

## CHANGE OF ZONE (Z) APPLICATION

FOR PLANNING DEPARTMENT USE RECEIPT/AMOUNT # _____ /\$ _____ APPLICATION RECEIVED BY _____	DATE RECEIVED: _____ CASE # ASSIGNED: _____ PLANNER ASSIGNED: _____
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Parcel Number 0 9 5 7 - 1 8 - 2 - 0 0 - 0 3 9

(12 digit number - found on Tax I.D. information, obtainable at the Weld County Assessor's Office, or [www.co.weld.co.us](http://www.co.weld.co.us))  
 (Include all lots being included in the application area. If additional space is required, attach an additional sheet)

Legal Description N2 NW 4, Section 18, Township 05 North, Range 67 West

Property Address (If Applicable) 27780 CR 13,

Existing Zone District: Ag Proposed Zone District: I-2 Total Acreage: 62.94 Proposed #/Lots: 1

Average Lot Size: NA Minimum Lot Size: NA Proposed Subdivision Name: NA

FEE OWNER(S) OF THE PROPERTY (If additional space is required, attach an additional sheet)

Name: Weld 34, LLC , Roger Knoph as registered agent  
 Work Phone # 970-346-3900 Home Phone # \_\_\_\_\_ Email Address \_\_\_\_\_  
 Address: 910 54th Avenue, Suite 230  
 City/State/Zip Code Greeley, CO 80634

APPLICANT OR AUTHORIZED AGENT (See Below: Authorization must accompany applications signed by Authorized Agent)

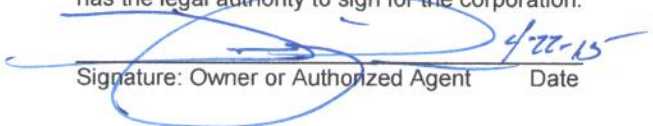
Name: Tim Pike, Regional Manager  
 Work Phone # 970-395-7711 Home Phone # \_\_\_\_\_ Email Address tpike@envirotechservices.com  
 Address: 910 54th Avenue, Suite 230  
 City/State/Zip Code Greeley, CO 80634

UTILITIES:      Water:              City of Greeley  
                          Sewer:                septic  
                          Gas:                    Xcel Energy  
                          Electric:              Poudre Valley REA  
                          Phone:                 CenturyLink

DISTRICTS:      School:                RE-5J Johnstown  
                          Fire:                    Windsor-Severance Fire District  
                          Post Office:          Johnstown

I (We), the undersigned, hereby request hearings before the Weld County Planning Commission and the Weld County Board of County Commissioners concerning the proposed Change of Zone for the following described unincorporated area of Weld County, Colorado:

I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. Signatures of all fee owners of property must sign this application. If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included indicating the signatory has the legal authority to sign for the corporation.

  
 Signature: Owner or Authorized Agent      Date

\_\_\_\_\_  
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 (Include all lots being included in the application area. If additional space is required, attach an additional sheet)

Legal Description Lot B RE-4866, Section 18, Township 05 North, Range 67 West

Property Address (If Applicable) \_\_\_\_\_

Existing Zone District: Ag Proposed Zone District: I-2 Total Acreage: 73.65 Proposed #/Lots: 1

Average Lot Size: NA Minimum Lot Size: NA Proposed Subdivision Name: NA

FEE OWNER(S) OF THE PROPERTY (If additional space is required, attach an additional sheet)

Name: Weld 34, LLC , Roger Knoph as registered agent  
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 Address: 910 54th Avenue, Suite 230  
 City/State/Zip Code Greeley, CO 80634

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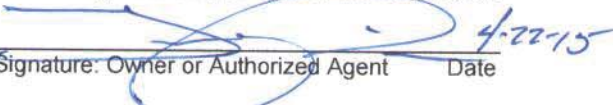
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 Signature: Owner or Authorized Agent      Date 4-22-15

\_\_\_\_\_  
 Signature: Owner or Authorized Agent      Date

# WELD 34, LLC

910 54<sup>th</sup> Avenue, Suite 230  
Greeley, Colorado 80634  
(970)346-3900

April 14, 2015

To Whom It May Concern:

All partners of Weld 34, LLC have agreed to designate Timothy A. "Tim" Pike as an authorized agent for Weld 34, LLC.

If you should need anything further, please feel free to contact me.

Sincerely,



Roger Knoph  
General Manager

RTK/pas

## CHANGE OF ZONE/REZONING QUESTIONNAIRE

WELD 34, LLC

April 23, 2015

1. The proposed rezoning is consistent with the policies of the Weld County Code, Chapter 22 in the following ways:

Section 22-2-20. Agricultural Goals and Policies

G. Goal: County land use regulations should protect the individual property owner's right to request a change of zone.

- 2. Conversion of agricultural land to nonurban residential, commercial and industrial uses should be accommodated when the subject site is in an area that can support such development, and should attempt to be compatible with the region.
  - *The project location is immediately south of US Highway 34 and adjacent to Weld County Road 13, and the Great Western Railway, a short-line railroad, traverses the northwest corner of the property. This railway is also in close proximity to Union Pacific Railroad, so the site is ideally situated and connected for an industrial development.*

H. Goal: Ensure that adequate services and facilities are currently available or reasonably obtainable to accommodate the requested new land use change for more intensive development.

- 1. The land use applications should demonstrate that adequate sanitary sewage and water systems are available for the intensity of the development.
  - *The existing farmhouse is served by City of Greeley water. Little Thompson Water District also has a water line nearby if City of Greeley cannot adequately serve the proposed site use.*
  - *There is no public sanitary sewer system in the vicinity of this project. The applicant will install an engineered designed septic system.*
- 3. The land use applicants should demonstrate that the roadway facilities associated with the proposed development are adequate in width, classification and structural capacity to serve the proposed land use change.
  - *The subject site is adjacent to US Highway 34 (no direct access), and Weld County Road 13, the county line shared with Larimer County. A traffic study will be conducted once a use is determined, and roadway facilities upgraded as required.*
- 4. The land use applicants should demonstrate that drainage providing stormwater management for the proposed land use change is adequate for the type and style of development and meets the requirements of county, state and federal rules and regulations.
  - *A drainage report and stormwater management plan will be provided when a land use is determined and a Site Plan Review is applied for.*
- 5. The land use applicants should demonstrate that public service providers, such as but not limited to schools, emergency services and fire protection, are informed of the proposed development and are given adequate opportunity to comment on the proposal.
  - *Public service providers will be notified during the Site Plan Review process.*

I. Goal: Reduce potential conflicts between varying land uses in the conversion of traditional agricultural lands to other land uses.

- 5. Applications for a change of land use in the agricultural areas should be reviewed in accordance with all potential impacts to surrounding properties and referral agencies. Encourage applicants to communicate with those affected by the proposed land use change through the referral process.
  - *The applicant will communicate with surrounding properties that will be affected by the proposed land use change during the Change of Zone and Site Plan Review processes.*

Section 22-2-80. Industrial Development Goals and Policies

A. Goal: Promote the location of industrial uses within municipalities, County Urban Growth Boundary areas, Intergovernmental Agreement urban growth areas, growth management areas as defined in municipalities' comprehensive plans, the Regional Urbanization Areas, Urban Development Nodes, along railroad infrastructure or where adequate services are currently available or reasonably obtainable.

- 1. Ensure that adequate industrial levels of services and facilities are currently available or reasonably available to serve the industrial development or district.
  - *The current rapid development of Northern Colorado, and especially Weld County, has strained existing industrial facilities, causing potential growth partners to look elsewhere. In addition, the lack of supply or inventory of suitable industrial property with both highway and rail access has caused a market-driven inflation of prices, which again causes growth opportunities to relocate to surrounding communities where property and infrastructure is more plentiful.*
- 3. Encourage industrial development by improving major transportation corridors.
  - *The subject site is adjacent to US Highway 34 (no direct access), and Weld County Road 13, the county line shared with Larimer County. A traffic study will be conducted once a use is determined, and roadway facilities upgraded as required. The Great Western Railway has track that runs across this property that the Owner plans to use, as well as access to Union Pacific Railroad nearby.*

C. Goal: Consider how transportation infrastructure is affected by the impacts of new or expanding industrial developments.

- 1. Support transportation systems within and into industrial developments that address a full range of mobility needs, and which effectively provide connectivity in a cost effective, efficient and comprehensive manner.
  - *The subject site is adjacent to US Highway 34 (no direct access), and Weld County Road 13. The site also has Great Western Railway track across a portion of the property, as well as access to Union Pacific Railroad nearby.*
- 2. The land use applicant should demonstrate that the roadway facilities associated with the proposed industrial development are adequate in width, classification and structural capacity to serve the development proposal.
  - *A traffic study will be conducted once a use is determined, and roadway facilities will be upgraded as required.*

D. Goal: All new industrial development should pay its own way.

- 1. New development should pay for the additional costs associated with those services directly impacted by the new industrial development.
- 3. The applicant has the option to provide a cost/benefit evaluation. This evaluation may be considered for potential economic incentives.

- *The Owner may develop criteria for considering if and when incentives are appropriate.*

E. Goal: New industrial uses or expansion of existing industrial uses should meet existing federal, state and local policies and legislation.

- 1. Industrial uses should be evaluated using criteria, including but not limited to the effect the industry would have on air and water quality, natural drainage ways, soil properties and natural patterns and suitability of the land.
  - *Review the zoning regulations to ensure that they are consistent with this Policy.*
- 2. Development improvements should minimize permanent visual scarring from grading, road cuts and other site disturbances. Require stabilization and landscaping of final land forms, and that runoff be controlled at historic levels.
  - *Site disturbances will attempt to minimize permanent visual scarring by using landscaping, and will release stormwater runoff at historic rates.*

F. Goal: Minimize the incompatibilities that occur between industrial uses and surrounding properties.

- 1. Consider the compatibility with surrounding land uses and natural site features.
  - *The Owner may establish development standards for such issues as use, building height, scale, density, traffic, dust and noise.*
- 2. Support the use of visual and sound barrier landscaping to screen open storage areas from residential uses or public roads.
  - *Visual and/or sound barrier landscaping may be used to screen open storage areas from adjacent residential homes or public roads.*
- 3. Encourage informational neighborhood meetings for proposed industrial uses that do not require a public hearing.
  - *The Owner anticipates that there will be opposition to this project, and will hold a neighborhood meeting(s) prior to any public hearings.*
- 4. Ensure that industrial properties are free of derelict vehicles, refuse, litter and other unsightly materials.
  - *The Owner may establish a policy/program to clean up derelict property, junk and/or weeds.*

G. Goal: Recognize the importance of railroad infrastructure to some industrial uses.

- 1. Support the continued and expanded use of existing railroad infrastructure for industrial uses.
  - *The proposed use, when determined, will take advantage of the Great Western Railway tracks that cross the subject property, as well as the nearby Union Pacific Railroad access.*
- 2. Communicate with landowners along railroads concerning the significance of railroads to some industrial uses.
  - *The Owner may have meetings with landowners adjacent to the railroads regarding their intent to develop this property, and any impacts the development may have.*

2. The uses allowed by the proposed rezoning will be compatible with the surrounding land uses by the following means/methods:

- a. North - US Highway 34 and the Great Western Railway bound the site to the north
- b. West - Weld County Road 13 bounds the site to the west, as well as existing mature landscaping buffering the house on the west side of WCR 13

- c. South – The property to the south is being developed by Martin Marietta for industrial use
  - d. East – The residential subdivision to the east will be buffered or screened by using visual and/or sound barriers such as berming, landscaping and/or fencing
- 3. The property will use an engineered designed septic system.
- 4. The existing residential farmhouse is served by City of Greeley water from their transmission line north of US Highway 34 via a service line in Weld County Road (WCR) 13. Once a use for the site has been determined, a water demand analysis will be completed to see if City of Greeley Water can continue to serve this property. If City of Greeley cannot serve this site, Little Thompson Water District has a water line in WCR 13 farther south of this property that could potentially serve the property. The property is located in the Windsor-Severance Fire Protection District.
- 5. The property has historically been agriculturally farmed. The soils do not have any limitations for construction. The site consists of 77% Wiley-Colby complex with slopes of 1%-3%, and 18% Nunn clay loam with slopes of 0%-1%.
- 6. The property is adjacent to Weld County Road 13, and approximately 1,000 feet south of US Highway 34. The county road will adequately meet the requirements of the proposed zone district.
- 7. The property is not located in a flood hazard overlay district.
- 8. The property is not located in a geologic hazard overlay district.
- 9. The property is not located in the airport overlay district.