply
12823 CR 24
Ft. Lupton, CO 80621
303-857-9405

7mj Rodriguez A

From: gail_balcom
To: [Todd Hodges](mailto:Todd.Hodges); mlancoto@fortluptonco.gov; [Alyssa Knutson](mailto:Alyssa.Knutson); PlanningDept
Subject: C&M Rodriguez Annexation
Date: Tuesday, April 7, 2020 9:22:42 AM

Good morning,

Our names are Nathan and Gail Balcom. We live on the north end of the C&M Rodriguez property and have been here for 10 years.

In July of last year C&M Rodriguez was ordered by the Weld County Commissioner to vacate their premises within 30 days. To date nothing has been removed. In fact more and more of the combustor towers are moved in weekly. These towers have a noxious odor, especially in warmer weather. It is often difficult to be out in our own yard due to the fumes. They are also very unsightly and are less than 40 yards from our front door.

In addition to these towers they are also storing RV's, boats and other companies' oil drilling equipment. There is constant noise from their lot and the trucks drive down our small dirt road at a high rate of speed. We have two grandchildren as well as family pets that are affected by both the fumes from the towers, the dust and noise from the traffic and the trash that is tossed from windows up and down our road.

We vehemently disapprove of this annexation and would hope Fort Lupton will send someone out to inspect the area prior to any decisions being made.

I have attached two photos of the towers, one from our picnic table and the other last night as they brought in an additional tower.

We will be on the call Thursday evening.

Sincerely,

Nathan and Gail Balcom





**Kenneth Miller and Miller Family Farms LLC.
12251 WCR 22.5 – Fort Lupton, CO. 80621**

Fort Lupton Planning Commission,

RE: C&M Rodriguez Annexation Section 7

I Kenneth Miller, along with Magness Land and Cattle Company own the ditch and easement roadway to maintain the ditch that lies just south of the Rodriguez property (section 7). It is not clear if this ditch is included in this annexation, however it is evident that I do not want my ditch or right-of-way easement used to maintain my ditch, in the city of Fort Lupton.

Miller Family Farms owns the ditch along Weld County Road 22 1/2 . The roadway is not needed for this annexation as you have already planned to annex along US highway 85 to the Rodriguez property. This ditch pre-dates the road by many years. It is center on the half section line and I own the maintenance right of the ditch on its north side.

In conclusion, I would prefer that the city not annex my ditches or interfere with my maintenance rights to service those ditches, and thus not interfere with my farming.

Thank you for your time.

Cordially,

Kenneth Miller

1/2" ALUM. CAP ON #6
BAR PLS 27269

S 87°40'49" W. 1316.22'
S 87°40'49" W. 890.88'

NOR
T2N,
ALU1

60-FOOT R.O.W. AS ESTABLISHED BY BOARD OF
COUNTY COMMISSIONERS RECORDED OCTOBER 14, 1989
IN BOOK 86 AT PAGE 273, WELD COUNTY RECORDS.

COUNTY ROAD NO. 25.5

LOT B RE-4015=17.53
ACRES NET

FOUND CDOT R.O.W.
MONUMENT
BRASS CAP IN CONCRETE

KUNZMAN FAMILY LLC
RECEPTION#2524748
PARCEL#130907000016

LLER FAMILY FARM
1251 COUNTY ROAD 22.5
RECEPTION#3716140
PARCEL#130907000003

Water Rights Est. 1862

PATRICIA TREVINO
10508 COUNTY ROAD 22.5
RECEPTION#4060555
PARCEL#130907100005

ROLAND PURIFOY
10541 COUNTY ROAD 25.5
RECEPTION#1796769
PARCEL#130907000004

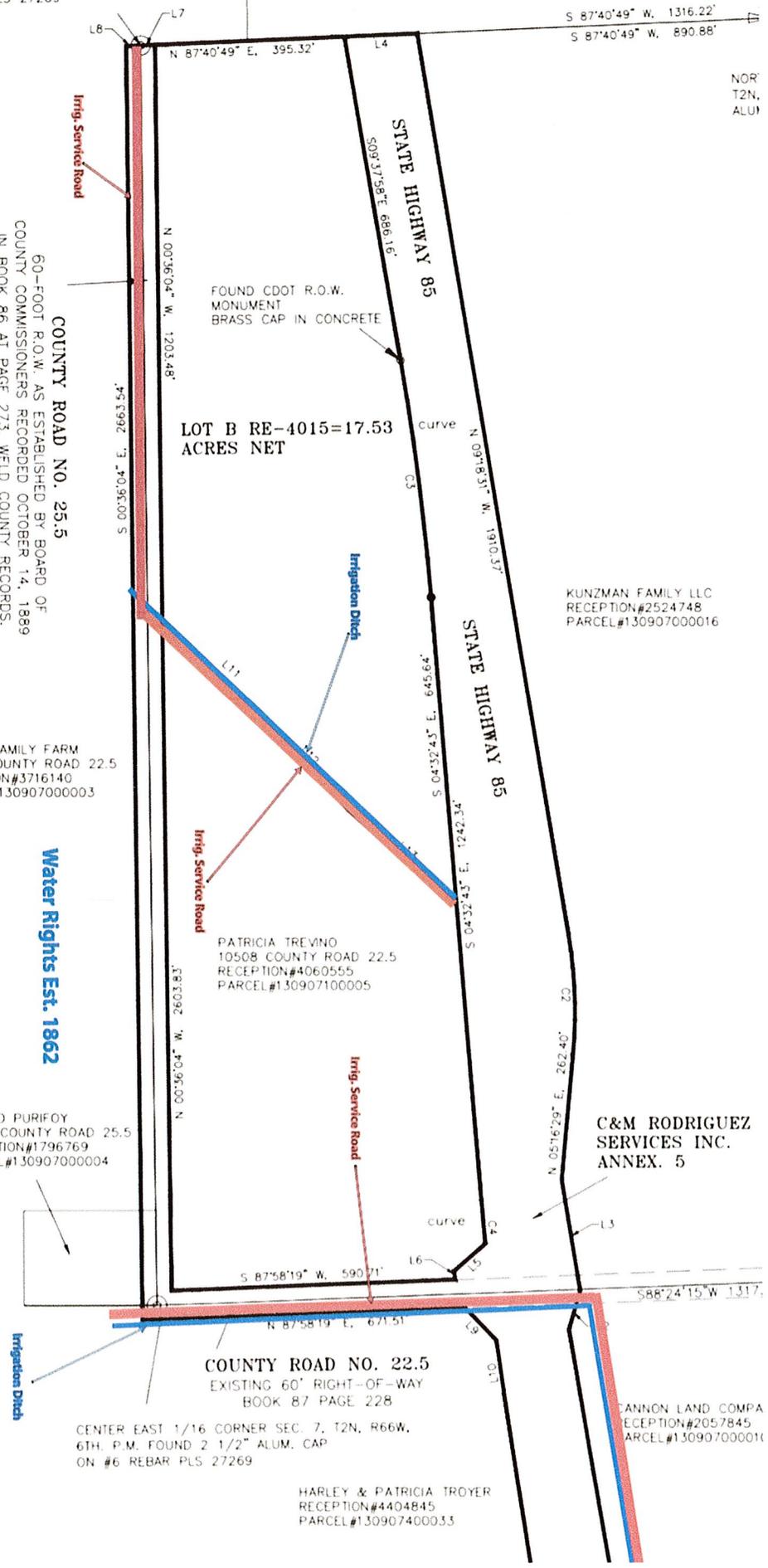
C&M RODRIGUEZ
SERVICES INC.
ANNEX. 5

CENTER EAST 1/16 CORNER SEC. 7, T2N, R66W,
6TH. P.M. FOUND 2 1/2" ALUM. CAP
ON #6 REBAR PLS 27269

COUNTY ROAD NO. 22.5
EXISTING 60' RIGHT-OF-WAY
BOOK 87 PAGE 228

CANNON LAND COMPA
RECEPTION#2057845
PARCEL#130907000011

HARLEY & PATRICIA TROYER
RECEPTION#4404845
PARCEL#130907400033



REFERRAL RESPONSES

From: [Hice-Idler - CDOT, Gloria](#)
To: [Todd Hodges](#); [Alyssa Knutson](#)
Cc: [Allyson Mattson - CDOT](#); [Bilobran, Timothy](#)
Subject: C&M/Town of Fort Lupton/US 85
Date: Thursday, March 12, 2020 11:00:52 AM
Attachments: [image001.png](#)

CDOT has no comment regarding the annexation or rezone of the property. It does not appear that there's any planned increase of traffic volumes to the intersection of US 85 and WCR 22.5 at this time. If any change is planned that would increase traffic to that intersection, CDOT would have the warrant to re-evaluate access needs.

Gloria Hice-Idler

Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org





March 10, 2020

Maria Lancto, Planner I
City of Fort Lupton
Transmission via email: planningdept@fortluptonco.gov

Re: C&M Annexation Nos. 1 - 5 and Special Use Permit
Part of the E ½ of the NE ¼ of Sec. 7, T2N, R66W, 6th P.M.
Water Division 1, Water District 2

Dear Mario Lancto:

We have received your March 4, 2020 request concerning the above-referenced annexation, rezone, and special use permit for a 18.35-acre parcel known as Lot B of Recorded Exemption RE-4015. The proposal is to annex this lot into the City of Fort Lupton, rezone from agricultural (A) to heavy commercial (C-2), and for a special use permit to allow for require heavy auto and truck traffic or outdoor storage and display. The parcel is currently used for an oil and gas service business with an office, shop building, and vehicle and equipment storage.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

Estimated water requirements and proposed uses were not provided. The proposed water supply source is an existing well, permit no. 76008-F. Well permit no. 76008-F was issued May 10, 2012 pursuant to section 37-90-137(4), C.R.S. and the findings of the state engineer dated May 10, 2012. The well is permitted to withdraw an average annual amount of 3.25 acre-feet at a maximum pumping rate of 15 GPM from the nontributary Laramie-Fox Hills aquifer. The well is permitted for commercial use and irrigation. The well, as permitted, can be used for commercial drinking and sanitary purposes for the business, but cannot be used for the business’s industrial purposes.

According to the submitted material, storm drainage facilities will be developed for the site. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S, the structure may be subject to administration by this office. The applicant should review [DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), to ensure that the notification, construction and operation of the proposed structures meet statutory and administrative requirements. The applicant is encouraged to use [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

If you or the applicant have any questions, please contact Wenli Dickinson at 303-866-3581 x8206 or at wenli.dickinson@state.co.us.



Sincerely,

A handwritten signature in blue ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial 'J'.

Joanna Williams, P.E.
Water Resources Engineer

Ec: Referral no. 27043
Water well permit no. 76008-F



Fort Lupton Fire Protection District

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: www.fortluptonfire.org

Date: 03/25/2020

Project name: C&M Annexation

Project address: 10992 Cr 25.5, Fort Lupton, Co 80621

FLFPD Project # R2020-014

Plan reviewer: Taw Tamlin, Fire Marshal

The Fire District has reviewed the referral for **C&M Annexation** located at **10992 Cr 25.5**, Fort Lupton, CO 80621. The submittal was reviewed for compliance with 2012 International Fire Code (IFC) and National Fire Protection Association (NFPA) standards as adopted by the Fort Lupton Fire Protection District, City Council of Fort Lupton, and Weld County Commissioners. The following specific and general requirements and conditions shall be met.

Specific Requirements:

1. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. *2012 IFC, 505.1*
2. Fire apparatus access road (driveway) shall be designed and maintained to support the imposed loads of fire apparatus (56,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities (e.g. gravel, road base or recycled asphalt). *2012 IFC Section 503.2.3*
3. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. *2012 IFC, 506.1*
 - a. You can go to the following link to purchase a Knoxbox.
<https://www.knoxbox.com/>

4. A fire code inspection shall be required for a Certificate of Occupancy.
5. The following items shall be approved by the Fire District prior to construction. Click on <https://fortluptonfire.org/contractors/> for directions on submitting plans.
 - a. Building Construction
 - b. Instillation of Above Ground Storage Tanks
 - c. Instillation of Below Ground Storage Tanks

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.



March 20, 2020

VIA E-MAIL

Fort Lupton Planning & Building Department
Todd Hodges
130 S. McKinley Avenue
Fort Lupton, Colorado 80621
thodges@fortluptonco.gov

**NOTICE OF RIGHT-OF-WAY GRANT OWNED BY KERR-McGEE GATHERING
LLC**

Re: AGPRO Project #1322-06: Annexation, Change of Zone, and Special Use Permit
C&M Rodriguez Services, Inc. – Property Owner
Shannon Toomey – Representative
Township 2 North, Range 66 West, 6th P.M.
Section 7: Part of the E/2 of the NE/4
Weld County, Colorado

Mr. Hodges:

This letter is being sent by Kerr-McGee Gathering LLC (“KMGG”) to inform you KMGG is the owner of valid easements and pipelines located in the E/2 of the NE/4 of Section 7, Township 2 North, Range 66 West for which the Fort Lupton Planning & Building Department (“Town”) is reviewing AGPRO Project #1322-06: Annexation, Change of Zone and Special use Permit. KMGG is submitting this comment timely, in accordance with the Town’s procedural requirements.

The following are comments in support of this Notice:

1. KMGG is the owner of a valid Right-of-Way Grant that was executed on August 26, 1971, and recorded on September 29, 1971 with the Weld County Clerk and Recorder at reception number 1575996. Referenced Right-of-Way Grant contains pipeline number 16-71-257-8.

2. KMGG is the owner of a valid Right-of-Way Grant granted through a Surface Use Agreement that was executed on August 10, 2012 and recorded on August 24, 2012 with the Weld county Clerk and Recorder at reception number 3868475. Referenced Right-of-Way Grant contains pipeline number 99-8-3.

KMGG does not object to the proposed Annexation, Change of Zone and Special Use Permit provided the applicant conforms to the terms of the Right-of-Way Grants identified above.

Please contact me at 720-929-3714 if you have any questions or comments about this matter.

Sincerely,
KERR-McGEE GATHERING LLC

Grant Gerrard
Senior Landman

cc: Murph Shelby, Lead Counsel
Brett Cavanagh
Jake Billadeau
Heather Bennett
Kelly Reyos
C&M Rodriguez Services, Inc. c/o AGPRO Professionals – Shannon Toomey

From: [Kristen Thompson](#)
To: [Maria Lancto](#)
Cc: [Stephanie Darnell](#); [Todd Hodges](#); [Alyssa Knutson](#)
Subject: RE: Referral Response Request: C&M Annexation Nos. 1 - 5 and Special Use Permit
Date: Wednesday, March 18, 2020 9:08:50 AM
Attachments: [image002.png](#)
[image003.png](#)

Maria,

The Application lists the water provider as Central Weld County Water District. If that is correct, no action is needed. I was not aware that Central Weld's pipeline extended this far.

However, if Fort Lupton will be providing water service, the applicant will need to file a Petition for Inclusion into the Municipal Subdistrict Boundaries.

If you have any questions, please let me know.

Thank you
Kris



Kristen Thompson | Inclusion Specialist
220 Water Ave | Berthoud, CO 80513
Direct 970-622-2237
Main 800-369-RAIN (7246) | Fax 877-851-0018
www.northernwater.org | [Find us on Facebook](#)

Disclaimer Notice: An allotment of Colorado-Big Thompson water is subject to the Water Conservancy Act, C.R.S 37-45-101 et seq, the authority of the Board of Directors of the Northern Colorado Water Conservancy District, and other relevant laws and regulations. The information provided in this email is not binding on Northern Water because the legal rights to Colorado-Big Thompson Project Allotments are subject to the continuing discretion of the Board of Directors of Northern Water and other legal limitations and requirements. Northern Water staff and counsel cannot provide you with legal advice, and you are advised to seek legal counsel with respect to the subject matter of this email. You also have an independent obligation to review and confirm the accuracy and completeness of any information provided to you by Northern Water, and to supplement or correct the records of Northern Water with respect to any errors or omissions.

From: Maria Lancto <MLancto@Fortluptonco.gov>
Sent: Wednesday, March 4, 2020 11:49 AM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Stephanie Darnell <sdarnell@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>
Subject: Referral Response Request: C&M Annexation Nos. 1 - 5 and Special Use Permit

Good Morning/Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and special use permit that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [C&M Annexation and Special Use Permit](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 25, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, April 9, 2020 at 6:00 PM**
- **City Council on Tuesday, April 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to planningdept@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto
Planner I
130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694
Cell: 303.718.0172



The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.



Public Works

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

MEMO

To: Todd Hodges
Alyssa Knutson

From: Roy Vestal

Date: March 27, 2020

Subject: C&M Annexation Nos. 1 - 5 and Special Use Permit
Public Works Review

Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

Public Works has no objections to this site plan and annexation.

1. Drainage

- a. Assuming there is no new construction proposed, no drainage improvements are required, unless there is currently a known drainage issue in this area.
- b. Be advised, on page 7, General Concept - being a rural location is not reason not to provide detention.

2. Transportation

- a. CR 25.5 is likely to be a Collector in the future. Would require dedication of an additional 7.5 feet of ROW. No movement of existing fence required at this time.
- b. Will property owner be agreeable to a road maintenance agreement for snow removal and grading operations for CR 25 and CR 22.5?



Your Touchstone Energy® Cooperative 

Hello,

Thank you for inviting United Power, Inc. to review and comment on the C&M Annexation Nos. 1 - 5 and Special Use Permit. After review of the information, the building already exists and has power serviced to this site. If the developer needs additional or undegraded service, please have them contact United Power. The developer can visit <https://www.unitedpower.com/construction> and submit an application along with CAD data.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,



Samantha Riblett
United Power, Inc
Right of Way Administrative Assistant
Main 303-659-0551 | D 303-637-1324



DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave

Greeley, CO 80631

Website: www.weldgov.com

Email: jflesher@weldgov.com

Phone: (970) 400-3552

Fax: (970) 304-6498

Via Email

March 24, 2020

Alyssa Knutson, Planner
City of Fort Lupton
130 S. McKinley Avenue
Fort Lupton, CO 80621

Subject: C&M Rodriguez Annexation and Special Use Permit

Dear Alyssa:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

On page 4 of the annexation map the parcel number and ownership is given on the south parcel, but it doesn't include the designation of Lot A of RE-4015 or the acreage. The north lot has the legal and acreage, but not the parcel number or owner name.

"STATE HIGHWAY 85" should be changed to "US HIGHWAY 85."

General comments:

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

The present zoning of adjacent and surrounding unincorporated properties are predominantly Agricultural. Owners of property in the area of this proposal should be made aware that agricultural uses, even when done in a manner consistent with good agricultural practices, may generate impacts such as noise, dust, flies, odors, aerial spraying, and slow-moving equipment on County roadways. It is important for future residents to note that adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement and recommends they be placed on all plats adjacent to unincorporated areas:

Right-to-Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged

to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

Weld County Right to Extract Mineral Resources Statement

Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the State's commercial mineral deposits are essential to the State's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.

Mineral resource locations are widespread throughout the County and person moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Weld County



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

March 29, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: C&M Annexation Nos. 1-5 and Special Use Permit, Case #s unknown

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **C&M Annexation Nos. 1-5 and Special Use Permit**. Please be advised that Public Service Company has existing intermediate pressure natural gas pipeline within the areas indicated in this proposed Annexation No. 4, both within and crossing. The City of Fort Lupton must send us notification after approval of the proposed annexation has been finalized. This notification should be sent to Jacob Van Laere (303-571-3818) at: Xcel Energy, 1123 West 3rd Avenue, Denver, Colorado 80223 or jacob.van.laere@xcelenergy.com. This will allow our mapping department to make the necessary updates to our mapping system.

Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Should the project require any new natural gas service or modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

LEGAL NOTIFICATIONS

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Cesar Rodriguez Gallardo with C&M Rodriguez Services, Inc. for a special use permit for a property located west and adjacent to US. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements. The proposed zoning for the property is to the 'C-2' Heavy Commercial Zone District, and is being considered at separate public hearings before the Planning Commission and City Council.

The public hearings are to be held before the Planning Commission on Thursday, April 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

LOT B OF RE 4015, LYING IN THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, OF THE 6TH P.M., WELD COUNTY, COLORADO.

Sign Posting Affidavit

LUP2020-0008; ANX2020-0002; COZ2020-0002; SUP2020-0001.



Location: Posted on U.S. Highway 85



Location: Posted on County Road 25 1/2

I, Cesar Rodriguez Gallardo hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 16 day of March, 2020.

Cesar Rodriguez Gallardo

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Cesar Rodriguez Gallardo this 16th day of March, 2020. Witness my hand and seal.

My commission expires July 01 2023

[Signature]
 Notary Public

(SEAL)

ELSA SALDIVAR
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20154025848
 MY COMMISSION EXPIRES JULY 01 2023



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 10th day of March, 2020, a true and correct copy of the foregoing Notice of Public Hearings and Special Use Permit map for the C&M Rodriguez Special Use Permit was sent via U.S. Mail, postage pre-paid, to the following addresses:

MILLER KENNETH C
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

BALCOM NATHAN WILMONT
BALCOM GAIL ANN
11020 COUNTY ROAD 25 ½
FORT LUPTON, CO 80621

KUNZMAN FAMILY LLC
10952 US HIGHWAY 85
FORT LUPTON, CO 80621

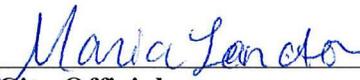
NELSON KIM
NELSON STEVE
12823 COUNTY ROAD 24
FORT LUPTON, CO 80621

NESON KIM
NELSON STEVE
112 MELODY LN
PLATTEVILLE, CO 80651

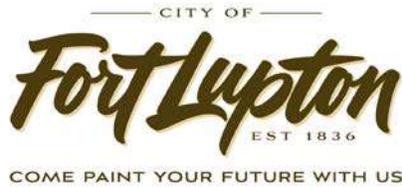
MILLER FAMILY FARM LLC
12251 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

TREVINO PATRICIA
10508 COUNTY ROAD 22 ½
FORT LUPTON, CO 80621

C&M RODRIGUEZ SERVICES INC
PO BOX 677
FORT LUPTON, CO 80621



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a special use permit known as the C&M Rodriguez Special Use Permit for outdoor storage located west and adjacent to U.S. Highway 85 and approximately 0.49 miles south of County Road 24 ½ in Weld County, Colorado. The proposed zoning for the property is to the 'C-2' Heavy Commercial Zone District, and is being considered at separate public hearings before the Planning Commission and City Council.

The public hearings are to be held before the Planning Commission on Thursday, April 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

LOT B OF RE 4015, LYING IN THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 66 WEST, OF THE 6TH P.M., WELD COUNTY, COLORADO.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/fldevelopment) AND SCROLLING DOWN TO THE ROWS TITLED: C&M RODRIGUEZ ANNEXATION, INITIAL ZONING, AND SPECIAL USE PERMIT.

CERTIFICATION

RE: NOTIFICATION OF MINERAL INTEREST OWNERS AND LESSEES

The undersigned Applicant certifies compliance with the provisions of C.R.S. § 24-65.5-103(1), and in support thereof, states and certifies as follows:

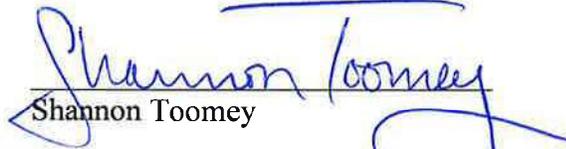
1. That Applicant has provided notice, (a copy of which is attached hereto as Exhibit "A"), containing the time and place of the initial public hearing on its application for Case Numbers **ANX2020-0002, COZ2020-0002, and SUP2020-0001**, the nature of the initial public hearing, the legal description by section, township and range of the property which is the subject of the initial public hearing, and the name of the applicant;

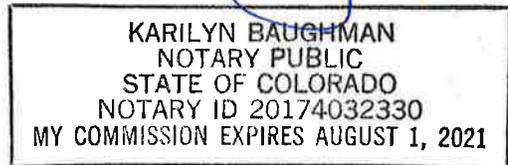
2. That said notice was provided thirty (30) days prior to the scheduled public hearing, that it was provided by certified mail, return receipt requested, or by a nationally recognized overnight courier;

3. That said Exhibit A includes the list of the names and addresses of the surface owners, mineral estate owners and lessees of mineral interests to whom the notice was sent, including those persons who have requested receipt of such notices, pursuant to C.R.S. § 24-65.5-103(3).

APPLICANT:

C&M Rodriguez Services, Inc.
c/o Shannon Toomey - AGPROfessionals


Shannon Toomey



STATE OF Colorado
COUNTY OF Weld

Subscribed and sworn to before me this 5th day of March, 2020, by
Shannon Toomey.


Notary Public

Note: This Certification must be received by the Fort Lupton Planning and Building Department prior to or at the initial public hearing. If the Certification is not received by that time, the hearing will be rescheduled to a later date, and Applicant must re-notify all owners of mineral interests.

Exhibit A



LAND SERVICES
OIL AND GAS TITLE

P.O. Box 336337
Greeley, CO 80633

Phone (970) 351-0733
Fax (970) 351-0867

LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION
(C&M Rodriguez Services, Inc. Property)

Subject Property:

Township 2 North, Range 66 West, 6th P.M., Weld County, CO

Section 7: Lot B of Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 under Reception No. 3463669, being a portion of the E½NE¼

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq. in the Subject Property based upon the records of the Weld County Assessor and Clerk Recorder as of February 24, 2020 at 7:45 a.m.:

Mineral Owners:

Anadarko E&P Company LP
c/o Anadarko Petroleum Corporation
Attn: Manager Land- Western Division
P.O. Box 9149
The Woodlands, TX 77387-9147

Anadarko Land Corporation
c/o Anadarko Petroleum Corporation
Attn: Manager Property & Rights-of-Way
P.O. Box 9149
The Woodlands, TX 77387-9147

Mineral Leasehold Owners:

Noble Energy, Inc.
Attn: Wattenberg Land Department
1625 Broadway, Suite 2000
Denver, CO 80202

Kerr-McGee Oil & Gas Onshore LP
Attn: Land Manager/Wattenberg
1099 18th Street, Suite 1500
Denver, CO 80202

K.P. Kauffman Company, Inc. (KPK)
1675 Broadway, Suite 2800
Denver, CO 80202

Dated this 2nd day of March, 2020.

ZEREN LAND SERVICES


By: Cynthia A. E. Zeren, CPL
Certified Professional Landman #4044

At the request of **AGPROfessionals** ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq.

Zeren Land Services, searched (i) the records of the Weld County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the Weld County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through February 24, 2020 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, **the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services**, for the listing.

In order to induce Zeren Land Services, to provide such services, **Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing.** Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). **Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.**

Date: March 2, 2020

ZEREN LAND SERVICES

By: 
Cynthia A. E. Zeren, as President

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 0509 77

Anadarko E&P Company LP
c/o Anadarko Petroleum Corporation
Attn: Manager Land- Western Division
P.O. Box 9149
The Woodlands, TX 77387

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

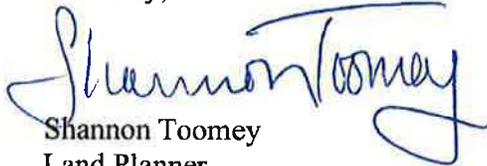
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,


Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 0027 23

Anadarko Land Corporation
c/o Anadarko Petroleum Corporation
Attn: Manager Property & Rights-of-Way
P.O. Box 9149
The Woodlands, TX 77387

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

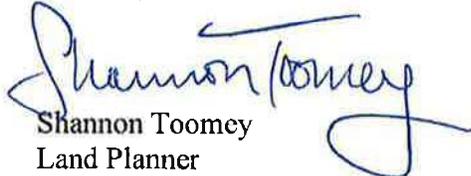
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 8171 36

Noble Energy, Inc.
Attn: Wattenberg Land Department
1625 Broadway, Suite 2000
Denver, CO 80202

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

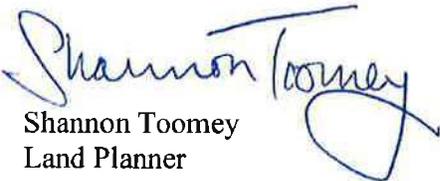
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 8772 53

Kerr-McGee Oil & Gas Onshore LP
Attn: Land Manager/Wattenberg
1099 18th Street, Suite 1500
Denver, CO 80202

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

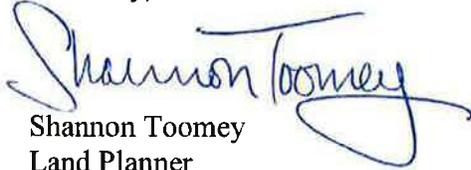
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E ½ of the NE ¼ of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department

March 5, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8118 9956 1622 8673 15

K.P. Kauffman Company, Inc. (KPK)
1675 Broadway, Suite 2800
Denver, CO 80202

Re: AGPRO Project #1322-06

To Whom It May Concern:

This letter is to inform you that C&M Rodriguez Services, Inc. (Applicant) is filing for an Annexation, Change of Zone, and Special Use Permit through the City of Fort Lupton. Please refer to case numbers ANX2020-0002, COZ2020-0002, and SUP2020-0001. You may have an interest in the mineral rights on the Applicant's property more particularly described below.

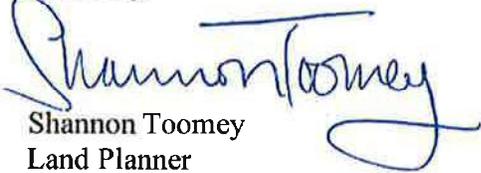
Legal Description:

Lot B Recorded Exemption No. 1309-07-01 RE-4015 recorded March 22, 2007 at Reception no. 3463669, being a portion of the E 1/2 of the NE 1/4 of Section 7, Township 2 North, Range 66 West, of the 6th P.M., County of Weld, State of Colorado.

The City of Fort Lupton Planning Commission hearing is scheduled for April 9, 2020 at 6:00 p.m., and the City Council hearing is scheduled for April 21, 2020 at 7:00 p.m. The hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Avenue, Fort Lupton, CO 80621. Comments can be submitted in writing to the Fort Lupton Planning & Building Department on or before the date of the public hearing.

If you have any questions, please feel free to contact us at (970) 535-9318. We will be representing the Applicant throughout the application process. Alternatively, additional information can be obtained by writing or calling Todd Hodges, Fort Lupton Planning Director, at (720) 466-6106.

Sincerely,



Shannon Toomey
Land Planner

CC: Fort Lupton Planning & Building Department



AGPROprofessionals
DEVELOPERS OF AGRICULTURE

3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 0027 23

Anadarko Land Corporation
Attn: Manager Property & Rights-of-W
c/o Anadarko Petroleum Corporation
P.O. Box 9149
The Woodlands TX 77387-9149

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2020
stamps
endicia



AGPROprofessionals
DEVELOPERS OF AGRICULTURE

3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 0509 77

Anadarko E&P Company LP
Attn: Manager Land- Western Division
c/o Anadarko Petroleum Corporation
P.O. Box 9149
The Woodlands TX 77387-9149

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2020
stamps
endicia



3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 8171 36

Noble Energy, Inc.
Attn: Wattenberg Land Department
1625 Broadway, Suite 2000
Denver CO 80202-4720

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2022
stamps
ending



3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 8673 15

K.P. Kauffman Company, Inc. (KPK)
1675 Broadway, Suite 2800
Denver CO 80202-4690

\$5.75
US POSTAGE
FIRST-CLASS
FROM 80634
MAR 05 2022
stamps
ending

 **AGPRO**professionals
DEVELOPERS OF AGRICULTURE
3050 67TH AVENUE
GREELEY, CO 80634

CERTIFIED MAIL®



9414 8118 9956 1622 8772 53

Kerr-McGee Oil & Gas Onshore LP
Attn: Land Manager/Wattenberg
1099 18th Street, Suite 1500
Denver CO 80202-1908

\$5.75
US POSTAGE
FIRST-CLASS PERMIT NO. 1000
FROM 80634
MAR 05 2005
stamp
ending

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-084

APPROVING A RESOLUTION FOR THE VINCENT VILLAGE PRELIMINARY SITE PLAN

I. **Agenda Date:** Council Meeting – April 21, 2020

- II. **Attachments:**
- a. Proposed Resolution
 - b. Planning Commission Resolution, Minutes & Staff Report
 - c. Land Use Application & Project Description
 - d. Preliminary Site Plan Maps
 - e. Referral Responses
 - f. Legal Notifications

III. **Summary Statement:**

Ryan Zent with The Michaels Development Company (the "Applicant") has submitted an application for a preliminary site plan, to be known as the Vincent Village Apartment Preliminary Site Plan. The site will include two 3-story, 36-plex garden style buildings, containing 72 total units. A clubhouse, playground, and dog park are also included on the site plan. The site is located near the northeast corner of Rollie Avenue and State Highway 52 (First Street).

IV. **Submitted by:** _____
Planner

V. **Finance Reviewed** _____
Sean Arino
Finance Director

VI. **Approved for Presentation:** _____
[Signature]
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

Ryan Zent with The Michaels Development Company (the "Applicant") has submitted an application for a preliminary site plan, to be known as the Vincent Village Apartment Preliminary Site Plan. The site will include two 3-story, 36-plex garden style buildings, containing 72 total units. A clubhouse, playground, and dog park are also included on the site plan. The site is located near the northeast corner of Rollie Avenue and State Highway 52 (First Street).

The Property is zoned 'C-1' General Commercial, therefore the applicant will be requesting a change of zone to the 'PUD' Planned Unit Development Zone District when the final site plan is submitted. Additional information on this application is included in the materials attached to this Action Memorandum.

X. Legal/Political Considerations:

The Applicant is requesting approval of a preliminary site plan. Review of the preliminary site plan is intended to be an open exchange of ideas. At this stage, full engineering documents and reports were not required to be submitted. These documents will be required at the final site plan review stage, which would follow this preliminary site plan if it is approved. Approval of a preliminary site plan does not grant vesting.

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton press March 25, 2020.

Notice of the public hearings were posted on the Property at least fifteen (15) days prior to the hearings, pursuant to the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 23, 2020.

XI. Alternatives/Options:

The City Council has the following three options for each request:

- a) Approve the request;*
- b) Deny the request; or*
- c) Refer the request back to Planning Commission for further study.*

XII. Financial Considerations:

The applicant has paid all applicable land use application fees and are covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the preliminary site plan for Vincent Village Preliminary Site Plan. The conditions are listed in the proposed Resolution provided to Council.

RESOLUTION NO. 2020Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE VINCENT VILLAGE PRELIMINARY SITE PLAN LOCATED NEAR THE NORTHEAST CORNER OF ROLLIE AVENUE AND HIGHWAY 52 IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020 for the purpose of reviewing the Vincent Village Preliminary Site Plan; and

WHEREAS, the Vincent Village Preliminary Site Plan will include two 3-story, 36-plex garden style buildings consisting of 72 total units, a clubhouse, playground, and dog park; and

WHEREAS, after review of the application and supporting documentation, find the request for the site plan application generally conforms with City codes and requirements and policies therein; and

WHEREAS, the City Council held a public hearing to consider and review the request for a site plan on April 21, 2020; and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Fort Lupton City Council has taken into consideration the supporting documentation and staff comments, all referral comments and any citizen testimony in response to this application. Based on the facts presented on this date, the City Council hereby approves the Vincent Village Preliminary Site Plan located near the northeast corner of Rollie Avenue and Highway 52 to City Council, with the following conditions:

- I. Prior to submitting a final site plan review submittal:
 - A. The title of the Preliminary Site Plat map shall include the Project No.: LUP2020-0007 & Plan No. SPR2020-0001.
 - B. Any redline comments provided by staff shall be made to the preliminary site plan map.
 - C. Applicant shall submit a pre-application meeting request to discuss the next steps and requirements for submitting a final site plan review, including a concurrent change of zone and comprehensive plan amendment application.

II. As a part of the final site plan review submittal:

A. Applicant shall submit a traffic impact study, pursuant to the written comments received from the Colorado Department of Transportation.

B. Applicant shall continue to work with CenturyLink on obtaining a commitment to serve letter.

C. Applicant shall provide written acknowledgment of the comments received from the Fort Lupton Fire Protection District, and take the comments into consideration for the final site plan and construction document submittal materials.

D. Applicant shall provide written acknowledgment of the comments received from United Power, and take the comments into consideration for the final site plan and construction document submittal.

E. Applicant shall provide written acknowledgment of the comments received from United Power, and take the comments into consideration for the final site plan and construction document submittal.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL THIS 21st DAY OF APRIL 2020.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

Approved as to Form:

Andy Ausmus, City Attorney

RESOLUTION P2020-011

RESOLUTION NO. P2020-011

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE VINCENT VILLAGE APARTMENTS PRELIMINARY SITE PLAN LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing the Vincent Village Apartments Preliminary Site Plan; and

WHEREAS, the Vincent Village Apartments Preliminary Site Plan will include two 3-story 36-plex garden style buildings consisting of 34% 1-bedroom units, 50% 2-bedroom units, and 16% 3-bedroom units, as well as a dog park; and

WHEREAS, after review of the application and supporting documentation, the Planning Commission finds the request for the site plan application generally conforms with City codes and requirements and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has considered the application and has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the Vincent Village Apartments Preliminary Site Plan to allow for two 3-story 36-plex garden style buildings consisting of 34% 1-bedroom units, 50% 2-bedroom units, and 16% 3-bedroom units, as well as a dog park for a property located in the southeast quarter of the northwest quarter of section 5, Township 1 North, Range 66 West of the Sixth Principal Meridian, Fort Lupton, Colorado, with the following conditions:

- I. Prior to submitting a final site plan review submittal:
 - A. The title of the Preliminary Site Plat map shall include the Project No.: LUP2020-0007 & Plan No. SPR2020-0001.
 - B. Any redline comments provided by staff shall be made to the preliminary site plan map.'
 - C. Applicant shall submit a pre-application meeting request to discuss the next steps and requirements for submitting a final site plan review, including a concurrent change of zone and comprehensive plan amendment application.

II. As a part of the final site plan review Submittal:

A. Applicant shall submit a traffic impact study, pursuant to the written comments received from the Colorado Department of Transportation.

B. Applicant shall continue to work with CenturyLink on obtaining a commitment to serve letter.

C. Applicant shall provide written acknowledgment of the comments received from the Fort Lupton Fire Protection District, and take the comments into consideration for the final site plan and construction document submittal materials.

D. Applicant shall provide written acknowledgment of the comments received from United Power, and take the comments into consideration for the final site plan and construction document submittal.

E. Applicant shall provide written acknowledgment of the comments received from United Power, and take the comments into consideration for the final site plan and construction document submittal.

DONE THIS 9th DAY OF APRIL, 2020 BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

MINUTES

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles. She stated that

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two , and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT

**VINCENT VILLAGE APARTMENTS PRELIMINARY SITE PLAN
STAFF REPORT
PROJECT NO. LUP2020-0007 / PLAN NO. SPR2020-0001**

PROJECT DESCRIPTION

Project No.: LUP2020-0007 / Plan No. SPR2020-0001

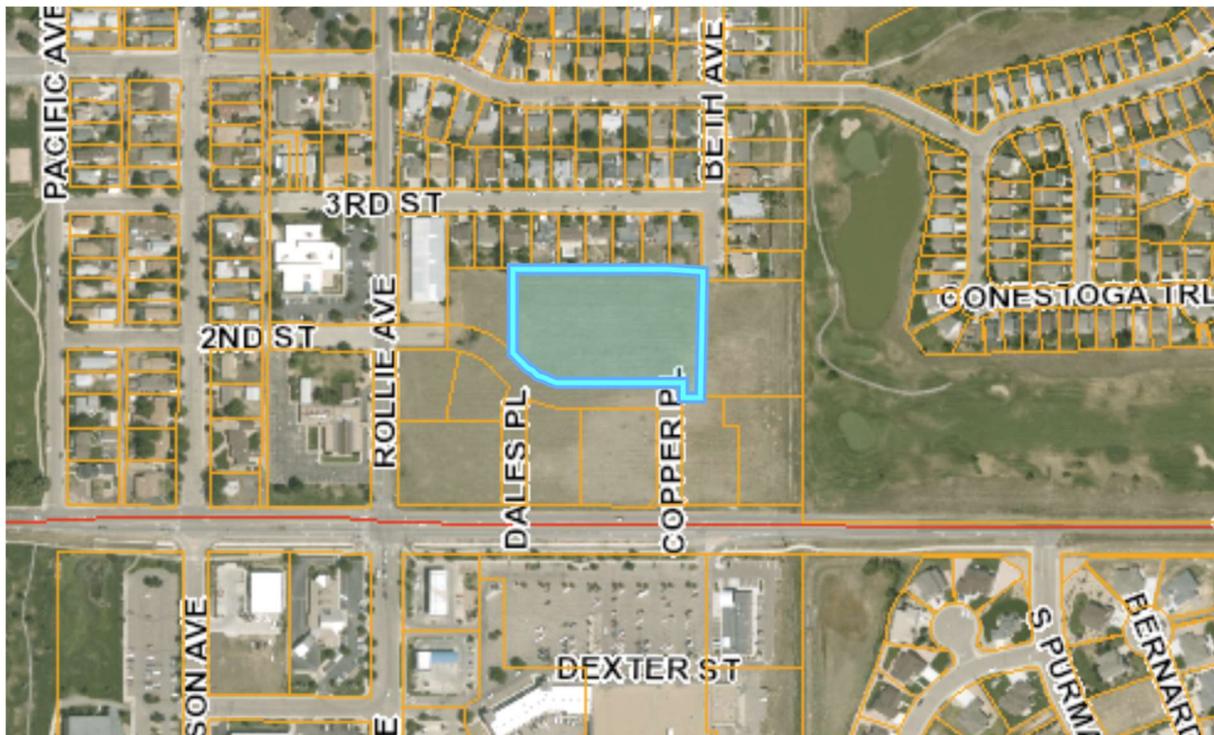
Project Name: Vincent Village Apartments Preliminary Site Plan

Owner's Name: Robert R. Leino with Vincent Village LLC (the "Owner")

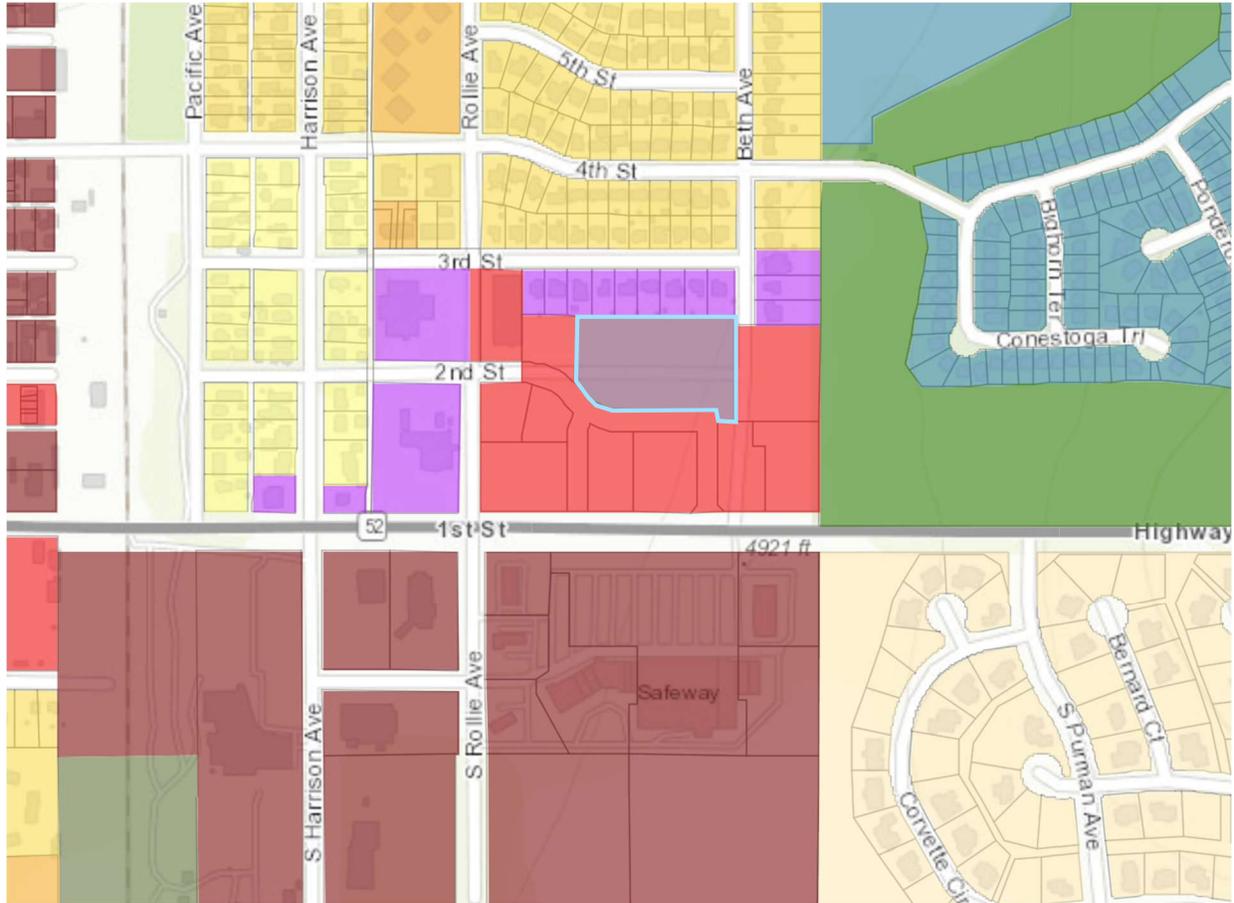
Representative/Applicant: Adam Kantor with Kephart: Community Planning Architecture (the "Representative") and Ryan Zent with Vincent Village Associates LLC and The Michaels Development Company (the "Applicant")

Location of Request:

The site is located in the Southeast Quarter of the Northwest Quarter of Section 5, Township 1 North, Range 66 West of the Sixth Principal Meridian, City of Fort Lupton, County of Weld, State of Colorado. It is located near the northeast corner of Rollie Avenue and State Highway 52 (First Street) ("Property").



The Property is directly surrounded by R-O Residential Office to the north and C-1 General Commercial to east, south and west. The current uses include single family residential to the north and currently undeveloped land to the east, south, and west. Site plans for a 7-11 Gas Station and a Dale’s Pharmacy have been approved for parcels south of the site.



Nature of Request:

The Applicant has submitted a preliminary site plan application. The site will include two 3-story 36-plex garden style buildings. The 72 total units are proposed with a mix of 34% 1-bedroom units, 50% 2-bedroom units, and 16% 3-bedroom units. Units range from 663 sf to 1,115 sf. A clubhouse, playground, and dog park is also included on the site plan.

Site Size: The Property is 2.89 acres, more or less.

Zone District: Current zoning is C-1 General Commercial; however, the applicant will be requesting a change of zone to the PUD Planned Unit Development Zone District concurrently with the final site plan application.

Proposed Use: Multi-family Residential.

Existing Use: Vacant Land.

Hearing Dates: Planning Commission – April 9, 2020 at 6:00 PM; and

City Council – April 21, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions listed in the proposed resolution.

APPLICATION PROCESS

The Applicant is requesting approval of a preliminary site plan. The Planning Commission’s review of the preliminary site plan is intended to be an open exchange of ideas where the Commission members are encouraged to discuss any issues, questions, or concerns with the applicant(s) and staff. Because this is a preliminary site plan, full engineering documents and reports were not required to be submitted. These documents will be required at the final site plan review stage, which would follow this preliminary site plan if it is approved.

After required public notice of the site plan application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the site plan. The Planning Commission’s comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City’s standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City’s standards, regulations and policies and other guidelines. If the preliminary site plan is approved by City Council, the Applicant must then submit a final site plan application, to be submitted and reviewed pursuant to [Section 16-170 of the Fort Lupton Municipal Code](#).

NOTIFICATION REQUIREMENTS

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton press March 25, 2020.

Notice of the public hearings were posted on the Property at least fifteen (15) days prior to the hearings, pursuant to the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 23, 2020.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The property is located within the C-1 General Commercial Zone District; however, the applicant will be requesting a change of zone to the PUD Planned United Development Zone District with the final site plan. This change of zone request is appropriate because C-1 General Commercial zoning does not allow for multifamily residential developments. PUD Planned Unit Development zoning will allow for more flexibility and creativity in developing the high-density residential site.

Section 16-170(b)(2) of the Fort Lupton Municipal Code (the “Code”) states that the site plan review is required for all multifamily developments. A site plan review requires a public hearing before Planning

Commission and City Council. The intent of the site plan review is to promote orderly and sound development standards as they apply to the City and enhance and protect the community’s natural as well as man-made environments.

The Applicant, along with City staff, determined that a preliminary site plan review would be appropriate prior to submitting a final site plan for review in order for the Applicant to receive comments from Planning Commission and City Council on the plan concept. Because this is a preliminary site plan, full engineering documents and reports were not required to be submitted. These documents will be required at the final site plan review stage, which would follow this preliminary site plan if it is approved.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area as Commercial General land uses. This designation allows for commercial businesses that offer residents basic goods and services. This supports a range of development styles, including stand-alone businesses on smaller properties as well as commercial shopping centers with multiple tenants. Primarily located along the City’s major corridors, expansion of general commercial will offer residents greater shopping options within Fort Lupton and contribute to increased local commerce. In addition to commercial, these areas can include small office buildings, medical practices, and public and semi-public uses.

Directly north of this site, the Fort Lupton Comprehensive Plan designates Single Family Detached land uses. This designation allows for neighborhoods of predominantly single family detached homes on individual lots. This can consist of a variety of development types, including higher density homes within the City’s urban core and planned subdivisions within residential growth areas. In addition to single family units, these neighborhoods may include scattered single family attached and multi-family housing options, as well as public and semi-public uses. High-density housing is often used to create a smooth transition between these land uses.

The Fort Lupton Comprehensive Plan identifies a lack of both multifamily housing and renter occupied housing within the city. To this point, the City wishes to encourage greater diversity of housing options being developed. In addition, staff believes that the development of multifamily at this location will create a compatible transition between the commercial to the south of the property, and the single-family housing to the north. Therefore, staff supports the development of multifamily housing at this Property; however, a comprehensive plan amendment will likely need to be submitted concurrently with the final site plan review. This will be discussed further at the pre-application meeting prior to submitting the final site plan review documents.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

CDOT	CenturyLink	City Attorney
Colorado Parks and Wildlife	Comcast	Fort Lupton Fire Protection District
Fulton Ditch Company	GIS Specialist	Golf Course Manager
NCWCD	OMI	Police Chief
Postmaster	Recreation Manager	United Power

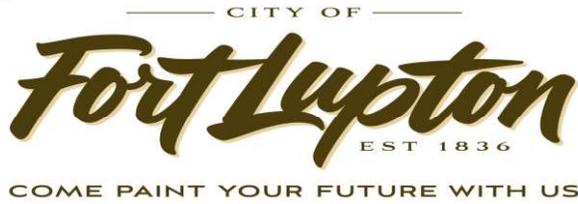
Weld County School District RE-8	Xcel Energy	
----------------------------------	-------------	--

RECOMMENDATION

Staff recommends conditional approval of the Vincent Village Apartments Preliminary Site Plan. Conditions are listed on the proposed Resolution provided to Planning Commission.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents may be available for review at the Fort Lupton City Hall.

LAND USE APPLICATION & PROJECT DESCRIPTION



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
 Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

- 1) Property Owner Name: Vincent Village LLC - Robert R. Leino, Managing Member
 Company: _____
 Phone: 720-339-8841 Email: bleino@fullerre.com
 Address: 5300 DTC Pkwy Suite 100 - Greenwood Village, CO 80111
 Preferred method of contact? Email: Phone: Mail:
- 2) Representative Name: Adam Kantor
 Company: KEPHART: Community Planning Architecture
 Phone: 303-832-4474 Email: Adamk@kephart.com
 Address: 2555 Walnut St. Denver, CO 80205
 Preferred method of contact? Email: Phone: Mail:
- 3) Billing Contact (*where invoices should be directed to*): Ryan Zent
 Billing Company: Vincent Village Associates, LLC (The Michaels Development Company)
 Phone: 720-845-6500 Email: rzent@tmo.com
 Address: 6105 S. Main Street, Suite 200, Aurora, CO 80016

B. SITE DESCRIPTION

Site Address: TBD; Northeast Corner of Rollie Avenue and Second Street
 Parcel Number: Vincent's East Addition 3rd Filing Seconded Amended, Lot 8
 Existing Zone Classification: C-1 Proposed Zone Classification: PUD or R-3
 Water Type: Municipal Name: _____
 Sewage Type: Municipal District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|---|--|---|
| <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

D. PROJECT DESCRIPTION

Project Name: Vincent Village Apartments

Please provide a short description of the proposed project in the space provided below:

The applicant is proposing to develop a 72 unit workforce housing community. The project will be comprised of two 3-story 36-plex garden style buildings. The neighborhood will provide a mix of 1, 2, and 3-bedroom apartments, all of which have been proven to be attractive to residents in our other communities. This addition to the community will not only help diversify the housing options in Fort Lupton, it will help to synergize and solidify the adjacent neighborhoods.

E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative: Adam Kantor Date: 2/7/20

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner:  Robert R. Leino, Managing Member Date: 2/10/2020

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Instructions for Submitting the Land Use Application Form

DEFINITIONS

Words in the singular include the plural and words in the plural include the singular.

Application refers to the official submittal to the City of Fort Lupton's Planning Department for review of the proposed land use development identified in the land use application form. The application includes the form, all materials submitted for review of the project, including those documents required under the Land Use Regulations of the Municipal Code, and any additional information provided.

Project refers to the land use development identified on the land use application form and application materials.

Property refers to the land that is being proposed for development as described in the land use application form and application materials.

A. CONTACT INFORMATION

- 1) Provide contact information for all owners of any property that is the subject of the application. If the contact information for all property owners will not fit on the space provided, submit a separate sheet for the additional owners.
- 2) Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings. If the contact information for all representatives will not fit on the space provided, submit a separate sheet for the additional representatives.
- 3) Provide contact and mailing information for the person that should receive all invoices for the project. If this person changes at any time, contact the Planning Department immediately to update this information.

B. SITE DESCRIPTION

Provide all information requested. Parcel numbers and address information may be found at the Weld County Property Portal at <https://www.co.weld.co.us/maps1/propertyportal/>. Current zoning can be found at <http://www.fortlupton.org/405/Zoning>.

C. APPLICATION TYPE

Select the land use application that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the required pre-application meeting. If you have any questions about this, please contact the Planning Department at 303.857.6694 or planningdept@fortlupton.org.

D. PROJECT DESCRIPTION

Please select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, please attach a separate sheet.

E. REQUIRED DOCUMENTS

Required documents will be discussed during the pre-application meeting with the Planning Department. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section.

Owner Certification. Provide the signature of all owners of properties included in the application in this section.

For any other questions, please contact the Planning Department at 303.857.6694 or planningdept@fortlupton.org.



February 10, 2020

Planning and Building
City of Fort Lupton
130 S. McKinley Avenue
Fort Lupton, CO 80621

**RE: Vincent Village Preliminary Site Plan Application Submittal
KA# 218098**

To Whom It May Concern,

On behalf of the Applicant, The Michaels Development Company, we are pleased to submit this preliminary site plan land use application for the 3 Acre property located north of Highway 52 and to the east of Rollie Avenue. The applicant is proposing to develop a 72-unit workforce housing community. The addition of this housing typology to the community will not only help diversify the housing options in Fort Lupton, it will help to synergize and solidify the adjacent neighborhoods.

The land site located at the North East Corner of State Highway 52 and Rollie Avenue Fort Lupton, CO 80621 is currently zoned as C-1, General Commercial District. This zoning designation does not include multifamily residential as a permitted use. The City of Fort Lupton Planning Department has recommended that the development team pursue a Planned Unit Development (PUD) rezoning approval, in order to allow the project to move forward. This rezoning process will require a preliminary approval from the City of Fort Lupton Planning Department, as well as approval from Fort Lupton’s City Council in the form of a vote. This entitlement process will allow for the high-density residential use to allow for the much-needed workforce housing development model, while also allowing Fort Lupton’s City Council and Planning Department to have an adequate opportunity to impact and refine the project’s characteristics to ensure its congruence with the surrounding community.

According to page 34 of the Fort Lupton Comprehensive Plan, “Less than 15 percent of the City’s housing stock is multi-family units and none have been added since before 2005. This suggests a potential need for more multi-family units and/or updated existing multi-family product. Community outreach suggested that there was a lack of such middle housing...” The plan also states, “For rental housing, the case is similar but with an even greater margin for low-rent units. The number of low-income households is far greater than the available low rent units that they can afford. This suggests the need for more affordable housing.” This proposal strives to bring highly desired for-rent affordable units to the Fort Lupton market.

The site plan has been designed to ensure compatibility with the surrounding neighborhood context. Single-family homes border the subject property to the north. As a result, a significant 40’ building setback has been created to allow additional landscaping and open space between the two properties. Buildings have been strategically placed in a north/south direction to minimize units facing the adjacent single-family use. Units instead primarily face the centrally located clubhouse and playground. The Clubhouse is located centrally to the project ensuring easy access to all residents from buildings 1 & 2 as well as visitors trying to locate the project from Rollie Ave. and/or Second St. The clubhouse features flexible indoor recreation areas and fitness as well as

2555 Walnut Street, Denver, CO 80205 303.832.4474 fax 303.832.4476 www.kephart.com



outdoor amenities such as a tot lot/playground and dog run. The project is served by three point of access off Second St. Two access points in between buildings 1 & 2 create an internal loop road throughout the project.

72 total units are proposed with a mix of 34% 1-bedroom units, 50% 2-bedroom units, and 16% 3-bedroom units. Units range from 663 sf to 1,115 sf. The average unit size within the project is 874 sf. 72 units on 3 acres results in an overall density of 24 du/ac. Units include outdoor patios, in-unit washer/dryer, and walk-in closets. These units have been efficiently designed specifically for workforce housing to emphasize the importance of eliminating wasted space.

The project will include a total of 127 spaces, which results in an overall parking ratio of 1.76 spaces per unit. Fort Lupton Municipal Code requires 174 total spaces or 2.42 sp/du. The applicant is requesting a parking reduction to meet the market standard parking ration of 1.75 sp/du for-workforce housing. Parking has been evenly distributed throughout the project to ensure residents have proximate parking options.

The exterior design of the buildings will be cohesive and promote distinctive styling with materials, massing, and details that are compatible with the surrounding residential and commercial neighborhoods. The architectural character of the buildings will emphasize horizontal forms and vary the roof architecture to create visual interest. Building articulation and the use of adhered synthetic stone veneer and cementitious board and batten siding is utilized to signify entry points. Stone veneer at the bottom of the elevation creates the buildings strong base and visually roots it to the ground. Horizontal Lap siding signifies 2 and 3 bedroom units while the cementitious board and batten siding indicates 1-bedroom units. A similar architectural style is used for the clubhouse. Enhanced doors and gable bracket detailing create a strong entrance experience. Lastly the use of similar materials to the residential building create one harmonious project.

Landscaping within the project is designed to match the thought and details of the architecture to create one consistent project. The planting design conveys a strong connection to the native plant life and landscape while complimenting the overarching project theme. The plant palette focuses on native and low water plants with a mix of canopy and ornamental trees, deciduous and evergreen shrubs, ornamental grasses, and flowering perennials. The height, spacing and textures of the plantings are designed to frame views, accent areas of interest and provide for year-round interest. The use of sod is minimal to help create a sustainable, water-wise and low maintenance landscape. The project will also include a variety of lighting features to ensure safety and wayfinding throughout the project. Enhanced lighting can be found within the auto courts, building entries, and the clubhouse. Additionally, project entry monumentation will be located near the clubhouse. Signage will match the architectural theme of the project.

The Vincent Village site design includes three separate points of egress, as shown in the attached project site plan. Each point of access on the site will allow traffic to both enter and exit the site. The two eastern points of egress will provide access to the surface parking serving Building 1, Building 2, and the clubhouse. These two points of egress will be connected by a drive isle loop. The separate point of egress on the west side of the site will provide access to the surface parking serving Building 1. Fire emergency vehicles will be able to access the site via any of the three entry points, which will allow them to respond to fire emergencies occurring in either of the two residential buildings on the site, or the clubhouse building.





Based on data provided by the Colorado Department of Transportation Online Transportation Information System, the average daily traffic count along Colorado State Highway 52 is a total of 13,687 cars per day. The proposed site design for Vincent Village apartments features a total of 127 surface parking spaces, equivalent to 1.76 parking spaces per apartment unit. Assuming each of these parking spaces is occupied by a resident's vehicle, and assuming each of these vehicles makes two round trips per day from the project site to their respective places of employment, the average daily traffic counts on Colorado State Highway 52 is not expected to increase by more than 508. It is expected that the existing roadways servicing the site will be able to sustain the additional traffic that will be generated by the project.

The proposed Vincent Village project will require certain public infrastructure improvements, in order to provide the required utility services to the project's two residential buildings and central clubhouse. Specifically, the project will require that the existing water, sewer and storm drain lines current located on Lot 14 shown in the attached site plan be extended to reach the project site, labeled as Lot 8.

In addition to these off-site improvements, certain on-site infrastructure improvements will be required relating to this project. A master water tap will have to be added, which is expected to be 2" in diameter. This master water tap will then service each of the three project buildings individually, which will each have their own independent meter. Individual units at the property will not have independent water meters, but they will include individual shutoffs in order to facilitate maintenance work at the property. Additional on-site utility improvements will include a drainage system connecting to the City's storm drain line, an on-site detention pond for stormwater retention, and a sewage collection system connecting to the City's sewage line.

The costs of both the off-site and on-site utility infrastructure improvements will be borne by Vincent Village Associates, LLC. In addition, all tap fees that are payable as a result of the utility infrastructure improvements described above will be paid by Vincent Village Associates, LLC. The exact cost of these infrastructure improvements and resulting impact fees will be identified specifically, once the project's design has been finalized and a building permit for the project has been issued.

We are excited about the prospect of building this creative, high quality neighborhood in Fort Lupton. The Michaels Development Company and the design team look forward to working with city staff throughout the review process.

Thank you for your consideration,

Adam Kantor
KEPHART

MAPS & DRAWINGS

Site Summary:

Site Acreage	3.0 Ac
Number of Units	72 Du
Density	24 Du/Ac
Parking	1.76 Sp/Du (127 Total Spaces)



Preliminary Site Plan

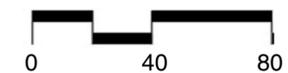
VINCENT VILLAGE APARTMENTS

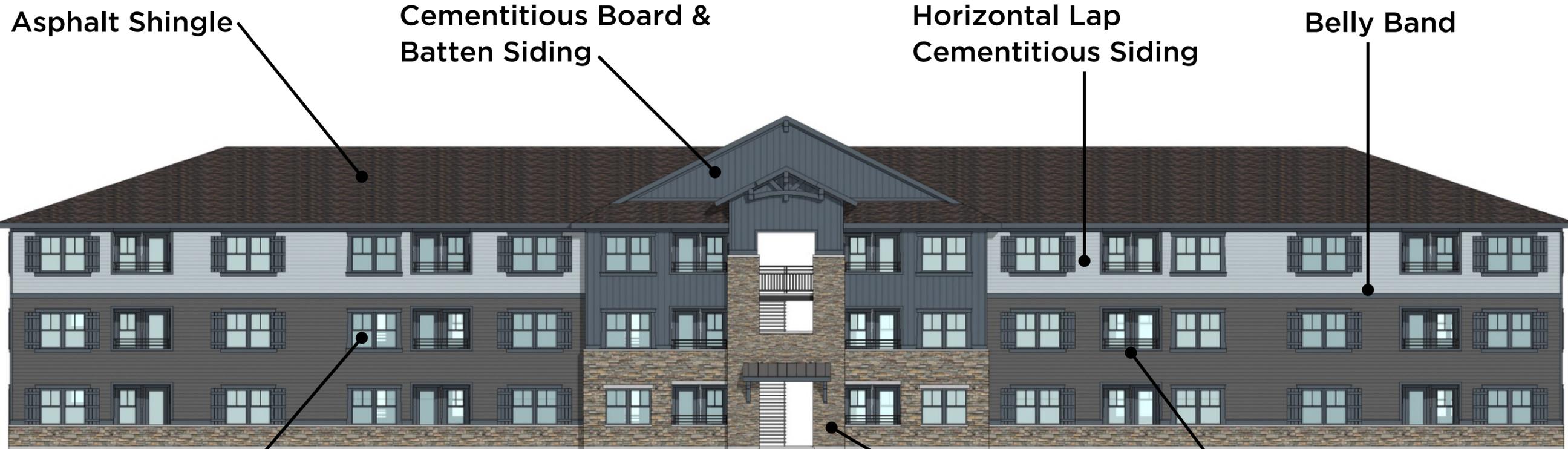
Fort Lupton, CO

2.07.2020



KA# 218098





Asphalt Shingle

Cementitious Board & Batten Siding

Horizontal Lap Cementitious Siding

Belly Band

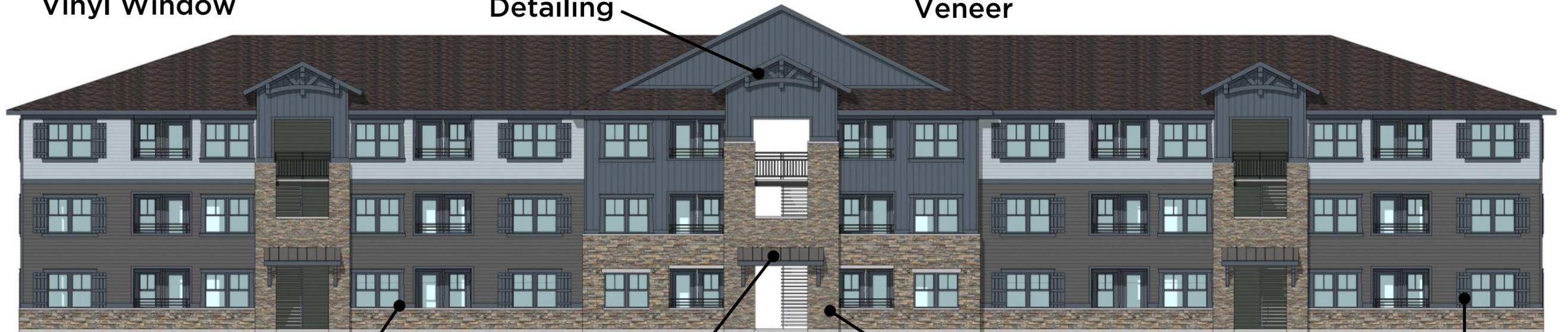
Single-Hung Vinyl Window

Gable Bracket Detailing

Adhered Synthetic Stone Veneer

Halfwall Decks

Rear



Window Trim Package

Metal Roof Awning

Building Articulation at Entries

Shutters Painted to Match Trim

Front

36-Plex Elevation

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

2.07.2020

KA# 218098

Cementitious Board & Batten Siding

Asphalt Shingle

Horizontal Lap Cementitious Siding

Single-Hung Vinyl Window

Belly Band

Gable Bracket Detailing

Building Articulation at Entries

Window Trim Package

Shutters Painted to Match Trim

Adhered Synthetic Stone Veneer

Typ. Side

36-Plex Side Elevation

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

2.07.2020

KA# 218098



Asphalt Shingle

Cementitious Board & Batten Siding

Single-Hung Vinyl Window

Window Trim Package

Adhered Synthetic Stone Veneer

Rear



Gable Bracket Detailing

Building Articulation at Entry

Enhanced Entry Doors

Horizontal Lap Cementitious Siding

Front

Clubhouse Elevations

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

2.07.2020

KA# 218098



Asphalt Shingle

Cementitious Board & Batten Siding

Window Trim Package

Single-Hung Vinyl Window

Adhered Synthetic Stone Veneer



Right

Outdoor Fire Place

Horizontal Lap Cementitious Siding



Left

Clubhouse Elevations

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

2.07.2020

KA# 218098





Playground Perspective View

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

2.07.2020

KA# 218098





Dog Park Perspective View

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

2.07.2020

KA# 218098



KEPHART
community • planning • architecture

REFERRAL RESPONSES

Maria Lancto

From: Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us>
Sent: Tuesday, March 17, 2020 12:46 PM
To: Maria Lancto
Cc: Alyssa Knutson; Todd Hodges; Bilobran, Timothy; Allyson Mattson - CDOT
Subject: Re: Vincent Village/Town of Fort Lupton/SH 52

Please provide us with a traffic impact study so that we can determine the impacts of traffic to the Rollie/SH 52 intersection.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



On Fri, Mar 13, 2020 at 9:39 AM Maria Lancto <MLancto@fortluptonco.gov> wrote:

Thank you for responding to Fort Lupton's Request for Referrals. We do want to make sure CDOT is aware that the recent request for referrals at this location is a new project. Previously, we have requested responses in regards to the Vincent Village Subdivision. Currently, the City is reviewing a preliminary site plan for a project called Vincent Village Apartments. We want to ensure CDOT had the opportunity to respond to this project as it may have traffic implications as a high density residential project.

This application can be found at the following link: [Vincent Village Apartments Preliminary Site Plan](#).

Thank you,

Maria Lancto

Planner I

130 S. McKinley Ave.

Fort Lupton, CO 80621

Office: 303.857.6694

Extension: 6107

Cell: 303.718.0172



From: Hice-Idler - CDOT, Gloria [mailto:gloria.hice-idler@state.co.us]

Sent: Thursday, March 12, 2020 11:19 AM

To: Maria Lancto <MLancto@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>

Cc: Bilobran, Timothy <timothy.bilobran@state.co.us>; Allyson Mattson - CDOT <allyson.mattson@state.co.us>

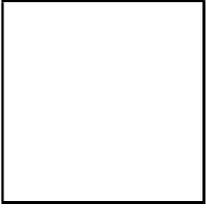
Subject: Vincent Village/Town of Fort Lupton/SH 52

CDOT has responded to this proposal before. Our comments have not changed.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629

10601 W. 10th Street, Greeley, CO 80634



The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

Century Link
700 W. Mineral ND E2.24
Littleton, CO 80120



March 05, 2020

Maria Lancto
Planning Dept
130 S. McKinley Ave
Fort Lupton, CO. 80621

CenturyLink appreciates the opportunity to provide the Vincent Village Apartments with its future communication needs. In response to the request for a commitment to serve, CenturyLink will work with the Vincent Village LLC on determining what the needs will be. Upon such determination, CenturyLink will undertake an analysis of the construction required and the cost to complete that construction. It is only at that point, and given the prevailing Terms and Conditions of the Local Terms of Service that CenturyLink will make a determination whether it can or cannot provide service.

The service you request will be provided for under the prevailing Terms and Conditions of the Local Terms of Service posted on our CenturyLink web site at www.CenturyLink.com/tariffs.

Sincerely,
Mark Fairchild
Century Link Engineering
700 W. Mineral ND E2.18
Littleton, CO 80120
Office: (720)-567-6689
Mark.fairchild@centurylink.com



Fort Lupton Fire Protection District

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: www.fortluptonfire.org

Date: 03/25/2020

Project name: Vincent Village Apartments Preliminary Site Plan

Project address: Vincent's East Addition 3rd Filing, Fort Lupton, Co 80621

FLFPD Project # R2020-016

Plan reviewer: Taw Tamlin, Fire Marshal

The Fire District has reviewed the referral for **Vincent Village Apartments Preliminary Site Plan**, located at **Vincent's East Addition 3rd Filing**, Fort Lupton, CO 80621. The submittal was reviewed for compliance with *2012 International Fire Code (IFC)* and the current National Fire Protection Association (*NFPA*) standards as adopted by the Fort Lupton Fire Protection District, City Council of Fort Lupton, and the Weld County Commissioners. The following specific and general requirements and conditions shall be met.

Specific Requirements:

1. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. *2012 IFC, 503.1.1*
2. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1). *2012 IFC, D103.1*
3. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. *2012 IFC, 503.2.3*
4. The required turning radius of a fire apparatus access road shall be determined by the fire code official. *2012 IFC, 503.2.4*
 - a. See attached document showing the minimum turning radius needed.
5. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. *2012 IFC, 503.3*

6. Automatic sprinkler Systems shall be installed throughout all buildings in accordance with NFPA 13.
7. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

Exception: A reduction in required fire-flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

8. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. C102.1
9. The minimum number of fire hydrants available to a building shall not be less than that listed in Table C105.1. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in Table C105.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted.
10. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. *2012 IFC, 505.1*
11. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2. *2012 IFC, 501.4*

Application for Plan review and Fee schedule can be found at
<https://fortluptonfire.org/contractors/>

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.



Turning Performance Analysis

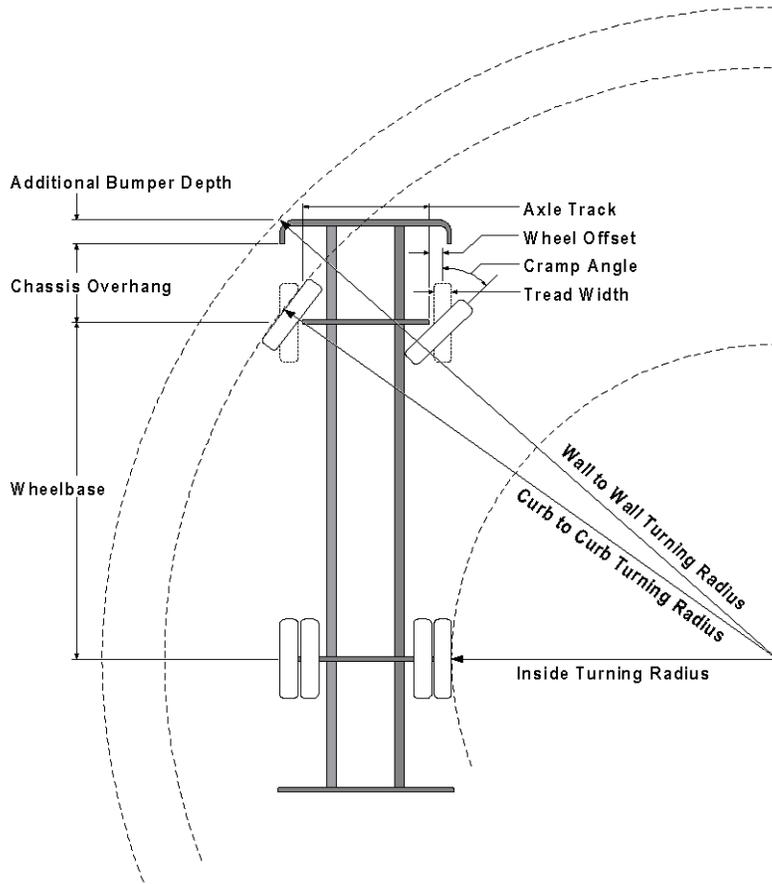
12/6/2012

Bid Number: 299

Department:

Chassis: Arrow-XT Chassis, PAP/SkyArm/Midmount MUX, 2010

Body: Aerial, Platform 100', Alum Body



Parameters:

Inside Cramp Angle:	45°
Axle Track:	82.92 in.
Wheel Offset:	5.25 in.
Tread Width:	17.4 in.
Chassis Overhang:	68.99 in.
Additional Bumper Depth:	19 in.
Front Overhang:	156.6 in.
Wheelbase:	247 in.

Calculated Turning Radii:

Inside Turn:	19 ft. 5 in.
Curb to curb:	35 ft. 6 in.
Wall to wall:	44 ft. 2 in.

Comments:

CategoryID	Category Description	OptionCode	OptionDescription
6	Axle, Front, Custom	0018453	Axle, Front, Oshkosh TAK-4, Non Drive, 22,800 lb, DLX/Enf/Qtm/AXT
30	Wheels, Front	0001656	Wheels, Front, 22.50" x 12.25", Steel, Hub Pilot
31	Tires, Front	0594821	Tires, Front, Goodyear, G296 MSA, 425/65R22.50, 20 ply
38	Bumpers	0550016	Bumper, 19" Extended, AXT, Dash CF
437	Aerial Devices	0592931	Aerial, 100' Pierce Platform, 50 MPH Wind Rating, 150lb Tip Load Allowance

Notes:

Actual Inside Cramp Angle may be less due to highly specialized options.

Curb to Curb turning radius calculated for a 9.00 inch curb.



Turning Performance Analysis

12/6/2012

Bid Number: 299

Chassis: Arrow-XT Chassis, PAP/SkyArm/Midmount MUX, 2010

Department:

Body: Aerial, Platform 100', Alum Body

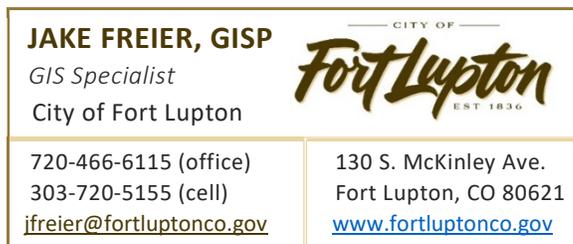
Definitions:

Inside Cramp Angle	Maximum turning angle of the front inside tire.
Axle Track	King-pin to King-pin distance of the front axle.
Wheel Offset	Offset from the center-line of the wheel to the king-pin.
Tread Width	Width of the tire tread.
Chassis Overhang	Distance of the center-line of the front axle to the front edge of the cab. This does not include the bumper depth.
Additional Bumper Depth	Depth that the bumper assembly adds to the front overhang.
Wheelbase	Distance between the center lines of the vehicle's front and rear axles.
Inside Turning Radius	Radius of the smallest circle around which the vehicle can turn.
Curb to Curb Turning Radius	Radius of the smallest circle inside of which the vehicle's tires can turn. This measurement assumes a curb height of 9 inches.
Wall to Wall Turning Radius	Radius of the smallest circle inside of which the entire vehicle can turn. This measurement takes into account any front overhang due to chassis, bumper extensions and/or aerial devices.

Maria Lancto

From: Jake Freier
Sent: Friday, March 27, 2020 9:31 AM
To: Maria Lancto
Subject: RE: Referral Response Request: Vincent Village Apartments Preliminary Site Plan; LUP2020-0007 & SPR2020-0001

Maria,
I have reviewed the application documents and have no comments.
Thanks,
Jake



From: Maria Lancto
Sent: Wednesday, March 4, 2020 4:02 PM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Alyssa Knutson <AKnutson@Fortluptonco.gov>; Stephanie Darnell <sdarnell@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>
Subject: Referral Response Request: Vincent Village Apartments Preliminary Site Plan; LUP2020-0007 & SPR2020-0001

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a Preliminary Site Plan that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [Vincent Village Apartments Preliminary Site Plan](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 25, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, April 9, 2020 at 6:00 PM**
- **City Council on Tuesday, April 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to planningdept@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto
Planner I

130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694
Cell: 303.718.0172





Your Touchstone Energy® Cooperative 

Hello,

Thank you for inviting United Power, Inc. to review and comment on the Vincent Village Apartments Preliminary Site Plan; LUP2020-0007 & SPR2020-0001. After review of the information, we will need a 10' utility easement along the southside of the lot along Second St, starting at the detention pond and going east past building 2. We most likely will need additional easements to service building 1 and building 2. If you can provide proposed transformer locations and the proposed running of lines to connect the buildings, this will help determine the additional easements that may be needed.

United Power would like to work with the developer early in the construction process on getting an electric design prepared so that we can request any additional easements needed and those easements can be dedicated on the plat rather than obtaining separate document(s). Obtaining easements via a separate document can be time consuming and could cause delays. The developer can visit <https://www.unitedpower.com/construction> and submit an application along with CAD data.

As a Reminder: No permanent structures are acceptable within the utility easement(s); such as, window wells, wing walls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions will be allowed, and any encroachments could result in penalties.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,



Samantha Riblett
United Power, Inc
Right of Way Administrative Assistant
Main 303-659-0551 | D 303-637-1324



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

March 29, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: Vincent Village Apartments, Case #s LUP2020-0007 and SPR2020-0001

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **Vincent Village Apartments**. The property owner/ developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

LEGAL NOTIFICATIONS

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Vincent Village Associates, LLC (The Michael Development Company) for a preliminary site plan for a multifamily residential development on a property located near the northeast corner of Rollie Avenue and State Highway 52 (First Street) in Fort Lupton Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements. The property is located in the C-1 General Commercial Zone District.

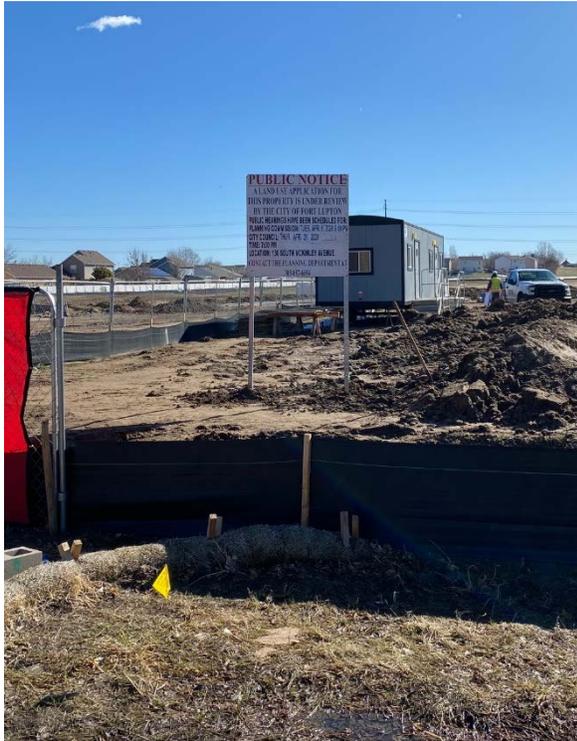
The public meetings are to be held before the Planning Commission on Thursday, April 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

Lot 8, Vincent's East Addition 3rd Filing Second Amended Subdivision, City of Fort Lupton, County of Weld, State of Colorado.
000Y6JX

Sign Posting Affidavit
 LUP2020-0007; SPR2020-0001



Location: Facing Rollie Ave



Location: Facing Beth Ave

I, _____ hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this ___ day of _____, 2020.

 Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by _____, this _____ day of _____, 2020. Witness my hand and seal.

My commission expires _____.

 Notary Public

(SEAL)

Maria Lancto

From: Ryan Zent <rzent@tmo.com>
Sent: Friday, March 13, 2020 9:52 AM
To: Maria Lancto
Cc: Michele Marshall; Ryan Watt; gary.clark@mccauleyconstructors.com
Subject: Fwd: Vincent Village - Lot 8 - Apartments Preliminary Site Plan: Public Notice Signs for posting
Attachments: Gary Clark.vcf
Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Maria - Pursuant to our phone call this morning, please see authorization below from the landowner to have the signs installed. We would prefer is Public Works were able to install the signs and are good with the \$500 deduct from the escrow balance.

I would kindly ask that when public works is planning to install the signs they coordinate and check in with the Site Superintendent, Gary Clark. Gary is cc'd on this email and his contact information is below.

Please let me know if you need anything else from us and once the signs are installed we can handle the required affidavit if it is required.

Thanks and have a great weekend!

Ryan

----- Forwarded message -----

From: Michele Marshall <mmarshall@fullerre.com>
Date: Fri, Mar 13, 2020 at 9:41 AM
Subject: RE: Vincent Village - Lot 8 - Apartments Preliminary Site Plan: Public Notice Signs for posting
To: Ryan Zent <rzent@tmo.com>
Cc: Joe Thayres <jthayres@tmo.com>, Ryan Watt <rwatt@tmo.com>, Gary Clark <gary.clark@mccauleyconstructors.com>

Ryan,

Follow-up to our quick chat.

Your plan to use PW for the install makes sense and you have the ok to go forth.

Again, with Jim Parks having moved on, I'm attaching Gary's vCard so you know who to coordinate with for site visits.



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 23rd day of March, 2020, a true and correct copy of the foregoing Notice of Public Hearings, and Preliminary Site Plan map for the Vincent Village Apartments Preliminary Site Plan was sent via U.S. Mail, postage pre-paid, to the following addresses:

SPENCER CANDACE D
1226 3 STREET
FORT LUPTON, CO 80621

MILLAN GERARDO
1326 3RD STREET
FORT LUPTON, CO 80621

PATINO-NICK RHONDA
NICK WILLIAM BRADLEY
1306 3RD STREET
FORT L UPTON, CO 80621

PILKINGTON RONALD L
PILKINGTON MARLA R
1336 3RD STREET
FORT LUPTON, CO 80621

FLORES LAURA
FLORES ALFONSO
1356 3RD STREET
FORT LUPTON, CO 80621

DAVID DEBRA A
DAVID DENNIS H
1406 3RD STREET
FORT LUPTON, CO 80621

HARLAN EVELYN B
HARLAN RICHARD R
1426 3RD STREET
FORT LUPTON, CO 80621

XIONG PAO C
UN DARNAY P
1436 3RD STREET
FORT LUPTON, CO 80621

MALLORY RUSSEL D
1456 3RD STREET
FORT LUPTON, CO 80621

DONALD LLOYD A
621 1ST STREET
PUEBLO, CO 81001

ROMO HECTOR R DIAZ
DIAZ JOSE G
208 BETH AVE
FORT LUPTON, CO 80621

VINCENT VILLAGE LLC
5300 DTC PKWY STE 100
GREENWOODVILLAGE, CO 80111

BTS ROLLIE SE LLY
6400 S FIDDLERS GREEN CIR STE 1820
GREENWOOD VILLAGE, CO 80111



City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Vincent Village Associates, LLC (The Michael Development Company) for a preliminary site plan for a multifamily residential development on a property located near the northeast corner of Rollie Avenue and State Highway 52 (First Street) in Fort Lupton Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements. The property is located in the C-1 General Commercial Zone District.

The public meetings are to be held before the Planning Commission on Thursday, April 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

Lot 8, Vincent's East Addition 3rd Filing Second Amended Subdivision, City of Fort Lupton, County of Weld, State of Colorado.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/fldevelopment) AND SCROLLING DOWN TO THE ROWS TITLED: VINCENT VILLAGE APARTMENTS PRELIMINARY SITE PLAN.

Site Summary:

Site Acreage	3.0 Ac
Number of Units	72 Du
Density	24 Du/Ac
Parking	1.76 Sp/Du (127 Total Spaces)

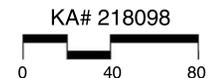


Preliminary Site Plan

VINCENT VILLAGE APARTMENTS

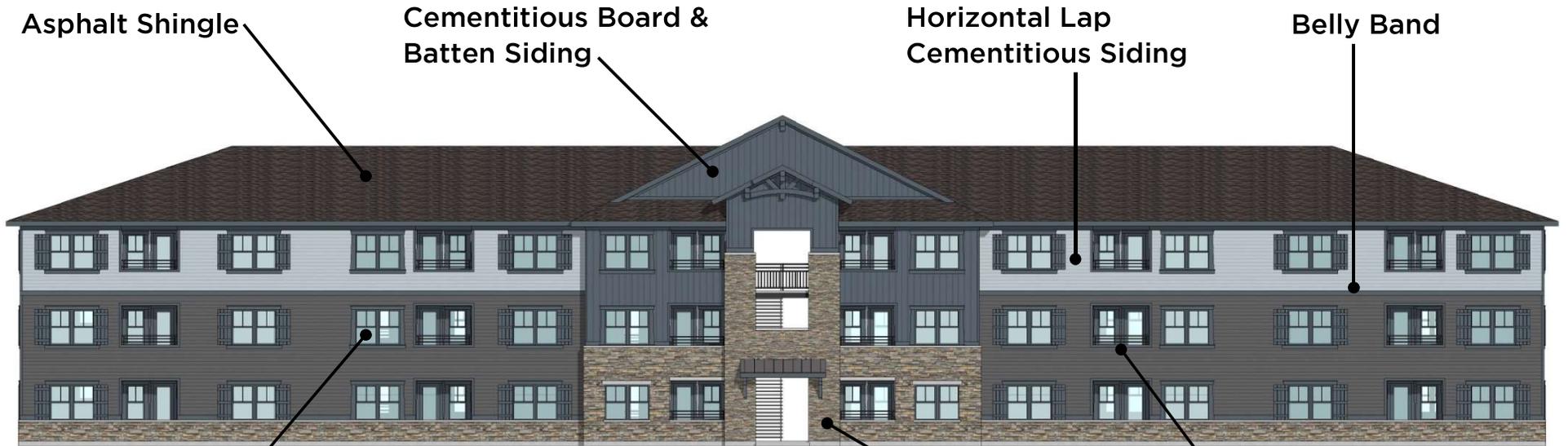
Fort Lupton, CO

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](http://bit.ly/fldevelopment) AND SCROLLING DOWN TO THE ROWS TITLED: VINCENT VILLAGE APARTMENTS PRELIMINARY SITE PLAN.



2.07.2020





Asphalt Shingle

Cementitious Board & Batten Siding

Horizontal Lap Cementitious Siding

Belly Band

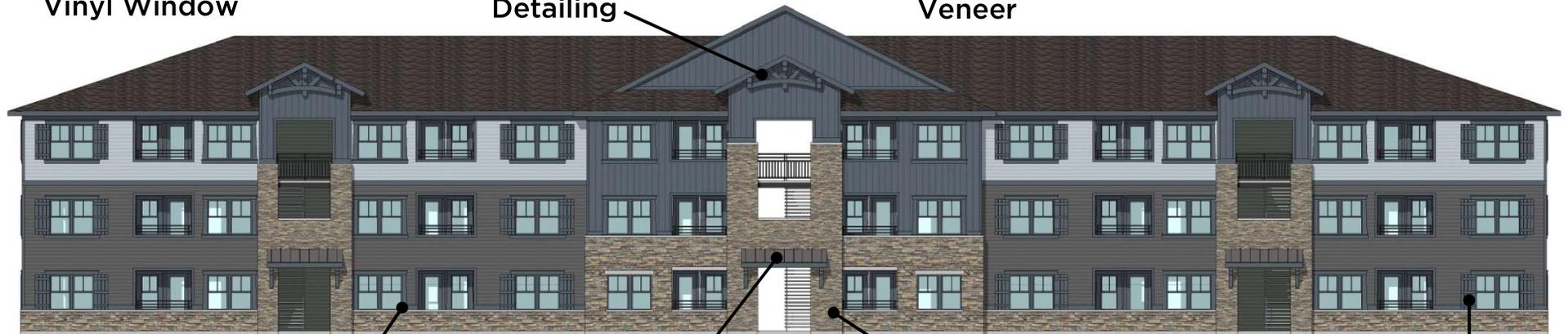
Single-Hung Vinyl Window

Gable Bracket Detailing

Adhered Synthetic Stone Veneer

Halfwall Decks

Rear



Window Trim Package

Metal Roof Awning

Building Articulation at Entries

Shutters Painted to Match Trim

Front

36-Plex Elevation

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

KA# 218098

2.07.2020

Cementitious Board & Batten Siding

Asphalt Shingle

Horizontal Lap Cementitious Siding

Single-Hung Vinyl Window

Belly Band

Gable Bracket Detailing

Building Articulation at Entries

Window Trim Package

Shutters Painted to Match Trim

Adhered Synthetic Stone Veneer

Typ. Side

36-Plex Side Elevation

VINCENI VILLAGE APARTMENTS

Fort Lupton, CO

KA# 218098

2.07.2020





Rear



Front

Clubhouse Elevations

VINCENT VILLAGE APARTMENTS

Fort Lupton, CO

KA# 218098

2.07.2020





Right



Left

Clubhouse Elevations

VINCENT VILLAGE APARTMENTS

Fort Lupton, CO

KA# 218098

2.07.2020





Playground Perspective View

VINCENT VILLAGE APARTMENTS

Fort Lupton, CO

KA# 218098

2.07.2020


KEPHART
community • planning • architecture



Dog Park Perspective View

VINCENT VILLAGE APARTMENTS

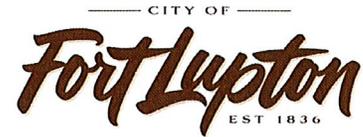
Fort Lupton, CO

KA# 218098

2.07.2020


KEPHART
community • planning • architecture

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-085

APPROVING A RESOLUTION FOR THE MC PAVING SITE PLAN AND SPECIAL USE PERMIT FOR AN ASPHALT AND CONCRETE PAVING BUSINESS AND ABOVEGROUND FUEL TANK

I. Agenda Date: Council Meeting – April 21, 2020

- II. Attachments:**
- a. Proposed Resolution
 - b. Planning Commission Resolution, Minutes & Staff Report
 - c. Land Use Application, Special Use Permit Application & Project Description
 - d. Site Plan Maps, Landscape Plans and Photometric Plans
 - e. Website Link to Engineering and Development Reports
 - f. Referral Responses
 - g. Legal Notifications

III. Summary Statement:

Melecio Chavez and Margaret Chavez (“Applicants”) have submitted a request for a site plan to operate an asphalt and concrete paving business located south and adjacent to County Road 10 and east and approximately 0.20 miles east of South Denver Avenue in Fort Lupton, Colorado (“Property”). The Property address is 13200 County Road 10. The Applicants have also concurrently submitted an application for a special use permit for a 500-gallon aboveground diesel storage tank.

IV. Submitted by: _____
Planner

V. Finance Reviewed _____
Leann Perino
Finance Director

VI. Approved for Presentation: _____
[Signature]
City Administrator

VII. Attorney Reviewed _____ Approved _____ Pending Approval

VIII. Certification of Council Approval: _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

Melecio Chavez and Margaret Chavez ("Applicants") have submitted a request for a site plan to operate an asphalt and concrete paving business located south and adjacent to County Road 10 and east and approximately 0.20 miles east of South Denver Avenue in Fort Lupton, Colorado ("Property"). The Property address is 13200 County Road 10.

There is an existing house on the property that will remain and be used as the office for the business. An additional existing structure will be used for office storage. The southern portion of the property will be used for outside storage of asphalt and concrete paving, heavy equipment, and trucks. A future planned 8,500 square foot shop building is also planned for this portion of the property. There are anticipated to be 6 – 10 employees at the site.

The Applicants have also concurrently submitted an application for a special use permit for a 500-gallon aboveground diesel storage tank.

Additional information on this application is included in the materials attached to this Action Memorandum.

X. Legal/Political Considerations:

The Property is zoned I-2 Heavy Industrial. Storage and warehousing facilities, indoor and outdoor, is permitted in the I-2 Heavy Industrial Zone District; provided that all outside storage is screened in accordance with these regulations. The proposed use for an asphalt and concrete business is a use by right, and the applicant is proposing a six-foot sheet metal-sided fence for the Property in order to comply with screening requirements.

Aboveground storage tanks for liquefied petroleum gas, subject to all state and local codes and approval of the Fire Marshal and Building Official require a special use permit.

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings was published in the Fort Lupton Press on March 25, 2020.

Notice of the public hearings were posted on March 20, 2020 at the Property, which is at least fifteen (15) days prior to the hearings, as required by the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 25, 2020.

In addition, known mineral interests were notified of the public hearings by certified mail, return-receipt requested on March 6, 2020, being at least thirty (30) days prior to the first public hearing, as required by State Statutes.

XI. Alternatives/Options:

The City Council has the following three options for each request:

- a) Approve the request;*
- b) Deny the request; or*
- c) Refer the request back to Planning Commission for further study.*

XII. Financial Considerations:

The applicant has paid all applicable land use application fees and are covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the site plan for an asphalt and concrete paving business and special use permit for a 500-gallon aboveground diesel storage tank identified in the MC Paving Site Plan and Special Use Permit land use application.

RESOLUTION NO. 2020Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE MC PAVING SITE PLAN FOR AN ASPHALT AND CONCRETE PAVING BUSINESS AND SPECIAL USE PERMIT FOR AN ABOVEGROUND FUEL TANK ON A PROPERTY AT 13200 COUNTY ROAD 10 AND LOCATED IN A PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020 for the purpose of reviewing the MC Paving Site Plan for an asphalt and concrete paving business, and Special Use Permit for an aboveground fuel tank; and

WHEREAS, after review of the application for the site plan, and consideration of staff comments, applicant's presentation and any public input, Planning Commission recommended approval with conditions of the site plan and special use permit; and

WHEREAS, the City Council held a public hearing to consider and review the request for a site plan on April 21, 2020; and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Fort Lupton City Council has taken into consideration the supporting documentation and staff comments, all referral comments and any citizen testimony in response to this application. Based on the facts presented on this date, the City Council hereby approves the MC Paving Site Plan and Special Use Permit located at 13200 County Road 10 in Fort Lupton, Colorado, with the following conditions:

- I. Prior to recording the site plan map:
 - A. The title of the map shall include Project No. LUP2020-0011 & Plan Nos. SPR2020-0003 and SUP2020-0002.
 - C. Any redline comments provided by staff shall be made to the site plan map.
 - D. Provide a right of way dedication by separate document pursuant to the comments received from the Public Works Director, and delineate the additional right of way on the map.

- E. Update the site plan map to address comments received from the Public Service Company of Colorado.
- F. Make updates to the drawings as requested in the comments from the Public Works Director.
- F. Discuss the amount of parking required pursuant to the Code with City staff and update parking if determined to be appropriate.

G. The following notes shall be placed on the site plan and special use permit map:

- 1. The fuels approved by this application shall be contained in conformance with all state and federal requirements, and in compliance with Fort Lupton Fire Protection District standards at all times. Any additional aboveground fuels or chemicals other than those approved by this application require a special use permit prior to placement and any required permits submitted to the Planning Department. The approved aboveground storage of fuels include:

Product Name	Quantity
Diesel	500 gal

- 2.]Lighting on the site shall be maintained so that light is directed downwards and shall not spill onto adjacent properties.
- 3. Dead and dying landscape material shall be replaced at the earliest reasonable date.
- 4. The site shall maintain compliance with all applicable local, state and federal permits.
- 5. The City reserves the right to reevaluate traffic impacts in the future if there is an increase from what was represented to the City in evaluating the special use permit.

II. Prior to the release of building permits:

- A. A set of Mylars of the site plan map and landscape plans shall be submitted for recording.
- B. Written evidence shall be provided to show that the comments from the Public Works Director related to Drainage, Landscape/Grading, and Utilities have been adequately addressed.
- C. Written evidence shall be provided to show that the comments from United Power have been adequately addressed.

D. Written evidence shall be provided to show that the comments from Public Service Company of Colorado have been adequately addressed.

E. The applicant shall provide written evidence that all local, state and federal permits have been obtained.

III. Prior to the release of a certificate of occupancy:

A. Written evidence shall be provided to show that the comments from the Fort Lupton Fire Protection District have been adequately addressed.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL THIS 21st DAY OF APRIL 2020.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

Approved as to Form:

Andy Ausmus, City Attorney

RESOLUTION P2020-012

RESOLUTION NO. P2020-012

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE MC PAVING SITE PLAN AND SPECIAL USE PERMIT FOR AN ASPHALT AND CONCRETE PAVING BUSINESS AND ABOVEGROUND FUEL TANK ON A PROPERTY AT 13200 COUNTY ROAD 10 AND LOCATED IN A PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing Melecio Chavez and Margaret Chavez's application for a site plan for an asphalt and concrete paving business, and a special use permit for a 500-gallon aboveground diesel tank; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the site plan and special use permit conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site.

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the MC Paving Site Plan and Special Use Permit, conditional upon the following:

- I. Prior to recording the site plan map:
 - A. The title of the map shall include Project No. LUP2020-0011 & Plan Nos. SPR2020-0003 and SUP2020-0002.
 - C. Any redline comments provided by staff shall be made to the site plan map.
 - D. Provide a right of way dedication by separate document pursuant to the comments received from the Public Works Director, and delineate the additional right of way on the map.

- E. Update the site plan map to address comments received from the Public Service Company of Colorado.
- F. Make updates to the drawings as requested in the comments from the Public Works Director.
- F. Discuss the amount of parking required pursuant to the Code with City staff and update parking if determined to be appropriate.
- G. The following notes shall be placed on the site plan and special use permit map:

- 1. The fuels approved by this application shall be contained in conformance with all state and federal requirements, and in compliance with Fort Lupton Fire Protection District standards at all times. Any additional aboveground fuels or chemicals other than those approved by this application require a special use permit prior to placement and any required permits submitted to the Planning Department. The approved aboveground storage of fuels include:

Product Name	Quantity
Diesel	500 gal

- 2. Lighting on the site shall be maintained so that light is directed downwards and shall not spill onto adjacent properties.
- 3. Dead and dying landscape material shall be replaced at the earliest reasonable date.
- 4. The site shall maintain compliance with all applicable local, state and federal permits.
- 5. The City reserves the right to reevaluate traffic impacts in the future if there is an increase from what was represented to the City in evaluating the special use permit.

II. Prior to the release of building permits:

- A. A set of Mylars of the site plan map and landscape plans shall be submitted for recording.

- B. Written evidence shall be provided to show that the comments from the Public Works Director related to Drainage, Landscape/Grading, and Utilities have been adequately addressed.
- C. Written evidence shall be provided to show that the comments from United Power have been adequately addressed.
- D. Written evidence shall be provided to show that the comments from Public Service Company of Colorado have been adequately addressed.
- E. The applicant shall provide written evidence that all local, state and federal permits have been obtained.

III. Prior to the release of a certificate of occupancy:

- A. Written evidence shall be provided to show that the comments from the Fort Lupton Fire Protection District have been adequately addressed.

DONE THIS 9th DAY OF APRIL, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

MINUTES

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with a double **cattle side?** located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

She stated that there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two , and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT

**MC PAVING SITE PLAN & SPECIAL USE PERMIT
STAFF REPORT**
Project No. LUP2020-0011 & Plan No. SPR2020-0003 & SUP2020-0002

PROJECT DESCRIPTION

Project No.: LUP2020-0011 / Plan No.: SPR2020-0003 & SUP2020-0002

Project Name: MC Paving Site Plan & Special Use Permit

Owner's Name: Melecio Chavez & Margaret Chavez ("Applicants")

Representative: Chadwin F. Cox, Western Engineering Consultants

Location of Request:

The site that is the subject of this application is located south and adjacent to County Road 10 and east and approximately 0.20 miles east of South Denver Avenue in Fort Lupton, Colorado ("Property"). The Property address is 13200 County Road 10, and is located in Part of the Northwest Quarter of Section 17, Township 1 North, Range 66 West of the Sixth Principal Meridian, Fort Lupton, Colorado.



Nature of Request:

The Applicants have submitted a request for a site plan to operate an asphalt and concrete paving business. There is an existing house on the property that will remain and be used as the office for the business. An additional existing structure will be used for office storage. The southern portion of the property will be used for outside storage of asphalt and concrete paving, heavy equipment, and trucks. A future planned 8,500 square foot shop building is also planned for this portion of the property. There are anticipated to be 6 – 10 employees at the site. The Applicants are also submitting a request for a special use permit for a 500-gallon aboveground diesel storage tank. Additional information on this request can be found in the application materials submitted by the Applicant.

The property is surrounded by other I-2 Heavy Industrial properties, including the future Basalite Concrete Products Manufacturing Facility to the south and west, and properties with agriculture/estate uses to the east and north.



Site Size: The Property is 3.82 acres, more or less.

Zone District: I-2 Heavy Industrial.

Proposed Use: Asphalt and concrete paving business, including outdoor storage and an aboveground 500-gallon diesel tank.

Existing Use: Vacant residential estate.

Hearing Dates: Planning Commission – April 9, 2020 at 6:00 PM; and
City Council – April 21, 2020 at 7:00 PM

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

The Property was annexed into Fort Lupton in 2019, and was initially zoned I-2 Heavy Industrial (the Parton Annexation & Initial Zoning).

APPLICATION PROCESS

The Applicant is requesting a site plan approval for an asphalt and concrete paving business, including outdoor storage.

After required public notice of a site plan, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to separately approve, approve with conditions or deny the site plan and special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the site plan, referral agency comments, Planning Commission recommendation and any public testimony, and shall separately approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

The Applicant is also submitting a request for a special use permit for a aboveground 500-gallon diesel storage tank. A special use permit application is processed under [Section 16-7](#) of the Code.

After required public notice of the special use permit application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

NOTIFICATION REQUIREMENTS

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings was published in the Fort Lupton Press on March 25, 2020.

Notice of the public hearings were posted on March 20, 2020 at the Property, which is at least fifteen (15) days prior to the hearings, as required by the Zoning Regulations.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on March 25, 2020.

In addition, known mineral interests were notified of the public hearings by certified mail, return-receipt requested on March 6, 2020, being at least thirty (30) days prior to the first public hearing, as required by State Statutes.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The property is located within the I-2 Heavy Industrial Zone District. Storage and warehousing facilities, indoor and outdoor, is permitted in the I-2 Heavy Industrial Zone District; provided that all outside storage is screened in accordance with these regulations. The applicant is proposing a six-foot sheet metal-sided fence for the Property in order to meet this requirement.

The following uses are specifically listed as requiring a special use permit in the I-2 Heavy Industrial Zone District:

- Aboveground storage tanks for liquefied petroleum gas, subject to all state and local codes and approval of the Fire Marshal and Building Official.

A special use review requires a public hearing before Planning Commission and City Council. The intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district.

The aboveground storage tanks require a special use permit, however the remaining proposed uses are a use by right. Therefore the criteria identified under Section 16-7(d) of the Code to evaluate a special use permit request will be reviewed for the tanks only. The tanks must be evaluated for the following criteria:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.

Staff Comment: The Comprehensive Plan anticipates commercial, light and heavy industrial uses in this area. The proposed aboveground storage tanks support the proposed manufacturing use, which is consistent with the Comprehensive Plan, which is further detailed later in the staff report under a separate heading.

2. The special use shall not substantially alter the character of the district or the neighborhood.

Staff Comment: The Property is surrounded by light and heavy industrial zoning. To the north and east of the Property there are low density residential estates and/or vacant agricultural land. To the south is the future Basalite Concrete Products Manufacturing Facility, which was recently approved by City Council and will be transitioning to an industrial use. The aboveground storage tanks will be located towards the center of the Property, which will not be visible from County Road 10 and not alter the character of the area. The Proposed fencing will also screen the view of the diesel tank.

3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.

Staff Comment: According to the project narrative provided by the Applicants, and the submitted traffic report, traffic for the operations will be minimal and will not greatly impact adjacent uses or present hazardous conditions.

4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

Staff Comment: The Planning Department has recommended conditions of approval to address any impacts. The main impact related to the special use permit is to address safety. The proposed resolution includes a condition of approval that the Applicant must provide permits from any required agencies for the aboveground storage tanks.

5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.

Staff Comment: A special use permit in non-transferable, and therefore if a new owner were to occupy the Property the aboveground storage tanks would no longer be permitted unless a new application were submitted and approved. The remaining existing operations would be permitted to continue, because they are a use by right. The Planning Department staff will ensure compliance with other conditions of approval, either as listed on the proposed Resolution or as added by City Council.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates this area for industrial land uses. This designation allows for a mix of heavy and light industrial users as well as office development, intended to provide an appropriate environment for higher intensity users. These areas should be utilized to attract major employers and support economic development that will complement residential growth within the community. Developments within this designation should be carefully reviewed to account for potential impacts on adjacent land uses from high intensity operations

The property is surrounded by uses that are similar to the proposed use. The proposed use also conforms to the designated land use type and zoning.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

	City Attorney	Police Chief
Public Works Director	Building Inspector	OMI
GIS Specialist	Fort Lupton Fire Protection District	CDOT
United Power	Comcast	CenturyLink
Xcel Energy	Postmaster	Weld County Department of Planning
Weld County School District RE-8	NCWCD	Fulton Ditch Company
Colorado Parks & Wildlife		

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

LAND USE APPLICATION, SPECIAL USE PERMIT APPLICATION & PROJECT DESCRIPTION



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

COME PAINT YOUR FUTURE WITH US

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: MELECIO AND MARGARET CHAVEZ
Company: _____
Phone: 303-898-6858 Email: mcpaving@live.com
Address: 739 County Road 47, Hudson, CO 80642
Preferred method of contact? Email: Phone: Mail:

2) Representative Name: CHADWIN F. COX
Company: WESTERN ENGINEERING CONSULTANTS
Phone: 720-685-9951 Email: chadwin.cox@westerneci.com
Address: 127 South Denver Ave. Fort Lupton, CO 80621
Preferred method of contact? Email: Phone: Mail:

3) Billing Contact (where invoices should be directed to): MELECIO AND MARGARET CHAVEZ
Billing Company: _____
Phone: 303-898-6858 Email: mcpaving@live.com
Address: 739 County Road 47, Hudson, CO 80642

B. SITE DESCRIPTION

Site Address: 13200 County Road 16, Fort Lupton, CO 80621
Parcel Number: 147117000055
Existing Zone Classification: I-2 Proposed Zone Classification: I-2
Water Type: _____ Water Well Name: CDWR Well permit No 311629
Sewage Type: Septic Tank District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|---|--|---|
| <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

D. PROJECT DESCRIPTION

Project Name: MC PAVING- 13200 WCR 10

Please provide a short description of the proposed project in the space provided below:

Outside Storage space for asphalt and concrete paving heavy equipment and trucks.

E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative: _____ Date: _____

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owners: Melvin Drang Date: 10-25-2019
Margaret Chau 10-25-19

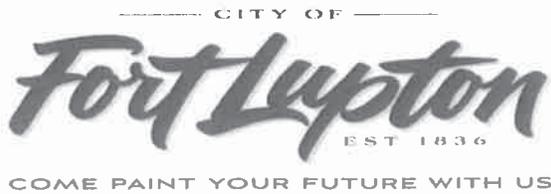
For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

APPLICATION FOR SPECIAL USE PERMIT

A preapplication conference and site visit may be required prior to submitting the Special Use Permit Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 720-466-6128.

Applicant should provide the following:

- 1. Plat of area with proposed zoning with vicinity map identifying site and surrounding area. If you are constructing a new building or adding to an existing building as part of this application, you must also submit a plot plan, construction plans, and a drainage plan. Approval of the special use permit will be based upon the drawings submitted unless changes are recommended by the engineer, planning commission, or city council.
2. Information as requested.

The applicant is responsible for the following:

- 1. Posting a hearing notice on the property 15 days prior to the hearing.

Name of Property Owner: MELECIO AND MARGARET CHAVEZ Phone: 303-898-6858

Address: 739 County Road 47, Hudson, CO 80642

Applicant (if different from owner):

Address:

Home Phone: Cell Phone:

Address or location of Property for which Special Use Permit is being requested:
13200 WCR 10, Fort Lupton CO 80621

Legal Description SEE ATTACHED SHEET

Current Zoning: Industrial I-2

Reason for Request:

Be able to use the property to establish a concrete and asphalt paving business. A 500 gal of Diesel fuel will be installed in the property.

Please answer the following questions in detail.

1. What is the proposed use?

Outdoor storage space for asphalt and concrete paving heavy equipment and trucks

2. How will the proposed use impact the surrounding properties as it relates to the following areas:

Noise

No noise will be produce

Dust

Minimum during grading of south portion of property. BMP will be observed

Odor

NONE

Safety

NO ISSUES

Traffic

Minimal affectation is expected, 5 to 10 trucks a day from 7:00 am to 8:00 pm. Traffic letter in enclosed.

Light

No new systems are to be installed

3. What are the proposed hours of operation?

6:00 am to 8:00 pm

4. Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?

N/A

5. If this application is for a daycare, how many children will you be caring for?

N/A

6. If this application is for an assisted living facility, how many units will you have in the facility?

N/A

7. How many employees will work at the proposed facility?

6-10 employees

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signatures: Melvin Jones
Margaret Lewis

Date: 11-06-2019
11-6-19



WESTERN ENGINEERING CONSULTANTS,

127 S Denver Ave. Fort Lupton, CO 80621

2501 Mill Street, Brush, CO 80723

Office: 720-685-9951

Cell. 303-913-7341, Fax 720-294-1330

Email: chadwin.cox@westerneci.com

Inc LLC

LEGAL DESCRIPTION

According to:

First Integrity Title Company

as agent for

Chicago Title Insurance Company

Commitment No.: 109-1916085-S

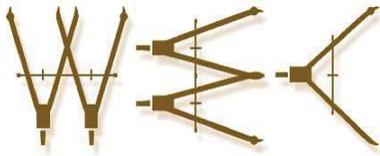
EXHIBIT A

A PARCEL OF LAND IN THE NW1/4 OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS:

BEGINNING AT THE NW CORNER OF SAID NW1/4; THENCE EAST ALONG THE NORTH LINE OF SAID NW1/4 A DISTANCE OF 1026.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH AND PARALLEL TO THE WEST LINE OF SAID NW1/4, A DISTANCE OF 567.0 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID NW1/4, A DISTANCE OF 310.0 FEET; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID NW1/4, A DISTANCE OF 567.0 FEET TO A POINT ON THE NORTH LINE OF SAID NW1/4; THENCE WEST ALONG SAID NORTH LINE, A DISTANCE OF 310.0 FEET TO THE TRUE POINT OF BEGINNING,

COUNTY OF WELD, STATE OF COLORADO

For information purposes only: 13200 County Road 10, Fort Lupton, CO 80621



WESTERN ENGINEERING CONSULTANTS,
127 S Denver Ave. Fort Lupton, CO 80621
2501 Mill Street, Brush, CO 80723
Office: 720-685-9951
Cell. 303-913-7341, Fax 720-294-1330
Email: chadwin.cox@westerneci.com

Inc LLC

MC PAVING 13200 WCR 10- WRITTEN EXPLANATION OF THE PROJECT

January 14, 2020

City of Fort Lupton
 Planning Department
 130 S. McKinley Avenue
 Fort Lupton, CO 80621

RE: SITE PLAN AND SPECIAL USE PERMIT REVIEW NARRATIVE

City of Fort Lupton Planning Department,

Western Engineering Consultants Inc. LLC (WEC) has prepared this narrative letter on behalf of the applicant to describe the proposed Site Plan and Special Use Permit.

This project is located on 13200 WCR 10, Fort Lupton CO, approximately 3.82 acres, identified as Weld County Parcel No. 147117000055 and is currently zoned I-2 within the City of Fort Lupton.

The property is bound on the west and south by Basalite Building Products, LLC, to the North is paved WCR 10 and Schmidt State Revocable Trust, and to the east by Webb Gayle Ann, all of them zoned I-2.

PURPOSE:

It is the applicant's desire to get the Site Plan and Special Land Use Permit approved for their Asphalt and Concrete Paving business. They will use the south part of the property as outside storage for asphalt and concrete paving heavy equipment and trucks and a future metal building for a shop. They will keep the existing house as main office and 8 stall parking lot for employees and visitors is proposed (plus 1 ADA). The future shop will also have 17 parking stalls and 1 ADA in addition to the screened internal dump truck, trailer, skidster, and materials storage.

LOT DATA TABLE:

DATA TABLE				
DESCRIPTION	AREA	(sft)	AREA (ac)	%
TOTAL AREA		166,229	3.816	100.00%
EXISTING BUILDINGS		4,950	0.114	2.98%
FUTURE BUILDING		8,500	0.195	5.11%
BUILDING TO BE REMOVED		(1,308)	-0.030	-0.79%
PROPOSED CONCRETE		2,466	0.057	1.48%
PROPOSED GRAVEL		60,736	1.394	36.54%
PROPOSED ASPHALT		6,284	0.144	3.78%
PROPOSED LANDSCAPE AREA		84,601	1.942	50.89%

PARKING LOT DATA TABLE:

SITE PARKING TABLE				
BUILDING	USE	CODE	REQUIRED	PROVIDED
A	OFFICE	1/500 sf	3 + 1 HC	4 + 1 HC
B	OFFICE STORAGE	1/500 sf	3	4
C	WAREHOUSE	1/500 sf	17 + 1 HC	17 + 1 HC
TOTAL			23 + 2 HC	25 + 1 HC

HOURS OF OPERATION:

Operation hours will be from 6:00 am to 8:00 pm

NUMBER OF EMPLOYEES:

Anticipated employees are 6 to 10.

CUSTOMERS / VISITORS:

On average 5 – 6 customers visit the established business daily.

BUILDING:

No interior or exterior modifications are currently proposed.

TRAFFIC STUDY:

Minimal traffic is expected, 5 to 10 trucks a day from 7:00 am to 8:00 pm. See also the attached Traffic letter.

DRAINAGE:

Storm runoff is proposed to be conveyed via a road ride concrete pan and directed to Infiltration Pond N. Enclosed is a separate Drainage Letter.

SEWER AND WATER:

A septic system has been used for the existing house and was recently inspected prior to the purchase by our client. See attached Suc-N-Up Inc. inspection report. WEC is assisting the applicant to register the septic system with Weld County (existing system was never registered previously)

This parcel is not within the boundaries of Northern Colorado Water Conservancy District, nor the Municipal Subdistrict. WEC is assisting the applicant apply for inclusion to both Northern Water and the Municipal Subdistrict.

Should the future shop require water and/or sewer facilities, the utility designs are included in the submittal but will require City and Tri County Health approvals.

UTILITIES:

United Power is currently providing electricity to property via overhead service.

An existing 500 Gal. propane gas tank will remain in the site for the existing house (proposed office).

ACCESS:

Two accesses to the property already exist from WCR 10 and will continue to be used for the future development.

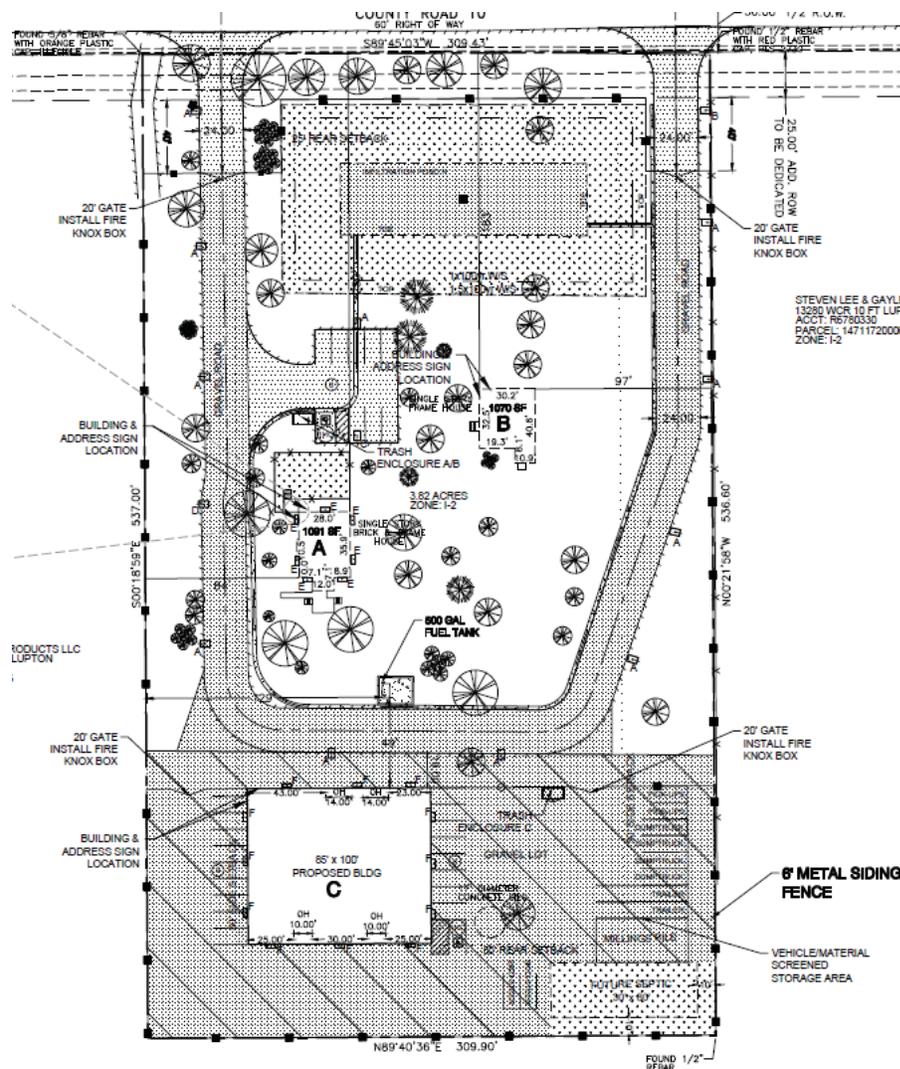
LANDSCAPE:

Over 70 existing trees are located throughout the property. Fiebig Architecture Registered Landscape Architect Sean West inventoried each tree including variety, caliper, quantity, heights, spread, and health. Of the 70 existing trees approximately 13 are either dead, in poor shape, or in conflict with the grading that must occur for the storm infiltration pond or fire access route. Significant effort was put forth to maintain as much of the existing tree population as possible.

No new landscape is proposed since the majority of the site has mature trees in place.

SCREENING:

The outside storage equipment area and future shop will be screened (six foot high sheet metal sided fence) and two access gates are proposed with Knox box access control. In addition the remainder of the west, north, and east property lines will be screened with the same six foot high sheet metal fence. Access gates will be installed 40 feet south of the future WCR 10 right of way to allow for entry vehicles to be staged south of the City right of way.



SITE LIGHTING:

A photometric plan was prepared for a build out site lighting design to ensure adjacent properties will not be affected.

APPLICATION:

We believe this proposal is agreeable with the adjacent zoning, existing uses, and those expected on the surrounding properties.

Enclosures include:

- | | |
|---|---------------|
| 1. Complete Land Use Application | Enclosed |
| 2. Checks for the Fees, total of \$4,250 | Enclosed |
| 3. Complete fee deposit (escrow) agreement | Enclosed |
| 4. Proof of ownership | Enclosed |
| 5. Electronic copy (USB) | Enclosed |
| 6. Application for Special Use Permit | Enclosed |
| 7. Site Plan Showing Proposed Development | Enclosed |
| 8. Written Explanation of the Project | This document |
| 9. Legal Description | Enclosed |
| 10. Traffic Letter | Enclosed |
| 11. A complete Screening and Landscape Plan | Enclosed |
| 12. Photometric Plan | Enclosed |
| 13. Drainage Report | Enclosed |
| 14. Stamped envelopes | Enclosed |

CLOSING

Chavez Family are the Owners of MC PAVING – a 25 year business! They are very excited to bring their business to Fort Lupton.

We as Western Engineering Consultants are the Owner's Technical Representatives.

WEC appreciates the City's review of this Site Plan and Special Use Permit!

Please contact me with any questions or comments you may have.

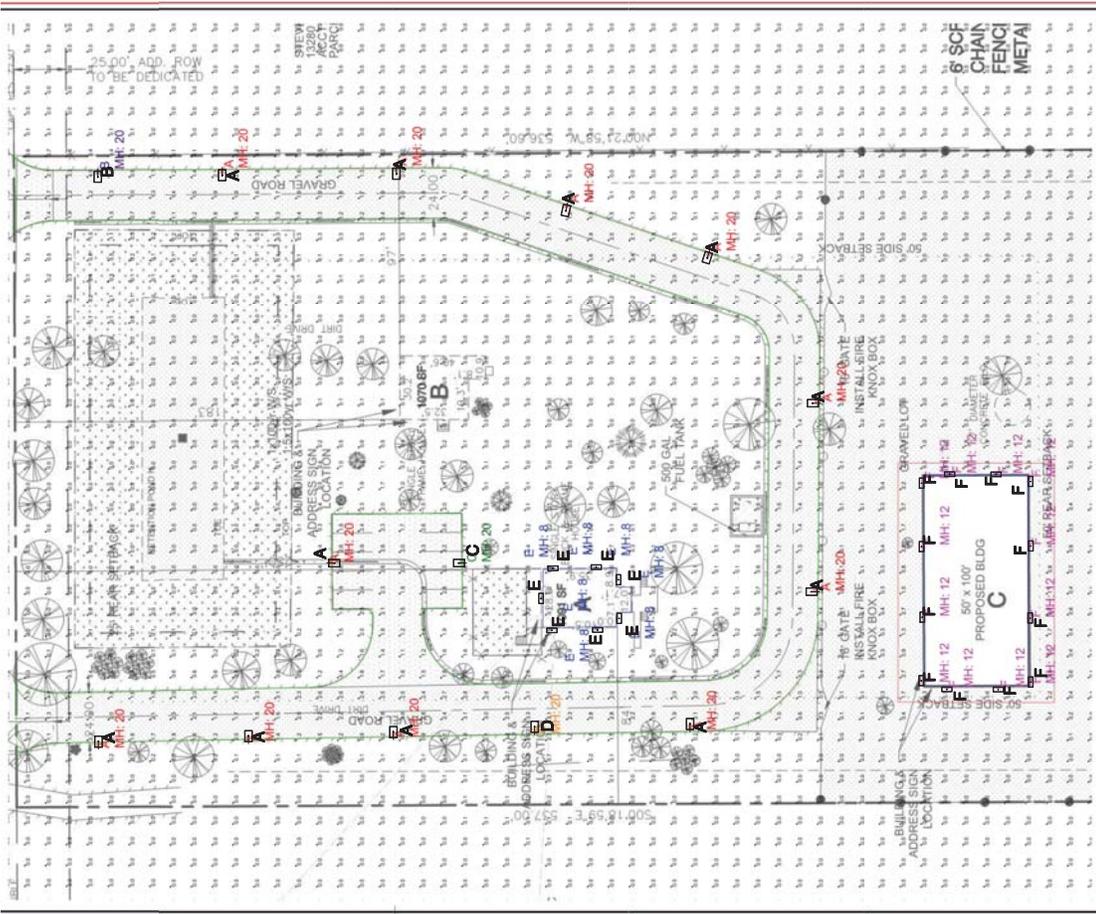
Sincerely,



Western Engineering Consultants inc., LLC
Chadwin F. Cox, P.E.
Senior Project Manager

MAPS

ITEM 12



CALCULATION SUMMARY

LABEL	SITE	CACTYPE	UNITS	AVG	MAX	MIN	AVG	MIN	MAX
LUMINANCE	FC	4.14	0.0	1.1	3.38	8.8	N/A		
LUMINANCE	PC	1.98	1.43	0.9	2.08	3.33			

LUMINAIRE SUMMARY

SYMBOL	QTY	LABEL	ARR	WATTS	ARR	LUM	LUMENS	LUF	DESCRIPTION
A	59	A	0.000	2604	0.000	0.000	0.000	0.000	CELESTIAL-42-LED-1-10W
B	113	B	0.000	1283	0.000	0.000	0.000	0.000	CELESTIAL-42-LED-1-10W
C	113	C	0.000	1283	0.000	0.000	0.000	0.000	CELESTIAL-42-LED-1-10W
D	4	D	0.000	20	0.000	0.000	0.000	0.000	X102424-W
E	182	E	0.000	2103	0.000	0.000	0.000	0.000	X102424-W

MC PAVING
 762
 HILSON, CO 80642
 CONTACT: MELECIO CHAVEZ
 MOBILE (303)898-6858

PHOTOMETRIC PLAN
 MC PAVING - 13200 WCR 10
 WELD COUNTY, COLORADO

DRG SEARCH
 CALL MC
 1-800-422-1887

PRELIMINARY
 FOR REF

DATE: 12/27/19
 DESIGNED BY: SEC
 DRAWN BY: SEC
 PROJECT NO:
 01-0328-001-00
 DOC CON
 SHEET #
 10 OF 12

CONTRACT: MELECIO CHAVEZ
 719 594 09 27
 HILSON, CO 80642
 MOBILE (303)898-8858

Mc PAVING, LLC
 177 S. DENVER AVE
 LITTLETON, CO 80121
 (720) 888-9551
 FAX (720) 884-1330
 email@mc-paving.com
 www.mc-paving.com

Western Engineering Consultants, Inc. LLC
 177 S. DENVER AVE
 LITTLETON, CO 80121
 (720) 888-9551
 FAX (720) 884-1330
 email@westerneng.com
 www.westerneng.com

PHOTOMETRIC DATA

Fixture	Beam Angle	Beam Diameter @ 100'	Beam Diameter @ 200'	Beam Diameter @ 300'	Beam Diameter @ 400'	Beam Diameter @ 500'	Beam Diameter @ 600'	Beam Diameter @ 700'	Beam Diameter @ 800'	Beam Diameter @ 900'	Beam Diameter @ 1000'
1	10°	17.0	34.0	51.0	68.0	85.0	102.0	119.0	136.0	153.0	170.0
2	15°	25.5	51.0	76.5	102.0	127.5	153.0	178.5	204.0	229.5	255.0
3	20°	34.0	68.0	102.0	136.0	170.0	204.0	238.0	272.0	306.0	340.0
4	25°	42.5	85.0	127.5	170.0	212.5	255.0	297.5	340.0	382.5	425.0
5	30°	51.0	102.0	153.0	204.0	255.0	306.0	357.0	408.0	459.0	510.0
6	35°	59.5	119.0	178.5	238.0	297.5	357.0	416.5	476.0	535.5	595.0
7	40°	68.0	136.0	204.0	272.0	340.0	408.0	476.0	544.0	612.0	680.0
8	45°	76.5	153.0	229.5	306.0	382.5	459.0	535.5	612.0	688.5	765.0
9	50°	85.0	170.0	255.0	340.0	425.0	510.0	595.0	680.0	765.0	850.0
10	55°	93.5	187.0	280.5	374.0	467.5	561.0	654.5	748.0	841.5	935.0
11	60°	102.0	204.0	306.0	408.0	510.0	612.0	714.0	816.0	918.0	1020.0
12	65°	110.5	221.0	331.5	442.0	552.5	663.0	773.5	884.0	994.5	1105.0
13	70°	119.0	238.0	357.0	476.0	595.0	714.0	833.0	952.0	1071.0	1190.0
14	75°	127.5	255.0	382.5	510.0	639.0	768.0	897.0	1026.0	1155.0	1284.0
15	80°	136.0	272.0	408.0	544.0	683.0	822.0	961.0	1100.0	1239.0	1378.0
16	85°	144.5	289.0	439.5	589.0	737.5	886.0	1034.5	1183.0	1331.5	1480.0
17	90°	153.0	306.0	465.0	630.0	787.5	945.0	1102.5	1260.0	1417.5	1575.0
18	95°	161.5	323.0	490.5	670.0	836.0	1003.0	1169.0	1335.0	1500.0	1665.0
19	100°	170.0	340.0	516.0	710.0	886.0	1074.0	1249.0	1428.0	1605.0	1770.0
20	105°	178.5	357.0	541.5	750.0	937.5	1135.0	1319.0	1512.0	1705.0	1880.0
21	110°	187.0	374.0	567.0	790.0	990.0	1196.0	1394.0	1606.0	1815.0	2000.0
22	115°	195.5	391.0	592.5	830.0	1042.5	1257.0	1479.0	1701.0	1935.0	2125.0
23	120°	204.0	408.0	618.0	870.0	1105.0	1328.0	1574.0	1816.0	2070.0	2250.0
24	125°	212.5	425.0	643.5	910.0	1167.5	1409.0	1679.0	1941.0	2205.0	2385.0
25	130°	221.0	442.0	669.0	950.0	1230.0	1490.0	1794.0	2076.0	2340.0	2510.0
26	135°	229.5	459.0	694.5	990.0	1292.5	1581.0	1919.0	2221.0	2475.0	2635.0
27	140°	238.0	476.0	720.0	1030.0	1355.0	1672.0	2054.0	2356.0	2610.0	2760.0
28	145°	246.5	493.0	745.5	1070.0	1417.5	1773.0	2199.0	2501.0	2745.0	2885.0
29	150°	255.0	510.0	771.0	1110.0	1480.0	1884.0	2354.0	2656.0	2880.0	3010.0
30	155°	263.5	527.0	796.5	1150.0	1542.5	1995.0	2519.0	2811.0	3015.0	3135.0
31	160°	272.0	544.0	822.0	1190.0	1605.0	2116.0	2684.0	2966.0	3150.0	3260.0
32	165°	280.5	561.0	847.5	1230.0	1667.5	2247.0	2859.0	3121.0	3285.0	3385.0
33	170°	289.0	578.0	873.0	1270.0	1730.0	2388.0	3034.0	3276.0	3420.0	3510.0
34	175°	297.5	595.0	898.5	1310.0	1792.5	2529.0	3219.0	3431.0	3555.0	3635.0
35	180°	306.0	612.0	924.0	1350.0	1855.0	2670.0	3404.0	3586.0	3690.0	3760.0
36	185°	314.5	629.0	949.5	1390.0	1917.5	2811.0	3589.0	3741.0	3825.0	3885.0
37	190°	323.0	646.0	975.0	1430.0	1980.0	2952.0	3774.0	3896.0	3960.0	4010.0
38	195°	331.5	663.0	1000.5	1470.0	2042.5	3093.0	3959.0	4051.0	4095.0	4135.0
39	200°	340.0	680.0	1026.0	1510.0	2105.0	3234.0	4144.0	4206.0	4230.0	4260.0
40	205°	348.5	697.0	1051.5	1550.0	2167.5	3375.0	4329.0	4361.0	4375.0	4395.0
41	210°	357.0	714.0	1077.0	1590.0	2230.0	3516.0	4514.0	4516.0	4530.0	4550.0
42	215°	365.5	731.0	1102.5	1630.0	2292.5	3657.0	4699.0	4671.0	4685.0	4705.0
43	220°	374.0	748.0	1128.0	1670.0	2355.0	3798.0	4884.0	4826.0	4840.0	4860.0
44	225°	382.5	765.0	1153.5	1710.0	2417.5	3939.0	5069.0	4981.0	4995.0	5015.0
45	230°	391.0	782.0	1179.0	1750.0	2480.0	4080.0	5254.0	5136.0	5150.0	5170.0
46	235°	399.5	799.0	1204.5	1790.0	2542.5	4221.0	5439.0	5291.0	5305.0	5325.0
47	240°	408.0	816.0	1230.0	1830.0	2605.0	4362.0	5624.0	5446.0	5460.0	5480.0
48	245°	416.5	833.0	1255.5	1870.0	2667.5	4503.0	5809.0	5601.0	5615.0	5635.0
49	250°	425.0	850.0	1281.0	1910.0	2730.0	4644.0	5994.0	5756.0	5770.0	5790.0
50	255°	433.5	867.0	1306.5	1950.0	2792.5	4785.0	6179.0	5911.0	5925.0	5945.0
51	260°	442.0	884.0	1332.0	1990.0	2855.0	4926.0	6364.0	6066.0	6080.0	6100.0
52	265°	450.5	901.0	1357.5	2030.0	2917.5	5067.0	6549.0	6221.0	6235.0	6255.0
53	270°	459.0	918.0	1383.0	2070.0	2980.0	5208.0	6734.0	6376.0	6390.0	6410.0
54	275°	467.5	935.0	1408.5	2110.0	3042.5	5349.0	6919.0	6531.0	6545.0	6565.0
55	280°	476.0	952.0	1434.0	2150.0	3105.0	5490.0	7104.0	6686.0	6700.0	6720.0
56	285°	484.5	969.0	1459.5	2190.0	3167.5	5631.0	7289.0	6841.0	6855.0	6875.0
57	290°	493.0	986.0	1485.0	2230.0	3230.0	5772.0	7474.0	6996.0	7010.0	7030.0
58	295°	501.5	1003.0	1510.5	2270.0	3292.5	5913.0	7659.0	7151.0	7165.0	7185.0
59	300°	510.0	1020.0	1536.0	2310.0	3355.0	6054.0	7844.0	7306.0	7320.0	7340.0
60	305°	518.5	1037.0	1561.5	2350.0	3417.5	6195.0	8029.0	7461.0	7475.0	7495.0
61	310°	527.0	1054.0	1587.0	2390.0	3480.0	6336.0	8214.0	7616.0	7630.0	7650.0
62	315°	535.5	1071.0	1612.5	2430.0	3542.5	6477.0	8399.0	7771.0	7785.0	7805.0
63	320°	544.0	1088.0	1638.0	2470.0	3605.0	6618.0	8584.0	7926.0	7940.0	7960.0
64	325°	552.5	1105.0	1663.5	2510.0	3667.5	6759.0	8769.0	8081.0	8095.0	8115.0
65	330°	561.0	1122.0	1689.0	2550.0	3730.0	6900.0	8954.0	8236.0	8250.0	8270.0
66	335°	569.5	1139.0	1714.5	2590.0	3792.5	7041.0	9139.0	8391.0	8405.0	8425.0
67	340°	578.0	1156.0	1740.0	2630.0	3855.0	7182.0	9324.0	8546.0	8560.0	8580.0
68	345°	586.5	1173.0	1765.5	2670.0	3917.5	7323.0	9509.0	8701.0	8715.0	8735.0
69	350°	595.0	1190.0	1791.0	2710.0	3980.0	7464.0	9694.0	8856.0	8870.0	8890.0
70	355°	603.5	1207.0	1816.5	2750.0	4042.5	7605.0	9879.0	9011.0	9025.0	9045.0
71	360°	612.0	1224.0	1842.0	2790.0	4105.0	7746.0	10064.0	9166.0	9180.0	9200.0
72	365°	620.5	1241.0	1867.5	2830.0	4167.5	7887.0	10249.0	9321.0	9335.0	9355.0
73	370°	629.0	1258.0	1893.0	2870.0	4230.0	8028.0	10434.0	9476.0	9490.0	9510.0
74	375°	637.5	1275.0	1918.5	2910.0	4292.5	8169.0	10619.0	9631.0	9645.0	9665.0
75	380°	646.0	1292.0	1944.0	2950.0	4355.0	8310.0	10804.0	9786.0	9799.0	9819.0
76	385°	654.5	1309.0	1969.5	2990.0	4417.5	8451.0	10989.0	9941.0	9955.0	9975.0
77	390°	663.0	1326.0	1995.0	3030.0	4480.0	8592.0	11174.0	10096.0	10169.0	10189.0
78	395°	671.5	1343.0	2020.5	3070.0	4542.5	8733.0	11359.0	10251.0	10324.0	10344.0
79	400°	680.0	1360.0	2046.0	3110.0	4605.0	8874.0	11544.0	10406.0	10479.0	10499.0
80	405°	688.5	1377.0	2071.5	3150.0	4667.5	9015.0	11729.0	10561.0	10634.0	10654.0
81	410°	697.0	1394.0	2097.0	3190.0	4730.0	9156.0	11914.0	10716.0	10789.0	10814.0
82	415°	705.5	1411.0	2122.5	3230.0	4792.5	9297.0	12099.0	10871.0	10944.0	10964.0
83	420°	714.0	1428.0	2148.0	3270.0	4855.0	9438.0	12284.0	11026.0	11099.0	11119.

REPORTS

REPORTS & STUDIES WERE EXCLUDED FROM THE PACKET DUE TO THEIR SIZE. THESE DOCUMENTS CAN BE ACCESSED BY VISITING: bit.ly/mcpaving

REFERRAL RESPONSES

Maria Lancto

From: Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us>
Sent: Thursday, March 12, 2020 11:16 AM
To: Maria Lancto; Todd Hodges; Alyssa Knutson
Cc: Bilobran, Timothy; Allyson Mattson - CDOT
Subject: MC Paving/Town of Fort Lupton/US 85 and SH 52 off

CDOT has no comment regarding this proposal.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org





Fort Lupton Fire Protection District

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: www.fortluptonfire.org

Date: 03/25/2020

Project name: MC Paving Site Plan and Special Use Permit

Project address: 13200 Cr 10, Fort Lupton, Co 80621

FLFPD Project # R2020-015

Plan reviewer: Taw Tamlin, Fire Marshal

The Fire District has reviewed the referral for **MC Paving Site Plan and Special Use Permit** located at **13200 Cr 10**, Fort Lupton, CO 80621. The submittal was reviewed for compliance with 2012 International Fire Code (IFC) and National Fire Protection Association (NFPA) standards as adopted by the Fort Lupton Fire Protection District, City Council of Fort Lupton, and Weld County Commissioners. The following specific and general requirements and conditions shall be met.

Specific Requirements:

1. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. *2012 IFC, 505.1*
2. Fire apparatus access road (driveway) shall be designed and maintained to support the imposed loads of fire apparatus (56,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities (e.g. gravel, road base or recycled asphalt). *2012 IFC Section 503.2.3*
3. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. *2012 IFC, 506.1*
 - a. You can go to the following link to purchase a Knoxbox.
<https://www.knoxbox.com/>

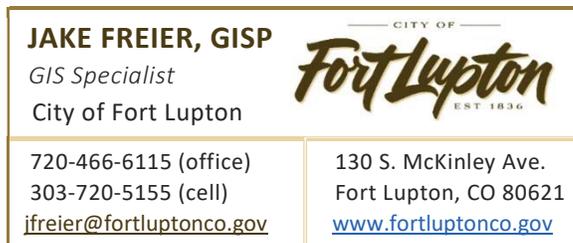
4. A fire code inspection shall be required for a Certificate of Occupancy.
5. The following items shall be approved by the Fire District prior to construction. Click on <https://fortluptonfire.org/contractors/> for directions on submitting plans.
 - a. Building Construction
 - b. Instillation of Above Ground Storage Tanks
 - c. Instillation of Below Ground Storage Tanks

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.

Maria Lancto

From: Jake Freier
Sent: Friday, March 27, 2020 11:06 AM
To: Maria Lancto
Subject: RE: Referral Response Request: MC Paving Site Plan & Special Use Permit; LUP2020-0011; SPR2020-0003; SUP2020-0002

Maria,
I reviewed the application documents and have no comments.
Thanks,
Jake



From: Maria Lancto
Sent: Wednesday, March 4, 2020 3:42 PM
To: Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Alyssa Knutson <AKnutson@Fortluptonco.gov>; Stephanie Darnell <sdarnell@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>
Subject: Referral Response Request: MC Paving Site Plan & Special Use Permit; LUP2020-0011; SPR2020-0003; SUP2020-0002

Good Morning/Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a site plan and special use permit that is being reviewed concurrently by the City of Fort Lupton. The application documents can be reviewed at the following link: [MC Paving Site Plan and Special Use Permit](#).

Any comments you consider relevant to this request would be appreciated. Please reply by **March 25, 2020**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, April 9, 2020 at 6:00 PM**
- **City Council on Tuesday, April 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to thodges@fortluptonco.gov and aknutson@fortluptonco.gov.

Your time in this matter is greatly appreciated!

Thank you,

Maria Lancto

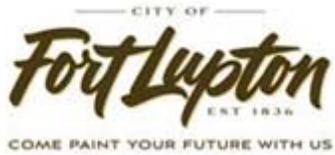
Planner I

130 S. McKinley Ave.

Fort Lupton, CO 80621

Office: 303.857.6694

Cell: 303.718.0172



MEMO

To: Todd Hodges
Alyssa Knutson
CC: Chadwin Cox (Western Engineering Consultants)
From: Roy Vestal
Date: March 27, 2020
Subject: MC Paving Site Plan & Special Use Permit;
LUP2020-0011; SPR2020-0003; SUP2020-0002
Public Works Review

Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

Be advised, review of construction drawings is for general compliance with city standards.

1. Drainage

- a. Retention Criteria.
 - i. The design of the retention facility must include an emergency spillway and must show that a spill will not adversely impact downstream properties or residences. The spillway must be designed in accordance with the detention pond spillway requirements.
 - ii. The design of the retention facility must provide evidence that the pond will drain through the bottom (sides slopes cannot be used in calculation) in less than 72 hours. A retention pond that does not drain in less than 72 hours, can cause injury to water rights, or is in violation of state or federal law will not be accepted.

2. Transportation

- a. Sheet 2of4 - CR 10 only requires additional ROW dedication of 7.5 feet. Total CR 10 as a collector is 85'. An additional 7.5' is required along the north property line. Dedication will be by separate document.
- b. No additional improvements to the roadway are required at this time.
- c. Sheet 1of4 should be revised for a rural collector typical section.

3. Landscape / Grading - Chapter 2 Design Standards

- a. Erosion and Sediment Control plans are required (2.11.00).
- b. A SWMP and Stormwater Discharge permit must be acquired from CDPH&E. Please submit proof of prior to receiving construction permits. Please provide copy of permit from CDPH&E.
- c. Include Grading and Erosion Control Standard Notes (2.11.03)

4. Utilities

- a. Closest water line currently in place is located to the east, ~650 feet in S. Rollie Avenue.
- b. Inclusion into the water district has been started. Will serve letter sent to the District

c. Water - Chapter 3

- i. If water service is desired at this time, property owner will be required to extend the water main to the property for service.

d. Sanitary Sewer - Chapter 4

- i. Nearest sanitary sewer main is located in S Rollie Avenue approximately 650 feet to the east.
- ii. If sewer service is desired at this time, property owner will be required to extend a sewer main to the property for service

Final approval of drawings does not infer the drawings are error free. The City shall have full authority to review and approve all submittals and construction for compliance with these DESIGN STANDARDS and CONSTRUCTION SPECIFICATIONS. An approval or acceptance by the City does not relieve the owner, engineer, designer, or contractor from responsibility for ensuring that the calculations, plans, specifications, construction, and record drawings are in compliance with these DESIGN STANDARDS. Any approval or acceptance by the City shall not result in any liability to the City or its employees for any claim, suit, loss, damage, or injury resulting from the use or implementation of the approved documents. Nothing in these DESIGN STANDARDS shall be construed to circumvent any sections of the City of Fort Lupton Code or sub codes, pertaining to responsibility for reports, studies, designs, and construction.



Your Touchstone Energy® Cooperative 

Hello,

Thank you for inviting United Power, Inc. to review and comment on the MC Paving Site Plan & Special Use Permit; LUP2020-0011; SPR2020-0003; SUP2020-0002. After review of the information, United Power has existing power currently at this location and we have no issue or concerns. If additional or upgraded services is needed, United Power would like to work with the developer early in the construction process on getting an electric design prepared so that we can request any additional easements needed and those easements can be dedicated on the plat rather than obtaining separate document(s). Obtaining easements via a separate document can be time consuming and could cause delays. The developer can visit <https://www.unitedpower.com/construction> and submit an application along with CAD data.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,

A handwritten signature in black ink that reads "Samantha Riblett".

Samantha Riblett
United Power, Inc
Right of Way Administrative Assistant
Main 303-659-0551 | D 303-637-1324



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

March 29, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: MC Paving, Case #s LUP2020-0011 / SPR2020-0003 / SUP2020-0002

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **MC Paving**. Please be aware PSCo owns and operates existing natural gas distribution facilities along Weld County Road 10 and requests that they are shown on the plans

The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

LEGAL NOTIFICATIONS



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 25th day of March 2020, a true and correct copy of the foregoing Notice of Public Meeting, and Site Plan map for the MC Paving Site Plan and Special Use Permit was sent via U.S. Mail, postage pre-paid, to the following addresses:

CHAVEZ MARGARET
CHAVEZ MELECIO
739 COUNTY ROAD 47
HUDSON, CO 806428603

WEBB STEVEN LEE
13280 COUNTY ROAD 10
FORT LUPTON, CO 806218308

BASALITE BUILDING PRODUCTS
LLC
2150 DOUGLAS BLVD
STE 260
ROSEVILLE, CA 956613873

SCHMIDT ESTATE REVOCABLE
TRUST
13539 COUNTY ROAD 10
FORT LUPTON, CO 806218307

WEBB GALE ANN
13280 COUNTY ROAD 10
FORT LUPTON, CO 806218308

SCHMIDT V JRANNE TRUST
AGREEMENT
13539 COUNTY ROAD 10
FORT LUPTON, CO 806218307


City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by MC Paving for a special use permit for an asphalt and concrete paving business, and special use permit for a 500 gallon propane gas tank, on a property located south and adjacent to County Road 10 and approximately 0.20 miles east of South Denver Avenue in Weld County, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements. The property is located in the 1-2 Heavy Industrial Zone District.

The public hearings are to be held before the Planning Commission on Thursday, April 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE NW1/4 OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS:

BEGINNING AT THE NW CORNER OF SAID NW1/4; THENCE EAST ALONG THE NORTH LINE OF SAID NW1/4 A DISTANCE OF 1026.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH AND PARALLEL TO THE WEST LINE OF SAID NW1/4, A DISTANCE OF 567.0 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID NW1/4, A DISTANCE OF 310.0 FEET; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID NW1/4, A DISTANCE OF 567.0 FEET TO A POINT ON THE NORTH LINE OF SAID NW1/4; THENCE WEST ALONG SAID NORTH LINE, A DISTANCE OF 310.0 FEET TO THE TRUE POINT OF BEGINNING,

COUNTY OF WELD, STATE OF COLORADO

Sign Posting Affidavit

MC Paving Site Plan Review and Special Use Permit
Project No. LUP2020-0011 / Plan No. SPR2020-0003 & SUP2020-0002



County Road 10

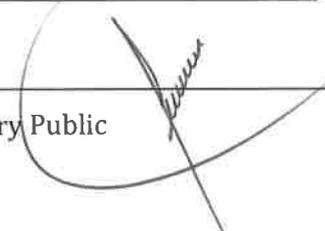
I, Chadwin F. Cox hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 17th day of March, 2020.



Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Chadwin F. Cox, this 20th day of March, 2020. Witness my hand and seal.

My commission expires 05/30/2023.



Notary Public

(SEAL)

CARMEN L. MALDONADO CEDILLO
Notary Public
State of Colorado
Notary ID # 20194020252
My Commission Expires 05-30-2023



COME PAINT YOUR FUTURE WITH US

Planning Department

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351
www.fortluptonco.gov

Affidavit of Mineral Notice

CERTIFICATION OF NOTICE PURSUANT TO C.R.S. 24-65.5-103

MC Paving Site Plan and Special Use Permit
LUP2020-0011; SPR2020-0003; SUP2020-0002

The undersigned applicant, MELECIO AND MARGARET CHAVEZ, hereby certifies:

- (a) To the best of his or her knowledge, the attached list is a true and accurate list of the names and addresses of all mineral owners and lessees of mineral owners on or under the parcel of land being considered pursuant to C.R.S. 24-65.5-103(1)(a).
- (b) Notice was sent to mineral estate owner(s) by certified mail, return receipt requested, or by a nationally recognized overnight courier not less than 30 days prior to the date scheduled for the initial public hearing by the City of Fort Lupton;
- (c) Notice contained the time and place of the initial public hearing, the nature of the hearing, the location and legal description by section, township, and range of the property that is subject of the hearing, and the name of the applicant. A copy of the notice sent is attached hereto.



 Signature of Owner or Owner's Representative

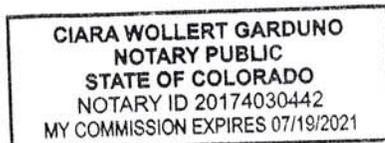
The foregoing instrument was acknowledged before me by Melecio & Margaret Chavez this 9th day of March, 2020. Witness my hand and seal.

My commission expires 07.19.2021.



 Notary Public

(SEAL)



7019 1640 0000 5246 5273

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

DENVER, CO 80202

OFFICIAL USE

Certified Mail Fee	\$3.55	0392
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	09
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.70	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.20	
Total Postage and Fees	\$6.45	

Postmark Here
03/06/2020

Sent To: Neil Mcbee and Sab
 Street and Apt. No., or PO Box No. 1099 18th Street apt 1500
 City, State, ZIP+4® Denver CO 80202

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 5280

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

SPRING, TX 77387

OFFICIAL USE

Certified Mail Fee	\$3.55	0392
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	09
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.70	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.20	
Total Postage and Fees	\$6.45	

Postmark Here
03/06/2020

Sent To: Andersko F&T Company LP
 Street and Apt. No., or PO Box No. PO Box 9199
 City, State, ZIP+4® The Woodlands TX 77387-9199

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 5235

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

SPRING, TX 77387

OFFICIAL USE

Certified Mail Fee	\$3.55	0392
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	09
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.70	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.20	
Total Postage and Fees	\$6.45	

Postmark Here
03/06/2020

Sent To: Andersko Land Corporation
 Street and Apt. No., or PO Box No. PO Box 9199
 City, State, ZIP+4® The Woodlands TX 77387-9199

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0000 5246 5266

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

DENVER, CO 80202

OFFICIAL USE

Certified Mail Fee	\$3.55	0392
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	09
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.70	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.20	
Total Postage and Fees	\$6.45	

Postmark Here
03/06/2020

Sent To: Noble Energy Inc
 Street and Apt. No., or PO Box No. 1625 Broadway suite 2000
 City, State, ZIP+4® Denver CO 80202

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by MC Paving for a special use permit for an asphalt and concrete paving business, and special use permit for a 500 gallon propane gas tank, on a property located south and adjacent to County Road 10 and approximately 0.20 miles east of South Denver Avenue in Weld County, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements. The property is located in the 1-2 Heavy Industrial Zone District.

The public hearings are to be held before the Planning Commission on Thursday, April 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, April 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE NW1/4 OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS:

BEGINNING AT THE NW CORNER OF SAID NW1/4; THENCE EAST ALONG THE NORTH LINE OF SAID NW1/4 A DISTANCE OF 1026.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH AND PARALLEL TO THE WEST LINE OF SAID NW1/4, A DISTANCE OF 567.0 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID NW1/4, A DISTANCE OF 310.0 FEET; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID NW1/4, A DISTANCE OF 567.0 FEET TO A POINT ON THE NORTH LINE OF SAID NW1/4; THENCE WEST ALONG SAID NORTH LINE, A DISTANCE OF 310.0 FEET TO THE TRUE POINT OF BEGINNING,

COUNTY OF WELD, STATE OF COLORADO

IX. Detail of Issue/Request:

The Applicant, M-J Perri Company, has submitted a request for a sketch PUD plat on a property that is approximately 72.7 acres. The property is located west and adjacent to County Road 29 ½ and south and adjacent to Highway 52. The proposal is for a mixed use subdivision that will consist of residential uses including 58 paired homes, 61 town homes, and 195 single family detached homes, a 2.3-acre neighborhood commercial corner, and 4 neighborhood parks with trail connections. The zoning is 'PUD' Planned Unit Development, and the proposed land use conforms to this zoning. Future submittals will include more detail pertaining to the planned phasing of the project.

The zoning is 'PUD' Planned Unit Development, and the proposed land use conforms to this zoning. In addition, the comprehensive plan supports this proposed development, which is designated as the Single Family Attached and Commercial General land use types. The proposed development also includes Single Family Detached housing, which is consistent with surrounding land use types.

This sketch PUD plat is meant to be conceptual, and full details and engineering will be developed during the next phase, which is the preliminary and final PUD plat phase. More information on the intent of the sketch phase is detailed in the Legal/Political Considerations under Section X below.

Additional information on this application is included in the enclosed packet materials included with this Action Memorandum.

X. Legal/Political Considerations:

Pursuant to the Fort Lupton Municipal Code Section 16-45, a sketch PUD plan (or plat) is an initial review of a proposed Planned Unit Development and is processed per Section 17-21 of the Code. The sketch PUD plan phase is required prior to submitting a preliminary PUD plan and final PUD plan. The sketch PUD plan should generally define the layout of streets, lots and location of any public uses, such as schools and parks, and proposed zoning classifications.

All notification requirements were met, including mailing notice to property owners within 500 feet of the site and sending notice to mineral owners and lessees of record on the properties.

The intent of the sketch PUD plan is to provide a general concept that describes the applicants' development vision and plan for a proposed PUD. The sketch PUD plan gives the City an opportunity to describe the community's vision to the applicant, provides basic information to the City that will affect the planning and design of the site, and gives the applicant an opportunity to hear comments and concerns from the public prior to proceeding with detailed project design. A sketch PUD plan is not intended to provide final comments or requirements, or restrict the City's discretion in subsequent stages of the review process.

XI. Alternatives/Options:

The City Council has the following three options for the request:

- a) Approve the sketch PUD plat;*
- b) Conditionally approve the sketch PUD plat;*
- c) Remand the sketch PUD plat to Planning Commission; or*

d) *Deny the sketch PUD plat.*

XII. Financial Considerations:

The Applicant has paid all applicable land use application fees and are covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the Murata Farms Sketch PUD Plat.

RESOLUTION NO. 2020Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE MURATA FARMS SKETCH PUD PLAT SUBMITTED BY M-J PERRI COMPANY TO CREATE A MIXED USE SUBDIVISION LOCATED WEST AND ADJACENT TO COUNTY ROAD 29 ½, AND SOUTH AND ADJACENT TO HIGHWAY 52 IN A PART OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on April 9, 2020, for the purpose of reviewing the Murata Farms Sketch PUD Plat submitted by M-J Perri Company; and

WHEREAS, the Sketch PUD Plat proposes to develop the property consisting of residential uses including 58 paired homes, 61 town homes, and 195 single family detached homes, a 2.3-acres neighborhood commercial corner, and 4 neighborhood parks with interconnecting trails; and

WHEREAS, after review of the application for a Sketch PUD Plat, and consideration of staff comments, applicant's presentation, and any public input, Planning Commission recommended approval of the Murata Farms Sketch PUD Plat; and

WHEREAS, all legal requirements for the public hearing have been met, including mailing of public hearing notices to adjacent property owners within 500 feet; and

WHEREAS, the City Council held a public hearing to consider and review the request for a Sketch PUD Plat on April 21, 2020; and

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council reviewed the plans and supporting documentation, all referral comments and any citizen input in response to this application. Based upon review of the applicable policies and goals in the Fort Lupton Comprehensive Plan, review of the Subdivision and Zoning Regulations, an analysis of referral comments and facts presented on this date, the City Council hereby recommends approval of the Murata Farms Sketch PUD Plat located in a part of Section 4, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado with the following conditions:

- I. Prior to submittal of a Preliminary PUD Plat:
 - A. The title of the Sketch PUD Plat map shall be updated to include the Project No. LUP2020-0003 & Plan No. SPL2020-0001.
 - B. Any redline comments provided by City staff shall be made to the sketch PUD plat.
 - C. Applicant shall submit a pre-application meeting request and meet with City staff to determine requirements of the submittal.

- II. As part of the Preliminary PUD Plat submittal, the applicant shall include the following:
- A. Applicant shall adequately address the referral comments from CDOT.
 - B. Applicant shall adequately address the referral comments from Colorado Parks and Wildlife.
 - C. Applicant shall adequately address the referral comments from the Public Works Director.
 - D. Applicant shall adequately address the referral comments from United Power.
 - E. Applicant shall adequately address the referral comments from the Weld County Planning Department.
 - F. Applicant shall adequately address the referral comments from Xcel Energy Public Service Company.
 - G. Applicant shall provide proposed street names.
 - H. Applicant shall provide information concerning any existing surface use agreements and provide details on how the agreements have been addressed on the design of the development.
 - I. Applicant shall address the Fort Lupton Parks and Trails Master Plan, specifically addressing the Connector Trail along Highway 52 and the Main Fulton Ditch Trail and a trail head located at the intersection of Highway 52 and County Road 29 ½.
 - J. Applicant shall provide a rendering of housing style and architectural features.
 - K. Applicant shall provide description of any deviations from residential design standards and regular zone district requirements, including setbacks, lot sizes & dimensions, height, lot coverage, parking, landscaping, fencing, etc.
 - L. Applicant shall collaborate with Mountain Sky and Appel Farms Subdivisions for trail and street connections.
 - M. Applicant shall provide a landscape plan detailing plant species and costs.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO THIS 21st DAY OF APRIL 2020.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña,
City Clerk

Approved as to form:

Andy Ausmus, City Attorney

RESOLUTION P2020-008

RESOLUTION NO. P2020-008

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE MURATA FARMS SKETCH PUD PLAT TO CREATE A MIXED USE SUBDIVISION LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on March 26, 2020, for the purpose of reviewing the Murata Farms Sketch PUD Plat; and

WHEREAS, the Sketch PUD Plat proposes to subdivide a property for a mixed use project consisting of residential uses including 58 paired homes, 61 townhomes, and 195 single family detached homes, a 2.3-acre neighborhood commercial corner, and 4 neighborhood parks with trail connections; and

WHEREAS, after review of the application for a Sketch PUD Plat, and consideration of staff comments, applicant's presentation, and any public input, the Planning Commission finds the request for the Murata Farms Sketch PUD Plat conforms with City codes, and requirements and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met, including mailing of public hearing notices to adjacent property owners within 500 feet; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has considered the application and has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the Murata Farms Sketch PUD Plat located in the Southwest Quarter of Section 4, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado with the following conditions:

- I. Prior to submittal of a Preliminary PUD Plat:
 - A. The title of the Sketch PUD Plat map shall be updated to include the Project No. LUP2020-0003 & Plan No. SPL2020-0001.
 - B. Any redline comments provided by City staff shall be made to the sketch PUD plat.
 - C. Applicant shall submit a pre-application meeting request and meet with City staff to determine requirements of the submittal.
- II. As a part of the Preliminary PUD Plat submittal:

- A. Applicant shall adequately address the referral comments from CDOT.
- B. Applicant shall adequately address the referral comments from Colorado Parks and Wildlife.
- C. Applicant shall adequately address the referral comments from the Public Works Director.
- D. Applicant shall adequately address the referral comments from United Power.
- E. Applicant shall adequately address the referral comments from the Weld County Planning Department.
- F. Applicant shall adequately address the referral comments from Xcel Energy Public Service Company.
- G. Applicant shall provide proposed street names.
- H. Applicant shall provide information concerning any existing surface use agreements and provide details on how the agreements have been addressed on the design of the development.
- I. Applicant shall address the Fort Lupton Parks and Trails Master Plan, specifically addressing the Connector Trail along Highway 52 and the Main Fulton Ditch Trail and a trail head located at the intersection of Highway 52 and County Road 29 ½.
- J. Applicant shall provide a rendering of housing style and architectural features.
- K. Applicant shall provide description of any deviations from residential design standards and regular zone district requirements, including setbacks, lot sizes & dimensions, height, lot coverage, parking, landscaping, fencing, etc.
- L. Applicant shall collaborate with Mountain Sky and Appel Farms Subdivisions for trail and street connections.
- M. Applicant shall provide a landscape plan detailing plant species and costs.

DONE THIS 9th DAY OF APRIL, 2020 BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

This Resolution was approved by the Planning Commission on April 9, 2020.

Staff has been unable to get the Chairman and Planning Director's signature to the Resolution due to social distancing requirements, but the signed Resolution will be added to the file once it is fully executed.

MINUTES

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

The Planning Commission of the City of Fort Lupton met virtually via GoToMeeting, on Thursday, April 9, 2020. Chair Mike Simone called the meeting to order at 6:06 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, and Commission Members Kathy Kvasnicka, Paul Weber, and Vice-Chair Bushrod White. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:09 p.m.

ACTION ITEMS

Conner Family Trust – Fort Lupton Fire Protection District Minor Subdivision

Planning Director Todd Hodges stated that the project is to correct a split that had occurred without the proper land use process years ago. He stated that the Fire Chief is available for questions, and the Fire District owns Lot 1 and the Conner Family owns Lot 2. He concluded by stating to make it right, the applicants went through the Minor Subdivision process.

Chair Simone asked if there was going to be a formal presentation from the applicant.

Mr. Hodges stated that it's not intended, but the applicant is on if there are any questions.

Chair Simone opened the Public Hearing to public comments at 6:11 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone directed the public to use the chat box for comments. He asked City Planner II Alyssa Knutson if there were any emails or calls that were received for this application.

Ms. Knutson stated that she has not received any emails, but any calls should currently be on as a participant.

Chair Simone stated that he did not see any requests in the chat box, he closed the public comments portion at 6:12 p.m.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-007. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

Murata Farms Sketch PUD Plat Public Meeting

Ms. Knutson introduced the project. She stated that the sketch plat is the first phase for the approval of a mixed use subdivision. She stated that the location of the project is south of Highway 52 and west of County Road 29 ½. She stated that the applicant is proposing commercial in the northeastern corner, with single family residential, paired homes, and parks in the remaining portions of the proposed development. She stated that this is at the conceptual phase and it will move forward to the preliminary and final subdivision at a future phase. She stated that this is an opportunity for the Planning Commission to provide general comments they have on the project. She stated that representatives are available and have a presentation.

Eric Eckberg, 2696 S. Colorado Blvd., Suite 320, Denver, CO 80222, the applicant representing the developer for Coronado West, gave a brief summary of the project. He stated that they have had two pre-applications: one was last summer that was informal with staff to receive input from the Planning Department in regards to what their vision was for the property, and the second was a formal meeting in the fall which entails what is being seen tonight. He stated the site is just south of Coyote Creek Golf Course, south of Highway 52, west of County Road 29 ½, catty-corner from Aims Community College and north of the Mountain Sky Subdivision site. He indicated to a slide that included various site photos, including an aerial photo. He described items that are currently on the site: an existing oil and gas well facility that is operating, a flow line easement that runs north-south that bisects the property, and the Fulton Ditch is in the northeast corner of the property. He stated that his associate Karen did a nice job coming up with a plan that incorporates the items already on the site. He stated that they have been working with the developer to the south of the site to coordinate with the utility work that is starting. He stated that there will be a sanitary stub-in at the southwest corner that will feed both sites. He stated that the developer to the south is bringing water across Highway 52. He stated that they have established a good

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

relationship with the developer, and at staff's request, they are in discussion with the other developer to annex into their metro district rather than create one of their own. He indicated to a Sketch Plat map stating that they are proposing a mix of uses: paired homes, along with townhomes, commercial along Highway 52, and then a transition to single family detached homes. He stated this transitions well with the Mountain Sky development to the south. He then indicated to a Conceptual Landscape and Open Space Plan map stating the map provided more detail of the network of trails systems and the parks in the development. He stated that the main entrance will be at the northwest corner of the property, directly across from the main entrance to Coyote Creek. He stated that Coyote Creek Drive will come down, and then make a turn to go back. He stated that the network of parks and trails throughout the site that will connect to the development to the south.

Travis Frazier, 1500 W Canal Ct., Littleton, CO 80120, a Project Engineer for Redland Consulting Group Inc., indicated to a Preliminary Utility Plan map stating it is a high level utility plan for the project. He stated the map shows the basic utility backbone, and the points of connection. He stated with Mountain Sky to the south, they are bringing both potable and non-potable waterlines down County Road 29 ½. He stated they will be connecting to that water line for one of the points of connection. He stated there is an existing waterline that runs along the western property line and connects to Silverado Lane, which will be the second point of connection. He stated that there will also be a connection up to the north at Highway 52. He stated that the sanitary sewer drains to the southwest. He stated that there is a proposed sanitary stub that is going to be put in with the Mountain Sky subdivision and they will connect there as well. He stated the site is great because all the utilities are kind of in place; it's just a matter of bringing them in and connecting to them. He stated that there is not a lot of offsite infrastructure that has to happen. He then indicated to a Preliminary Drainage Plan stating that the property as a whole drains from the northeast to the southwest. He indicated to a yellow line on the Drainage Plan that represented a drainage channel. He stated the channel is being installed with the subdivision to the south, and the channel flows from east to west, and serve as an outfall to the property. He stated in the southwest corner of the property, northwest on Mountain Sky property, is a detention pond that Mountain Sky is proposing. He stated that after meeting with staff, the desire was to create a regional detention facility that could serve both properties. He stated that during the analysis, they ran into some difficulties with that plan, because of the existing channel. He stated that the channel is the outfall so the pond has to outfall to the channel, and they are unable to get under the channel and still outfall into a pond on the other side of it. He stated that they came up with a concept for two detention ponds on site that will outfall directly to the channel. He stated that he liked the concept, because it provided two options: lets them phase the site from a drainage standpoint, and keeps the infrastructure smaller and keeps the pond smaller within the two areas. He stated the two blue boxes on the map are the two detention ponds they have identified for the project.

Chair Simone asked Mr. Eckberg if he agreed to waive his right to an in-person hearing.

Mr. Eckberg stated that he did.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Knutson if Fire Chief Phil Tiffany, or anyone from the Conner group also waive their right.

Ms. Knutson stated that they did. She asked Chief Tiffany to confirm.

Fire Chief Tiffany confirmed that they waived the right, and signed a waiver and submitted it to staff.

Chair Simone opened the Public Hearing to public comments at 6:27 p.m.; seeing no one, he closed the public comments portion at 6:28 p.m.

Member Kathy Kvasnicka asked if the project will be on public utilities.

Mr. Eckberg confirmed that it would be.

Chair Simone asked if there was going to be a trail connection between the two subdivisions.

Mr. Eckberg stated that their network of trails are designed to connect. He stated that on the last slide, there is a drainage canal that will allow the trails from both subdivisions to connect.

Vice-Chair Bushrod White asked if there was going to be a trail that connects from Appel Farms to the subdivision.

Mr. Eckberg stated that he did not know for sure.

Ms. Knutson stated that it didn't look like there would be a trails that connects Appel Farms to the other neighborhoods. She stated that Silverado Lane goes into their proposed road network, but the trail does not go into Appel Farms at this phase in the concept. She stated that if that is something the Planning Commission would like to request staff to look at, they could provide that comment to take forward.

Chair Simone asked staff if there was any talk of extending the sidewalk that goes from Appel Farms to the Safeway Shopping Center to that other neighborhoods that were being developed. He commented that before the sidewalk was put in, people were walking on the side of the road with their strollers which was really unsafe since the speed limit is so high.

Ms. Knutson asked if Chair Simone was asking about the sidewalk along Highway 52.

Chair Simone confirmed that the sidewalk along Highway 52 was what he was asking about. He asked if the sidewalk would be extended to the east.

Public Works Director, Roy Vestal, commented that the extension of the sidewalk is not included at this time, but it is something that they can project in the plan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-008. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote

C&M Rodriguez Annexation Nos. 1-5 & Initial Zoning to 'C-2' Heavy Commercial

Chair Simone asked if there was anyone who joined the call after he had explained the process for the public hearing and application process; seeing no one he moved on to the application.

Chair Simone asked Mr. Hodges if the applicant waived their right to an in-person meeting.

Mr. Hodges asked the applicant representative to confirm.

Shannon Toomey with AGPROfessionals, a representative for C&M Rodriguez, stated that a waiver was submitted by their client.

Mr. Hodges introduced the project. He stated that the project consisted of two public hearings: one for the annexation, and the other is for a special use permit. He asked Chair Simone if it was okay for him to present the projects in two separate blocks.

Chair Simone stated that would be okay.

Mr. Hodges stated that the project includes a strip along Highway 85 from the existing City limits at County Road 18 to County Road 22 ½ and up County Road 25 ½. He stated in order to get contiguity, the City of Fort Lupton will take the right of way along Highway 85. He stated that the total acreage is just over 84 acres on the total annexation. He stated that the parcel that is being annexed is 17.53 acres. He stated that the City has an Intergovernmental Agreement (IGA) with the Town of Platteville. He stated that County Road 24, which is the northern boundary of the property, is the middle line of the IGA. He stated that this was done for future annexations, such as the C&M Rodriguez, to close the gap. He stated that this was something that was jointly looked at when the IGA was done long ago. He stated that the location is an existing site in Weld County that is currently zoned Agricultural and going to C-2 Heavy Commercial based on the City of Fort Lupton Comprehensive Plan. He stated that he will discuss the Special Use Permit separately. He concluded by stating AGPROfessionals have a representative to give a presentation.

Ms. Toomey, 3050 67th Ave., Greeley, CO 80634, stated that the presentation is split into two sections; one for the annexation and zoning, and the other for the special use permit. She stated that the applicant is requesting the annexation of a property that is approximately 84 acres, with a C-2 Heavy Commercial Zone District designation. She stated that the C-2 Heavy

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Commercial Zone District allows commercial uses that require heavy auto and truck traffic, and outdoor storage, and display. She stated that the parcel is a 17.53 acre portion of this request, and the remaining acreage makes up the right-of-way portions of Highway 85, County Road 22 ½, and County Road 25 ½. She stated the site is located just directly west of Highway 85, and north of County Road 22 ½, and just about 2 ½ miles north of the City of Fort Lupton. She indicated to a dashed yellow line on the slides showing the vicinity map to represent the right of way that is part of the annexation, and the property requesting annexation is in blue. She stated that the parcel directly north was annexed to the City of Platteville in 2017, and the other surrounding properties are part of unincorporated Weld County. She stated that there is an existing business on the property that was permitted through a Weld County Use by Special Review (USR), USR12-0019, allowing the operations of a mineral resource development facility, including roustabout and trucking services for the oil and gas industry. She stated that the business is currently operating on the site. She stated that the current district and services that are currently serving the site are adequate and unchanged with the exception of police protection. She stated that police protection is currently being served by Weld County Sheriff, and after approval of the annexation would switch to the Fort Lupton police.

She stated that staff has agreed the proposal complies with the City's municipal code relating to annexation, and also with the Colorado Revised Statutes for annexation. She stated that staff also agrees that the proposal is consistent with existing and expected future development as designated in the Comprehensive Plan and Three-Mile Plan. She reiterated that the current services and districts are adequate to support the existing development. She stated that the proposed zoning is compatible with the surrounding uses. She stated that there are multiple commercial and industrial businesses currently along Highway 85 between the site and Fort Lupton city limits. She stated that many of these uses are approved through Weld County Special Review Permits. She stated that some uses not included on the slide are: agriculture, mineral resources development facilities, gravel mining, water storage, dog kennels, and rural residential uses. She stated that staff has agreed that the proposed zoning is consistent with the Comprehensive Plan. She stated that the site is within the area along Highway 85 designated in the Comprehensive Plan for commercial transition land uses, which is highlighted pink on the Future Land Use Map. She stated that this designation for areas of potential for commercial development based on access to high traffic roadways; in this case that would be Highway 85. She stated there are similar businesses already present along Highway 85, both within the City and beyond the City limits, as you travel north along Highway 85. She stated that the proposed zoning is a continuation of the existing land use pattern along this corridor. She stated that staff agrees that the proposal is also consistent with the Three-Mile Plan. She stated that the property is located in Quadrant II of the Three-Mile Plan which is designated for agricultural, rural residential, commercial transition, light industrial and office, mineral zone and parks, and open space. She stated that the Three-Mile Plan finds that certain lands within this area would be logical for the expansion of the City of Fort Lupton urban area. She stated that this site is adjacent to land annexed by the City of Platteville and this annexation would establish the northern boundary of the City of Fort Lupton along the Highway 85 corridor. She stated that she has concluded

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

her presentation for the annexation and initial zoning of the project, but she has a second presentation that goes into more detail on the existing use on the site and the proposed special use permit. She concluded by stating she is available to answer any questions at this time for the annexation portion.

Chair Simone opened the Public Hearing to public comments at 6:42 p.m.

Steve Nelson, 112 Melody Ln, Platteville, CO 80651, stated that he owns the Overland Tractor and Supply that abuts C&M Rodriguez on the north. He stated that in addition to the letter that he wrote for the Planning Commission, the tenant is bringing in the combustors every day. He stated that C&M Rodriguez promised Weld County Commissioners that the equipment and combustors would be removed in thirty days; which was in August of 2019. He stated that at the same meeting, the USB was revoked for non-compliance, and a lawsuit was filed. He stated that it would make sense that Weld County would be in favor of Fort Lupton annexing this property, because then the City would assume legal responsibility for the non-compliant combustors and equipment. He stated that he has heard endless promises that this problem would be remedied in thirty days; no documentation, no signatures, no date certain, just verbal promises which is worth the paper they're written on. He requested that removal of all combustors and equipment before annexation approval.

Mr. Hodges asked Mr. Nelson if he could indicate if he felt like he had equal rights to participate in the public hearing.

Mr. Nelson stated that he made it here, the Planning Commission listened, and that was all he cared about.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 6:45 p.m.

Member Paul Weber asked if the stacks that are on the property would be more applicable to the Special Use Permit application.

Chair Simone stated that he had the same question. He stated that it applies to proper enforcement of the City of Fort Lupton laws. He asked Mr. Hodges if the question is more appropriate for the Annexation or Special Use Permit application.

Mr. Hodges stated that it could be for both, however it would be more appropriate with the Special Use Permit hearing.

Member Kathy Kvasnicka didn't have any questions as long as the stacks were being addressed somewhere.

Chair Simone asked Ms. Toomey to address the comments about the stacks.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Ms. Toomey stated that she covers some of that in the Special Use Permit, and William Garcia, attorney for C&M Rodriguez Services, is also present to answer questions. She stated that Mr. Garcia has been assisting throughout the process with Weld County and with the eviction of the tenant currently storing the stacks on the site.

William (Bill) Garcia with Coan, Payton & Payne, LLC, 1711 61st Ave., Suite 100, Greeley, CO 80634, stated that he and his firm represent C&M Rodriguez Services in a number of different areas. He stated that on the matter in question, the Planning Commission will hear more about it in the Special Use Permit portion of the presentation, but the burners that are of concern to Mr. Nelson and the other neighbor that provided a written comment to the application, are not the property of C&M Rodriguez Services. He stated that the stacks belong to Questor. He stated that the various tenants that are on the property are subject to a forceable entry and detainer matter, which is “legal-ese” for an eviction. He stated that matter was filed with the Weld County courts on the February 19, 2020. He stated that Questor, who has the burners of issue, entered into an agreement with C&M Rodriguez Services, and this was filed with the Weld County Court. He stated that Questor agreed to vacate the premises not later than April 30, 2020 at 5:00 PM Mountain Standard Time. He stated that in the event that they do not comply, it will be considered abandonment of any property there, and subject to C&M Rodriguez being able to get an order for possession of the property and remove that tenant. He stated that there is another tenant on the property, but they do not have the burners that are of concern. He stated that there was a possession hearing that was scheduled to determine potential removal of the other tenant from the property, which was scheduled for March 30th. He stated with the pandemic situation, the matter was vacated to be reset at a later time for when the court opens up to civil hearings. He stated that they are working with that tenant, and he’s unable to report anything in terms of a deadline, but they are working with that tenant in good faith to see if a date could be decided for C&M Rodriguez to have full control of the premises without any tenants. He stated that he has also spoken with Mr. Nelson and the other neighbor that provided the letter, and has explained the process that they’ve been working on to keep the neighbors involved.

Chair Simone commented that the issue of the combustors is not something that the Planning Commission should consider; it’s an internal issue with the landlord. He commented that he didn’t think the Planning Commission should take this into account of whether they decide to approve or disapprove this application. He asked Mr. Hodges for his thoughts.

Mr. Hodges agreed and stated that it’s not the intent to have anything but Mr. Rodriguez’s operations. He stated that they have information from the applicant's representative that this is continuing through the court, it’s currently in the County Court, and there’s a stipulation that Mr. Garcia just referenced. He stated that it is the City’s intent that this operation will be removed at some point and it is not something that the Planning Commission is reviewing for approval.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-009. It was moved by Member Paul Weber and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

C&M Rodriguez Special Use Permit

Chair Simone asked Ms. Toomey if they waived the right for an in-person hearing.

Ms. Toomey confirmed they did.

Mr. Hodges introduced the project. He stated that the Special Use Permit is for the existing oil and gas operation. He stated this is where they can get a little more in depth and it may be more appropriate from a land use standpoint for a condition that includes the fact that all the other operations not specifically allowed through the special use permit shall be removed at a certain date. He stated the proposal is for a shop and oil and gas services. He stated that the application is complete, and the applicant's representative is present. He reiterated that this application is just for the owner's uses and not the uses that have been included for the violations with Weld County; that's between them and the County. He stated that the City is taking it over, but they can have stipulations prior to recording that these things come to fruition, whether they're extended or not through the courts. He stated that they want to make sure at the end of the day, prior to grating the complete USR that all the other things are taken care of. He reiterated that the Planning Commission is not looking at the annexation and zoning, this is where it is appropriate from a land use with conditions. He stated that the initial zoning will be zoned C-2, and this use will not be a use by right, but will be a Special Permit and will be non-transferable. He stated that if Mr. Rodriguez were to sell the property, this use would cease or the new owner would have to go back through the Special Use Permit process, unless the code changes for that land use in the future. He concluded by stating Ms. Toomey will proceed with her presentation at this time.

Ms. Toomey stated that the request is to permit the existing oil and gas support service that is currently on site that was previously permitted through Weld County. She stated that the business currently stores vehicles and equipment on site used by the oil and gas industry. She stated that there is also an existing shop and storage building, and a separate modular office building. She stated that most of the site is used for that equipment storage. She stated that employees come to the site, pick up equipment, deliver it to the work site, and then return in the evening. She indicated to a site overview map stating that the site is surrounded by a six-foot high metal fence that provides security and screening, and this is indicated by the black dashed line around the perimeter. She stated that there is an existing access with located where the orange arrow is off of County Road 25 ½. She stated that highlighted in orange is the 9,000 square foot shop building, and highlighted in purple is the small 800 square foot modular office building. She stated that the gray areas indicate an improved gravel and road base surface for outdoor storage of equipment and vehicles. She stated that

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

there is additional vehicle parking just west of the tree line and existing vegetated area, which is showing green. She stated that there is existing parking both near the shop building and office building. She stated in the northwest corner, highlighted in blue, is the existing water quality feature that was put in during the Weld County Use by Special Review process, and it will continue to serve as stormwater management for the site. She stated that the site is operational between 6:00 AM to 5:00 PM, Monday through Friday. She stated that on occasion the site may be operational as early as 5:00 AM and as late as 10:00 PM depending on business needs, however the 6:00 AM to 5:00 PM will be the standard operating hours. She stated that there are two to four full-time employees working on site, and thirty additional employees that are onsite less than four hours a day. She stated that those are the individuals coming to the site to pick up the equipment and the drivers. She stated that the site is not open to public, so it won't experience the traffic you would see for other businesses. She stated that since the business is existing, the approval of the Special Use Permit will not result in an increase in traffic in the area; the traffic would be expected to stay the same as it is currently. She stated that the numbers listed on the slide are approximate traffic numbers: twelve pickup trucks cars per day, eight dump trucks per day, twelve belly dump trucks per day, and around three one-Ton trucks per day. She stated that all traffic is directed to leave the site and travel south on County Road 25 ½ to get to Highway 85 going south. She stated that a sign was recently put up at the exit to direct the drivers to go south so as not to bother the neighbors to the north, since that was one of the concerns that was received in a letter regarding traffic. She indicated to a surrounding uses map and stated that there are existing similar types of businesses along the Highway 85 corridor that this would be compatible with. She stated that a Nuisance Management Plan was prepared and submitted with the application to address light, dust, waste management, and noise. She stated that all outdoor lights will be shielded and down directional. She stated that the existing metal fence does provide some screening from that light onto the surrounding properties. She stated that the storage surfaces are gravel and road base and can be treated with water or magnesium chloride to control dust conditions should they arise. She stated that for waste management there is no waste stored on site, and trash will be confined to dumpsters and collected weekly. She stated nuisance noise is not anticipated since this is mostly a storage site and workers will be taking equipment and leaving the site, however, they will be in compliance with the State noise standards.

She stated that comments were received from the neighbors regarding the combustor towers. She stated that the towers let off an odor and physically block the tractor supply business to the north. She stated that Mr. Garcia has indicated that these towers are in the process of being removed from the site to address the concerns of the neighbors. She stated that it's been a process, but C&M Rodriguez Services are taking these concerns seriously and are working to address these issues. She stated that other concerns that were brought up are the traffic which was briefly discussed. She stated that C&M Rodriguez Services is specifically directing their truck traffic south, but there is other traffic in the area that might be using County Road 25 ½ up to County Road 24. She stated that while they cannot say there won't be truck traffic heading that direction, they will be making sure that their drivers are not heading in that direction to reduce the concerns of the neighbors. She stated that she has

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

concluded her presentation for the special use permit, and staff has agrees that this request meets the approval criteria. She concluded by stating they respectfully ask for approval and she would be happy to answer any questions.

Chair Simone opened the Public Hearing to public comments at 7:06 p.m.

Mr. Nelson requested to speak again. He stated that from his point, the fence that is surrounding the north side of the property is a line of sight obstruction to his driveway, his message board, and lit sign. He stated that it would be nice if that fence was at least brought down to six-feet, or some modifications made so he could have line of site access to his driveway. He stated that Nate Balcom always has a problem with dust from the trucks driving by. He stated that if they had a way to mitigate that through the mag-chorlide or some other method, he thinks that might go a long way to making Mr. Balcom happy.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:08 p.m.

Member Paul Weber stated that most of his concerns surround the combustors, and the odor from the combustors, but it sounds like that's going to get resolved in the courts. He asked if his understanding was correct.

Chair Simone stated that it sounded like that was the case.

Vice-Chair Bushrod White stated that he noticed that the lighting was going to be set up, but was a light study completed so the applicant knows how much light will escape outside the building or what is there.

Ms. Toomey stated that a light study was not completed, but the lights that are currently there are mounted on the outside of the building. She stated that there are not very many, and seeing as there were no concerns from the neighbors regarding the lighting, they did not feel it was a nuisance.

Vice-Chair Bushrod White asked what kind of landscaping was going to be done around the area, or is it just going to be the metal fence.

Ms. Toomey stated that currently around the site there is no landscaping other than what is naturally occurring vegetation. She stated that interior to the site is the grassy area or the tree line, but outside the fence there is no installed landscape. She stated that the site is along the highway and is more a commercial-industrial site so the screening is the most effective way to make the site look pleasing.

Vice-Chair Bushrod White commented that he is not a fan.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone asked Ms. Toomey if she would like to respond to anything Mr. Nelson commented on.

Ms. Toomey indicated to a photo under the neighbor concerns slide. She stated that in the photo, you can see the sign, but C&M Rodriguez Services is happy to work with Mr. Nelson regarding the sight line issue with the fence. She stated that there is still a requirement to screen the outdoor storage, and the applicant is unable to get around the fencing requirements. She stated that working within Fort Lupton's fencing requirements, they would be happy to work something out with him.

Chair Simone commented that Ms. Toomey indicated that the applicant would follow the State's noise standards. He asked Mr. Hodges if it is implied that the applicant will have to follow Fort Lupton's noise standards, or would that need to be added as a condition.

Mr. Hodges stated that it is actually in the condition as the State noise standard, or as a note on the plat.

Chair Simone asked for clarification if the applicant would have to comply with the Fort Lupton's standards as well.

Mr. Hodges stated that Fort Lupton should be following the State noise standards.

Chair Simone asked Mr. Hodges if he was going to consider a proposed condition.

Mr. Hodges stated that he would speak for Mr. Nelson, that he thought that would be good for Mr. Nelson and the applicant to look at the fence together as far as a sight triangle. He stated that they can ask Mr. Vestal if he would like to add any conditions as well. He stated that the condition that he had written down is concerning the other operations and the main items that have been a concern, which would pertain to the big stacks. He stated that the condition would be prior to recording the Special Use Permit map, and any operations not included in the Special Use Permit shall be removed.

Chair Simone asked where Mr. Hodges would like to enter that.

Mr. Hodges stated prior to recording, and it can either item "J" and renumbered or "K".

A brief discussion of placement took place.

Chair Simone stated that the Planning Commission can allow staff to insert the condition where appropriate if they agree to it.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-010 with the proposed addition that Mr. Hodges just mentioned and it would be inserted at the appropriate place. It was moved by

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Member Paul Weber with the additional changes and it was seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

Vincent Village Apartments Preliminary Site Plan

Chair Simone asked Mr. Hodges or Ms. Knutson to verify that the applicant has waived their rights to an in-person meeting.

Ms. Knutson asked Ryan Zent to confirm.

Mr. Zent confirmed that they waived their right to an in-person meeting.

City Planner I Maria Lancto introduced the project. She stated that the application is for a Preliminary Site Plan known as the Vincent Village Apartments. She stated that the site is located near the northeast corner of Rollie Avenue and Highway 52. She stated that the applicant is proposing two three-story apartment buildings. She stated that within these, there will be seventy-two total units with a mix of one, two, and three bedrooms. She stated that on this site there will also be a clubhouse, playground, and dog park. She stated that currently the zoning is C-1 General Commercial, so the applicant would be looking at a change of zone when they submit the final site plan. She stated that something to note, typically a final site plan would only be required, however, it was decided that it would be good to come before Planning Commission and City Council with a preliminary site concept. She stated that there is no vesting associated with this, and a final site plan submittal would be required at the next step. She stated that the applicant has a brief presentation.

Ryan Zent, 6105 S. Main St., Suite 200, Aurora CO, 80016, is the Regional Vice President with the Michael's Development company, which is the applicant and developer for the Vincent Village Apartments. He gave a brief overview of the company and commented that the Fort Lupton project would be one of their third projects in the State of Colorado. He stated that the project is one that they have been working on the conceptual side with both the land owner and the City of Fort Lupton staff for over a year to ensure that they have the right density and scale for the community's needs. He stated that the proposed project is the development of a 72-unit workforce housing community to be built at the corner of Rollie Avenue and Highway 52, on the north side of the Vincent Village property that is currently under development. He stated that the community will be comprised of two three-story 36-unit residential buildings featuring: 24 one-bedrooms, 36 two-bedrooms, and 12 three bedroom units ranging in size from 663 square feet up to 1,115 square feet. He stated that additionally, the community will feature a 2,300 square foot community room with central gathering area, warming kitchen, and fitness center, as well as a space for an on-site management and leasing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

He stated that the community will be specifically designed and targeted toward the working families of the Fort Lupton area, with individuals and families earning up to \$67,500 able to qualify for housing. He stated that Michaels not only develops, but owns and manages all of the communities that they develop over the long term. He stated that they are committed to designing and building a functionally sustainable and high quality community that not only helps to reduce operating expenses over time, but also ensures that the community maintains a high degree of resiliency and up keep for the long term. He stated that Vincent Village Apartments will be no different and will be constructed of high quality materials and attractive facades that promote distinctive styling with materials and massing that are compatible with the surrounding residential and commercial neighborhoods. He stated that they are designing the community to meet the certification standards of Zero Energy Ready Homes, which will create a thoughtfully designed community for the conservation of energy and water over time, but is also able to adapt as technologies change. He then indicated to an overview of the site plan map. He stated that it is designed to ensure compatibility with the surrounding neighborhood context, and includes a significant setback that's been created between the buildings and single family neighborhood to the north. He stated that this will allow for landscaping and open space between the uses. He stated that the clubhouse is located centrally to the project to ensure easy access to all residents from buildings one and two, as well as visitors to access the community from both Rollie Avenue and the newly constructed 2nd Street. He stated that this is also well adapted and integral into the larger Vincent Village plan that is being developed. He stated that the project will include approximately 127 parking spaces for the use of residents and is distributed evenly throughout the project to make sure all residents have parking options. He stating they feel that the project is in close alignment with the City's needs for additional housing opportunities and will be an excellent complement to the full build out currently underway of Vincent Village Community. He stated that he is open to questions, but they are seeking the approval and comments on the preliminary site plan as they continue through the design process.

Chair Simone opened the Public Hearing to public comments at 7:21 p.m.

Huy Duong, the owner of Dale's Pharmacy, 237 Denver Ave., Fort Lupton, CO 80621, stated that he thought the site plan was well thought out, the proposed buildings are beautiful, the landscape adds a lot of curb appeal, and it exceeds the Vincent Village design requirements. He stated that he did research on the Michael's Development Company and he thinks they will be good neighbors and members of the community.

Chair Simone asked Mr. Duong if he was in favor of the application.

Mr. Duong stated that he was.

Chair Simone asked if anyone else would like to speak; seeing no one, he closed the public comments portion at 7:23 p.m.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020

Chair Simone commented that the project is well done and definitely needed. He further commented that he likes that Michael's Development Company manages their own properties, which will probably alleviate a lot of problems you see.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-011. It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber.

Motion carried by unanimous voice vote.

MC Paving Site Plan and Special Use Permit

Chair Simone asked the applicant representative, Chadwin Cox with Western Engineering, 127 S. Denver Ave., Fort Lupton, CO 80621, if they waived the right to an in-person meeting.

Mr. Cox stated that they did and the affidavit was mailed to Ms. Knutson the previous Friday.

Ms. Knutson introduced the project and stated that the site plan is for an asphalt and concrete paving company, and the special use permit is for an above ground 500-gallon diesel tank. She stated that even in the I-2 Heavy Industrial Zone District, a special use permit is required for the tank, but the concrete and paving company will be a use by right. She stated that the property is located south and adjacent to County Road 10, and east of South Denver Avenue and almost directly east of the Railroad Right-of-Way. She stated that the existing house on the property will be used for office, and the southern portion for storage. She concluded by stating all notification requirements have been met for this application.

Mr. Cox, representative for MC Paving, stated that it is a 25-year family business in Colorado. He stated that the property was previously zoned by the prior owner as I-2 Heavy Industrial, and this is before the Planning Commission because there is not a site plan on file and the special use noted for the 500-gallon fuel tank. He stated that the plans were submitted directly to the Fire Protection District and were approved in late December. He stated that the property is roughly 3.8 acres, and was a former residence. He stated that the existing home will be converted into an office, some other dilapidated structures will be removed, with a couple of other out buildings to remain for storage. He stated that the plans include a future shop and storage yard at the rear south end of the property. He stated as noted before, the fire access through the property proposed to be improved has been approved by the Fire District. He stated that the property is heavily vegetated with over 70 trees inventoried by a landscape architect. He stated approximately a dozen trees will be removed due to poor condition and in conflict with the access route, a majority of which are just in poor condition. He stated that the entire perimeter will be screened with a six-foot metal siding fence. He stated that the property has existing well and septic, and the Northern Colorado Water Conservancy District inclusion petition has been submitted and is in process. He stated that the applicant is considering future connection extension of the City water and sewer down future South Rollie Avenue. He stated that the site will also be self-supported with an existing

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

well and septic system, but it is proposed to have an infiltration pond on the north end of the property for all storm water runoff. He stated that there is a lighting plan that has also been prepared and submitted with the application. He stated that currently the operation hours are proposed to be from 6:00 AM to 8:00 PM with six to ten employees. He stated that on average, they do not expect more than five to six customers. He stated that overall, all the improvements proposed for this property will be a major enhancement to the corridor along Weld County Road 10.

Chair Simone opened the Public Hearing to public comments at 7:30 p.m.; seeing no one, he closed the public comments portion at 7:31 p.m.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-012. It was moved by Member Kathy Kvasnicka and seconded by Vice-Chair Bushrod White.

Motion carried by unanimous voice vote.

DISCUSSION ITEMS

Review of Meeting Discussion

Ms. Knutson stated that City Council passed the ordinance that allowed electronic meetings.

Development Code Update

Ms. Knutson stated that the update is moving along, and the consultant is trying to do electronic engagement. She stated that she will keep the Planning Commission updated.

FUTURE BUSINESS

Next Meeting of the Planning Commission

The next meeting will be held Thursday, April 23, 2020 at 6:00 p.m.

ADJOURNMENT

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 9, 2020 Planning Commission meeting at 7:35 p.m.

Motion carried unanimously by voice vote.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
April 9, 2020**

Stephanie Darnell, Planning Technician

Approved by Planning Commission

Mike Simone, Chair

STAFF REPORT

MURATA FARMS SKETCH PUD PLAT
PROJECT NO. LUP2020-0003 / PLAN NO. SPL2020-0001

PROJECT DESCRIPTION

Project No.: LUP2020-0003 / Plan No. SPL2020-0001

Project name: Murata Farms Sketch PUD Plat*

Applicant's Name: M-J PERRI COMPANY ("Applicant")

Location of Request:

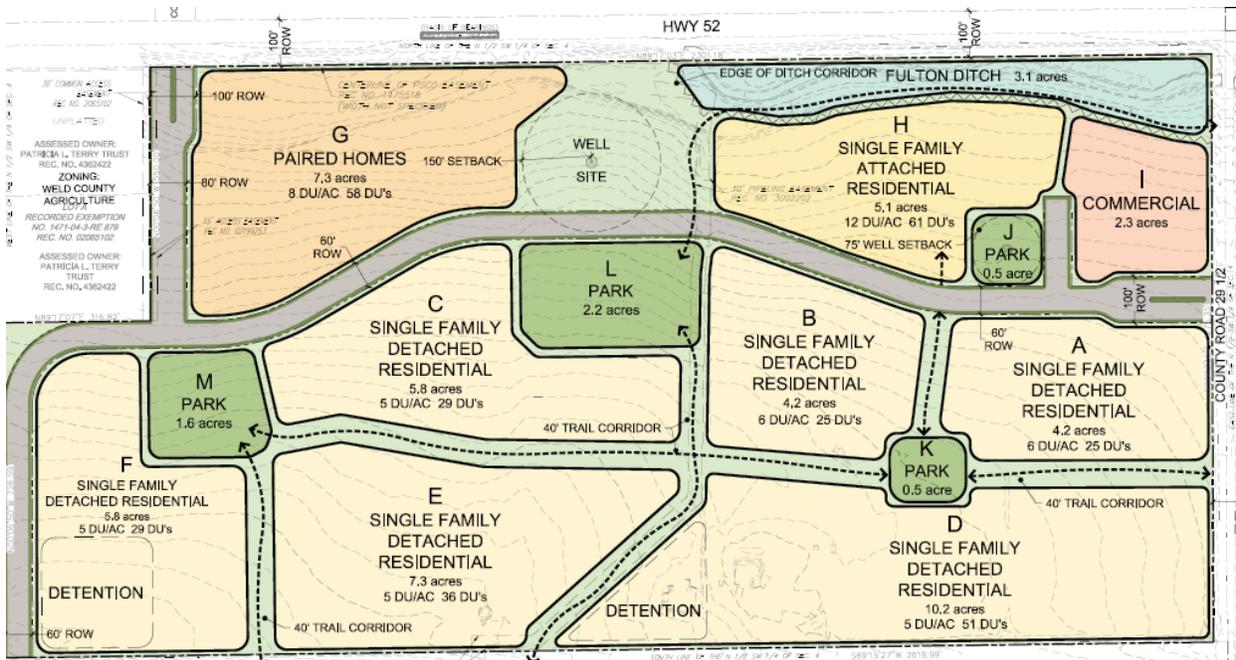
The site consists of a parcel of land west and adjacent to County Road 29 ½, and south and adjacent to Highway 52 in Fort Lupton (the "Property"). The Property is located in the North Half of the Southwest Quarter of Section 4, Township 1 North, Range 66 West of the Sixth Principal Meridian, City of Fort Lupton, County of Weld, State of Colorado.



Nature of Request:

The Applicant has submitted a request for a sketch PUD plan for a mixed use subdivision that will consist of residential uses including 58 paired homes, 61 town homes, and 195 single family detached homes, a 2.3-acre neighborhood commercial corner, and 4 neighborhood parks with trail connections. Associated amenities will include an amenity center, pocket parks, and interconnecting trails.

*The term sketch PUD plan and sketch PUD plat are used interchangeably throughout this staff report.



Site Size: 72.7 acres, more or less.

Zone District: PUD Planned Unit Development

Proposed Use: Residential uses including 58 paired homes, 61 town homes, and 195 single family detached homes, a 2.3-acre neighborhood commercial corner, and 4 neighborhood parks with trail connections.

Existing Use: Vacant/agricultural with two well sites with appurtenances. One well is abandoned and plugged, while the second well remains active.

Hearing Dates: Planning Commission – March 26, 2020 at 6:00 PM; and
City Council – April 7, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

In 2002, the City Council approved the Murata Farms Annexation and Initial Zoning to 'PUD' Planned Unit Development.

APPLICATION PROCESS

The Planning Commission's review of the sketch PUD plan is intended to be an open exchange of ideas where the Commission members are encouraged to discuss any issues, questions or concerns with the applicants and staff. After the project has been presented, and public input and staff comments have been considered, the Planning Commission shall make a recommendation to the City Council to approve, approve with conditions or deny the sketch PUD plan.

NOTIFICATION REQUIREMENTS

All notification requirements were met, including mailing notice to property owners within 500 feet of the site and sending notice to mineral owners and lessees of record on the properties.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The Applicant has submitted a request for a sketch PUD plan for a mixed use subdivision that will include 195 single family detached homes, 58 paired homes, and 61 single family attached/townhomes, a 2.3-acre neighborhood commercial corner, and 4 neighborhood parks with trail connections. The zoning of the Property is 'PUD' Planned Unit Development Zone District.

Pursuant to the Fort Lupton Municipal Code Section 16-45, a sketch PUD plan is an initial review of a proposed Planned Unit Development and is processed per Section 17-21 of the Code. The sketch PUD plan phase is required prior to submitting a preliminary PUD plan and final PUD plan. The sketch PUD plan should generally define the layout of streets, lots and location of any public uses, such as schools and parks, and proposed zoning classifications.

The intent of the sketch PUD plan is to provide a general concept that describes the applicant's development vision and plan for a proposed PUD. The sketch PUD plan gives the City an opportunity to describe the community's vision to the applicant, provides basic information to the City that will affect the planning and design of the site, and gives the applicant an opportunity to hear comments and concerns from the public prior to proceeding with detailed project design. A sketch PUD plan is *not* intended to provide final comments or requirements, or restrict the City's discretion in subsequent stages of the review process.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Future Land Use Map designates this area as Single-Family Attached land use with a portion designated as Commercial General land use. The Single-Family Attached designation allows for single family attached homes in formal, planned developments. These provide higher density and more affordable housing options to complement traditional single family detached neighborhoods. Opportunities for new single family attached will help increase housing diversity and attract a wide range of potential residents. The Commercial General designation allows for commercial businesses that offer residents basic goods and services. This supports a range of development styles, including stand-alone businesses on smaller properties as well as commercial shopping centers with multiple tenants. Primarily located along the City's major corridors, expansion of general commercial will offer residents greater shopping options within Fort Lupton and contribute to increased local commerce. In addition to commercial, these areas can include small office buildings, medical practices, and public and semi-public uses.

The proposed development plans for a variety of residential uses including paired homes and attached townhomes. Furthermore, the plan includes a small area of Commercial General uses. Although Single-Family Detached housing is planned for a large portion of the site, generally, the application complies with the Comprehensive Plan.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

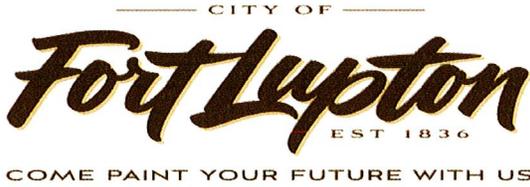
CDOT	CenturyLink	City Attorney
Colorado Parks and Wildlife	Comcast	Fort Lupton Fire Protection District
Fulton Ditch Company	Golf Course Manager	OMI
Police Chief	Postmaster	Public Works Director
Recreation Manager	United Power	Weld County Department of Planning
Weld County School District RE-8	Xcel Energy	

RECOMMENDATION

Staff recommends conditional approval of the Murata Farms Sketch PUD Plat. Conditions are listed on the proposed Resolution provided to Planning Commission.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

LAND USE APPLICATION & PROJECT DESCRIPTION



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694
 Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

- 1) Property Owner Name: Perry L. Murata, President Glenice Tani, Treasurer
 Company: M-J Perri Company
 Phone: 303-680-7425 Email: plmurata@comcast.net glenice_tani7@gmail.com
 Address: 14286 Hwy 52, Fort Lupton, CO 80621
 Preferred method of contact? Email: Phone: Mail:
- 2) Representative Name: J. Eric Eckberg
 Company: JHome LLC / Coronado West
 Phone: 303-285-1110 Email: eric@jehome.com
 Address: 2696 S. Colorado Blvd., Suite 320 Denver, CO 80222
 Preferred method of contact? Email: Phone: Mail:
- 3) Billing Contact (where invoices should be directed to): Juli Jagielko
 Billing Company: Coronado West
 Phone: 480-820-0977 Email: jjagielko@coronadowest.com
 Address: 8655 S. Priest Dr., Tempe AZ, 85284

B. SITE DESCRIPTION

Site Address: 14284 Hwy 52, Fort Lupton, CO 80621
 Parcel Number: 147104000069
 Existing Zone Classification: Agriculture Proposed Zone Classification: PUD
 Water Type: Municipal Name: Fort Lupton
 Sewage Type: Municipal District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Sketch Plat | <input type="checkbox"/> Administrative Site Plan | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Oil & Gas Permit | <input type="checkbox"/> Administrative Variance |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Amended Plat | <input checked="" type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Comp Plan Amendment | |

Project No. _____

D. PROJECT DESCRIPTION

Project Name: Murata Farms

Please provide a short description of the proposed project in the space provided below:

Approximately 71 acres comprised of residential uses of 58 paired homes, 61 townhomes and 195 single family detached homes, a 2.3 acre neighborhood commercial corner, four neighborhood parks with trail connections and storm water detention

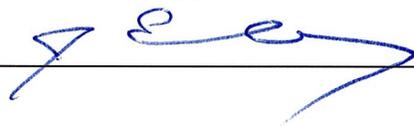
E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 12/23/19

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: See attached letters of authorization Date: _____

For Office Use Only

Received Date: 12/24/19

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Instructions for Submitting the Land Use Application Form

DEFINITIONS

Words in the singular include the plural and words in the plural include the singular.

Application refers to the official submittal to the City of Fort Lupton's Planning Department for review of the proposed land use development identified in the land use application form. The application includes the form, all materials submitted for review of the project, including those documents required under the Land Use Regulations of the Municipal Code, and any additional information provided.

Project refers to the land use development identified on the land use application form and application materials.

Property refers to the land that is being proposed for development as described in the land use application form and application materials.

A. CONTACT INFORMATION

- 1) Provide contact information for all owners of any property that is the subject of the application. If the contact information for all property owners will not fit on the space provided, submit a separate sheet for the additional owners.
- 2) Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings. If the contact information for all representatives will not fit on the space provided, submit a separate sheet for the additional representatives.
- 3) Provide contact and mailing information for the person that should receive all invoices for the project. If this person changes at any time, contact the Planning Department immediately to update this information.

B. SITE DESCRIPTION

Provide all information requested. Parcel numbers and address information may be found at the Weld County Property Portal at <https://www.co.weld.co.us/maps1/propertyportal/>. Current zoning can be found at <http://www.fortlupton.org/405/Zoning>.

C. APPLICATION TYPE

Select the land use application that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the required pre-application meeting. If you have any questions about this, please contact the Planning Department at 303.857.6694 or planningdept@fortlupton.org.

D. PROJECT DESCRIPTION

Please select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, please attach a separate sheet.

E. REQUIRED DOCUMENTS

Required documents will be discussed during the pre-application meeting with the Planning Department. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section.

Owner Certification. Provide the signature of all owners of properties included in the application in this section.

For any other questions, please contact the Planning Department at 303.857.6694 or planningdept@fortlupton.org.

Murata Farms

Sketch Plan Narrative

December 20, 2019

1. Team

Developer/Applicant

Eric Eckberg
Coronado West
2696 S. Colorado Blvd., #320
Denver, CO 80222
303-472-6720
eric@jehome.com

Civil Engineer

Travis Frazier, PE
Redland
1500 West Canal Court
Littleton, CO 80120
720-283-6783 Ext. 126
tfrazier@redland.com

Landscape Architect

Karen Henry, PLA
Henry Design Group, Inc.
1501 Wazee Street, #1-C
Denver, CO 80202
303-446-2368
khenry@henrydesigngroup.com

2. Location and Property Description

The 72.71-acre property is located at the southwest corner of Hwy. 52 and WCR 29-1/2. More particularly described as being in a portion of the North One-Half of the Southwest One-Quarter of Section 4, Township 1 North, Range 66 West of the 6th Principal Meridian, Weld County, Colorado.

3. Adjacent Land Uses

North: Highway 52 and the Coyote Creek residential subdivision and golf Course
South: The proposed Mountain Sky subdivision
East: WCR 29-1/2 and the proposed Taylor Annexation subdivision
West: Appel residential subdivision

4. Site Features

The site is a gently rolling farm field covered in remnants of crops and weeds. Existing vegetation includes indigenous trees and shrubs adjacent to the existing structures, along the Fulton Ditch and access roads to the well sites. The segment of the Fulton Ditch parallels Hwy. 52 in the eastern half of the site. Two well sites with appurtenances are existing on the property. It is understood that the well within proposed Tract J has been plugged and abandoned. As such, a pocket park is proposed. An active well remains in the in the northern portion. The 150-foot radius setback will remain in open space. An existing well is located off-site in the south western portion of the site. The required well setbacks will remain and may impact the site based on the exact location and the ultimate disposition of the well. A 30-foot wide pipeline traverses the in a north-south direction connecting the two operating well sites.

The pipeline easement will remain in place in an open space trail corridor. The existing structures will be removed from the site.

Soil Type

The NRCS soil survey indicates that the soil on site is primarily sandy loams. The northern region of the property includes Olney Loams with Grades ranging from 1 to 5% with the majority of the site being under 3% for slope. The south eastern corner of the site includes an Otero Sandy loam with typical grades below 3%. The south west corner of the site includes Vona Sandy Loams with grades typically below 3%. These soil types are generally rated in Wind Erodibility Group 3 which has a higher susceptibility for wind erosion.

Geologic Characteristics

Refer to attached Geotechnical report "Preliminary Geotechnical Investigation Murata Farms (Muraco Subdivision) Southwest of Highway 52 and County Road 29 1/2" By CTL Thompson dated October 31, 2019

5. Proposed Land Uses

Proposed uses will include 195 Single Family Detached homes, 58 Paired homes and 61 Single Family Attached/Townhomes. A 2.3-acre Commercial site is planned for northeast corner of the site. The overall project density is 4.31 du/ac. The development will include four parks and a system of open space/greenway trail corridors for a total of 12.1 acres of parks and open space.

6. Compliance with the Ft. Lupton Comprehensive Plan

The proposed development integrates the goals set out in the Town Comprehensive Plan in the following ways:

Growth and Development. The proposed development is designed to provide connections at pre-determined locations to the existing and proposed adjacent neighborhoods. In addition, the layout provides continuous, direct, convenient, and safe pedestrian trails in open space corridors between the proposed parks, residences and the neighborhood commercial area.

The site is well situated for both housing and a commercial corner per the Comprehensive Plan. The plan also provides for diversity in housing types for the community. The commercial site is positioned to take advantage of the WCR 29-1/2 frontage and proximity to Aims Community College.

Transportation and Mobility. Murata Farms provides a safe and efficient transportation network that accommodates pedestrians, vehicles and bicycles. The main entrance is located along Highway -52 at the Coyote Creek Drive alignment. Secondary access is from WCR 29-1/2. A major local street meanders through the site in an east/west direction providing a connection to the extension of Coyote Creek Drive. The east/west road also continues south and provides access into the proposed Mountain Sky neighborhood. This major local through street will provide convenient access to local streets internal to the neighborhoods for vehicles, bicycles and pedestrians alike. The proposed neighborhood is planned as a pedestrian oriented and walkable community with detached sidewalks, tree lawns, street trees and connections throughout the community, to future adjacent neighborhoods.

Parks, Open Space and Environmental Features. The proposed parks, open space and trails within the development will provide high quality recreational opportunities for neighborhood residents and also create connections to future neighborhoods and uses beyond our project boundaries. As shown on the Fort Lupton Proposed Trails Map, a trail connection will be provided to the to the trailhead for the Main Fulton Ditch Trail at the northeast corner of the site and eventually providing pedestrian access to Aims Community College and other destinations surrounding Fort Lupton.

The neighborhood feature is provided by a park at the terminus of Coyote Creek drive thereby serving as a focal point for the neighborhood. Three addition parks are located within the residential neighborhoods and are interconnected by open space/greenway trail corridors.

Public Facilities and Services. The proposed development is a logical extension of the City of Fort Lupton public services without placing additional burdens on existing residents and businesses. Infrastructure will be provided as necessary to meet the requirements of the Comprehensive Plan and/or the Land Use Code.

7. Public Land Dedication

Public land dedication for parks and open space is provided in accordance with the Fort Lupton's Subdivision regulations as follows:

REQUIRED PARK & OPEN SPACE

10 Acres per 1,000 Residents = 9.11 Acres

3 Residents per SFD & Paired Home dwelling unit (253 x 3 = 759 Residents)

2.5 Residents per SFA & MF dwelling unit (61 x 2.5 = 152.5 Residents)

LAND USE	AREA (ACRES)	NO CREDIT	CREDIT
PARK	4.8		4.8
OPEN SPACE	4.2		4.2
FULTON DITCH CORRIDOR	3.1		3.1
WELL SITE	1.6	1.6	
TOTAL	72.7	1.6	12.1

8. Utility Service

Phase I Drainage

A Phase I Drainage Report has been prepared in compliance with the City of Fort Lupton Criteria and is included with the application. The proposed drainage design includes plans for onsite water quality and peak flow attenuation for minor and major event flows. The report identifies the use of a regional channel proposed with the Mountain Sky subdivision for historically equivalent release rates. The plan also anticipates that the existing Fulton Ditch will not be impacted with additions stormwater runoff from the proposed development.

Evidence of Adequate Water Supply

The City of Fort Lupton will provide domestic water in conjunction with the development agreement that will be negotiated with the Final Plat

Water infrastructure is anticipated in conjunction with the Mountain Sky development that includes proposed water main extensions from the existing tank site located 1300 lf north of Highway 52 extended to the Mountain Sky

development in County Road 29 ½. This water main is a proposed 12" water main.

Looped connectivity will be provided at a stub connection in Silverado Lane at the western edge of the property. A stub will be provided to the south for a third point of connection addressing continuity for the Mountain Sky development.

Hydrant testing in the area indicates that residual pressures under 1300 gpm flow conditions generally maintain 68 psi. Development of this site will include similar fire flow demands which indicates that the area water system can support demands on the system.

Evidence of Adequate Sewer Service

The City of Fort Lupton will provide sanitary sewer service in conjunction with the development agreement that will be negotiated with the Final Plat

Sanitary Sewer service is available at the south west corner of the site with an existing manhole located in the extension of the future County Road 29.

Conversations with the City include a discussion about a 12" sewer main located at the south west corner of the site which will serve as the sewer outfall for the site. A final evaluation of the impact on the downstream system will be developed in conjunction with the City as anticipated loads on the system are presented.

9. Public Services.

- a. Life Safety. Fire and Police Protection and Law enforcement for the property would be provided by the Fort Lupton Police Department. It is not anticipated that there would be special security needs or a specific need for additional officers. Fire protection for the property would be provided by Fort Lupton Fire Department. It is not anticipated that the project would pose special fire hazards. Fire prevention requirements, fire detection, fire lanes, emergency access, etc. will be provided as required by code.
- b. Schools. The project is within the Weld Re-8 School District. The applicant will work with the District to identify and address any impacts of this project.
- c. Recreation and Open Space. The project will include park amenities, including open spaces and trails, and active and passive recreation.

10. Traffic Statement

Site development is proposed in compliance with the Fort Lupton Transportation Plan from June 2018. The site is currently served by Highway 52 and Weld County Road 29 ½. Highway 52 is currently a 2-lane paved road section that is planned for a future 4 lane arterial road. The minimum required right of way for Highway 52 is 130 feet in accordance with the City of Fort Lupton 4-lane major Arterial section.

Weld County Road 29 ½ is currently a dirt road planned as an urban collector. The City of Fort Lupton typical ROW section for a 4 land Major Collector is 104 feet. The developer will dedicate the required half right of way for each of these roadways in conjunction with Final Plat approval.

A north/south road will access Hwy. 52 at the Coyote Creek Drive intersection. This access will connect to the proposed east/west local street with a T-intersection. The east/west local street will access WCR 29 ½ with a collector section that will reduce to a local street section at the first intersection into either the commercial area or the most easterly residential neighborhood on the south side of the east/west local street. These connections to surrounding Arterial Roadways have been designed to disperse traffic evenly within the development.

11. Commercial Mineral Deposits

There are currently oil & gas facilities within the property but there are no known commercial mineral deposits on-site.

12. Cultural and Historical

A preliminary search of the History Colorado Office of Archaeology and Historic Preservation. The report indicates there may be one survey located within the Section 4 but the exact located has not been determined, the report is attached.

LETTER OF AUTHORIZATION

SKETCH PLAN LETTER OF AUTHORIZATION

December 19, 2019

For M-J Perri Company

Glenice Tani, Treasurer
14286 Highway 52
Fort Lupton CO 80621-8223

J. Eric Eckberg
JEHOME, LLC
2696 S. Colorado Blvd. Suite 320
Denver CO 80222

Representing

Coronado West
John Cork
8655 South Priest Drive
Tempe, AZ 85284

Attn: City of Fort Lupton

We Perry L. Murata as President and Glenice Tani as Treasurer of M-J Perri Company, the legal owner of record for Murata Farms, hereby authorize J. Eric Eckberg as representative for Coronado West to communicate directly with City of Fort Lupton officials, staff, planning and council, and to submit documentation and information regarding this application for Sketch Plan review and approval on our behalf.

Legal Description of Property; FTL PT N2SW4 4-1-66 (MURATA FARMS ANNEX) LOT B REC EXEMPT RE-879 - Account Number R0007990, Parcel 147104000069

By: J. Eric Eckberg, Representative for Coronado West

BY: _____
J. Eric Eckberg

M-J Perri Company, Property Owner

BY:  _____
Glenice Tani, Treasurer

STATE OF North Carolina §
COUNTY OF Wake §

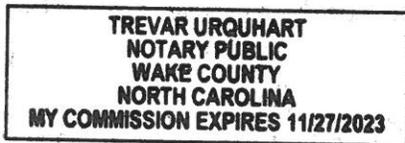
Before me, the undersigned, a Notary Public, in and for said County and State, on this 21st day of December 2019, personally Glenice Tani, Treasurer of M-J Perri Company (Property Owner), to me known to be the identical person who executed the within and foregoing Mineral Deed, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affix my seal the day and year last above written.

SEAL: (Please color/shade if embossment is used in lieu of ink stamp)



Notary Public



CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Ventura }

On Dec. 20th 2019 before me, Kusum Manwani Notary Public
(Here insert name and title of the officer)

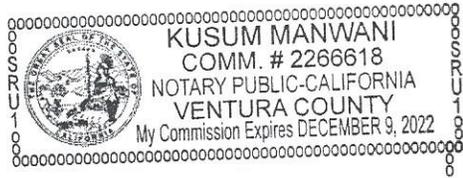
personally appeared Perry Lee Murata _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Kusum Manwani

Notary Public Signature (Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
Sketch Plan Letter of Authorization
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date 12/20/19

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer _____
(Title)

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

MAPS

MURATA FARMS SKETCH PLAT

A PORTION OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 4,
TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO.

COVER SHEET

ALTA/NSPS LAND TITLE SURVEY

LEGAL DESCRIPTION

LEGAL DESCRIPTION PER LAND TITLE GUARANTEE COMPANY COMMITMENT ORDER NO. ABC25165205, WITH AN EFFECTIVE DATE OF 05/07/2019 AT 5:00 P.M., LOT B OF RECORDED EXEMPTION NUMBER 1471-04-3-RE 879 RECORDED AUGUST 14, 1986 UNDER RECEPTION NO. 2065102, BEING A PORTION OF THE FOLLOWING DESCRIBED PROPERTY: THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, EXCEPT THOSE PORTIONS CONVEYED IN DEED RECORDED DECEMBER 4, 1989 UNDER THOSE PORTIONS CONVEYED IN DEED RECORDED DECEMBER 4, 1989 UNDER RECEPTION NO. 02199253 AND EXCEPT THE NORTH 50.00 FEET AND THE EAST 30.00 FEET THEREOF, RESERVED FOR STATE AND COUNTY ROAD R.O.W.

BASIS OF BEARINGS

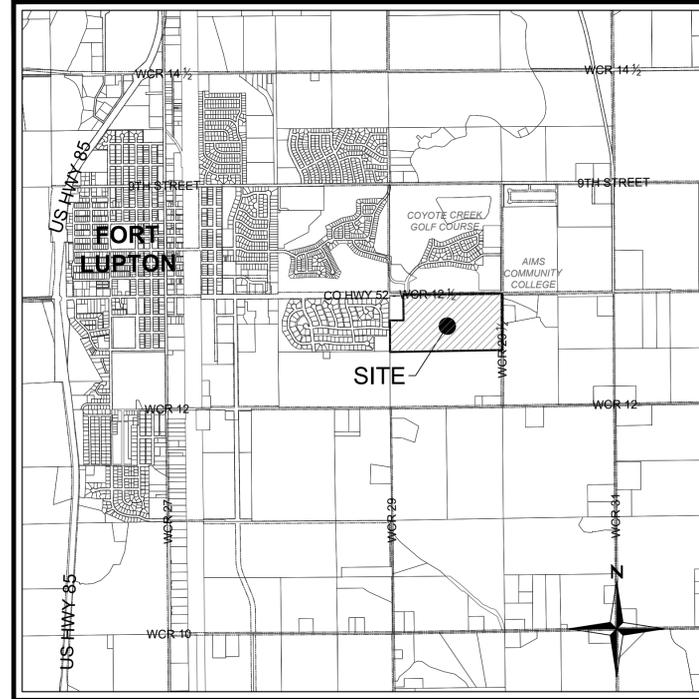
BASIS OF BEARINGS BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATION BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE (NAD 83, 2011) REFERENCED TO THE NORTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN BEING MONUMENTED AS SHOWN HEREON, TAKEN TO BEAR NORTH 89°17'03" EAST, A DISTANCE OF 2847.89 FEET.

BENCHMARK

BENCHMARK BENCHMARKS BENCHMARK 4907 (AZTEC #4907A), DISK ON PIPE LOCATED ON THE SOUTH SIDE 9TH STREET 175' MORE OR LESS EAST OF MAIN ST.
NAVD88 ELEV=4908.22'

FLOOD ZONE

FLOOD ZONE THE SUBJECT PROPERTY SHOWN HEREIN LIES WITHIN OTHER AREAS - ZONE X, AREAS OF MINIMAL FLOOD HAZARD, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP INDEX NO. 08123C2110E, MAP REVISED JANUARY 20, 2016 (PANEL NOT PRINTED).



VICINITY MAP
SCALE: 1" = 2000'

SHEET INDEX	
SHEET NO.	SHEET TITLE
1	COVER SHEET
2	SKETCH PLAT
3	LANDSCAPE AND OPEN SPACE PLAN
4	CONTEXT PLAN

PROJECT TEAM

CIVIL ENGINEER

REDLAND
1500 W. CANAL CT.
LITTLETON, CO 80120
720.283.6783 voice
CONTACT: TRAVIS FRAZIER, P.E.

OWNER / DEVELOPER

CORONADO WEST
8655 S. PRIEST DRIVE
TEMPE, AZ 85285
303.285.1110 voice
CONTACT: ERIC ECKBERG

LANDSCAPE ARCHITECT/PLANNER

HENRY DESIGN GROUP
1501 WAZEE ST SUITE 1-C
DENVER, CO 80202
303.446.2368 voice
CONTACT: KAREN HENRY, PLA

TRAFFIC ENGINEER

FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP
P.O. BOX 19768
BOULDER, CO 80308
303.652.3571 voice
CONTACT: EMILY GROSS, PE

SURVEYOR

AZTEC COSULTANTS, INC
300 E MINERAL AVE #1
LITTLETON, CO 80122
303.713.18981 VOICE
CONTACT: MIKE NOFFSINGER, PLS

LEGEND

- PROJECT BOUNDARY
- RIGHT-OF-WAY
- PLANNING AREA BOUNDARY
- TRAIL

PARK & OPEN SPACE DEDICATION SUMMARY

LAND USE	AREA (ACRES)	NO CREDIT	CREDIT
PARK	4.8		4.8
OPEN SPACE	4.2		4.2
FULTON DITCH CORRIDOR	3.1		3.1
WELL SITE	1.6	1.6	
TOTAL	72.7	1.6	12.1

REQUIRED PARK & OPEN SPACE
10 Acres per 1,000 Residents = 9.11 Acres

3 Residents per SFD & Paired Home dwelling unit (253 x 3 = 759 Residents)
2.5 Residents per SFA & MF dwelling unit (61 x 2.5 = 152.5 Residents)



- PARK L 2.2 ACRES**
- TRAILS
 - LANDSCAPE ACCENT NODES
 - PLAYGROUND
 - OPEN PLAY FIELDS
 - SITE FURNISHING
 - SHADE STRUCTURE
 - INTERPRETIVE SIGNAGE
 - ACTIVE RECREATION AREAS

- PARK J 0.5 ACRE**
- PLAYGROUND
 - TRAILS
 - OPEN PLAY FIELD
 - SITE FURNISHING

- ENTRY LANDSCAPE**
- STREET TREES
 - SPECIALTY LANDSCAPE TREATMENT
 - SIGNAGE & MONUMENTATION

- PARK M 1.6 ACRES**
- PLAYGROUND
 - TRAILS
 - OPEN PLAY FIELD
 - SITE FURNISHING
 - DOG AREA

- 40' TRAIL CORRIDOR**
- LANDSCAPE ACCENT NODES
 - SITE FURNISHING
 - OPEN SPACE

- ENTRY LANDSCAPE**
- STREET TREES
 - SPECIALTY LANDSCAPE TREATMENT
 - SIGNAGE & MONUMENTATION

- DETENTION**
- SPECIALTY LANDSCAPE TREATMENT
 - TRAILS
 - SITE FURNISHING

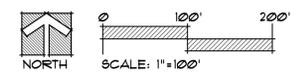
- 40' TRAIL CORRIDOR**
- LANDSCAPE ACCENT NODES
 - SITE FURNISHING
 - OPEN SPACE

- DETENTION**
- SPECIALTY LANDSCAPE TREATMENT
 - TRAILS
 - SITE FURNISHING

- PARK K 0.5 ACRE**
- PLAYGROUND
 - TRAILS
 - OPEN PLAY FIELD
 - SITE FURNISHING
 - SPECIALTY GARDEN

CONCEPTUAL LANDSCAPE PLAN

The Conceptual Landscape Plan identifies key areas designed for parks and open space improvements within the overall context of the Sketch Plan. General descriptions are included to provide the character of each space. Each area has a brief list of potential uses and character that is not intended to be an all inclusive list of potential uses. Additional uses may be added or removed in any of these areas during detailed design process.



DATE	NO.	NOTES
12-17-2019	1	

ALTA/NSPS LAND TITLE SURVEY

LEGAL DESCRIPTION

LEGAL DESCRIPTION PER LAND TITLE GUARANTEE COMPANY COMMITMENT ORDER NO. ABC25165205, WITH AN EFFECTIVE DATE OF 05/07/2019 AT 5:00 P.M., LOT B OF RECORDED EXEMPTION NUMBER 1471-04-3-RE 879 RECORDED AUGUST 14, 1986 UNDER RECEPTION NO. 2065102, BEING A PORTION OF THE FOLLOWING DESCRIBED PROPERTY: THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, EXCEPT THOSE PORTIONS CONVEYED IN DEED RECORDED DECEMBER 4, 1989 UNDER THOSE PORTIONS CONVEYED IN DEED RECORDED DECEMBER 4, 1989 UNDER RECEPTION NO. 02199253 AND EXCEPT THE NORTH 50.00 FEET AND THE EAST 30.00 FEET THEREOF, RESERVED FOR STATE AND COUNTY ROAD R.O.W.

BASIS OF BEARINGS

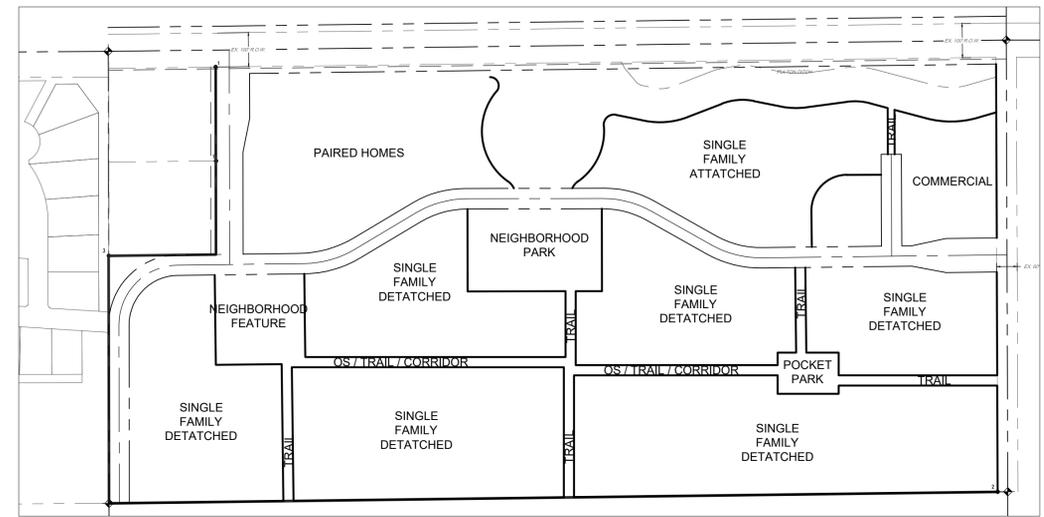
BASIS OF BEARINGS BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM GPS OBSERVATION BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE (NAD 83, 2011) REFERENCED TO THE NORTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN BEING MONUMENTED AS SHOWN HEREON, TAKEN TO BEAR NORTH 89°17'03" EAST, A DISTANCE OF 2647.89 FEET.

BENCHMARK

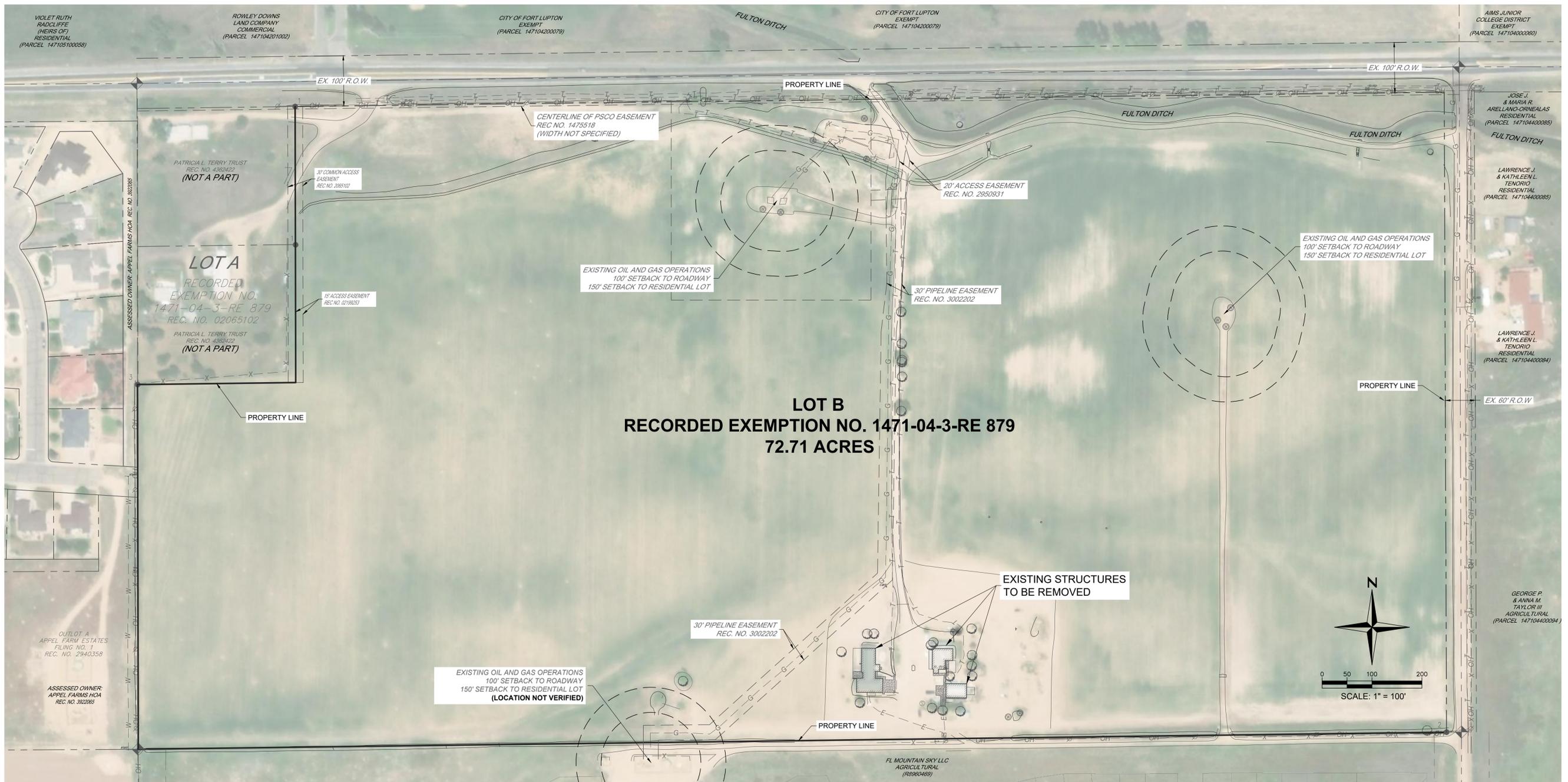
BENCHMARK BENCHMARK:NGS BENCHMARK 4907 (AZTEC #4907A), DISK ON PIPE LOCATED ON THE SOUTH SIDE 9TH STREET 175' MORE OR LESS EAST OF MAIN ST. NAVD88 ELEV=4908.22'

FLOOD ZONE

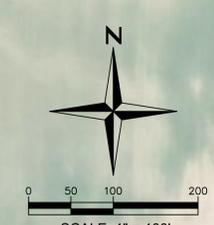
FLOOD ZONE THE SUBJECT PROPERTY SHOWN HEREIN LIES WITHIN OTHER AREAS - ZONE X, AREAS OF MINIMAL FLOOD HAZARD, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP INDEX NO. 08123C2110E, MAP REVISED JANUARY 20, 2016 (PANEL NOT PRINTED).



LAND USE MAP
SCALE: 1" = 250'



LOT B
RECORDED EXEMPTION NO. 1471-04-3-RE 879
72.71 ACRES



LANDSCAPE ARCHITECT / PLANNER:
henry design group
Landscape Architecture • Planning • Entitlements
1501 Wazee Street Suite 1-C, Denver, Colorado 80202
303.444.2348 • henydesigngroup.com

ENGINEER:
Redland
WHERE GREAT PLACES BEGIN
772.938.9797 Office
772.938.9797 Mobile
1501 Wazee Street Suite 1-C
Littleton, Colorado 80120
REDLAND.COM

APPLICANT:
CORONADO WEST
Coronado West, LLC
8655 S. Priest Drive
Tempe, AZ 85284

DRAWN	CHECKED	TUF
APPROVED	TUF	PROJECT NO. 18007
HORIZ. SCALE	VERT. SCALE	

DATE	NO.	NOTES
1	1	

MURATA FARMS
SKETCH PLAN
CONTEXT PLAN

I:\2019\19032 - Murata Farms\CADD\Sheet\Sketch Plan\19032 - CONTEXT - SP.dwg Job: 4 CONTEXT PLAN Dec 18, 2019 - 2:32pm ifraser

REPORTS & STUDIES

REPORTS & STUDIES WERE EXCLUDED FROM THE
PACKET DUE TO THEIR SIZE. THESE DOCUMENTS CAN
BE ACCESSED BY VISITING: bit.ly/muratafarms

HISTORICAL ANALYSIS

HISTORY COLORADO
Office of Archaeology and Historic Preservation
1200 Broadway, Denver, Colorado 80203

Karen Henry
Henry Design Group, Inc.
1501 Wazee Street, Ste 1-C
Denver, CO 80202

December 10, 2019

Re: Murata Farms
File Search No. 22294

At your request, the Office of Archaeology and Historic Preservation has conducted a search of the Colorado Inventory of Cultural Resources within the area shown in the provided aerial map, located in the following areas:

PM	T	R	S
6th	1N	66W	4

0 sites and 1 surveys were located in the designated area(s).

If information on any district, site, building, structure, or object in the project area was found, detailed information follows the summary. If no properties were found, but surveys are known to have been conducted in the project area, survey information follows the summary. We do not have complete information on surveys conducted in Colorado, and our site files cannot be considered complete because most of the state has not been surveyed for cultural resources. There is the possibility that as yet unidentified cultural resources exist within the proposed impact area.

Our letter should not be interpreted as formal consultation under Section 106 of the National Historic Preservation Act (36 CFR 800) or the Colorado Register of Historic Places (CRS 24-80.1). In the event that there is federal or state agency involvement, please note that it is the responsibility of the agencies to meet the requirements of these regulations.

We look forward to consulting with you regarding the effect of the proposed project on significant cultural resources in accordance with the Advisory Council on Historic Preservation regulations titled "Protection of Historic Properties" or the Colorado Register of Historic Places, as applicable (<http://www.historycolorado.org/oahp/consultation-guidance>).

If you have any questions, please contact the Office of Archaeology and Historic Preservation at (303) 866-3392. Thank you for your interest in Colorado's cultural heritage.

Steve Turner, AIA
State Historic Preservation Officer

*Information regarding significant archaeological resources is excluded from the Freedom of Information Act. Therefore, legal locations of these resources must not be included in documents for public distribution.

PUBLIC COMMENTS

Maria Lancto

From: Todd Hodges
Sent: Wednesday, April 15, 2020 3:46 PM
To: 'Vaunold Denny'
Cc: Eric Eckberg; Andy Ausmus; Alyssa Knutson; Roy Vestal; Maria Lancto
Subject: FW: Questions from Mr. Denny for the Murata Farms sketch plan submittal Mr. Eckberg's responses

Mr. Denny,

Below is a response to your questions from Eric Eckberg who represents the project. I will also follow up with a response from Roy Vestal the City Engineer for the traffic questions. Mr. Eckberg has indicated he is more than happy to discuss the project further if you have additional questions for him. Let me know if you have any additional questions for staff.

Have a great day.

Todd A. Hodges
Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluponco.gov

From: Eric Eckberg [mailto:eric@jehome.com]
Sent: Wednesday, April 15, 2020 10:28 AM
To: Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>; Roy Vestal <RVestal@Fortluptonco.gov>; Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Andy Ausmus <andy@ausmuslaw.com>; Travis Frazier <tfrazier@redland.com>; Karen Henry <khenry@henrydesigngroup.com>
Subject: Re: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Todd,

Our responses are below, contact us with any questions, thanks,



J. Eric Eckberg
2696 S. Colorado Blvd, Suite 320

Denver, CO 80222
O: 303-285-1110 M: 303-472-6720

From: Todd Hodges <thodges@Fortluptonco.gov>

Date: Tuesday, April 14, 2020 at 1:03 PM

To: Alyssa Knutson <AKnutson@Fortluptonco.gov>, Roy Vestal <RVestal@Fortluptonco.gov>, Maria Lancto <MLancto@Fortluptonco.gov>, Eric Eckberg <eric@jehome.com>

Cc: Andy Ausmus <andy@ausmuslaw.com>

Subject: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Below are a list of questions that Mr. Denny who is a resident of Appel Farms would like to have answered. Please review and get the answers back to me so that we can respond in a timely fashion. I have included Eric on this email so he can address a number of the questions.

Mr. Hodges,

Following are the questions we have regarding the Murata Farms proposal.

1. Are the paired homes rental or owner occupied? **Could be either, although likely owner occupied**
2. Are the Townhouses rental or owner occupied? **Could be either**
3. Are the detached homes rental or owner occupied? **Could be either, although likely owner occupied**
4. How many Townhouse buildings are there and how many units per building? **Approximately 15 buildings, average of 4 units per building**
5. What are the price ranges for the units? **Approximate price ranges are; Townhomes in the low \$300's, Paired Homes high \$300's, Single Family Detached, low to high \$400's**
6. From a density perspective is Murata Farms compatible with the surrounding areas? **In our opinion, yes**
7. How will Appel Farms traffic patterns and flows be affected? **A traffic generation memo was done and submitted with our Sketch Plat, however, a traffic impact study will need to be done to address this question**
8. What will be the traffic flow for construction traffic? **We intend to direct construction traffic to and from the project off of County Rd 29 ½**
9. What is the plan for hiway 52 as a result of Murata Farms (ie turn lanes, traffic signals, etc.) ? **Same answer as # 7**
10. Will the water pressure in Appel Farms be effected with the additional taps in Murata Farms? **We don't believe so**

Thank You,

Vaunold Denny

Todd A. Hodges, Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluptonco.gov

The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

Maria Lancto

From: Todd Hodges
Sent: Wednesday, April 15, 2020 3:48 PM
To: 'Vaunold Denny'
Cc: Eric Eckberg; Andy Ausmus; Roy Vestal; Alyssa Knutson; Maria Lancto
Subject: FW: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Mr. Denny,
Below are responses from Roy Vestal the City Engineer and Public Works Director.

Todd A. Hodges
Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluptonco.gov

From: Roy Vestal
Sent: Tuesday, April 14, 2020 1:55 PM
To: Todd Hodges <thodges@Fortluptonco.gov>
Subject: RE: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Added what I know.

Roy V

Roy L. Vestal, P.E.
Public Works Director / City Engineer



130 S. McKinley, Fort Lupton, CO 80621
Office: 720.466.6109
Mobile: 720.966.3613

From: Todd Hodges
Sent: Tuesday, April 14, 2020 1:03 PM
To: Alyssa Knutson <AKnutson@Fortluptonco.gov>; Roy Vestal <RVestal@Fortluptonco.gov>; Maria Lancto <MLancto@Fortluptonco.gov>; Eric Eckberg <eric@jehome.com>
Cc: Andy Ausmus <andy@ausmuslaw.com>
Subject: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Below are a list of questions that Mr. Denny who is a resident of Appel Farms would like to have answered. Please review and get the answers back to me so that we can respond in a timely fashion. I have included Eric on this email so he can address a number of the questions.

Mr. Hodges,

Following are the questions we have regarding the Murata Farms proposal.

1. Are the paired homes rental or owner occupied?
2. Are the Townhouses rental or owner occupied?
3. Are the detached homes rental or owner occupied?
4. How many Townhouse buildings are there and how many units per building?
5. What are the price ranges for the units?
6. From a density perspective is Murata Farms compatible with the surrounding areas?
7. How will Appel Farms traffic patterns and flows be affected?

Additional access point for Appel Farms through Murata development via Silverado Lane connection to S College Ave.

8. What will be the traffic flow for construction traffic?

Access from S College Ave, possible access to/from Hwy 52 from connected road

9. What is the plan for hiway 52 as a result of Murata Farms (ie turn lanes, traffic signals, etc.) ?

To be determined by traffic study. Likely will require the decal and turning lane on Hwy 52 in conjunction with Mt Sky requirements.

10. Will the water pressure in Appel Farms be effected with the additional taps in Murata Farms?

Not likely. City will be analyzing the high pressure zone with the pump station evaluation currently scheduled this summer.

Thank You,

Vaunold Denny

Todd A. Hodges, Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluptonco.gov

REFERRAL RESPONSES

Maria Lancto

From: Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us>
Sent: Wednesday, February 19, 2020 9:26 AM
To: Maria Lancto; Alyssa Knutson; Todd Hodges
Cc: Bilobran, Timothy; Allyson Mattson - CDOT
Subject: Murata Farms/Town of Fort Lupton/SH 52

The development will need to obtain new access permits for the accesses off of SH 52. Both accesses trigger the need for westbound to southbound left turn lanes and eastbound to southbound right deceleration lanes.

The applicant should contact Tim Bilobran and/or Ally Mattson to schedule a pre-application meeting. The applicant will need to address any deficiencies that might be possible at that meeting.

Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org





COLORADO

Parks and Wildlife

Department of Natural Resources

Area 2 - Lon Hagler
4207 W CR16E
Loveland, CO 80537
P 970.472.4460 | F 970.472.4468

March 6th, 2020

Maria Lancto
City of Fort Lupton
130 S. McKinley Ave.
Fort Lupton, CO 80621
MLancto@fortluptonco.gov

Re: Murata Farms PUD

Dear Ms. Lancto:

Thank you for the opportunity to comment on the Murata Farms PUD project. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality park system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

Colorado Parks and Wildlife has reviewed this project to assess any impacts to wildlife. The project site is approximately 72 acres in size and is located in the southwest corner of Hwy 52 and County Road 29 ½. The development site is primarily a disturbed grassland pasture and cropland. The western portion of the property is occupied by a colony of prairie dogs. There are mature trees scattered throughout the property that could provide nesting habitat for raptors and other wildlife.

A potential exists for the presence of burrowing owls within the development site. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nest. Therefore, if any earth-moving will occur between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey can be obtained from your local District Wildlife Manager.

Prairie dogs should either be moved to another location alive or humanely euthanized before onset of construction. A permit must be obtained from CPW prior to any live relocation. Once the prairie dogs have been relocated or euthanized, their burrows



should be covered to prevent burrowing owls from occupying the empty burrows. If this work is done between March 15 and October 31st, a burrowing owl survey should be performed to prevent unlawful take of burrowing owls or their nests when the burrows are filled.

The presence of mature trees scattered throughout the property provides nesting habitat for various species of raptors and other birds. Raptors which include hawks, owls, and eagles are protected under the Federal Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Colorado Parks and Wildlife has developed a set of recommended setbacks away from these nests to prevent disturbance during the nesting season. Those recommended buffer zones can be found at:

<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf#search=raptor%20guidelines>

If earthwork or other construction activities begin between January 1 and July 31st, CPW recommends that the site be surveyed for raptor nests. If a nest is found, please contact the District Wildlife Manager for recommendations on mitigating impacts to the nesting bird. Mature trees are of high habitat importance on the eastern plains to many species of raptors and other birds. CPW encourages developers to incorporate these habitat features into their development projects.

Thank you again for the opportunity to comment on the Murata Farms development project. Please do not hesitate to contact us about ways to continue managing the property in order to maximize wildlife value while minimizing potential conflicts. If have further questions please contact your District Wildlife Manager Chris Mettenbrink at (303) 906-1979.

Sincerely,



Chris Mettenbrink
Acting Area Wildlife Manager

Cc: M. Leslie, K. Cannon, C. Mettenbrink, file.

MEMO

To: Todd Hodges
Alyssa Knutson

From: Roy Vestal

Date: March 2, 2020

Subject: Murata Farms Sketch PUD Plat; LUP2020-0003; SPL2020-0001
Public Works Review

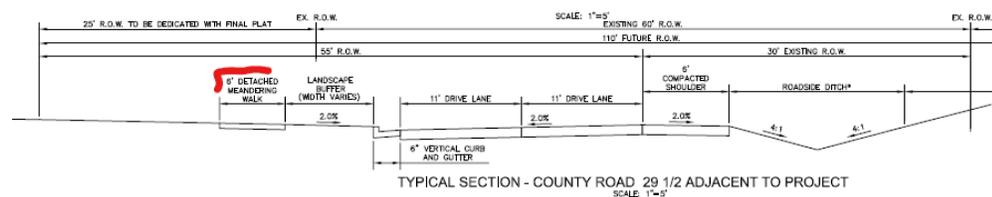
Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

1. Drainage

- a. Phase I Drainage Report
 - i. Staff will continue to work with this detention design to determine a satisfactory regional detention pond configuration.
 - ii. The Mountain Sky design now includes 2 - 72" RCP crossing at College Avenue. We can revise design considerations to assume historic flows with detention requirements on the east side of the Fulton Ditch.

2. Transportation

- a. S College Avenue requires additional ROW dedication. Total future ROW as a collector is 110' as done with the Mountain Sky development to the south. An additional 25' is required along the east property line. There should end up with 55' west of the Section Line.
- b. Additional ROW may be required for Hwy 52 (defer to CDOT).
- c. S College Avenue will be required to be construct for half of the roadway section for a rural collector to include a 10-ft concrete sidewalk detached. The required section will consist of 2 travel lanes similar to what Mountain Sky will be constructing.



3. Landscape / Grading - Chapter 2 Design Standards

- a. Erosion and Sediment Control plans will be required (2.11.00).
- b. A SWMP and Stormwater Discharge permit must be acquired from CDPH&E.
- c. Frontage trees proposed may create sight issues at the drive when the road is widened in the future.

4. Utilities

a. Water - Chapter 3

- i. *Section 3.12.01 Water System Utility Study* will be required.
- ii. *Reimbursements to Mountain Sky for water main extension and non-potable main extension will be required. Construction costs and share have not been determined at this time.*

b. Sanitary Sewer - Chapter 4

- i. *Section 4.12.00 A* utility study will be required.

c. Roadway - Chapter 6

- i. *Reimbursements to Mountain Sky for half of the 2 lane improvements of S College Avenue and half of the new bridge crossing will be required. Construction costs and share have not been determined at this time.*
- ii. *Section 6.18.02* At the intersection of two public streets or a private driveway and a public street, sight distance shall be evaluated across a "sight distance triangle" where obstructions are restricted according to the following criteria. Within the area of the triangle there must be no wall, fence, sign, foliage, berming or other structure which will obscure the driver's view of traffic approaching that intersection. The structures or berms within the sight distance triangle can extend no higher than 24 inches above the curb elevation.

d. Traffic Control - Chapter 8

- i. *Section 8.10.01* A Traffic Study is required for this project
- ii. *Section 8.11.05* Single family residence access to major collectors (S College Avenue and Entry from Hwy 52) is not permitted. Limited access from single-family residences will be allowed on minor collectors (Connection through site from S College Avenue to the southwest corner connection to CR 29).
- iii. *Section 8.11.05* Public streets shall intersect collectors not closer than three hundred and thirty feet (330') from each other (centerline to centerline).

5. Public Improvement Agreement – A Public Improvements Agreement will be required for the construction of street and utilities.



Your Touchstone Energy® Cooperative 

Hello,

Thank you for inviting United Power, Inc. to review and comment on the Murata Farms Sketch PUD; LUP2020-0003; SPL2020-0001. After review of the information, it is early in the development process of the plat and the utility easements have not been identified. I have provided below an outline of our requirements. United Power would like to work with the developer early in the construction process on getting an electric design prepared so that we can request any additional easements that may be needed and have those dedicated on the plat rather than obtaining separate document(s). Obtaining easements via a separate document could cause delays. The developer can visit <https://www.unitedpower.com/construction> and submit an application along with CAD data.

Standard Requirements:

- **General** – United Power requires continuous utility easements for reliable electric facility installation. We need 8' to 10' wide utility easements along rear of all lots, sides of lots abutting roads, and across tracts. This allows United Power to install electric facilities in a continuous manner for our loop feed which provides reliability.
- **Tracts/Open Space/Parks** - 8' to 10' wide utility easements along perimeter of tracts, along perimeter of tracts abutting roads, and through tracts between lots. United Power prefers blanket utility use within tracts be dedicated as this gives us the opportunity to set above ground equipment, if needed and coordinated with the developer.
- **Streetlights** – When streetlight locations are identified, we need a 5' wide utility easement along one side of the lot closest to the streetlight location. All streetlight locations must be approved and signed off by the city/town, etc.

As a Reminder: No permanent structures are acceptable within the utility easement(s); such as, window wells, wing walls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions will be allowed, and any encroachments could result in penalties.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,

A handwritten signature in black ink that reads "Samantha Riblett".

Samantha Riblett
United Power, Inc
Right of Way Administrative Assistant
Main 303-659-0551 | D 303-637-1324



DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave

Greeley, CO 80631

Website: www.weldgov.com

Email: jflesher@weldgov.com

Phone: (970) 400-3552

Fax: (970) 304-6498

Via Email

March 5, 2020

Alyssa Knutson, Planner
City of Fort Lupton
130 S. McKinley Avenue
Fort Lupton, CO 80621

Subject: Murata Farm Sketch Plan

Dear Alyssa:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

The adjacent property at 14026 SH 52 has a Use by Special Review approved for a kennel with up to 215 dogs.

General Comments:

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

Weld County Planning recommends ensuring rights-of-way are cleared of easements and pipelines prior to acceptance.

The present zoning of adjacent and surrounding unincorporated properties are predominantly Agricultural. Owners of property in the area of this proposal should be made aware that agricultural uses, even when done in a manner consistent with good agricultural practices, may generate impacts such as noise, dust, flies, odors, aerial spraying, and slow-moving equipment on County roadways. It is important for future residents to note that adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement and recommends they be placed on all plats adjacent to unincorporated areas:

Right-to-Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged

to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

Weld County Right to Extract Mineral Resources Statement

Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the State's commercial mineral deposits are essential to the State's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.

Mineral resource locations are widespread throughout the County and person moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Weld County



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

March 5, 2020

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: Murata Farms, Case #s LUP2020-0003 and SPL2020-0001

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Murata Farms**. For future planning and to ensure that adequate utility easements are available within this development and per state statutes, PSCo will request 6-foot wide dry utility easements for natural gas distribution facilities with a minimum 5-foot clearance from any structure and where there is space and drivable pavement for service truck access.

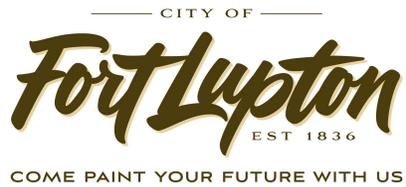
Public Service Company also requests that all utility easements be depicted graphically on the preliminary and final plats. While these easements should accommodate the majority of utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

LEGAL NOTIFICATIONS



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 5th day of March 2020, a true and correct copy of the foregoing Notice of Public Meeting, and sketch PUD Plat maps for the Murata Farms Sketch PUD Plat was sent via U.S. Mail, postage pre-paid, to the following addresses:

AIMS JUNIOR COLLEGE
PO BOX 69
GREELEY, CO 80632

TERRY PATRICIA L TRUST
1312 DENVER AVE
FORT LUPTON, CO 80621

PERRI M-J COMPANY
14286 HIGHWAY 52
FORT LUPTON, CO 80621

ARELANO MARIA R
ARELANO-ORNEALAS JOSE JUAN
14606 HIGHWAY 52
FORT LUPTON, CO 80621

ROWLEY DOWNS LAND COMPANY
260 KRAMERIA ST
DENVER, CO 80220

FL MOUNTAIN SKY LLC
500 FAIRFAX ST
DENVER, CO 80220

TENORIO KATHLEEN L
TENORIO LAWRENCE J
5380 COUNTY ROAD 29 ½
FORT LUPTON, CO 80621

TAYLOR GEORGE PAUL III
TAYLOR ANNA MARIE
1308 7TH ST
FORT LUPTON, CO 80621

RADCLIFFE VIOLET RUTH (HEIRS OF)
PO BOX 141
13877 HIGHWAY 52
FORT LUPTON, CO 80621

V BAR S EIGHTY ACRES LLC
12032 HIGHWAY 52
FORT LUPTON, CO 80621

LI CAI RI
1937 TRAIL BLAZER RD
FORT LUPTON, CO 80621

GEIGER LISA M
WEIGEL BRYAN M
1957 TRAIL BLAZER RD
FORT LUPTON, CO 80621

DENNY SUSAN L
DENNY VAUNOLD D
116 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

VEYERA ANITA
VEYER JEFFREY
126 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

WEBB JESSICA
WEBB JEREMY
156 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

SEANZ AMELIA M
216 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

FARNER JACQULYN N
FARNER WILLIAM H
1998 SILVERADO LN
FORT LUPTON, CO 80621

DELANEY ANITA
DELANEY ROBERT A
1982 SILVERADO LN
FORT LUPTON, CO 80621

CHAPPEL JULIE
GAMBERG REID
1942 SILVERADO LN
FORT LUPTON, CO 80621

MOLLENDOR JACQUELINE M
138 SAND CHERRY ST
BRIGHTON, CO 80601

MANRIQUEZ GERARDO
165 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

KING KATHRYN MARIE
1872 MALIBU CT
FORT LUPTON, CO 80621

LOMONTAGNE BONNIE M
LAMONTAGNE CHARLES D
1868 MALIBU CT
FORT LUPTON, CO 80621

CHAVEZ SUSAN E
CHAVEZ DEAN A
166 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

FERNANDEZ CECILIA A
FERNANDEZ JOHNNY B
226 TRAIL BLAZER RD
FORT LUPTON, CO 80621

MEALY KAREN L
MEALY ROBERT L
1992 SILVERADO LN
FORT LUPTON, CO 80621

SHUMAKER THOMAS E LIVING TRUST
SHUMAKER BRENDA K LIVING TRUST
1962 SILVERADO LN
FORT LUPTON, CO 80621

HUFF KAREN
ROBERTS JONATHAN R
1941 SILVERADO LN
FORT LUPTON, CO 80621

WHITE JETTY J
WHITE KENNETH C
1981 SILVERADO LN
FORT LUPTON, CO 80621

MARTINEZ JENNIFER CAROL
MARTINEZ RONALD CHAD
155 S TRAIL BLAZER RD
FORT LUPTON, CO 80621

BEAN STACEY A
BEAN MICHAEL J
1870 MALIBU CT
FORT LUPTON, CO 80621

APPEL FARMS HOMEOWNERS ASSOC INC
PO BOX 30
FREDERICK, CO 80530

CROWE EDWARD LEE
1858 VIRGINIA DR
FORT LUPTON, CO 80621

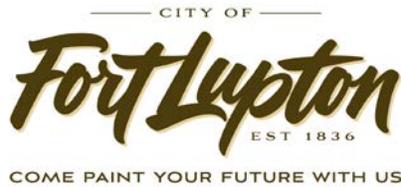
FRANCIS SUSAN
FRANCIS HOWARD
1875 VIRGINIA DR
FORT LUPTON, CO 80621

OLSON PERRY D
1865 VIRGINIA DR
FORT LUPTON, CO 80621

NGUYEN BRANDON
1855 VIRGINIA DR
FORT LUPTON, CO 80621

Maria Lancto

City Official



**CITY OF FORT LUPTON
NOTICE OF PUBLIC MEETING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a Sketch PUD Plat for a proposed subdivision referred to as the Murata Farms Sketch PUD Plat located west and adjacent to County Road 29 ½, and south and adjacent to Highway 52 in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public meetings have been scheduled for Thursday, March 26, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Tuesday, April 7, 2020 at 7:00 PM with the Fort Lupton City Council.

The public meetings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the City Planning and Building Department at (303) 857-6694 or at BIT.LY/FLDEVELOPMENT and scrolling down to the rows titled: Murata Farms Sketch PUD Plat.

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

LOT B OF RECORDED EXEMPTION NUMBER 1471-04-3-RE 879 RECORDED AUGUST 14, 1986 UNDER RECEPTION NO. 2065102, BEING A PORTION OF THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO,

EXCEPT THOSE PORTIONS CONVEYED IN DEED RECORDED DECEMBER 4, 1989 UNDER RECEPTION NO. 02199253 AND EXCEPT THE NORTH 50.00 FEET AND THE EAST 30.00 FEET THEREOF, RESERVED FOR STATE AND COUNTY ROAD R.O.W.

- LEGEND**
- PROJECT BOUNDARY
 - TRAIL
 - RIGHT-OF-WAY
 - PLANNING AREA BOUNDARY

ZONING: PUD
 OWNER: ROWLEY DOWNS LAND CO.
 COYOTE CREEK DR.

ZONING: PARKS & OPEN SPACE
 COYOTE CREEK GOLF COURSE

ZONING: PARKS & OPEN SPACE
 CITY OF FORT LUPTON

ZONING: PARKS & OPEN SPACE

30' COMMON ACCESS EASEMENT REC. NO. 2006102 UNPLATTED
 ASSESSED OWNER: PATRICIA L. TERRY TRUST REC. NO. 4362422
 ZONING: WELD COUNTY AGRICULTURE
 RECORDED EXEMPTION NO. 147194-346-079 REC. NO. 0266702
 ASSESSED OWNER: PATRICIA L. TERRY TRUST REC. NO. 4362422

15' ACCESS EASEMENT REC. NO. 0219263
 G PAIRED HOMES 7.3 acres 8 DU/JAC 58 DU's
 100' ROW
 60' ROW
 CENTERLINE OF PSCO EASEMENT REC. NO. 147518 (WIDTH NOT SPECIFIED)
 NORTH LINE OF THE N 1/2 SW 1/4 OF SEC. 4
 (BASIS OF BEARINGS)

H SINGLE FAMILY ATTACHED RESIDENTIAL 5.1 acres 12 DU/JAC 61 DU's
 30' PIPELINES EASEMENT REC. NO. 3002232
 75' WELL SETBACK
 J PARK 0.5 acre

I COMMERCIAL 2.3 acres
 OWNER: MARIA ARELLANO
 LAWRENCE TENORIO

NSR1207'E 316.82'
 WEST LINE OF THE N 1/2 SW 1/4 OF SEC. 4
 5 DU/JAC 29 DU's
 F SINGLE FAMILY DETACHED RESIDENTIAL
 1.6 acres
 M PARK
 40' TRAIL CORRIDOR

C SINGLE FAMILY DETACHED RESIDENTIAL 5.8 acres 5 DU/JAC 29 DU's
 60' ROW
 40' TRAIL CORRIDOR

B SINGLE FAMILY DETACHED RESIDENTIAL 4.2 acres 6 DU/JAC 25 DU's
 60' ROW

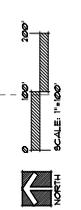
A SINGLE FAMILY DETACHED RESIDENTIAL 4.2 acres 6 DU/JAC 25 DU's
 60' ROW

NSR1207'E 316.82'
 SOUTH LINE OF THE N 1/2 SW 1/4 OF SEC. 4
 5 DU/JAC 29 DU's
 E SINGLE FAMILY DETACHED RESIDENTIAL 7.3 acres 5 DU/JAC 36 DU's
 40' TRAIL CORRIDOR
 DETENTION

30' PIPELINES EASEMENT REC. NO. 3002202
 OWNER: PATRICIA L. TERRY TRUST REC. NO. 4362422
 ZONING: PUD

LOT B RECORDED EXEMPTION NO. RE-2046
 D SINGLE FAMILY DETACHED RESIDENTIAL 10.2 acres 5 DU/JAC 51 DU's
 K PARK 0.5 acre
 40' TRAIL CORRIDOR

OWNER: GEORGE TAYLOR
 ZONING: WELD COUNTY AGRICULTURE
 COUNTY ROAD 29 1/2
 EAST LINE OF THE N 1/2 SW 1/4 OF SEC. 4
 60' ROW



MURATA FARMS
 SKETCH PLAT
 FORT LUPTON, COLORADO

DATE: 12/14/2018
 NO. 1
 NOTES:

LANDSCAPE ARCHITECT / PLANNER
 henry design group

Redland
 WHERE GREAT PLACES BEGIN

CORONADO WEST
 Coronado West, LLC
 8655 S. Priest Drive
 Tempe, AZ 85284

APPLICANT

DATE	12/14/2018
NO.	1
NOTES	

SKETCH PLAT
 2 of 4

Maria Lancto

From: Todd Hodges
Sent: Wednesday, April 15, 2020 3:46 PM
To: 'Vaunold Denny'
Cc: Eric Eckberg; Andy Ausmus; Alyssa Knutson; Roy Vestal; Maria Lancto
Subject: FW: Questions from Mr. Denny for the Murata Farms sketch plan submittal Mr. Eckberg's responses

Mr. Denny,

Below is a response to your questions from Eric Eckberg who represents the project. I will also follow up with a response from Roy Vestal the City Engineer for the traffic questions. Mr. Eckberg has indicated he is more than happy to discuss the project further if you have additional questions for him. Let me know if you have any additional questions for staff.

Have a great day.

Todd A. Hodges
Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluponco.gov

From: Eric Eckberg [mailto:eric@jehome.com]
Sent: Wednesday, April 15, 2020 10:28 AM
To: Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>; Roy Vestal <RVestal@Fortluptonco.gov>; Maria Lancto <MLancto@Fortluptonco.gov>
Cc: Andy Ausmus <andy@ausmuslaw.com>; Travis Frazier <tfrazier@redland.com>; Karen Henry <khenry@henrydesigngroup.com>
Subject: Re: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Todd,

Our responses are below, contact us with any questions, thanks,



J. Eric Eckberg
2696 S. Colorado Blvd, Suite 320

Denver, CO 80222
O: 303-285-1110 M: 303-472-6720

From: Todd Hodges <thodges@Fortluptonco.gov>

Date: Tuesday, April 14, 2020 at 1:03 PM

To: Alyssa Knutson <AKnutson@Fortluptonco.gov>, Roy Vestal <RVestal@Fortluptonco.gov>, Maria Lancto <MLancto@Fortluptonco.gov>, Eric Eckberg <eric@jehome.com>

Cc: Andy Ausmus <andy@ausmuslaw.com>

Subject: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Below are a list of questions that Mr. Denny who is a resident of Appel Farms would like to have answered. Please review and get the answers back to me so that we can respond in a timely fashion. I have included Eric on this email so he can address a number of the questions.

Mr. Hodges,

Following are the questions we have regarding the Murata Farms proposal.

1. Are the paired homes rental or owner occupied? **Could be either, although likely owner occupied**
2. Are the Townhouses rental or owner occupied? **Could be either**
3. Are the detached homes rental or owner occupied? **Could be either, although likely owner occupied**
4. How many Townhouse buildings are there and how many units per building? **Approximately 15 buildings, average of 4 units per building**
5. What are the price ranges for the units? **Approximate price ranges are; Townhomes in the low \$300's, Paired Homes high \$300's, Single Family Detached, low to high \$400's**
6. From a density perspective is Murata Farms compatible with the surrounding areas? **In our opinion, yes**
7. How will Appel Farms traffic patterns and flows be affected? **A traffic generation memo was done and submitted with our Sketch Plat, however, a traffic impact study will need to be done to address this question**
8. What will be the traffic flow for construction traffic? **We intend to direct construction traffic to and from the project off of County Rd 29 ½**
9. What is the plan for hiway 52 as a result of Murata Farms (ie turn lanes, traffic signals, etc.) ? **Same answer as # 7**
10. Will the water pressure in Appel Farms be effected with the additional taps in Murata Farms? **We don't believe so**

Thank You,

Vaunold Denny

Todd A. Hodges, Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluptonco.gov

The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

Maria Lancto

From: Todd Hodges
Sent: Wednesday, April 15, 2020 3:48 PM
To: 'Vaunold Denny'
Cc: Eric Eckberg; Andy Ausmus; Roy Vestal; Alyssa Knutson; Maria Lancto
Subject: FW: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Mr. Denny,
Below are responses from Roy Vestal the City Engineer and Public Works Director.

Todd A. Hodges
Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluptonco.gov

From: Roy Vestal
Sent: Tuesday, April 14, 2020 1:55 PM
To: Todd Hodges <thodges@Fortluptonco.gov>
Subject: RE: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Added what I know.

RoyV

Roy L. Vestal, P.E.
Public Works Director / City Engineer



130 S. McKinley, Fort Lupton, CO 80621
Office: 720.466.6109
Mobile: 720.966.3613

From: Todd Hodges
Sent: Tuesday, April 14, 2020 1:03 PM
To: Alyssa Knutson <AKnutson@Fortluptonco.gov>; Roy Vestal <RVestal@Fortluptonco.gov>; Maria Lancto <MLancto@Fortluptonco.gov>; Eric Eckberg <eric@jehome.com>
Cc: Andy Ausmus <andy@ausmuslaw.com>
Subject: Questions from Mr. Denny for the Murata Farms sketch plan submittal

Below are a list of questions that Mr. Denny who is a resident of Appel Farms would like to have answered. Please review and get the answers back to me so that we can respond in a timely fashion. I have included Eric on this email so he can address a number of the questions.

Mr. Hodges,

Following are the questions we have regarding the Murata Farms proposal.

1. Are the paired homes rental or owner occupied?
2. Are the Townhouses rental or owner occupied?
3. Are the detached homes rental or owner occupied?
4. How many Townhouse buildings are there and how many units per building?
5. What are the price ranges for the units?
6. From a density perspective is Murata Farms compatible with the surrounding areas?
7. How will Appel Farms traffic patterns and flows be affected?

Additional access point for Appel Farms through Murata development via Silverado Lane connection to S College Ave.

8. What will be the traffic flow for construction traffic?

Access from S College Ave, possible access to/from Hwy 52 from connected road

9. What is the plan for hiway 52 as a result of Murata Farms (ie turn lanes, traffic signals, etc.) ?

To be determined by traffic study. Likely will require the decal and turning lane on Hwy 52 in conjunction with Mt Sky requirements.

10. Will the water pressure in Appel Farms be effected with the additional taps in Murata Farms?

Not likely. City will be analyzing the high pressure zone with the pump station evaluation currently scheduled this summer.

Thank You,

Vaunold Denny

Todd A. Hodges, Planning Director
City of Fort Lupton
303-994-3174
thodges@fortluptonco.gov

IX. Detail of Issue/Request:

Colorado Paving, Inc. was awarded 2 street reconstruction projects (7th Street and Greenwood Court) on March 17, 2020 for \$370,000.00.

7th Street is scheduled to pave in about 2 weeks and Greenwood Court will begin construction about mid-May (weather dependent).

This Change Order #1 will cover a third street for reconstruction. Broadway Avenue from 9th Street south to the alley between 8th Street and 7th Street. Broadway was recently completed under the pipes project to replace the sanitary sewer line that has been a perpetual blockage and back-up problem. We removed the patch back portion of the contract because the utility trench sloughed off the sides and undermined the eastern sidewalk during pipe replacement. Savings on the pipes project was \$12,064.00.

The Change Order amount was determined by applying the previously bid unit prices from the 7th Street and Greenwood Court to the elements of the Broadway project.

Project funding for this Change Order is from the Street Sales Tax Fund line item previously for the 6th Street from Denver Ave to the Railroad ROW. While designing the improvements for 6th Street, we discovered additional utility work needed and finalized plans for Denver Streetscape project to tie-in the curb returns. We plan to delay the 6th Street improvements until next year. Budgeted amount for 6th Street was \$175,000.00.

X. Legal/Political Considerations:

Not Applicable

XI. Alternatives/Options:

- *Approve Change Order with Colorado Paving, Inc.*
- *Do not approve the Change Order*
- *Put for Bid*

XII. Financial Considerations:

The Street Sales Tax Fund has \$175,000 budgeted for 6th Street that can be reallocated to the Broadway project.

XIII. Staff Recommendation:

Staff recommends approving Change Order No. 1 with Colorado Paving, Inc. for not to exceed \$147,166.21 for the Broadway Reconstruction Project.

City of Fort Lupton, Colorado
Public Works Department

Change Order

No. 1

Date of Issuance: **April 21, 2020**

Effective Date: **April 13, 2020**

Project: **7th St and Greenwood Ct Repaving Project**

Owner: **City of Fort Lupton**

Owner's Contract No.: **FTL202002**

Contractor: **Colorado Asphalt, Inc.**

Date of Contract: **March 17, 2020**

The Contract Documents are modified as follows upon execution of this Change Order:

Add Schedule 3 for Broadway Reconstruction

Attachments (list documents supporting change): Drawings dated 04/13/2020 and Schedule of quantities.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIME:

Original Contract Price:

\$ 370,000.00

Increase from previously approved Change Orders No. _____ to No. _____:

\$ _____

Contract Price prior to this Change Order:

\$ 370,000.00

Increase of this Change Order:

\$ 147,166.21

Contract Price incorporating this Change

\$ 517,166.21

Original Contract

Working

Calendar

Substantial completion (days or date): **06/12/2020**

Ready for final payment (days or date): **06/26/2020**

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion or date: **06/12/2020**

Ready for final payment or date: **06/26/2020**

Increase of this Change Order:

Substantial completion days: **30**

Ready for final payment date: **07/26/2020**

Contract Times with all approved Change Orders:

Substantial completion (days or date): **07/12/2020**

Ready for final payment (days or date): **07/26/2020**

RECOMMENDED:

By: _____

Engineer (Authorized)

Date: _____

AUTHORIZED:

By: _____

Owner (Authorized)

Date: _____

ACCEPTED:

By: _____

Contractor (Authorized)

Date: _____

Broadway Ave

Contractor:						
Payment Item No.	Specification Reference	Description	Payment Unit	Quantity	Rate in Numbers	Amount in Numbers

Broadway Total						\$ 147,166.21
-----------------------	--	--	--	--	--	---------------

Division 100 - General Provisions						
1	TS 16-101	Mobilization	LS	1	\$ 6,000.00	\$ 6,000.00
2	TS 16-102	Traffic Control	LS	1	\$ 3,120.00	\$ 3,120.00
3	TS 16-103	Construction Surveying	LS	1	\$ 4,074.00	\$ 4,074.00
4	TS 16-104	Material Testing / QC	LS	1	\$ 5,200.00	\$ 5,200.00
Subtotal, Division 100						\$ 18,394.00

Division 200 - Earthwork, Erosion Control, And Seeding						
5	TS 16-201	Mill Existing Asphalt - Full Depth	SY	1,330	\$ 6.00	\$ 7,980.00
6	TS 16-201	Remove Existing Asphalt In Area of New Concrete - Full Depth (~4" Depth)	SF	1,776	\$ 1.25	\$ 2,220.00
7	TS 16-201	Remove Existing Concrete - Full Depth (~4" Depth)	SF	5,179	\$ 1.25	\$ 6,473.75
8	TS 16-201	Remove Existing Driveway Concrete	SF	402	\$ 1.25	\$ 502.50
9	TS 16-201	Remove & Replace Existing Stop Sign	EA	4	\$ 200.00	\$ 800.00
11	TS 16-203	Subgrade Preparation	SY	2,614	\$ 1.88	\$ 4,914.32
12	TS 16-204	Adjust Water Valve Box	EA	7	\$ 700.00	\$ 4,900.00
13	TS 16-204	Adjust Manhole Cover	EA	5	\$ 800.00	\$ 4,000.00
Subtotal, Division 200						\$ 31,790.57

Division 400 - Pavements						
15	TS 16-401	Furnish and Place Hot Mix Asphalt, 2.5", Mix Grade S (3/4"), Asphalt Grade PG64-22 (with max 20% RAP), Complete in Place	TON	255	\$ 99.00	\$ 25,245.00
16	TS 16-401	Furnish and Place Hot Mix Asphalt, 1.5", Mix Grade SX (1/2"), Asphalt Grade PG64-22, Top lift Grade, Complete in Place	TON	155	\$ 99.00	\$ 15,345.00
Subtotal, Division 400						\$ 40,590.00

Chapter 7 - Concrete Work						
19	Chapter 7	Install Concrete Rollover Curb & Gutter Catch, 4" Sidewalk 4' Wide	LF	758	\$ 32.08	\$ 24,316.64
20	Chapter 7	Install Concrete Rollover Curb & Gutter Catch, 4" Sidewalk 4' Wide, Replace Concrete Drive Up to 10 ft into Drive; High Early PCC	LF	54	\$ 65.00	\$ 3,510.00
21	Chapter 7	Install Curb Ramp (R-9)	EA	8	\$ 2,500.00	\$ 20,000.00
22	Chapter 7	Install Curb Cut for Alley (R-12)	LF	26	\$ 52.50	\$ 1,365.00
23	Chapter 7	Install 4' Wide Cross Pan	LF	160	\$ 45.00	\$ 7,200.00
Subtotal, Chapter 7						\$ 56,391.64

IX. Detail of Issue/Request:

CDPH&E has invoiced the City for Site Location Application and Design Review in association with the current redesign of the City's WWTP.

<i>\$22,658.00 for Site Location Application</i>	<i>Inv # WUSA201097863</i>
<i>\$14,396.00 for Design Review</i>	<i>Inv # WUDR201097864</i>

The Guidance Document for the "Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works" (5CCR 1002-22), The Colorado Water Quality Control Act establishes the statutory framework for Regulation No. 22 by requiring site location and design approval with the Division. The Division is authorized to assess fees for the review of wastewater site applications and wastewater design reviews in accordance with the provision of Section 25-8-702 of the Water Quality Control Act. The fees for site application and design reviews are set by statute and are based upon the type of project and associated, proposed hydraulic capacity. Because fees are set by statute, the Division cannot waive fees for site location or design review work that is required and performed in accordance with the statute and Regulation 22.

CDPHE will not place the site application for the WWTF expansion project in their queue for review until they receive the fee payment from the City. They do not have a deadline to do this; their review will not begin, however, until after the fee is paid. We would recommend the City pay this fee as soon as possible to move CDPHE's review along.

The site application is ready to be submitted.

X. Legal/Political Considerations:

Regulation 22 and the City's current WWTP Discharge Permit compliance schedule requires the City WWTP to meet discharge limits on Total Inorganic Nitrogen and Total Phosphorous by 01/31/2023.

XI. Alternatives/Options:

- Approve Invoice for payment of Site Location Application*
- Approve Invoices for payment of Site Location Application and Design Review Fees*
- Do nothing*

XII. Financial Considerations:

The Utility Fund has \$50,000 budgeted in Miscellaneous Expenditures that can be allocated to pay this \$22,658 unbudgeted expenditure.

XIII. Staff Recommendation:

City staff recommends approval of the CDPH&E fees payment.



Design Review Invoice

Date: February 3, 2020
 Invoice #: WUDR201097864

Applicant:

Roy Vestal
 City of Fort Lupton
 130 S McKinley
 Fort Lupton, CO 80621

Project:

Fort Lupton City of - SRF DR WWTF Expansion
 Weld County
 ES.20.CWPDR.05349

DESCRIPTION	AMOUNT
Category 45 WWTP Design Review Application Subcategory: II-CE Design review for wastewater treatment plant expansion (1,000,000-9,999,999 GPD) Customer Number: WQ004177	\$14,396.00
Total Amount Due:	\$14,396.00

To Submit Your Payment, please follow the steps below:

- 1) Make check out to:
Colorado Department of Public Health and Environment
- 2) Please provide a copy of this invoice with your payment. Please mail to:
 - ❖ Colorado Department of Public Health and Environment
 Water Quality Control Division
ATTN: GLORIA DURAN
 4300 Cherry Creek Drive South
 Denver, CO 80246-1530
- 3) For THIS PAYMENT ONLY **DO NOT** use mail code ASD-AR-B1 on check or envelope.
- 4) If mailing payment using a WINDOW envelope, please ensure to include ATTN: GLORIA DURAN on the OUTSIDE of the envelope.





Site Location Application Invoice

Date: February 3, 2020
 Invoice #: WUSA201097863

Applicant:

Roy Vestal
 City of Fort Lupton
 130 S McKinley
 Fort Lupton, CO 80621

Project:

Fort Lupton City of - SRF DR WWTF Expansion
 Weld County
 ES.20.SA.05348

DESCRIPTION	AMOUNT
Category 44 WWTP Site Location Application Subcategory: I-CE	\$22,658.00
Wastewater treatment plant expansion (1,000,000-9,999,999 GPD)	
Customer Number: WQ004177	
Total Amount Due:	\$22,658.00

To Submit Your Payment, please follow the steps below:

- 1) Make check out to:
Colorado Department of Public Health and Environment
- 2) Please provide a copy of this invoice with your payment. Please mail to:
 - ❖ Colorado Department of Public Health and Environment
 Water Quality Control Division
ATTN: GLORIA DURAN
 4300 Cherry Creek Drive South
 Denver, CO 80246-1530
- 3) For THIS PAYMENT ONLY **DO NOT** use mail code ASD-AR-B1 on check or envelope.
- 4) If mailing payment using a WINDOW envelope, please ensure to include ATTN: GLORIA DURAN on the OUTSIDE of the envelope.



IX. Detail of Issue/Request:

The Conner Trust - Fort Lupton Fire Protection District Minor Subdivision Plat (Case LUP2020-0002 and MSD2020-0001) is required to dedicate Right of Way along 9th Street as part of the planning process, pending approval with Resolution No. 2020Rxxx on April 21, 2020.

X. Legal/Political Considerations:

Not Applicable.

XI. Alternatives/Options:

- *Accept Dedication*
- *Do nothing*

XII. Financial Considerations:

Not applicable.

XIII. Staff Recommendation:

City staff recommends acceptance of the public Right-of-Way from Kurt W. Conner Family Trust and the Fort Lupton Fire Protection District for 9th Street.

ORDINANCE NO. 2020-xxxx

INTRODUCED BY:

A ORDINANCE OF THE CITY COUNCIL OF FORT LUPTON ACCEPTING THE KURT W. CONNER FAMILY TRUST AND FORT LUPTON FIRE PROTECTION DISTRICT PUBLIC RIGHT OF WAY DEDICATION FOR 9TH STREET LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING PART OF LOT 2, CONNER TRUST - FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION PLAT, WELD COUNTY, COLORADO.

NOW THEREFORE BE IT RESOLVED that City Council hereby accepts said Dedication, and orders that the Instrument of Dedication be recorded in the Recorder’s Office of the County of Weld, State of Colorado, and said described real estate is hereby declared open and dedicated pursuant to C.R.S. § 24-68-101, et seq..

WHEREAS, The Kurt W. Conner Family Trust and Fort Lupton Fire Protection District, have this day filed with the City of Fort Lupton, Colorado (the “City”), its dedication of certain real estate, which Dedication is hereinabove set forth:

AND WHEREAS, the City finds that said Dedication is desirable and necessary;

THIS RIGHT OF WAY IS CREATED AND GRANTED THIS 21ST DAY OF APRIL 2020.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 21st day of April 2020.

PUBLISHED in the Fort Lupton Press the 29th day of April 2020.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this __ day of __ 2020.

PUBLISHED BY TITLE ONLY the _____ day of _____ 2020.

EFFECTIVE (after publication) the _ day of _ 2020.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

KURT W. CONNER FAMILY TRUST Created 1/7/2013:

BS C, TRUSTEE
Bradley S. Conner, Co-Trustee

Attested to:
Rachel Glaus
Notary

STATE OF TENNESSEE)
)SS.
COUNTY OF WILLIAMSON)

Subscribed and sworn to before me this 1st day of April, 2020 by Bradley S. Conner, Co-Trustee.

Witness my hand and official seal.

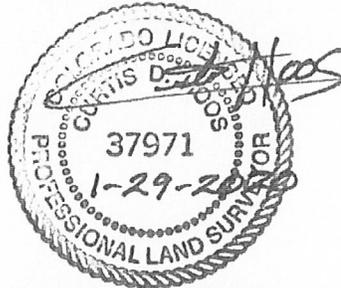
Rachel Glaus

NOTARY PUBLIC

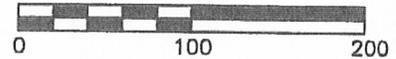


'EXHIBIT A'

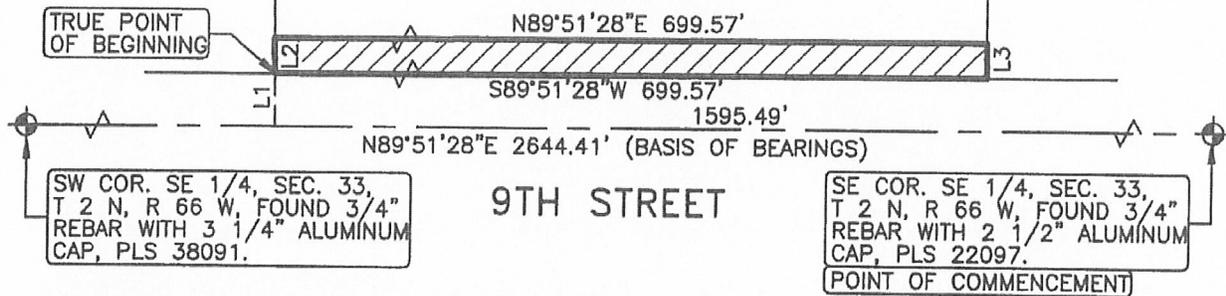
LINE	BEARING	DISTANCE
L1	N00°34'53"W	30.00'
L2	N00°34'53"W	20.00'
L3	S00°35'19"E	20.00'



GRAPHIC SCALE
1"=100'



PARCEL NO. 130933400065
CONNOR FAMILY TRUST
2797 BUCKNER LANE
THOMPSONS STATION, TN 37179



A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 1595.49 FEET; THENCE NORTH 00°34'53" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 10, 2015 AS RECEPTION NO. 4089095 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°34'53" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°51'28" EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 699.57 FEET TO THE EAST LINE OF SAID PARCEL; THENCE SOUTH 00°35'19" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 699.57 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 13,991 SQUARE FEET OR 0.32 ACRES, MORE OR LESS.

NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

LEGEND:

⊕ ALIQUOT MONUMENT, AS NOTED.

DRAWN BY: CDH

FIELD: CDH

PARCEL NO. 130933400065
CONNOR FAMILY TRUST

JAN. 29, 2020

PAGE 1 OF 1

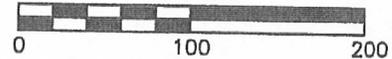


'EXHIBIT A'

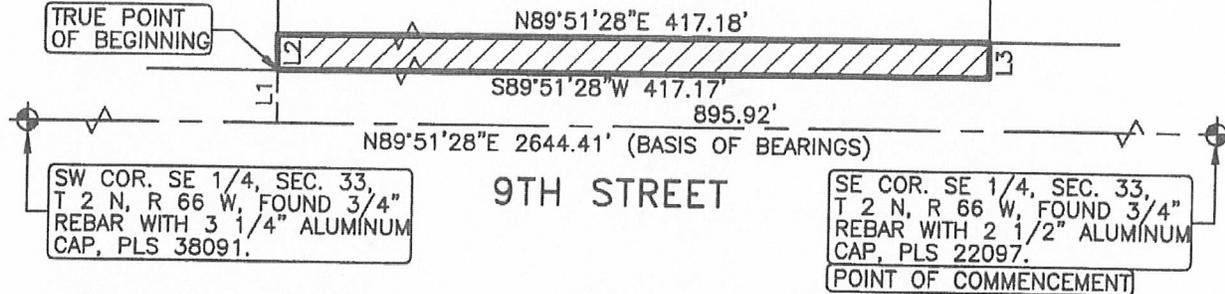
LINE	BEARING	DISTANCE
L1	N00°35'19"W	30.00'
L2	N00°35'19"W	20.00'
L3	S00°34'06"E	20.00'



GRAPHIC SCALE
1"=100'



PARCEL NO. 130933400062
FORT LUPTON FIRE PROTECTION DISTRICT
1121 DENVER AVENUE
FORT LUPTON, CO 80621



A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 89°51'28" EAST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 895.92 FEET; THENCE NORTH 00°35'19" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED DECEMBER 13, 2004 AS RECEPTION NO. 3243249 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°35'19" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°51'28" EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 417.18 FEET TO THE EAST LINE OF SAID PARCEL; THENCE SOUTH 00°34'06" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 89°51'28" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 417.17 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 8344 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

LEGEND: ⊕ = ALIQUOT MONUMENT, AS NOTED.	DRAWN BY: CDH	<p>American West Land Surveying Co. A Colorado Corporation</p>
	FIELD: CDH	
PARCEL NO. 130933400062 FORT LUPTON FIRE PROTECTION DISTRICT	JAN. 29, 2020	
	PAGE 1 OF 1	

IX. Detail of Issue/Request:

The Conner Trust - Fort Lupton Fire Protection District Minor Subdivision Plat (Case LUP2020-0002 and MSD2020-0001) is required to dedicate Right of Way along County Road 31 as part of the planning process, pending approval with Resolution No. 2020R0xx on April 21, 2020.

X. Legal/Political Considerations:

Not Applicable.

XI. Alternatives/Options:

- *Accept Dedication*
- *Do nothing*

XII. Financial Considerations:

Not applicable.

XIII. Staff Recommendation:

City staff recommends acceptance of the public Right-of-Way from Kurt W. Conner Family Trust for CR 31.

ORDINANCE NO. 2020-xxxx

INTRODUCED BY:

A ORDINANCE OF THE CITY COUNCIL OF FORT LUPTON ACCEPTING THE KURT W. CONNER FAMILY TRUST PUBLIC RIGHT OF WAY DEDICATION FOR CR 31 LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING PART OF LOT 2, CONNER TRUST - FORT LUPTON FIRE PROTECTION DISTRICT MINOR SUBDIVISION PLAT, WELD COUNTY, COLORADO.

NOW THEREFORE BE IT RESOLVED that City Council hereby accepts said Dedication, and orders that the Instrument of Dedication be recorded in the Recorder’s Office of the County of Weld, State of Colorado, and said described real estate is hereby declared open and dedicated pursuant to C.R.S. § 24-68-101, et seq..

WHEREAS, Kurt W. Conner Family Trust, has this day filed with the City of Fort Lupton, Colorado (the “City”), its dedication of certain real estate, which Dedication is hereinabove set forth:

AND WHEREAS, the City finds that said Dedication is desirable and necessary;

THIS RIGHT OF WAY IS CREATED AND GRANTED THIS 21ST DAY OF APRIL 2020.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 21st Day of April 2020.

PUBLISHED in the Fort Lupton Press the 29th day of April 2020.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this __ day of __ 2020.

PUBLISHED BY TITLE ONLY the _____ day of _____ 2020.

EFFECTIVE (after publication) the _ day of _ 2020.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

DEDICATION OF PUBLIC RIGHT OF WAY

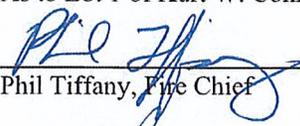
The undersigned being the fee simple owner of all the real estate described herein, for good and valuable consideration, does hereby grant and dedicate to the City of Fort Lupton, Weld County, Colorado, on and behalf of and for the public, for use as right-of-way for public purposes, the following described real estate situated in Weld County, Colorado, the portion of **County Road 31 right of way** being dedicated is described as all of that portion lying between the existing **northern** edge of CR 31 ROW 30 feet wide, more particularly described on Exhibit A, and as shown on the sketch, attached hereto and made a part hereof.

This dedication is made subject to all existing easements and rights-of-way.

The Grantor hereby covenants that it is the owner in fee simple of the real estate, is lawfully seized thereof, and has the authority to grant and convey the foregoing right of way, and guarantees the quiet possession thereof, and that Grantor will warrant and defend the Grantee's title to the right of way hereby granted against all claims.

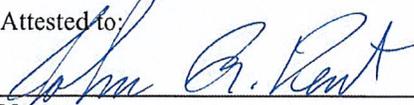
THIS RIGHT OF WAY CREATED AND GRANTED THIS ____ DAY OF _____, 2020.

FORT LUPTON FIRE PROTECTION DISTRICT, a Colorado Special District
As to Lot 1 of Kurt W. Conner Family Trust Created 1/7/2013 Minor Subdivision:



Phil Tiffany, Fire Chief

Attested to:

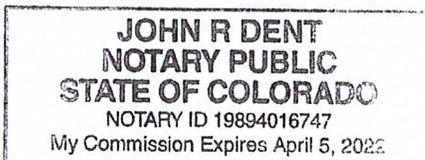


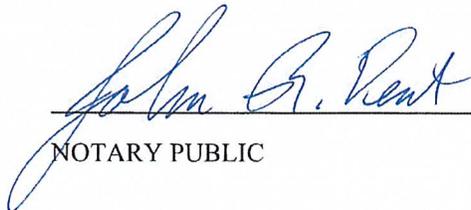
Notary

STATE OF COLORADO)
)SS.
COUNTY OF WELD)

Subscribed and sworn to before me this 3rd day of April, 2020 by Phil Tiffany, Fire Chief, Fort Lupton Fire Protection District.

Witness my hand and official seal.





NOTARY PUBLIC

KURT W. CONNER FAMILY TRUST Created 1/7/2013:

Bradley S. Conner TRUSTEE
Bradley S. Conner, Co-Trustee

Attested to:

Rachel Glaus
Notary

STATE OF TENNESSEE)
)SS.
COUNTY OF WILLIAMSON)

Subscribed and sworn to before me this 01st day of April, 2020 by Bradley S. Conner, Co-Trustee.

Witness my hand and official seal.

Bradley S. Conner
NOTARY PUBLIC



'EXHIBIT A'

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO BEAR NORTH 00°36'09" WEST, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, THENCE SOUTH 89°41'34" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 205.65 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIREHOUSE AVENUE AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 11°35'18" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 399.78 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 3789.72 FEET AND A CENTRAL ANGLE OF 07°24'10", WHOSE CHORD BEARS SOUTH 07°53'13" EAST, A DISTANCE OF 489.29 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 489.64 FEET TO THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 10, 2015 AS RECEPTION NO. 4089095 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 89°51'15" WEST, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 30.08 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 3759.72 FEET AND A CENTRAL ANGLE OF 07°22'13", WHOSE CHORD BEARS NORTH 07°54'11" WEST, A DISTANCE OF 483.31 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 483.64 FEET; THENCE NORTH 11°35'18" WEST, A DISTANCE OF 405.76 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE NORTH 89°41'34" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 30.59 FEET TO THE TRUE POINT OF BEGINNING.

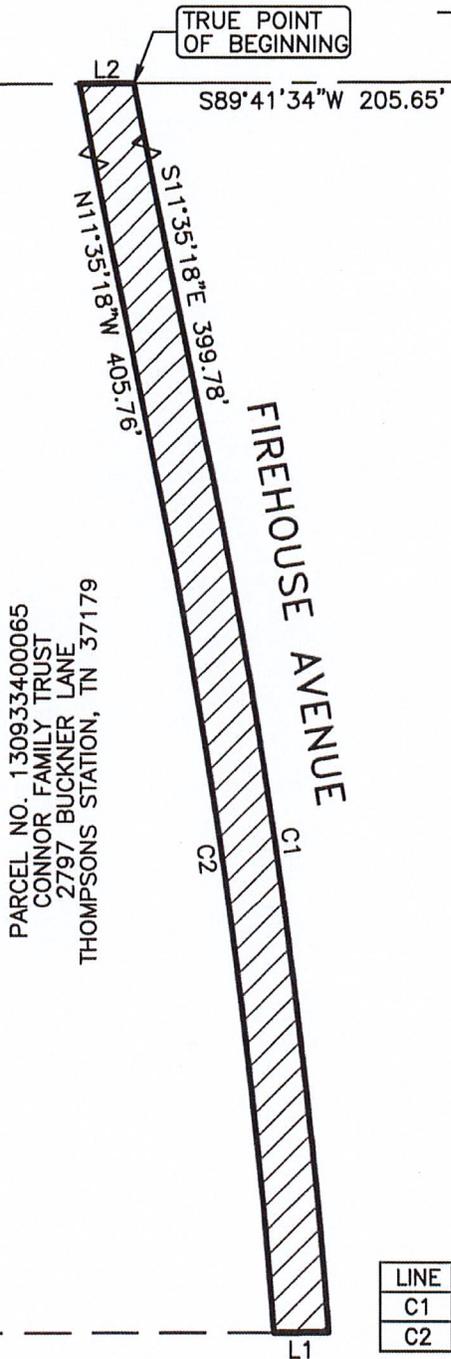
SAID PARCEL CONTAINS 26,682 SQUARE FEET OR 0.61 ACRES, MORE OR LESS.



NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

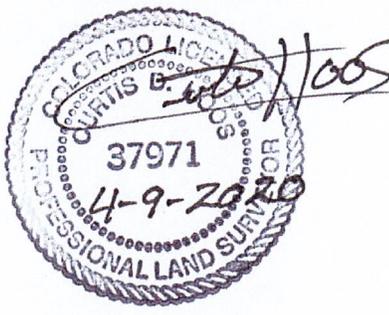
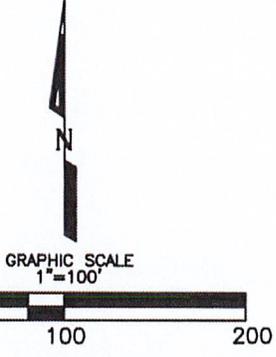
	DRAWN BY: CDH	
	FIELD: CDH	
PARCEL NO. 130933400065 CONNOR FAMILY TRUST	APRIL 9, 2020	
	PAGE 1 OF 2	

'EXHIBIT A'



PARCEL NO. 130933400065
 CONNOR FAMILY TRUST
 2797 BUCKNER LANE
 THOMPSONS STATION, TN 37179

POINT OF COMMENCEMENT
 NE COR. S 1/2, SE 1/4, SEC. 33,
 T 2 N, R 66 W, FOUND 2 1/2" PIPE
 WITH 3 1/4" ALUMINUM CAP, PLS
 12330.



LINE	BEARING	DISTANCE
L1	S89°51'15"W	30.08'
L2	N89°41'34"E	30.59'

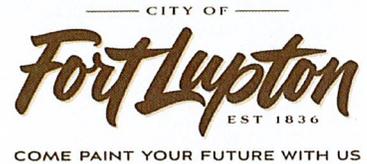
SE COR. SE 1/4, SEC. 33,
 T 2 N, R 66 W, FOUND 3/4"
 REBAR WITH 2 1/2" ALUMINUM
 CAP, PLS 22097.

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	3789.72'	489.64'	07°24'10"	S07°53'13"E	489.29'
C2	3759.72'	483.64'	07°22'13"	S07°54'11"E	483.31'

NOTE: THIS DRAWING IS MEANT TO DEPICT THE ATTACHED DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. NOTE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

LEGEND: ALIQUOT MONUMENT, AS NOTED.	DRAWN BY: CDH	
	FIELD: CDH	
PARCEL NO. 130933400065 CONNOR FAMILY TRUST	APRIL 9, 2020 PAGE 2 OF 2	

CITY OF FORT LUPTON CITY COUNCIL



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespino, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-091

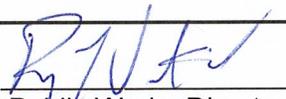
AWARD CONTRACT FOR INTEGRATED MOSQUITO MANAGEMENT SERVICES TO VECTOR DISEASE CONTROL INTERNATIONAL, LLC FOR NOT TO EXCEED \$17,500.00 FROM PUBLIC WORKS SHOP GENERAL FUND

- I. **Agenda Date:** Council Meeting – April 21, 2020
- II. **Attachments:**
- a. Contract Agreement - VDCI
 - b. VDCI Scope
 - c. PW Mosquito Control Memo 2019

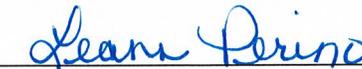
III. **Summary Statement:**

Award of contract to Vector Disease Control International, LLC for Integrated Mosquito Management Services during the 2020 season for not to exceed \$17,500.00 from the Public Works Shop General Fund.

IV. **Submitted by:**


Public Works Director

V. **Finance Reviewed**


Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

The City of Fort Lupton has provided an elementary program of mosquito control for the past 20+ years. The program consists of spraying adulticide (Fyfanon) mist 2 times a week during the evening hours. Public Works staff have additionally distributed larvicide into standing water. The problems created with our current program include:

- Using the same adulticide creates an immunity to the product within the mosquito population.*
- Spraying operations create agitated individuals within the community.*
- The city collects addresses of no spraying requests, which often follow complaints from these neighbors of not spraying.*
- Spray mist must make contact with the mosquitos to kill them. Weather conditions that include windy days make the spraying ineffective.*
- City employees are not required to be certified to operate the spray equipment. All PW staff are cycled through the schedule during their on-call assignments.*

Mosquito operations are a specialized service that requires training, knowledge and a methodical approach to effectively and economically balance the city's needs and environmental issues.

The VDCI program will handle all aspects of the City's program with added technology and information assistance to our residents.

X. Legal/Political Considerations:

None

XI. Alternatives/Options:

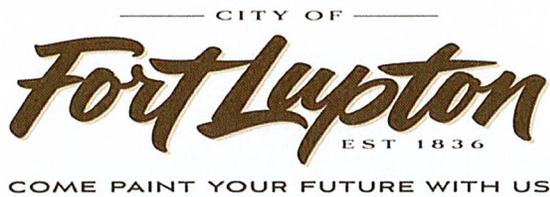
- A) Approve the contract award to VDCI*
- B) Reject agreement contract with another firm.*
- C) Delay action on the contract to gather more information.*
- D) Have PW staff resume spraying operations.*

XII. Financial Considerations:

The 2020 budget includes \$22,000 for insect control in the Public Works Shop General Fund.

XIII. Staff Recommendation:

Staff recommends approving award of the contract to VDCI for Integrated Mosquito Management Services for not to exceed \$17,500.00 for the 2020 season.



City of Fort Lupton, Colorado

Public Works Department

Public Works Agreement

This PUBLIC WORKS Agreement is entered into by and between the **City of Fort Lupton, Colorado** (hereinafter "City") and **Vector Disease Control International (VDCI)** (hereinafter "VDCI").

WHEREAS, the parties hereto agree in consideration of the covenants, payments and agreements set forth herein as follows:

1. **SCOPE OF SERVICES.** VDCI shall perform the services included in the scope of work set forth and incorporated herein as **Exhibit A**. VDCI confirms it possesses all necessary professional licenses and is in good standing with the State of Colorado.
2. **CONTRACT DOCUMENTS.** This Agreement consists of and includes this Agreement and VDCI's Scope of Work (Exhibit A). In the event of any conflict between any of these documents, this document shall control.
3. **PERIOD OF SERVICE AND SCHEDULE.** The provisions of this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the services stated in the Proposal. VDCI's obligation to render services hereunder will extend for a period that may reasonably be required for the completion of said services. VDCI shall make reasonable efforts to comply with deliverable schedules and consistent with VDCI's professional responsibility.
4. **CONTRACT SUM.** The City shall pay to VDCI for performance and completion of the work encompassed by this Agreement, and VDCI will accept as full compensation therefore the sum of not to exceed **Seventeen Thousand, Five Hundred Dollars and No Cents, \$17,500.00**, subject to confirmation by the City of completion of the scope of work in accordance with the contract documents attached hereto. Said amounts to be paid upon review and acceptance of the work by the City, in its sole discretion.
5. **CONTRACT APPROPRIATIONS/NO CHANGE ORDERS.** The City states that the amount of money appropriated for this Agreement is equal to or in excess of the contract amount. No change order to this Agreement requiring additional compensable work to be performed, which work causes the aggregate amount payable under this Agreement to exceed the amount appropriated for the original contract shall be issued by the City unless the City notifies VDCI in writing, that lawful appropriations to cover the costs of this additional work has been made and the change order is approved by the City in its sole discretion in writing. City shall have the right to make changes within the general scope of VDCI's services, with an appropriate change in compensation and schedule, upon execution

of a mutually acceptable amendment or change order signed by authorized representatives of City and VDCI.

6. **AMENDMENT/NO ASSIGNMENT.** No modification or amendment of this Agreement shall be valid unless in writing and signed by all parties to this Agreement. VDCI's services will be performed solely for the benefit of City and not for the benefit of any other persons or entities. Neither City nor VDCI shall assign or transfer interest in this Agreement without the written consent of the other.

7. **COMPLETE AGREEMENT.** This Agreement, and the exhibits hereto, shall constitute the entire agreement between the parties with respect to the subject matter hereof and there are no agreements, representations or warranties other than as set forth herein.

8. **COMPUTER PROGRAMS OR MODELS.** Any use, development, modification, or integration by VDCI of computer software modeling programs does not constitute ownership or a license to City to use or modify such computer software modeling programs.

9. **ELECTRONIC MEDIA AND DATA TRANSMISSIONS**

A. Any electronic media (computer disks, tapes, etc.) or data transmissions furnished (including Project Web Sites or CAD file transmissions) are for City information and convenience only. Such media or transmissions are not to be considered part of VDCI's instruments of service. VDCI, at its option, may remove all indicia of its ownership and involvement from each electronic display.

B. VDCI shall not be liable for loss or damage directly or indirectly, arising out of City's use of electronic media or data transmissions.

10. **TERMINATION.** Services may be terminated by City or VDCI by seven (7) days' written notice in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If so terminated, City shall pay VDCI all amounts due for all services properly rendered and expenses incurred to the date of receipt of notice of termination.

11. **SEVERABILITY.** In the event any portion of this Agreement is held to be unenforceable, the unenforceable portion of this Agreement will be deleted and the remaining provisions of the Agreement shall continue in full force and effect.

12. **GOVERNING LAW.** This Agreement shall be governed by the laws of the State of Colorado. All parties agree that any dispute regarding enforcement of this Agreement shall be filed in Weld County District Court after first attempting in good faith to submit the dispute to mediation. Submission of any dispute to mediation shall be a condition precedent to filing litigation in this matter, other than the request for injunctive relief.

13. **OSHA REQUIREMENTS.** VDCI agrees that it alone bears the responsibility for providing a safe and healthy work environment and shall provide its employees with adequate orientation and training to safely perform the scope of work set forth in this contract. VDCI shall at all times comply with the safety and health regulations of the Occupational Safety and Health Act of 1970 (29 CFR 1926) including all amendments and modifications thereto. In the event there is a conflict between the safety and health provisions of federal, state or local regulations, the more stringent provision shall prevail. VDCI acknowledges and agrees that with respect to the scope of work under this contract, it shall comply with all obligations and assume all responsibilities for its actions regarding all OSHA rules and regulations.

14. **NO WAIVER OF GOVERNMENTAL IMMUNITY.** The City, its elected officials, officers and employees are relying upon, and do not waive or intent to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, C.R.S. Sec. 24-10-101 et seq. as amended or otherwise available to the City. Nothing herein shall operate as a waiver of any right the City has of governmental immunity under Colorado law which is specifically herein reserved.

15. **INDEPENDENT CONTRACTOR.** VDCI is a separate, legal entity from the City and the parties make this Agreement accordingly with the understanding that VDCI at all times is acting as an independent contractor and not an employee or agent of the City. All persons retained by VDCI to perform services pursuant to this Agreement shall be employees or independent contractors of VDCI and are not employees, contractors or agents of the City. VDCI does not have the authority to bind the City by contract or otherwise.

16. **FORCE MAJEURE.** Neither party shall be liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, pandemics, wars, acts of war (whether war is declared or not), insurrections, riots, civil commotions, strikes, lockouts or other labor disturbances, instances affecting public health including pandemics, acts of God or acts, omission, or delays in acting by any governmental authority. Provided, however, that the party so affected shall use reasonable efforts to avoid or remove such causes of non-performance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of force majeure. The parties shall mutually seek a resolution of the delay or the failure to perform as noted above.

17. **INDEMNIFICATION BY VDCI.** VDCI shall defend, indemnify and hold the City harmless from any damages caused by negligence, including but not limited loss, liability, expenses, suit or claim, or claim for injury to persons or damage to property arising out of

the activities of VDCI pursuant to this Agreement. Expenses shall include all out of pocket expenses, attorney fees, expert costs and related litigation fees.

18. **APPROVAL REQUIRED.** This Agreement is subject to the final approval of the Fort Lupton City Council and signature by the Mayor of Fort Lupton.

EXECUTED THIS _____ DAY OF **April, 2020.**

CITY OF FORT LUPTON, COLORADO

BY: Zo Stieber

TITLE: Mayor

VECTOR DISEASE CONTROL INTERNATIONAL

BY: _____

TITLE: _____

EXHIBIT A

AN INTEGRATED MOSQUITO MANAGEMENT SERVICES PROPOSAL FOR:

CITY OF FORT LUPTON

APRIL 13, 2020



VECTOR DISEASE CONTROL INTERNATIONAL, LLC

7000 Broadway, Suite 108, Denver, Colorado 80221

Phone: (303) 428-5908

Fax: (866) 839-8595

Operations Manager: Nicholas Bates

E-Mail: nbates@vdcil.net



**THE CITY OF FORT LUPTON
2020 INTEGRATED MOSQUITO MANAGEMENT
SERVICES PROPOSAL**

**VECTOR DISEASE CONTROL INTERNATIONAL, LLC
TABLE OF CONTENTS**

Introduction 3

SECTION I. General Considerations..... 4

 1. Project Description 4

 2. Project Area..... 4

SECTION II. Integrated Mosquito Control Services Scope of Work..... 5

 1. Legal Requirements 5

 2. Survey and Mapping Services 8

 3. Larval Mosquito Surveillance and Control 9

VDCI’s Larval Mosquito Control Resources 11

 4. Adult Mosquito Surveillance Trapping 12

VDCI’s Mosquito Surveillance and Laboratory Resources..... 13

 5. Adult Mosquito Control..... 14

VDCI’s Adult Mosquito Control Resources 16

VDCI’s Public Health Emergency Surveillance and Adulticide Services 18

 6. Public Outreach and Education..... 19

VDCI’s Public Outreach Program and Education Resources 22

 7. Reporting 23

VDCI’s Reports and Record Keeping Resources 24

SECTION III. VDCI Key Management and Personnel.....25

SECTION IV. References27

SECTION V. Program Cost28

APPENDIX 1. CO Department of Agriculture Licenses & Endorsements29

APPENDIX 2. Certificate of Compliance.....31

ATTACHMENT "A" 2020 Contractual Service Cost Summary32

ATTACHMENT "B" Hold Harmless, Warranty, Disclaimer for City of Fort Lupton.....33

ATTACHMENT "C" 2020 Contractual Service Cost Agreement35

INTRODUCTION

Vector Disease Control International, LLC (VDCI) is committed to providing the best possible mosquito control services to our customers. We strive to improve the quality of human life in communities through education, surveillance and the control of mosquitoes and other disease vectors. We are also committed to research and the use and support of application technologies. VDCI is a company built on the foundations of public health, ethics, professionalism, and technical expertise. Many of our staff come from the field of public health and have experience with public mosquito control districts all over the country. At all times, we will conduct business professionally in a manner that protects the environment and the welfare of residents.

Starting with the simple idea to provide municipalities with the products and services needed to run effective mosquito control programs, VDCI now has operations in 20 states and over 25 years of experience as an industry leader. VDCI constantly strives to provide our customers with the best, most efficacious and scientifically sound integrated mosquito control programs possible.

Because it is often impossible to eradicate all mosquitoes in a given area due to their behavior patterns, resilient nature and enormous breeding potential, our goal is to manage mosquito populations within tolerable levels and simultaneously help prevent possible outbreaks of mosquito-borne diseases. To achieve this goal, we use the most effective combination of methods for controlling mosquitoes, including surveillance, public education, biological control and the use of insecticides, as established in both the American Mosquito Control Association (AMCA) and Centers for Disease Control and Prevention (CDC) guidelines. Habitat inspection of the service area coupled with collections from adult mosquito traps enable us to determine which species of mosquito are present, their population size and specific locations. This information is critical for determining when, where, and how often larvicides and adulticides need to be applied.

The employees of VDCI recognize and readily accept the special considerations that often surround the use of larviciding and adulticiding practices to abate mosquito populations within a mosquito control program. As a private entity working for you, VDCI looks forward to a close working relationship with all appropriate officials, and, as such, will work with and support you in all surveillance and application decisions. Additionally, with our fleet of over 200 trucks and 12 aircraft, we can provide both aerial and ground operations in any situation nationwide.

VDCI takes great pride in our ability of to protect the public's health from mosquitoes and mosquito-borne diseases and to provide a quality of life improvement for our residents. We invite you to review our proposal for providing comprehensive mosquito control services and we are confident that you will see that our qualifications, resources, extensive experience and commitment to excellence will allow for a successful and cost-effective partnership between VDCI and Fort Lupton.

SECTION I. GENERAL CONSIDERATIONS

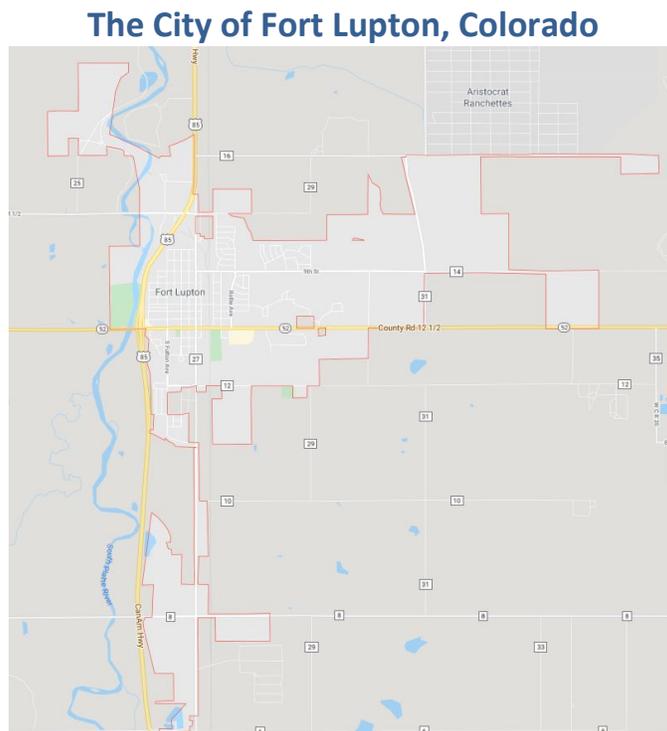
1. PROJECT DESCRIPTION

Vector Disease Control International (VDCI) will conduct a comprehensive Integrated Mosquito Management (IMM) Program for the City of Fort Lupton within the service area as defined below.

Vector Disease Control International will employ established IMM principles and practices to dramatically reduce the number of larval and adult mosquitoes in the City of Fort Lupton. These principles and practices are based on a sound Integrated Pest Management (IPM) framework. Monitoring and suppression of both larval and adult mosquitoes will be based on an environmentally focused, least-toxic approach, that utilizes a combination of cultural, biological, and chemical controls to target and reduce all mosquitoes, including potential disease-vector populations and nuisance species, and which is economically feasible, with an emphasis on minimizing chemical adulticide applications.

2. PROJECT AREA

Vector Disease Control International understands and agrees that the City of Fort Lupton Mosquito Control Service Area consists of all areas within the external boundary of the City, as illustrated in the map below.



Section II. Integrated Mosquito Control Services Scope of Work

1. REQUIREMENTS

VDCI will maintain current licensing and certifications to perform commercial mosquito control services in the State of Colorado.

Advanced Pest Management of Colorado, LLC d/b/a Vector Disease Control International, LLC is currently licensed and will maintain licensing to perform commercial mosquito control services in the State of Colorado (Colorado Department of Agriculture License No. 10261). See Appendix 1 for a copy of the License and Endorsements. VDCI currently employs more than 10 Colorado Department of Agriculture Licensed Qualified Supervisors.

VDCI will meet all Federal, State and Local requirements for storage, transport, dispensing and disposal of all products including pesticides.

Additionally, Vector Disease Control International, LLC will:

1. Warrant that all services provided will be in a professional and businesslike manner.
2. Comply with all aspects of the United States Department of Labor and the Occupational Safety and Health Administration's regulations concerning the hazards of the chemicals utilized in performance of the specification.
3. Provide entire labor staff directly, not through subcontractors, which staff shall have appropriate pesticide training and certification.
4. Provide telephone, facsimile and email communications capabilities.
5. VDCI will comply with the requirements of the Occupational Safety and Health Act (OSHA) and shall review and comply with the City's safety regulations while on any City property. Failure to comply with any applicable federal, state or local law, rule, or regulation shall give the City the right to terminate this agreement for cause.
6. COMPLIANCE WITH C.R.S. § 8-17.5-101, ET. SEQ. AS AMENDED 5/13/08: Pursuant to Colorado Revised Statute (C.R.S.), § 8-17.5-101, et. seq., as amended 5/13/08, VDCI will meet the following requirements prior to signing this Agreement (public contract for service) and for the duration thereof:
 - A. VDCI will certify participation in the E-Verify Program (the electronic employment verification program that is authorized in 8 U.S.C. § 1324a and jointly administered by the United States Department of Homeland Security and the Social Security Administration, or its successor program).
 - B. VDCI will not knowingly employ or contract with an illegal alien to perform work under this public contract for services.

- C. VDCI will not enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this public contract for services.
 - D. At the time of signing this public contract for services, VDCI has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this public contract for services through participation in the E-Verify Program.
 - E. VDCI will not use either the E-Verify Program procedures to undertake pre-employment screening of job applicants while this public contract for services is being performed.
 - F. If VDCI obtains actual knowledge that a subcontractor performing work under this public contract for services knowingly employs or contracts with an illegal alien, VDCI will: notify the subcontractor and the City within three days that VDCI has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to the previous paragraph, the subcontractor does not stop employing or contracting with the illegal alien; except that VDCI will not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.
 - G. VDCI will comply with any reasonable requests by the Department of Labor and Employment (the Department) made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. § 8-17.5-102(5).
- 7. If VDCI violates this Section of this Agreement, the City may terminate this Agreement for breach of contract. If the Agreement is so terminated, VDCI will be liable for actual and consequential damages to the City.
 - 8. Provide all employees extensive classroom and field training on issues pertaining to; Pesticide and Applicator Laws and Regulations, Pesticide Labels and Labeling, Pesticide Use, Applicator Safety, Public Safety, Environmental Protection, Integrated Pest Management, Integrated Mosquito Management, and Equipment Use and Calibration.
 - 9. Provide all employees training on all pertinent OSHA regulations. Employees will be instructed on required Personal Protective Equipment (PPE) for each product, its use, care, and disposal. Employees will receive instruction on what to do in case of an emergency including and not limited to; spill procedures, vehicular accidents, personal injury, West Nile prevention, environmental protection, and public safety.

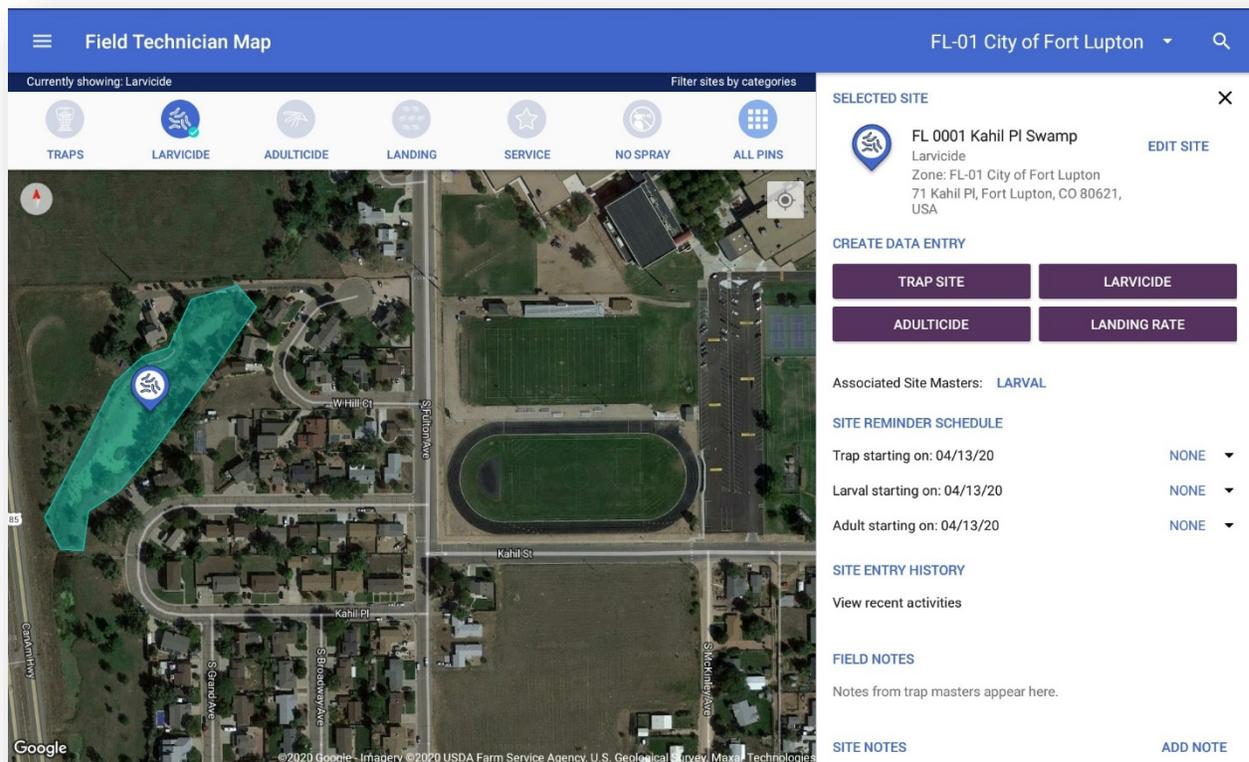
This training will include spill prevention, cleanup and disposal, and chain of command notification requirements.

10. Provide employees with all required Personal Protection Equipment as required by the EPA, Colorado Department of Agriculture, and OSHA.
11. Provide each employee VDCI company shirts so that they can be clearly identified as Mosquito Control Technicians by residents and City officials.
12. All vehicles are owned by VDCI and commercially insured under VDCI's master commercial automotive policy. All vehicles will be clearly marked with the company's name, Town, state and telephone number per CO Dept. of Agriculture rules. No private vehicles will be used. All employees will have proper ID at all times while in the field.
13. All company vehicles used for pesticide applications are trucks, with pesticides being stored and secured in the truck bed separate from the passenger compartment. This conforms to DOT and Colorado Department of Agriculture Regulations.
14. All trucks are equipped with a correctly rated fire extinguisher, current Material Safety Data Sheets for all carried products, current labels for all carried products, employee first aid kit, and chemical spill/recovery kit.
15. Use no subcontractors or independent contractors to perform normal surveillance or treatment of areas. All personnel will be legal employees of the company providing the mosquito control services. All employees will be properly trained and licensed by the CO Dept. of Agriculture and covered by General Liability Insurance Policy and Workers Compensation Insurance.
16. Provide Labels and MSDS for all products used by the company upon request.
17. Provide General Liability/Auto/Workers Compensation insurance policy as required with a minimum comprehensive of \$1 million per occurrence general liability, claims-made policy including chemical and pollution coverage is required. The City of Fort Lupton is named as additionally insured.

2. SURVEY AND MAPPING SERVICES

VDCI will survey the City of Fort Lupton lands designated in Section I. VDCI will develop and maintain mosquito management service related information in GIS format, and will provide GIS maps indicating mosquito-breeding sites and larval control activity to the City as requested.

VDCI will accurately map and catalog all potential larval mosquito production sites within the proposed service area. VDCI will then use its proprietary database and tablet-based software to create inspection routes that include maps overlaid on digital aerial orthophotography for accurate detail (see example below). VDCI will maintain and update this digital data as needed and will provide copies to the City of Fort Lupton as requested.



3. LARVAL MOSQUITO SURVEILLANCE AND CONTROL

- I. VDCI will devote the majority of staff time to larval mosquito surveillance and control. VDCI will identify larval habitats within the City of Fort Lupton Service Area that are inspected throughout the season on a biweekly, weekly or monthly basis. VDCI will perform larval mosquito control operations from May through September (as needed, dependent on environmental conditions and presence of larvae). VDCI will continue to maintain a larval site history database that includes a site catalog number, date and time of inspections, wet/dry status of site, treatment (if any), product type and amount, estimated acreage treated, larval action threshold, documentation of any adverse incidents associated with treatments (NPDES/CDPS requirement), larval instars present and number of larvae present per dip.

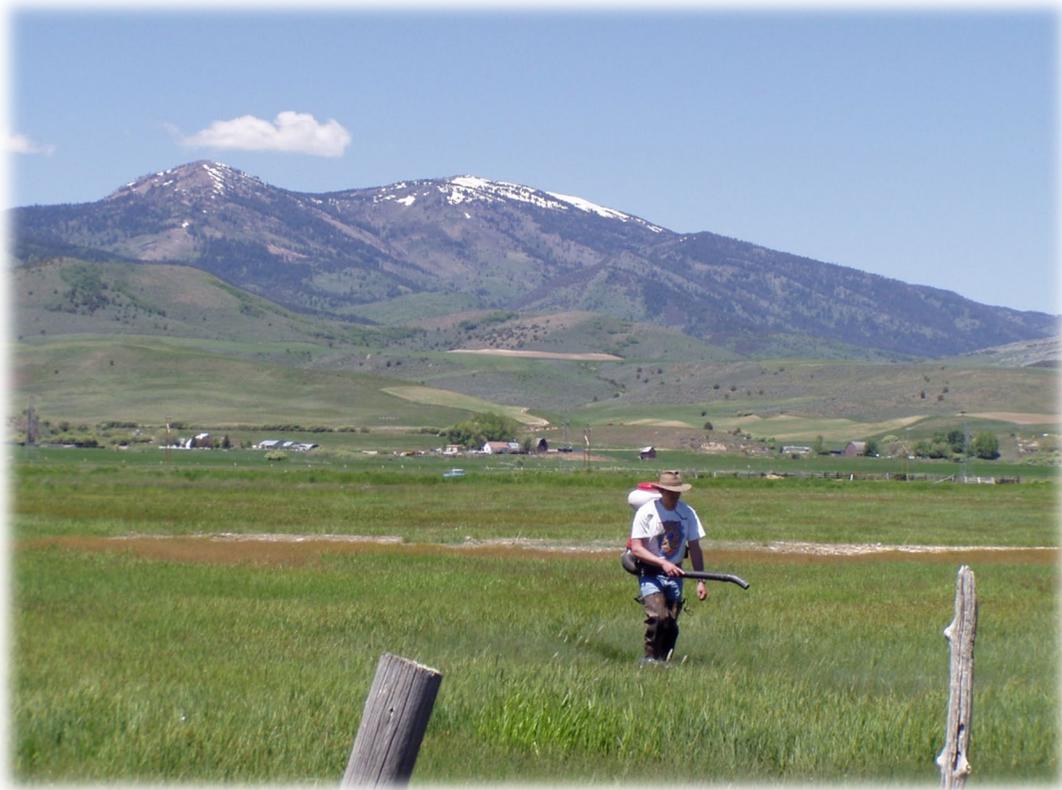


VDCI has continually updated our database system and associated GIS data layers with additional new-found breeding sites and changes in parcel ownership. VDCI will continue to improve the program effectiveness by surveying, mapping and methodically inspecting new sites to build a site history and identify problem areas as they are located.

- II. VDCI will utilize our advanced database to accurately maintain inspection sites, dates, treatments, methods, product amounts, products used for control, and population dynamics of the mosquito larvae collected.
- III. VDCI will continuously fine-tune our proprietary database to efficiently target larval mosquito control operational efforts. Our operations will include:
 - a. Targeted larval site inspections, as needed, at all previously identified and new found potential larval development sites. Site inspections will target larval sites based on past comprehensive site history data as recorded in our database. These data incorporate historic records of larval presence, larval densities, habitat size and type, water source, and weather data.
 - b. As sites are found that contain mosquito larvae, VDCI will first look to cultural or physical controls to reduce or eliminate standing water and larval development. Water management and source reduction including clearing clogged ditches,

hand digging of channels, and working with property owners to mitigate these sites will be implemented when applicable.

- c. VDCI will then, as appropriate, treat sites where mosquito larvae are detected with a “Prescription-oriented” least-toxic, biological control appropriate to the site. Larval control products will include; Vectobac (Bti), Vectolex (Bs), Altosid (methoprene), BVA 2 (highly refined mineral oil) and other registered larval control products as needed. All applications will be within label-specified rates and recorded in our database.
- IV. VDCI will perform random Quality Control field checks of previously inspected and/or treated larval sites. Quality Control inspections will be conducted regularly to ensure technician performance and pesticide efficacy. The Operations Manager or designated Quality Control Technician will also review data sheet entries to verify that sites are being inspected in accordance to site status and that larval control products are being applied according to habitat and water source information. Operational maps will be ground-verified to ensure accuracy and data collection will be screened prior to final submittal, in order to eliminate input error.



VDCI'S LARVAL MOSQUITO CONTROL RESOURCES

- ✦ **Professional Staff:** VDCI will devote full-time field technicians and a Qualified Supervisor (licensed through the CO Dept. of Ag) to perform IMM-based larval mosquito control operations in the City of Fort Lupton. These technicians are fully trained via VDCI's classroom and field training program, and far exceed the minimum training standards set by the Colorado Department of Agriculture. All larval mosquito control work will be done by employees of Vector Disease Control International, who will be covered by VDCI's Worker's Compensation Insurance, and will not be subcontracted out.



- ✦ **Equipment:** Every technician will have access to a VDCI-owned fleet vehicle which is fully insured under VDCI's master commercial fleet policy and is equipped with all



necessary larval surveillance equipment, larval control application equipment, and biological larvicide products.

- ✦ **Infrastructure:** Because much of VDCI's operations are targeted toward larval mosquito control, many of our resources are used on infrastructure to facilitate these operations. VDCI's warehouses, material handling equipment, supply chain, data input, vehicle fleet, and application equipment are all designed to support our larval control operations.
- ✦ **Technology:** VDCI's proprietary and advanced database system will be used to analyze historical breeding site data, which decreases our environmental impact by targeting site inspections and microbial larvicide control applications.

We have specifically engineered our database with proprietary algorithms and reporting capabilities to utilize historical data collected from communities throughout Colorado to precisely target larval mosquito control locations, reducing unnecessary treatments. Targeting our applications with our historical data allows our operations to provide the highest level of control while minimizing the quantity of larvicide being applied to the environment.

4. ADULT MOSQUITO SURVEILLANCE TRAPPING

I. VDCI will conduct extensive adult mosquito surveillance trapping during the mosquito season (approximately the beginning of June through the end of August, weather permitting *or as requested by an authorized City Representative*) to monitor mosquito-borne disease risk and nuisance mosquito population levels. Trapping of adult mosquitoes at minimum will include:

a. Weekly trapping at three (3) pre-determined permanent surveillance locations within the City of Fort Lupton Mosquito Control Service Area, as illustrated in Section I. Samples may be tested for West Nile Virus in cooperation with the City of Fort Lupton and the Colorado Department of Public Health and Environment.

b. As necessary, VDCI may provide additional trapping with “floater” traps in areas of the City that are not covered by one of the permanent trap locations. Floater traps and Landing Rate Counts may be used to determine adult mosquito populations in areas where citizen complaints regarding high numbers of mosquitoes have been received and to determine whether spraying for adult mosquito control is needed (see Adult Mosquito Control, below.)



c. CDC light traps, baited with dry ice (CO₂), will be used for permanent and floater surveillance trapping operations.

d. Identification to genus and species, and total counts of adult mosquitoes will be completed within 24 hours of delivery of the specimens to VDCI’s lab if possible. Counts using statistically valid sampling methods will be used in large trap sample sizes (over 300 mosquitoes/trap).

e. VDCI will maintain trap data via our proprietary database and make it available to the City of Fort Lupton Representatives.

f. All mosquito trapping activities including the submission of mosquito pool specimens will be conducted in accordance with the protocols established in the CDPHE 2019 Mosquito Surveillance Plan.

VDCI's MOSQUITO SURVEILLANCE & LABORATORY RESOURCES

 **In-House Larval and Adult Mosquito Identification** is critical to accurate surveillance and timely response to spikes in vector and nuisance mosquito populations. While VDCI technicians are trained to perform larval field ID to the genus level, larvae may be periodically brought to VDCI's labs for comprehensive identification to the species level. VDCI ensures that highly trained lab ID specialists, who have access to high quality stereo zoom microscopes and scientific keys, perform the identification of both larval and adult mosquito species.



 **Management:** All VDCI surveillance and laboratory services are managed by Dr. Michael "Doc" Weissmann. Dr. Weissmann holds a Ph.D. in Entomology from Colorado State University. Dr. Weissmann is a renowned expert in Dipteran biology and taxonomy.

 **Personnel:** VDCI has 8 full-time field surveillance and laboratory technicians trained in mosquito trap operations and taxonomic identification of larval and adult mosquitoes to species level. All adult mosquito surveillance trapping will be done in-house and will not be subcontracted. Operation of the adult mosquito surveillance trap network will be completed by trained employees of Vector Disease Control International.

 **Equipment:** The VDCI Surveillance Laboratories are fully equipped with 8 stereo zoom binocular microscopes, including one video/photographic microscope capable of projecting microscopic images onto computer screens or to projection equipment for wall sized viewing.



VDCI owns and maintains more than 100 CDC dry-ice baited Light Traps and 20 Reiter Gravid Traps and all associated equipment and hardware.

 **Infrastructure:** VDCI has over 500 sq. ft. of devoted Surveillance Laboratory facilities and an additional 100 sq. ft. of trap maintenance and dry ice storage space. In addition to the above-mentioned equipment, VDCI's lab facilities include other important equipment such as a deep freezer, multiple computer workstations, mobile dry ice holding containers, and a fleet of fuel-efficient vehicles specifically designated for surveillance operations.

 **Technology:** All data generated and collected by the Surveillance and Laboratory staff is entered into VDCI's database system **within 24 hours** of processing.

5. ADULT MOSQUITO CONTROL

- I. In keeping with the framework of an IMM approach to mosquito control, VDCI will focus on minimizing the use of chemical pesticides and understands that adulticides are the last resort when dealing with the biting adult stage of the mosquito. The program offered by VDCI will implement adult mosquito control applications as a final resource option, in the interest of public health and safety, as well as environmental sensitivity. VDCI acknowledges and will execute the preference of biological controls, larvicides, over chemical controls, adulticides.

To control adult mosquitoes that exceed pre-set threshold levels or present a public health threat due to mosquito infections rates or elevated vector populations, a prescription-based adulticiding program will be used. VDCI has not, and will not, subcontract ground-based ULV adulticide applications. All vehicles and equipment used in adult mosquito control operations will be owned and insured by VDCI.

- II. The use of chemical adulticide spray applications to control adult mosquitoes will be performed according to the following guidelines:
 - a. Permethrin/PBO formulations such as AquaKontrol, Pursuit 4-4, and Aqualuer (or other products with similar/less toxicity as approved by the City), will be applied within the EPA registered application rates via Ultra Low Volume (ULV) dispersal equipment.
 - b. Truck-mounted ULV dispersal will be the primary application method (ATV or hand-held ULV equipment may be used where appropriate). All ULV equipment shall be calibrated as needed, but not less than once annually.
 - c. In-cab GPS equipment will be used to map all routes and observe shutoff requests and provide accurate record keeping. Real-time data, collected during the applications, will be used to produce detailed post-application maps depicting the vehicle's path, with areas treated and not treated clearly labeled, along with reports for all adulticide applications.
 - d. Adulticide applications may be used *only* when nuisance or vector mosquitoes cannot be controlled to satisfactory levels by any other means (e.g. water management, vegetation control, biological controls, larvicide, etc.) and when any one of the following conditions exist:
 - There is an imminent threat of mosquito-borne disease transmission as directed by the City of Fort Lupton in cooperation with the Colorado Department of Health and Environment, or
 - When 100 adult mosquitoes are collected from any permanent CDC mosquito trap in a given night, or
 - In other areas of the City not routinely trapped, if a "floater" trap is set and there are 100 or greater adult mosquitoes captured per trap per night.

III. VDCI will coordinate with the City of Fort Lupton officials to schedule and perform Barrier Backpack applications using the residual adulticide TalStar (or comparable mosquito barrier products) and/or Ground-based Truck ULV mosquito spraying in the City of Fort Lupton Parks for outdoor community events. Applications of mosquito adulticides and or barrier products will typically be performed on the day of, or evening prior to, any scheduled and agreed upon City events.

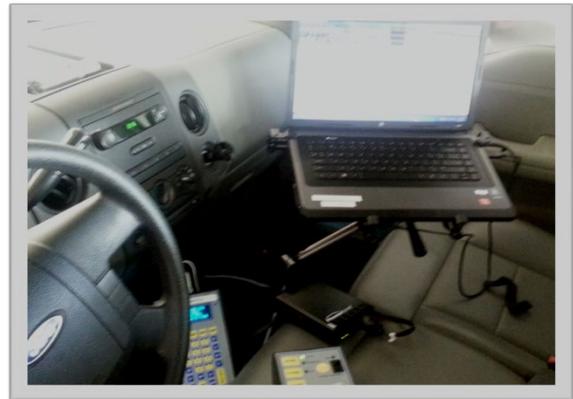
In addition, VDCI will make available to residents of the City of Fort Lupton private Barrier applications at an additional per service cost. The price of each application is determined by the size and complexity of the treatment area. *Payment of these private treatments is the sole responsibility of the property owner.*



VDCI'S ADULT MOSQUITO CONTROL RESOURCES

✦ **Personnel:** All ground-based adult mosquito control applications are performed by VDCI management staff and veteran seasonal employees with specialized training in ULV (ultra-low volume) adulticide spraying and will not be subcontracted. Currently VDCI has over 15 fully trained personnel capable of performing ground based ULV applications. This level of staffing and expertise can handle any typical weekly application needs or even any atypical public health emergency situation at a moment's notice.

✦ **Technology:** VDCI will use the most advanced truck-mounted ULV application equipment available to provide great accountability in all phases of the application. Several vehicles will be equipped with GPS tracking units capable of delineating the spray routes of the vehicle. These units record at three (3) second intervals the date, time, latitude, longitude, and sprayer status (on or off). Detailed maps, graphically illustrating the application data, can be produced after each spray operation and provided to the City upon request. Our technology can also identify and mark all properties that have requested to be call notified and/or shutoff from any adulticide applications in their area.



✦ **Application Accountability:** Our primary objective whenever we apply pesticides is to achieve the greatest possible level of mosquito reduction while minimizing pesticide use in as environmentally accountable manner as possible. This commitment can be evidenced by our investment in application technologies such as on-board mapping, monitoring systems, and droplet measuring equipment. Together, these instruments allow us to not only apply the proper amount of product in the proper treatment area, but they also allow us to monitor every aspect of the application event. Consequently, pesticide application is maximized in the target area and the risk to adjacent, non-target areas is greatly minimized.

VDCI utilizes a proprietary live-mapping display that provides unparalleled accuracy of ground ULV treatments. Our on-board, computer-based GPS mapping and tracking system has the ability to provide accurate ULV treatments within the designated spray blocks/areas. This technology will be used in the City of Fort Lupton during the 2020 mosquito season.

Variable flow technology assures accurate insecticide application rates that will deliver the proper amount regardless of vehicle speed. Post treatment maps will contain the insecticide name, registration number, the total amount of product used in the

treatment, and the dates and times of the treatment along with a delineation of the movements of the vehicle within the treatment area. This allows for unparalleled accuracy and accountability.

✦ **Equipment and Capabilities:** With our large fleet of truck-mounted ground-based ULV adulticiding equipment, VDCI has the capacity to cover more than 1,250 linear miles of streets and roadways in ONE NIGHT. That equates to over 70 square miles or over 45,000 acres per night. In 2020, VDCI will have more than 12 spray units available on the Front Range of Colorado alone, with an additional 8 units on the western slope.

✦ **VDCI's History:** VDCI has extensive experience with emergency and comprehensive adult mosquito control applications. VDCI (as Colorado Mosquito Control) was the contractor hired by the Larimer and Weld City Departments of Health and Environment, as well as the Cities of Fort Collins, Loveland and Longmont during the West Nile Virus Public Health Spraying in 2007, 2012, 2013 and 2015. VDCI not only has the capacity, with respect to equipment and staffing, but possesses the expertise and experience needed when scheduling, planning, and supplying the required materials. VDCI has always been able to coordinate emergency response applications in a moment's notice. We pride ourselves on our ability to meet the needs and specifications of our municipal accounts to successfully achieve the objectives of suppressing West Nile risks, all within accordance of the guidelines set forth by the CDC and Colorado Department of Agriculture.



VDCI's PUBLIC HEALTH EMERGENCY SURVEILLANCE & ADULTICIDE SERVICES

We have included contractual price quotes for additional vector mosquito surveillance trapping and a per mile cost for additional adulticide applications in the event of a large-scale public health emergency. At the request of the City, and in consultation with CDPHE and CDC Ft. Collins, Vector Disease Control International will provide the following Optional Public Health Emergency Services at an additional cost:

CDC Light Trap and/or Reiter Gravid Trap Surveillance

Upon request, VDCI will operate additional CDC light traps and/or Reiter gravid traps for expanded adult mosquito and disease vector mosquito surveillance within the City of Fort Lupton.

Identification of the trapped mosquitoes will be performed the following day after the mosquitoes are returned to the lab. The trapped mosquitoes will be counted and identified to the following species; *Culex tarsalis*, *Culex pipiens*, *Aedes/Ochlerotatus* species.

Cost per trap/night: \$125.00

Cost includes all equipment, dry ice, vehicles, labor, shipping and reporting.

Ground-based Truck ULV Adulticide Application

VDCI will undertake emergency ground-based truck ULV adulticide spraying in accordance with U.S. EPA, Colorado Dept. of Agriculture, and Colorado Dept. of Health and Environment regulations in the event of a declared public health state of emergency that exceeds the scope of the existing program. VDCI will, at the City's request, organize and coordinate all spraying operations for public health response.

Cost per linear spray route mile: \$85.00

Cost includes all equipment, vehicles, pesticide products, labor, and liability insurance.

Aerial ULV Adulticide Application via Fixed-Wing or Rotary-wing Aircraft

VDCI has extensive experience with aerial mosquito control application and would oversee and direct such applications. All aerial adulticide applications would be performed by experienced and insured aerial applicators, licensed through the Colorado Department of Agriculture. This work would be done through Vector Disease Control International's aerial division. Prices would be subject to the size of the designated spray area, application material selected, and current pricing.

6. PUBLIC OUTREACH & EDUCATION

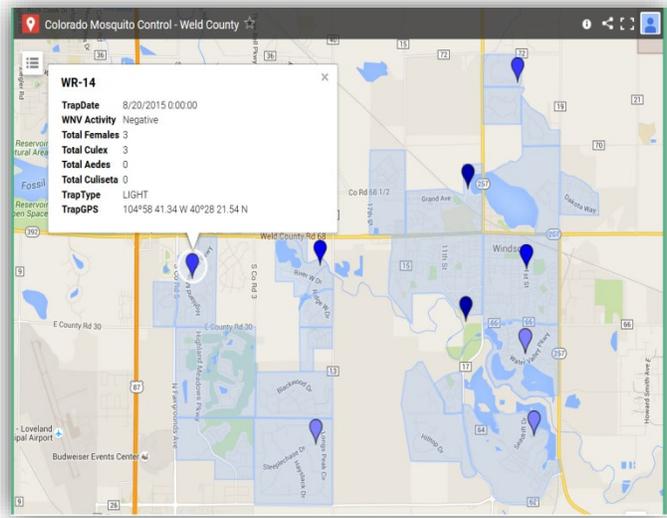
Since our inception in 1992, VDCI has believed in and demonstrated that a strong Public Outreach and Education Program is one of the keys to success in providing large-scale municipal mosquito control programs. Listening to citizen complaints and inquiries can aid in evaluating the effectiveness of a program. VDCI constantly looks for ways to better serve the communities we work with and appreciates citizen involvement in the betterment of the program. We have clearly demonstrated our commitment and belief in the strength of public outreach and education by proactively serving the City of Fort Lupton over the years with numerous innovative programs, activities and services as described below.

VDCI WEBSITE

Our website, www.vdci.net/colorado, is the leading website in the State of Colorado when it comes to providing up-to-date, factual, and comprehensive information on, and links to, mosquito biology and control, mosquito-borne diseases, pesticide toxicology information, and a wealth of topics relating to mosquitoes. VDCI will continue to maintain this website, including daily spray schedules of planned adulticide areas within the City of Fort Lupton.

Our website continues to serve as an integral part of the dissemination of operational data to citizens with little request for resources or time required by the City and its employees.

VDCI maintains and will continue to maintain website links to CDPHE (Colorado Dept. of Public Health & Environment), and NPIC (National Pesticide Information Center and CDC (US Centers for Disease Control).



MOSQUITOLINE™

VDCI will continue to maintain a toll-free telephone line at **(877) 276-4306** for customer service calls. We will accept calls from the public at any point concerning, but not limited to the following topics:

- Opting out of any adulticide spraying via a “shut-off list” which is updated annually and as new requests are received from private property owners.

- Request a telephone or email notification when adulticide spraying is planned in and around their neighborhood.
- Report mosquito annoyance areas and request floater traps at their residence.
- Report standing, stagnant water that may indicate the presence of larval sites or adult mosquito harborage.
- Request information about mosquito populations within the community.
- Request information on how to control and/or prevent mosquitoes on their property and mosquito-borne diseases such as WNV, WEE and SLE.
- Request health and safety information about mosquito control operations and pesticide products used in the City of Fort Lupton Mosquito Control Services Program.
- Request backyard inspections and information on inspection activity and larval production at sites of interest.

VDCI will maintain a log of calls received including date, name, address, type of call, response, resolution, and resolution date.

IMMEDIATE RESPONSE™

VDCI introduced the concept of a 24-hour response/resolution time to all mosquito annoyance complaints in 1994 with our trademarked ImmediateResponse™ System. VDCI will continue to respond accordingly to all mosquito related complaints and will refer any service related complaints to the City of Fort Lupton.

- VDCI will verify the validity of mosquito annoyance complaints by on-site inspection including; adult mosquito trapping via nearby pre-determined trap locations or floater traps, as needed, or landing rate counts (10 females mosquitoes per 5 minute period = annoyance level) and/or larval dip surveillance in local breeding sites.
- VDCI will resolve all complaints, *whenever possible*, within 24-hours to the satisfaction and standard of the City of Fort Lupton.

- VDCI will provide education, either verbally or through printed materials to the complainant in an effort to promote self-management of local mosquito problems.

CALL AND EMAIL NOTIFICATION AND SHUTOFF SYSTEM

VDCI will continue to maintain a comprehensive Call and Email Notification & Shutoff database and will notify residents on the list when conducting ULV adulticide applications near their property. All Shutoff locations are mapped in our proprietary database. Notification & Shutoff forms are available online and may be submitted via VDCI website, email or by mail. VDCI will mail renewal request forms each season and perform all updating of resident information as it is received.

DAILY POSTING OF ULV SPRAY ZONES

Areas scheduled for ULV truck spraying will be posted by 3pm daily on VDCI’s website: www.vdci.net/colorado

WELD COUNTY

Town of Johnstown : Thompson River Ranch, Jt Central, Rolling Hills Ranch

Tuesday, August 29

Dacono: Sharpe Farms; Sweetgrass; Eagle Meadow.

Garden City: Town Limits.

Gilcrest: Town Limits.

Greeley: North Public Works area; Island Grove Park; Coyote Run area; Epple Park/Pheasant Run; Country





VDCI is a company built on the foundations of public health, ethics, professionalism, and technical expertise. We establish vector management programs that are based on an understanding of the underlying vector's ecology and rooted in the current science of environmentally sound control measures. To learn more about VDCI services, gain greater insight on the various mosquito species as well as the potential diseases they vector, please subscribe to our blog.

We are committed to protecting public health through excellence in vector management and we are proud to serve your community!

VDCI's PUBLIC OUTREACH PROGRAM & EDUCATION RESOURCES

- ✦ **Innovative Programs:** VDCI has worked with dozens of municipalities on numerous public events across the state since our inception to supply information and provide personalized educational programs about mosquitoes, mosquito-borne illness, and public health. We have also provided personnel, larval and adult mosquito specimens, equipment such as light traps and microscopes, signs, etc. to various groups in need of such educational items. We have set-up booths at Fairs, Farmers' Markets and during West Nile Virus education outreach events in past years and will continue to do so for our customers.
- ✦ **Technology:** VDCI was one of the first mosquito control organizations in the United States to publish adult mosquito control spray schedules on the web. Additionally, our website www.vdci.net/colorado has been a leading source for up-to-date, factual and comprehensive information on, and links to, mosquito biology and control, mosquito-borne disease, pesticides, and many other issues relating to mosquitoes in the State of Colorado (and the US) for several years.



7. REPORTING

- I. VDCI will provide all maps, records, logs, complaints, correspondence, and reports to the City of Fort Lupton, where applicable and as requested by the City, in a common, easy to use, electronic/digital format or hard copy. All data listed above will be provided within 2 weeks of request, if not sooner.
- II. VDCI will provide the City of Fort Lupton Representatives with weekly trap counts, prior to close of business on Friday of each week (barring extenuating circumstances).
- III. VDCI will submit monthly reports of operational efforts during the months of May-September by the 15th of the following month. Monthly reports will include, at a minimum:
 - Updates on disease vector mosquitoes: local, state and national
 - Overall mosquito surveillance operations and breeding site activity
 - Larval control operations
 - Adult control operations
 - Chart all activity:
 1. Larval inspection and control data
 2. Adult surveillance data
 3. Adulticide data
- IV. VDCI will submit an annual report by November 30th of the current contract year. At minimum, the annual report will include:
 - Mosquito Control Objectives
 - Detailed overview of the previous season
 - WNV, Western Equine Encephalitis and St. Louis Encephalitis overview
 - Larval mosquito surveillance and control
 - Adult surveillance & laboratory results
 - Adult mosquito control data
 - Public relations and education activities

- Summaries
 - Graphs, charts and data summaries
- Any other pertinent information

VDCI'S REPORTS AND RECORD KEEPING RESOURCES

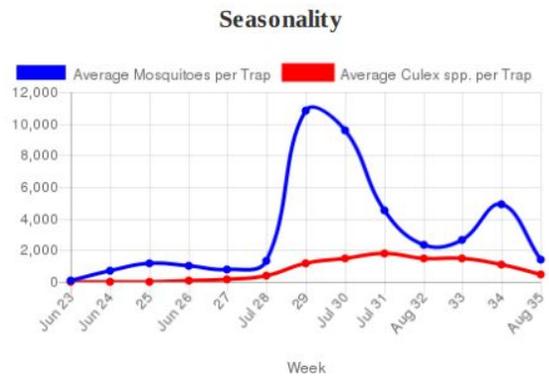
- ✈ **Personnel:** VDCI has dedicated office staff to handle all incoming telephone communications, computer data entry, website and notification updates, and report generation.
- ✈ **Equipment and Technology:** VDCI possesses a state-of-the-art server supported computer network with T-1 high-speed internet access, numerous computer workstations, printers, faxes, and scanners, all designed to support our proprietary database software systems. At VDCI, we view technology as the key to continued effective, efficient, cost-beneficial and environmentally sound mosquito control for today and well into the future.

2019 Weld County Health Department Trap Composite Data

Total number of trap/nights set:	63
Total number of mosquitoes collected:	41,482.0
Average mosquitoes per trap/night:	658.4
Average Culex per trap/night:	152.8

Species collected and abundance:

<i>Aedes cinereus</i>	1.0	0.0%
<i>Aedes dorsalis</i>	4,434.0	10.7%
<i>Aedes hendersoni</i>	9.0	0.0%
<i>Aedes increpitus</i>	74.0	0.2%
<i>Aedes melanimon</i>	108.0	0.3%
<i>Aedes nigromaculis</i>	8.0	0.0%
<i>Aedes trivittatus</i>	12.0	0.0%
<i>Aedes vexans</i>	26,807.0	64.6%
<i>Anopheles freeborni</i>	6.0	0.0%
<i>Coquillettidia perturbans</i>	1.0	0.0%
<i>Culex erythrorhox</i>	4.0	0.0%
<i>Culex pipiens</i>	496.0	1.2%
<i>Culex salinarius</i>	235.0	0.6%
<i>Culex tarsalis</i>	8,894.0	21.4%
<i>Culiseta inornata</i>	393.0	0.9%



SECTION III. VDCI KEY MANAGEMENT AND PERSONNEL

Vector Disease Control International is a professional organization dedicated to providing comprehensive state-of-the-science large-scale mosquito control contracted services to municipalities and other organizations. VDCI's mosquito management programs are designed, implemented, and supervised by experienced, trained, and licensed personnel with over 80 years of combined field mosquito control experience, including Board Certified Entomologists.

Daniel Markowski, Ph.D.

Vice President

Dr. Markowski has been involved in pest control practices for over 25 years, highlighted by his involvement in several mosquito-borne disease outbreaks throughout the nation.

Education:

B.S. in Biology (1991), Memphis State University. Emphasis in Entomology, focusing on the management of pest species.

M.S. in Zoology (1993), University of Rhode Island. Thesis research concentrated on the bionomics of deer ticks, *Ixodes scapularis*, and their role in Lyme disease transmission.

Ph.D. in Biology (1998), University of Rhode Island. Dissertation research focused on the genetic analysis of northeastern populations of *Ixodes scapularis* using molecular analysis tools.

Jason W. Williams

Regional Director

Mr. Williams has 20 years' experience in mosquito control including nine years as Biologist at the City of Chesapeake Mosquito Control Commission in Chesapeake, VA, three years as an Entomologist performing malaria control internationally, and seven years overseeing Regional Operations with VDCI.

Education:

B.S. in Biology (1998), Old Dominion University.

M.S. in Biological Oceanography (2000), Old Dominion University.

Memberships:

Virginia Mosquito Control Association (2000-2010) - President (2006-2007)

Texas Mosquito Control Association (2009-Present)

American Mosquito Control Association (2001-Present)

Licensed:

Certified Commercial Applicator – Texas Department of Agriculture

Michael J. “Doc” Weissmann, Ph.D.

Chief Entomologist/Surveillance Manager

30 years’ experience with insect identification, behavior, and public education. Faculty Affiliate in the Department of Bioagricultural Sciences and Pest Management at Colorado State University, Ft. Collins, Colorado.

Education:

B.A. in Environmental, Population, and Organismic Biology (1982 Graduated with Distinction and elected to Phi Beta Kappa), University of Colorado at Boulder.

M.A. in Environmental, Population, and Organismic Biology (1986), University of Colorado at Boulder. M.A. thesis research focused on the biology of the water-stick insect, *Ranatra fusca*, in Colorado and their potential as a biological control agent against mosquitoes.

Ph.D. in Entomology (1995 and elected to Sigma Xi), Colorado State University at Ft. Collins. Dissertation research focused on the biology of the giant sand treater camel cricket, *Daihinibaenetes giganteus*, at Great Sand Dunes National Monument, Colorado.

Memberships:

American Mosquito Control Association

West Central Mosquito and Vector Control Association

Licensed:

Qualified Supervisor – CO Dept of Agriculture: Public Health 110 & Aquatics 108

Seasonal Staff:

All VDCI seasonal employees are fully trained per Colorado Department of Agriculture regulations in all aspects of modern mosquito control operations, including; mosquito biology, field inspection and surveillance techniques, safe handling and application of pesticides and public relations. VDCI will hire and train additional employees as required to fulfill our contractual obligations.

SECTION IV. REFERENCES

City of Fort Collins

Mr. Matt Parker
1745 Hoffman Mill Road
Fort Collins CO, 80524
(970) 416-2815
MParker@fcgov.com

City of Longmont

Mr. Dan Wolford, Dir. Of Open Space
350 Kimbark St.
Longmont, CO 80501
(303) 774-4691
dan.wolford@ci.longmont.co.us

Town of Parker

Mr. Tom Williams
Director of Public Works and Engineering
2012 East Mainstreet
Parker, CO 80138
(303) 840-9546
twilliams@ci.parker.co.us

City of Windsor

Mr. Terry Walker, DPW Director
301 Walnut St.
Windsor, CO 80550
(970) 686-7476
twalker@windsorgov.com

Additional references will be provided upon request.

SECTION V. PROGRAM COST

At VDCI, we fully understand our customers' need for a professional, reliable and environmentally responsible mosquito control contractor. Hence, we are offering a level service above and beyond the specifications normally required of a mosquito control services provider, such as state-of-the-art technology and GIS mapping, unlimited ground larvicide applications, extensive larval and adult mosquito surveillance, prescription-based adult mosquito control spraying, assistance with public outreach, and full reporting of all applications and quality control measures, for a single yearly cost to the City.

The amount listed is all-inclusive with no additional charges or costs. Please keep in mind that the services offered and the prices quoted here can be discussed so that a program tailored to the specific needs of the City can be developed.

The schedule of total annual cost to the City of Fort Lupton for mosquito control services, to include labor, materials, vehicles, equipment, liability/auto/workers compensation insurance coverage, administrative support, and overhead expenses, as detailed in this proposal for the 2020 mosquito season is not to exceed: **\$17,500.**

APPENDIX 1. CO DEPARTMENT OF AGRICULTURE LICENSES & ENDORSEMENTS



COLORADO
Department of Agriculture
Division of Plant Industry

305 Interlocken Parkway, Broomfield, CO 80021
Tel: (303) 859-9066 Fax: (303) 466-2860

COMMERCIAL APPLICATOR CERTIFICATE OF LICENSE

License Number: 10261

Effective Date: 03/12/2020

Date Issued: 03/12/2020

Good Through: 12/31/2020

ADVANCED PEST MANAGEMENT OF COLORADO, LLC
7000 N. BROADWAY SUITE 108
DENVER, CO 80221

DBA: COLORADO MOSQUITO CONTROL, LLC
VECTOR DISEASE CONTROL INTERNATIONAL LLC

This certificate is evidence that a license has been issued to the person(s) listed above to do business in the name(s) listed above under the provisions of the Pesticide Applicators' Act and may be revoked, suspended, or have other lawful discipline imposed for cause.

COMMISSIONER OF AGRICULTURE
Kate Greenberg

<u>Lic. #</u>	<u>Last Name</u>	<u>First Name</u>	<u>MI</u>	<u>Lic. Expires</u>
03047	KRUTHAAPT	CHRISTOPHER	G	12/09/2020
License Categories: 110				
20513	KOZAR	ROBERT	L	03/21/2020
License Categories: 110				
28021	WILLIAMS	MALCOM	G	11/20/2021
License Categories: 110				
30053	LAUTZENHEISER	ERIC		02/19/2021
License Categories: 110				
30352	BATES	NICHOLAS		03/05/2021
License Categories: 110				
30424	BENNETT	TIMOTHY		02/04/2021
License Categories: 110				
30814	BOZE	BROOX		03/18/2021
License Categories: 110				
31932	WEISSMANN	MICHAEL		02/24/2022
License Categories: 108 110				
32133	RODOSEVICH	NETTO		01/07/2022
License Categories: 108 110				
32889	KYER	MELISSA		05/29/2020
License Categories: 110				
33220	SCHLATMANN	WILLIAM		03/25/2020
License Categories: 110				
34250	HYMES	STEPHEN	L	06/01/2020
License Categories: 110				
34544	LAMIELL	BENJAMIN	P	01/14/2021
License Categories: 110				
36368	ARMSTRONG	JOHN		08/04/2021
License Categories: 110				

Certified Operators

<u>Lic. #</u>	<u>Last Name</u>	<u>First Name</u>	<u>MI</u>	<u>Lic. Expires</u>
35005	BRAILSOFORD	DAVID	B	12/31/2020
License Categories: 110				

ATTACHMENT "A"
2020 CONTRACTUAL SERVICE COST SUMMARY
April 13, 2020

City of Fort Lupton Integrated Mosquito Management Program

The following price is quoted on a complete seasonal basis and will be fully earned. The complete seasonal cost will not be exceeded without the approval of City of Fort Lupton. This program is offered by VDCI as a comprehensive integrated mosquito management program specifically designed for City of Fort Lupton as a strategy to preclude local mosquito-borne disease transmission and associated problems from mosquito annoyance. Please see the previous services description pages for more detailed information. This proposal includes all labor, insecticides, vehicles, equipment, liability/auto/workers comp. insurance coverage, administrative support, and overhead expenses.

A. General Services

1. Liability/Auto/Workers Comp Insurance Coverage
2. MosquitoLine® Customer Response System
3. ImmediateResponse® System
4. Geographic Information System (GIS)
5. Proprietary Online Database
6. Annual Report
7. Public Relations & Community Outreach
8. Quality Control

B. Larval Mosquito Control Services

9. Larval Site Inspections and Larvicide Applications

C. Adult Mosquito Surveillance Services

10. Adult Mosquito Trapping and Identification

D. Adult Mosquito Control Services

11. Residual Barrier Adulticide Applications
12. ULV Adulticide Applications

CITY OF FORT LUPTON
INTEGRATED MOSQUITO MANAGEMENT PROGRAM
PROPOSED SERVICE COST FOR 2020....\$17,500.00

VECTOR DISEASE CONTROL INTERNATIONAL, LLC.

ATTACHMENT "B"

Hold Harmless, Warranty, Disclaimer for City of Fort Lupton

April 13, 2020

1. Hold Harmless Indemnity Clause:

Vector Disease Control International, LLC. ("VDCI") shall indemnify and hold harmless City of Fort Lupton and its agents and employees from and against all claims damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the performance of the services, provided that any such claim, damage, loss or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including the loss of use resulting therefrom, and (2) is caused in whole or in part by any negligent act or omission of VDCI, any sub-contractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

Responsibility: liability. VDCI warrants that it will exercise in its performance of these services the standard of care normally exercised by nationally recognized organizations engaged in performing comparable services. VDCI shall be liable to City of Fort Lupton for any loss, damages or costs incurred by City of Fort Lupton because of VDCI's duties under this warranty.

2. Warranty & Disclaimer

Vector Disease Control International, LLC. ("VDCI") is engaged in the business of mosquito control and abatement, and has not been retained to eradicate the mosquito population in any particular area. There are severe, and sometimes fatal, consequences of some mosquito bites which may include transmission of certain serious diseases such as malaria, dengue fever, West Nile virus and several other forms of encephalitis. Not only can mosquitoes carry diseases which afflict humans, but they also can transmit several diseases and parasites that birds, dogs and horses and other animals are very susceptible to. These include dog heart worms, Western Equine Encephalitis and West Nile Virus. Because VDCI has not been retained to eradicate the mosquito population, VDCI can make no warranty, representation or guarantee, of any type, about the existence of mosquito borne diseases in the geographic area of the proposed area of contracting, or the potential for human or animal infection before, during or after the completion of the VDCI mosquito control services.

VDCI warrants that the services described in this proposal will be provided in a professional and business-like manner. Other than this warranty, VDCI makes no express or implied warranties, including without limitation, any express or implied warranties of merchantability or fitness for a particular purpose. Client understands and agrees that any liability of VDCI regarding the Project shall be limited to negligence of VDCI in the carrying out of its professional services

under the contract, and shall not include any special, incidental, consequential or punitive damages, or any damages based on any lost sales or profits.

VDCI will not be liable for any general, special, incidental or consequential damages for loss, damage or expense including but not limited to sickness, injury or death, loss of livestock or animals, or lost profits from any farm or ranching operations of any type from the mosquito control services provided by Vector Disease Control International, LLC.

3. No private vehicles will be operated in City of Fort Lupton in connection with the Mosquito Control Program.

4. Workman's Compensation, Automotive and General Liability Insurance are in place.

(Certificates available upon request)

5. Ownership of Work Product

The parties recognize and agree that Vector Disease Control International, LLC. (VDCI) in the course of mosquito control program design, development and implementation prepares and utilizes many documents, maps, data sets and files including GIS (geographic Information system) data and files. Such information is proprietary, a trade secret and the confidential work product of Vector Disease Control International, LLC. VDCI retains all, rights, copyrights and ownership to all work prepared, developed or created pursuant to this contract. City of Fort Lupton may, with written permission, utilize the data and documents internally, but will not distribute or display to the public copies of such data, files, and documents or prepare derivative work or products.

6. Independent Contractor.

The parties recognize and agree that the Contractor is an independent contractor for all purposes, both legal and practical, in performing services under this Agreement, and that the Contractor and its agent and employees are not agents or employees of City of Fort Lupton for any purpose. As an independent contractor, the Contractor shall be responsible for employing and directing such personnel and agents as it requires to perform the services purchased hereunder, shall exercise complete authority over its personnel and agents, and shall be fully responsible for their actions.

Contractor acknowledges that it is not entitled to unemployment insurance benefits nor worker's compensation benefits from City of Fort Lupton, its elected officials, agents, or any program administered or funded by City of Fort Lupton. Contractor shall be entitled to unemployment insurance or worker's compensations insurance only if unemployment compensation coverage or worker's compensation coverage is provided by the Contractor, or some other entity that is not a party to this contract. Contractor is obligated to pay Federal and State income tax on any monies earned pursuant to the contract relationship.

VECTOR DISEASE CONTROL INTERNATIONAL, LLC.

**ATTACHMENT "C"
2020 CONTRACTUAL SERVICE COST AGREEMENT
April 13, 2020**

For City of Fort Lupton for the 2020 season only;

Service costs include all labor, insecticides, vehicles and equipment, administrative support and overhead expenses. **Service Cost for 2020: \$17,500.00**

ONE YEAR CONTRACT: Signing and returning the attached copy of the contractual agreement will authorize VECTOR DISEASE CONTROL INTERNATIONAL, LLC. to perform the service items contained in the Proposal, within the stipulated limits, for the 2020 season only. The City of Fort Lupton also agrees to the terms set forth in Attachment "B". These prices are complete and fully earned. Billing will be in 6 equal monthly installments (April-September).

For acceptance of this Integrated Mosquito Management Services Proposal for ONE YEAR, the 2020 season only, sign here:

Name (X) _____ Title _____ Date _____.

For Vector Disease Control International, LLC.

Name  Title Regional Director Date April 14, 2020
Jason W. Williams

Invoices should be sent to:

Name _____ Title _____
Address _____ Phone _____
City, State, Zip _____ Email _____

Please Keep This Copy for Your Records

VECTOR DISEASE CONTROL INTERNATIONAL, LLC.

**ATTACHMENT "C"
2020 CONTRACTUAL SERVICE COST AGREEMENT
April 13, 2020**

For City of Fort Lupton for the 2020 season only;

Service costs include all labor, insecticides, vehicles and equipment, administrative support and overhead expenses. **Service Cost for 2020: \$17,500.00**

ONE YEAR CONTRACT: Signing and returning the attached copy of the contractual agreement will authorize VECTOR DISEASE CONTROL INTERNATIONAL, LLC. to perform the service items contained in the Proposal, within the stipulated limits, for the 2020 season only. The City of Fort Lupton also agrees to the terms set forth in Attachment "B". These prices are complete and fully earned. Billing will be in 6 equal monthly installments (April-September).

For acceptance of this Integrated Mosquito Management Services Proposal for ONE YEAR, the 2020 season only, sign here:

Name (X) _____ Title _____ Date _____.

For Vector Disease Control International, LLC.

Name  Title Regional Director Date April 14, 2020
Jason W. Williams

Invoices should be sent to:

Name _____ Title _____
Address _____ Phone _____
City, State, Zip _____ Email _____

Please Return This Copy to Vector Disease Control International

MEMO

Date: July 12, 2019

Subject: City Mosquito Control Plan.

The City of Fort Lupton has provided an elementary program of mosquito control for the past 20+ years. The program consists of spraying adulticide (Fyfanon) mist 2 times a week during the evening hours. Public Works staff have additionally distributed larvicide into standing water.

The problems created with our current program include:

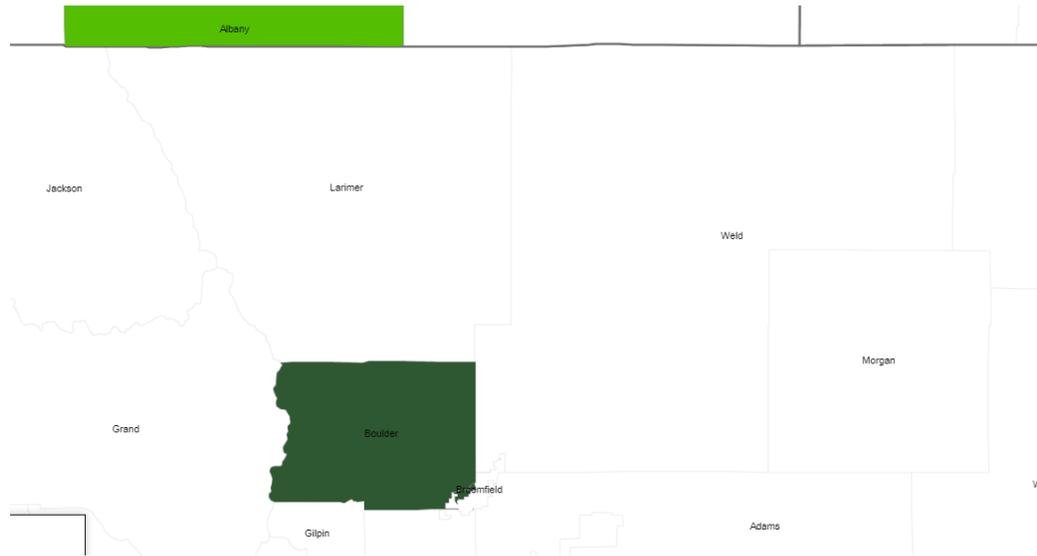
- Using the same adulticide creates an immunity to the product within the mosquito population.
- Spraying operations create agitated individuals within the community.
- The city collects addresses of no spraying requests, which often follow complaints from these neighbors of not spraying.
- Spray mist must make contact with the mosquitos to kill them. Weather conditions that include windy days make the spraying ineffective.
- City employees are not required to be certified to operate the spray equipment. All PW staff are cycled through the schedule during their on-call assignments.

A more methodical approach should be employed. The initial larvicide is a good attempt at reducing the population of mosquitos by killing them before the adult stage. The adult population should only be attacked when the number has reached a nuisance level and the diseases are being carried into the area. PW staff should not be employed to provide this hazardous application.

Currently the only reported West Nile case in Colorado is located in Boulder County (CDC reported). Although the trap counts in nearby programs are exceeding 100 counts trapped, the presence of West Nile virus is negative.

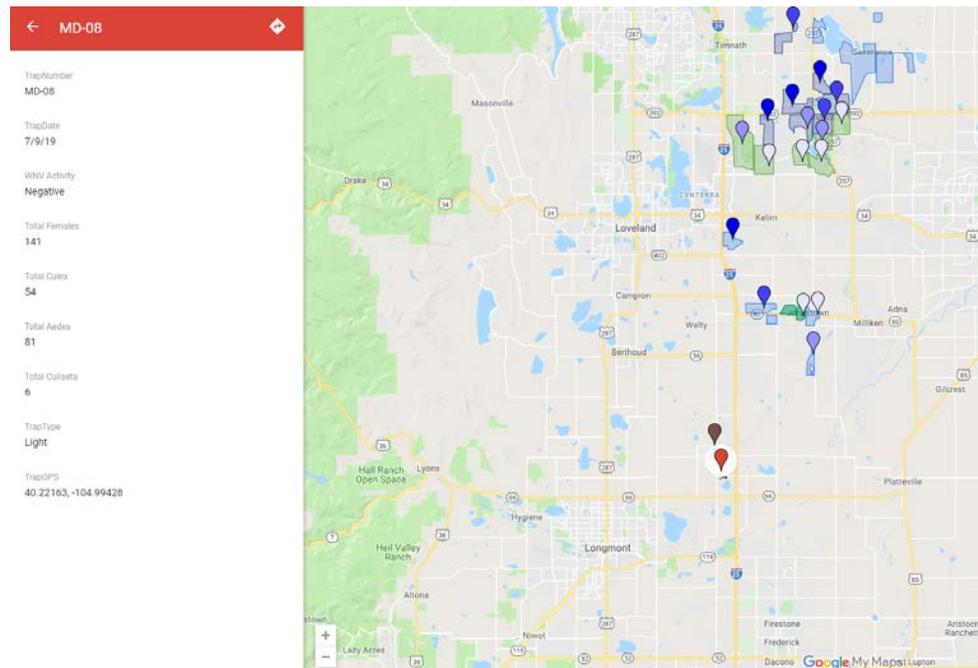
Current guidance by public health agencies advises an integrated approach to vector control. When Erie bid out a mosquito control program in 2018, they received only one proposal (from Vector Disease Control International). There do not appear to be any other service providers in the area.

Current 2019 reported West Nile Virus cases Colorado



https://www.cdc.gov/arbovet/Maps/ADB_Diseases_Map/index.html

Current area participants with Vector Disease Control International



Mead is closest Surveillance site (Shown here in red). No West Nile Virus detected.

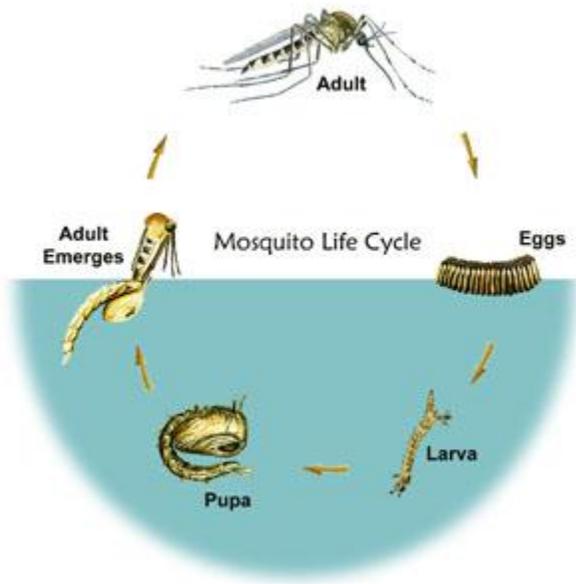
<https://www.google.com/maps/d/viewer?mid=1Oj0I9bk9OWQ23CYkB2ms0RqBsCk&ll=40.42911707004263%2C-104.94399664169873&z=11>

Costs

2018		\$3,857.31	
2019 Budget		\$4,500.00	
New Spray Machine	\$13,200.00		
Transfer Pump	\$150.00		
<i>annual replacement</i>			
Barrel of Juice	\$8,000.00		
<i>2 barrels per year @~\$4,000 ea</i>			
Man power	\$ 4,224.00		
<i>4 hours 2x/week 4 weeks/month 4 months (average \$22/hr @ time+half)</i>			
Gasoline Truck	\$ 149.33		
<i>20 miles/route/@12mpg/\$2.80/gal</i>			
Gasoline Sprayer	\$ 89.60		
<i>1 gallon per trip</i>			
2019 Costs Total	\$ 25,812.93		
2020 Cost Est.		\$ 12,813.00	
VDCI		\$ 18,000.00	estimate

US EPA

Mosquito Life Cycle



Knowing the different stages of the mosquito's life will help you prevent mosquitoes around your home and also help you choose the right pesticides for your needs, if you decide to use them. All mosquito species go through four distinct stages during their life cycle:

- Egg - hatches when exposed to water.
- Larva - (plural: larvae) "wiggler" lives in water; molts several times; most species surface to breathe air.
- Pupa - (plural: pupae) "tumbler" does not feed; stage just before emerging as adult.
- Adult - flies short time after emerging and after its body parts have hardened.

The first three stages occur in water, but the adult is an active flying insect. Only the female mosquito bites and feeds on the blood of humans or other animals.

- After she obtains a blood meal, the female mosquito lays the eggs directly on or near water, soil and at the base of some plants in places that may fill with water. The eggs can survive dry conditions for a few months.
- The eggs hatch in water and a mosquito larva or "wiggler" emerges. The length of time to hatch depends on water temperature, food and type of mosquito.
- The larva lives in the water, feeds and develops into the third stage of the life cycle called, a pupa or "tumbler." The pupa also lives in the water but no longer feeds.

- Finally, the mosquito emerges from the pupal case after two days to a week in the pupal stage.
- The life cycle typically takes up two weeks, but depending on conditions, it can range from 4 days to as long as a month.

The adult mosquito emerges onto the water's surface and flies away, ready to begin its lifecycle.

Different species of mosquitoes prefer different types of standing water in which to lay their eggs. The presence of beneficial predators such as fish and dragonfly nymphs in permanent ponds, lakes and streams help keep these bodies of water relatively free of mosquito larvae. However, portions of marshes, swamps, clogged ditches and temporary pools and puddles are all prolific mosquito breeding sites. Other sites in which some species lay their eggs include:

- tree holes,
- old tires,
- buckets,
- toys,
- potted plant trays and saucers,
- plastic covers or tarpaulins and even
- places as small as bottle caps!

<http://www.fightthebitecolorado.com/downloadable.htm>

Integrated Pest Management

EPA and CDC encourage all communities and mosquito control districts, including those in territories like Puerto Rico, to strictly adhere to IPM. IPM is a science-based, common-sense approach for managing pests and vectors, such as mosquitoes. IPM uses a variety of pest management techniques that focus on pest prevention, pest reduction, and the elimination of conditions that lead to pest infestations. IPM programs also rely heavily on resident education and pest monitoring.

A successful IPM strategy can use pesticides. IPM uses a combination of ways to control mosquito populations with decisions based on surveillance, such as keeping track or count of the numbers and types of mosquitoes in an area. Surveillance is a critical component to any successful IPM program because the results from the surveillance will help determine the appropriate response to an infestation. Extensive infestations, or those where disease is present, merit a different response than will lower levels of infestations.

Both CDC and EPA recognize a legitimate and compelling need for the use of chemical interventions, under certain circumstances, to control adult mosquitoes. This is especially true during periods of mosquito-borne disease transmission or when source reduction and larval control have failed or are not feasible.

1. Remove Mosquito Habitats

An important part of mosquito control around homes is making sure that mosquitoes don't have a place to lay their eggs. Because mosquitoes need water for two stages of their life cycle, it's important to monitor standing water sources.

- Get rid of standing water in rain gutters, old tires, buckets, plastic covers, toys or any other container where mosquitoes can breed.
- CDC is providing a large amount of funding to purchase tire shredders for Puerto Rico. This is important because used or waste tires can collect standing water that attracts mosquitoes and leads to increased mosquito breeding.
- Empty and change the water in bird baths, fountains, wading pools, rain barrels and potted plant trays at least once a week to eliminate potential mosquito habitats.
- Drain temporary pools of water or fill with dirt.
- Keep swimming pool water treated and circulating.

2. Use Structural Barriers

Because *Aedes* mosquitoes frequently bite indoors, using structural barriers is an important way to reduce the incidence of bites. Examples of structural barriers include:

- Install window and door screens if they are not already in place.
- Cover all gaps in walls, doors and windows to prevent mosquitoes from entering.

- Make sure window and door screens are "bug tight."
- Completely cover baby carriers and beds with netting. Nets can be especially important for protecting a sick person from getting more mosquito bites, which could transmit the disease to other people.

3. Control Mosquitoes at the Larval Stage

The greatest impact on mosquito populations will occur when they are *concentrated*, *immobile* and *accessible*. This emphasis focuses on habitat management and controlling the immature stages (egg, larva, and pupa) before the mosquitoes emerge as adults. This approach maximizes the effectiveness of pesticide application and minimizes the use from widespread pesticide application. Larvicides target larvae in the breeding habitat before they can mature into adult mosquitoes and disperse. Larvicide treatment of breeding habitats helps reduce the adult mosquito population in nearby areas.

Aedes aegypti mosquitoes can use natural locations or habitats (for example tree holes and crevices in plants) and artificial containers with water to lay their eggs. They lay eggs during the day in water containing organic material (e.g., decaying leaves, algae, etc.) in containers with wide openings. They prefer dark-colored containers located in the shade. Other sites where they may lay their eggs include: old tires, buckets, toys, potted plant trays and saucers, plastic covers and even places as small as bottle caps.

Egg and larva interventions are generally the most effective, least costly, way to control mosquitoes. However, these interventions are unlikely to be 100% effective, especially for mosquitoes like the *Aedes aegypti* that breed in varied and scattered locations. In these cases, eliminating or treating all or even most standing water can be nearly impossible. Successful control efforts will need to supplement habitat removal with other means of control.

Involvement of the community is essential to these interventions, especially in urban areas such as San Juan, Puerto Rico. Residents, neighbors, and landlords can all be proactive in eliminating standing water or alerting others to its presence to eliminate even the smallest sources of standing water. *Aedes aegypti* have evolved so that they can reproduce in even the most challenging environment.

There are a number of EPA-registered active ingredients used in larvicides. Choosing which larvicide to use in a given area is best done by experts and will depend on a variety of factors, including potential human or environmental risk, cost, resistance, and ease of use.

4. Control Adult Mosquitoes

Using an EPA-registered pesticide is one of the fastest and best options to combat an outbreak of mosquito-borne disease being transmitted by adult mosquitoes. The

pesticides registered for this use are known as adulticides. Adulticides are applied either using aerial applications by aircraft or on the ground by truck-mounted sprayers.

Aerial spraying techniques can treat large areas with only small amounts of pesticide and have been used safely for more than 50 years. These aerial sprays are been fully evaluated by EPA and don't pose risks to people or the environment when used according to the directions on the label.

Mosquito adulticides are applied as ultra-low volume (ULV) sprays. ULV sprayers dispense extremely small droplets. The naled insecticide, for example, uses 80 microns or less which means hundreds of thousands of droplets could fit inside something as small as one pea. When released from an airplane, these tiny droplets are intended to stay airborne as long as possible and drift through an area above the ground killing the mosquitoes in the air on contact. The small droplet size makes the pesticide more effective, which means less pesticide is used to better protect people and the environment.

Extensive scientific research has been conducted by academia, industry, and government agencies to identify appropriate droplet sizes for individual compounds. The equipment nozzles undergo rigorous testing before being sold to the mosquito controllers. ULV applications involve very small quantities of pesticide active ingredient in relation to the size of the area treated.

There are a number of registered adulticides to choose from. Choosing which adulticide to use in a given area is a job best done by experts and will depend on a variety of factors such as the type of mosquito, whether the mosquitoes are resistant to particular types of pesticides, weather, etc. In Puerto Rico, naled was the only existing product to show 100% mosquito death in all populations tested.

The mainland U.S. has successfully used naled to quickly reduce mosquito populations.. This pesticide has been used for routine mosquito control and following natural disasters such as hurricanes and floods on millions of acres across the U.S. Naled was used recently for mosquito control in FL, TX, LA, GA, SC, WA, CA, NV, and in a number of other states. The insecticide is used highly populated metropolitan areas, such as Miami, and in less populated areas.

In 2004, naled was used extensively to treat eight million acres across Florida as part of the emergency responses to hurricanes. In 2005 after Hurricane Katrina, five million acres of Louisiana, Mississippi, and Texas were treated with naled to kill mosquitoes.

In order for mosquitoes to breed, specific conditions must be present. A mosquito's life cycle consists of four stages (egg, larvae, pupa, and adult). Mosquitoes must lay their eggs in stagnant water, or on damp soil that will soon be flooded with water. It will take 24-48 hours for the eggs to 'hatch' into larvae. The larvae and pupa must have standing water in order to survive, and this stage will typically take 5 to 18 days before the production of an adult mosquito (Floore, 2002). To prevent production of mosquitoes,

most sources indicate that water should not be allowed to remain stagnant for over 48 hours.

<http://npic.orst.edu/pest/mosquito/index.html#control>

<https://agriflifeextension.tamu.edu/browse/mosquito-control/>

https://wwwn.cdc.gov/arboNET/Maps/ADB_Diseases_Map/index.html

15 cases of west nile virus in in Weld County in 2018

The Town of Erie contracted with **Vector Disease Control International** to provide the Town's mosquito surveillance and control activities for the 2018 season. Information about the 2019 season will be available in the spring.

The Town of Firestone sprays adulticides and larvicides as needed. Each season is different, so the frequency varies. Mosquito traps are set in strategic locations throughout Town to determine mosquito type and population. If there is an increase in mosquito population, the Board of Trustees considers changes to the mosquito control schedule.

Vector Disease Control International, a private contractor, operates the seasonal mosquito management program for the City of Loveland. By contracting with one of the country's premier mosquito control consultants, City personnel are freed up to perform other duties at a net cost savings to the City.

<http://www.vdci.net/municipal-services>

West Nile Vectors

- *Culex pipiens*,
- *Culex tarsalis*, and
- *Culex quinquefasciatus*

<https://extension.colostate.edu/mosquito-management/>

Colorado State Extension

Larvicides

Mosquito larvae are aquatic, and a basic mosquito management recommendation around the home or small acreage is to eliminate any standing water that might serve as a mosquito breeding site. However, there are some potential breeding sites that cannot be eliminated or periodically emptied; e. g., fish ponds, water gardens, and stock tanks. These may be treated with larvicides to eliminate mosquito larvae before they emerge from the water as adult mosquitoes.

Treatment of aquatic habitats to control insects can be risky, and much effort has been put into developing environmentally sound products for this use. These are summarized in Table 4. Some products are for use by mosquito control districts, government agencies or licensed pest control operators. However, private individuals should have access to most of these active ingredients in at least one commercial product. Also, availability of these products in retail outlets currently is quite limited. However, the increased public interest in mosquito control due to West Nile virus should increase the number and availability of retail larvicides.

Adulticides

Control of adult mosquitoes in a yard using insecticides can be used as a supplement to, but not as a replacement for more effective methods of mosquito suppression, notably larval management. Currently almost insecticides available for this purpose are pyrethroids.

Adult mosquito suppression can involve two common approaches. The first is an areawide spraying or fogging to kill flying mosquitoes and, presumably, some mosquitoes resting on vegetation. This is best done during peak periods of mosquito flight, often around dusk with the floodwater *Aedes*. Often a very short-lived pyrethroid insecticide is used for this purpose, such as resmethrin or natural pyrethrins. These break down very rapidly, usually within a couple of hours following application particularly in sunlight. Permethrin, a pyrethroid which has longer residual effectiveness is also used.

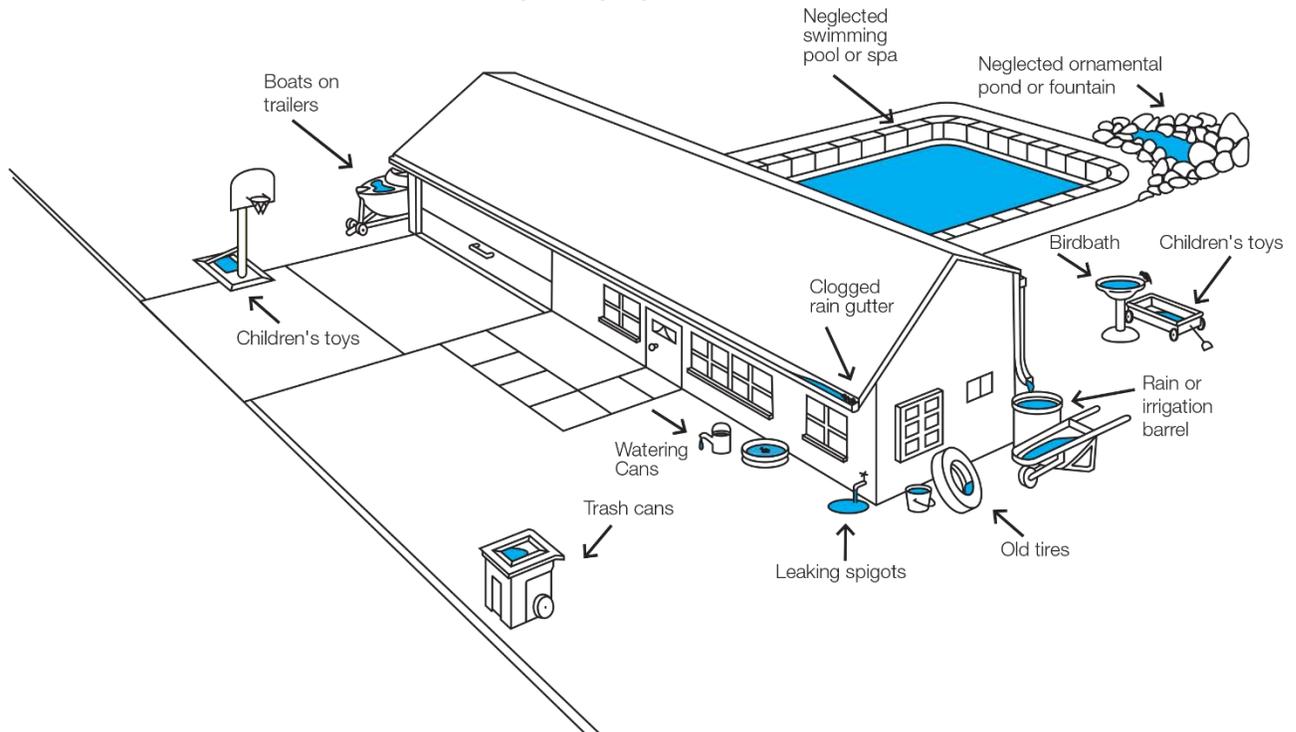
There are several limitations to area-wide spraying in a yard. Suppression of adult mosquitoes is usually only a few days at most since reinvasion by mosquitoes from outside the treated area can be rapid. The applications can also damage populations of desirable insects, such as pollinators and natural enemies of insect pests. Contamination of garden crops with unregistered pesticides is also a common problem.

Harborage area treatment involves insecticide application to areas where mosquitoes rest between periods of flight and biting activity. This is usually areas of dense brushy vegetation or tall grass. Insecticides with some persistence, such as permethrin or cypermethrin, are appropriate for this type of application and may kill resting mosquitoes for a week or longer. Effects will be diminished with short-lived insecticides.

Table 4. Summary of active ingredients approved for control of mosquito larvae.			
Commercial Names¹	Action	Application Sites	Restrictions and Hazards
<i>Bacillus thuringiensis israelensis</i> (Bti)			
Aquabac, Bactimos, Bti Briquets, Mosquito Dunks, Mosquito Bits, Teknar, Vectobac	Kills larvae	Flood water, standing water, pastures, etc.	Less effective against larger larvae and in presence of heavy pollution or algae.
<i>Bacillus sphaericus</i>			
Spherimos, Vectolex	Kills larvae	Most noncrop and crop mosquito habitats	More effective than Bti in highly polluted environments.
Larviciding Oils (highly refined, petroleum based oils)			
GB-1111, BVA 2	Smother larvae and pupae	Borders and shallow areas of mosquito habitats	Toxic to fish and other aquatic organisms, consult with fish and wildlife authorities before use.
Methoprene			
Altosid, Zodiac Preventive Mosquito Control	Prevents pupation	Standing water of many types, including agricultural sites and manmade containers.	Toxic to aquatic dipterans (midges, flies, etc.).
Monomolecular Surface Film			
Agnique	Smothers larvae and pupae	Semipermanent and permanent fresh or brackish standing water	May be ineffective where there are persistent unidirectional winds.
Temephos			
Abate, Skeeter	OP insecticide kills larvae	Standing water. Not for food, forage or pasture crops.	Toxic to birds and fish. Consult with fish and wildlife authorities before use.

<http://www.mosquito-awareness.com/>

Mosquitoes need standing water to breed. These preventative measures, including eliminating potential breeding sites, are critical to curbing mosquito populations.



- Dispose of any unnecessary containers or debris around your home that can collect water
- Change the water on a weekly basis in receptacles that need it, such as birdbaths or wading pools
- Fill in tree rot holes, hollow stumps and natural land depressions that hold shallow water
- Clean clogged roof gutters

CITY OF FORT LUPTON CITY COUNCIL



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespino, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2020-092

HIRING OF SERGEANT AT ARMS FOR COUNCIL AND OTHER PUBLIC MEETINGS, AND OTHER REQUIREMENTS FOR THE POLICE DEPARTMENT ALLOCATED FROM THE GENERAL FUND WITH NO INCREASE IN BUDGET

I. **Agenda Date:** Council Meeting – April 21, 2020

II. **Attachments:** *None*

III. **Summary Statement:**

The hiring of a Sergeant at Arms position was reviewed with Council at several Town Hall Meetings in Fall 2019. This AM is to formalize this decision so that the headcount may be added to the City budget.

IV. **Submitted by:** John Fryar
Police Chief

V. **Finance Reviewed** Leann Durso
Finance Director

VI. **Approved for Presentation:** [Signature]
City Administrator

VII. **Attorney Reviewed** Approved Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk Date

IX. Detail of Issue/Request:

Because of ongoing security concerns, Council requested that staff research different security options for the Town Hall and City Council meetings. Security for other concerns including Municipal Court and other public meetings was identified as another potential need.

Council and staff reviewed the options and determined that an internal resource would be the best option, as it could be more readily available and flexible to meet the needs for City security. Part-time police officers are not a practical option, so time where this position is not functioning as Sergeant at Arms, the person would be available for patrol and other Police Department needs.

X. Legal/Political Considerations:

None.

XI. Alternatives/Options:

Council could decide not to fill this position and review part-time external options for meeting security.

Council could decide not to fill this position at all.

XII. Financial Considerations:

This position was not budgeted for 2020. 2020 payroll was budgeted \$2,272,265. The budget will remain at a neutral \$2,269,218 due to two factors:

- 1) the three new positions added in 2020 were budgeted with the most expensive insurance option, family ppo benefits. New employees chose other options of coverage.
- 2) the freeze in salaries removing the 5% mid-year merit increase from the budget

XIII. Staff Recommendation:

Staff recommends the approval of this additional headcount for the Police Department.



FORT LUPTON POLICE DEPARTMENT
MONTHLY REPORT OF STATISTICS AND EVENTS

March 2020

YEAR TO DATE STATISTICS

Category	2020	2019	2018	2017	2016
Calls For Service	2546	2860	3188	2698	2719
Cases	327	331	351	370	370
E-Ticket	400	506	397	331	323
Arrests	91	111	127	110	122
Summons (Report cases closed by)	87	100	84	97	108
Total Enforcement Actions	578	717	608	538	553
DUI	25	19	50	36	36

MONTHLY STATISTICS

Calls Resulting in Reports

Abandoned vehicle	1	Motor Vehicle Theft	5
Animal Complaints	3	Protection/Restraining Order Violations	1
Assault	3	Public Urination	1
Assist Other Agencies	2	Runaway	2
Burglary	3	Sex Crimes	1
Child Abuse	1	Sex Offender Registrations	6
Criminal Mischief	2	Theft	4
Detox/Mental Health Hold	1	Traffic Accidents	19
Disorderly Conduct	1	Traffic Offenses	2
DUI & DUI/Drug Cases	10	Warrant Arrest	5
Drug Charges	2		
Found/Lost Property	4		
Fraud	2		
Information	8		
Menacing	3		
Minor Possess Alcohol/Marijuana	2		
Missing Person	1		
Total Reports	95	Total Calls for Service	761
Cases Closed By Arrest	20	Cases Closed by Summons	28

Calls by Sector

Northeast – 33	Southeast – 6	OOT - 1
Northwest – 14	Southwest – 18	Hwy 85/52 - 20



MONTHLY SNAPSHOT

March Events and Training

1. FTO Software was purchased to improve the program through better documentation and an improved process of managing the training process for new officers.
2. New vehicles arrive. Three Chevrolet Tahoes and another Ford Explorer. The AM is done for the upfitting and the appropriate parts have been ordered. Completion is projected for June.
3. Monthly Training for March was postponed because of COVID concerns.
4. Chief Fryar accepted an appointment to the Board of Directors for the Colorado Rangers replacing Chief Hasler from Elizabeth PD.
5. Though our call volume is down, it should be noted that half of the arrests for March were felonies. We would normally expect 25% of the arrests to be felonies.
6. It is interesting to note that during the COVID period, we should expect an increase in theft, burglaries and domestic violence and a decrease in driving offenses and traffic accidents. In fact, we haven't seen increases where expected, just stable numbers and we have had routine numbers where we thought a decrease would occur, in DUI's and traffic accidents.



Monthly Training Statistics		
In-Service Hours	Continuing Ed Hours	Total Hours
180 hours (Flyinghawk in the academy)		180



Upcoming Events

- April 20th Shredding Day, 130 S. McKinley Ave. **Cancelled**
- April 23 – 24th Clean-Up Day for Senior/Disabled Curbside Pick Up **Cancelled**
- April 25th Clean-Up Day, Public Works Shop, 800 12th St. **Cancelled**
- April 25th Fort Lupton Annual Vaccination Clinic, **Cancelled**
Fort Lupton Veterinary Hospital, 1025 1st St.
- April 28th Virtual Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
- May 5th Virtual City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.