



Planning Commission Agenda

Thursday, October 6th, 2022

Regular Meeting – 6:00 P.M.

Frederick Town Hall

401 Locust St.

Built On What Matters

In order to promote social distancing and to protect the health and safety of our Commission members, staff, and community this meeting will be hybrid and conducted via Zoom and in person.

Interested parties are encouraged to access the meeting via Zoom or in person at Town Hall.

The meeting information is as follows:

Join Zoom Meeting

<https://zoom.us/j/94063773463?pwd=aXg1M1d3V0VTKytRWnpPWHc3S2VDZz09>

Meeting ID: 940 6377 3463

Passcode: 24689

One tap mobile

+16699006833,,94063773463# US (San Jose)

+12532158782,,94063773463# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 940 6377 3463

Find your local number: <https://zoom.us/j/94063773463>

Please contact Town Clerk Meghan Martinez for questions regarding the meeting. 720-382-5500 or mmartinez@frederickco.gov

Call to Order – Roll Call

Additions to the Agenda

Action Agenda

A. Approval of minutes from the September 15th, 2022 meeting

Public Hearing

- A. Johnson Farm Spindle Hill Energy Comprehensive Plan Amendment and Rezone- Planner Maureen Welsh

Other Business

Upcoming Meeting – November 17th, 2022



401 Locust Street • P.O. Box 435 • Frederick, CO 80530-0435

Phone: (720) 382-5500 • Fax: (720) 382-5520

www.frederickco.gov

MINUTES
TOWN OF FREDERICK
PLANNING COMMISSION
MEETING CONDUCTED IN PERSON AND VIA ZOOM
SEPTEMBER 15, 2022
6:00 PM

CALL TO ORDER: At 6:04 p.m. Chairperson Moe called the meeting to order and requested roll call.

ROLL CALL:

- Present: Chairperson Moe, Commissioner Conroy, Commissioner Scott, and Commissioner Stark.
- Staff: Planning Manager Ali van Deutekom, Assistant Town Manager Ryan Johnson, and Deputy Town Clerk Taylor Kittilson.

APPROVAL OF AGENDA:

There were no changes to the agenda as presented.

APPROVAL OF AUGUST 18, 2022 MINUTES:

Motion by Commissioner Scott and seconded by Commissioner Conroy to approve the August 18, 2022 Minutes.

Commissioner Stark pointed out a couple of spelling errors in the previous minutes, but nothing that affected the substance of the information.

Upon roll call vote, motion passed unanimously, with Commissioner Stark abstaining due to being absent at the previous meeting.

STRATEGIC PLAN UPDATE:

Assistant Town Manager Ryan Johnson addressed the commission with an update on the Strategic Plan.

An overview of the presented Strategic Plan is as follows:

- Continued implementation of several goals
- POST department development
- Organizational structure change
- Effective, Efficient, and Strategic Government Operations
 - Develop strategy for current land inventory
 - Home Rule
- Fiscally Responsible Governance
 - Bella Rosa moving toward financial self-sufficiency
- Community and Economic Vitality
 - Design for FRA

Built on What Matters.

- Develop and implement retail attraction strategy
 - Explore revitalization strategies for 5th Street
 - Complete update of Zoning Code
 - Complete update of comprehensive plan
- Dynamic Inclusive, and Connected Community
 - Complete a community satisfactory survey
 - Continue offering accessible public engagement
- Safe and Secure
 - Continued implementation of 2A
- Strategic, Reliable, and Sustainable Infrastructure
 - Complete facilities master plan
 - Develop a sustainable strategy for park maintenance and expansion
 - Complete a golf course master plan
 - Complete a water master plan for use in economic development

OTHER BUSINESS:

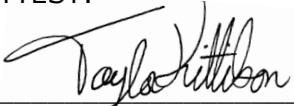
Commissioner Stark skedt about bringing back the Commissioner Comment Section.
Planner van Deutekom will add this as a line item.

There being no further business of the Planning Commission, Chairperson Moe adjourned
the meeting at 7:01 p.m.

Approved by the Planning Commission:

Tracy Moe, Chairperson

ATTEST:



Taylor Kittilson, Deputy Town Clerk



TOWN OF FREDERICK PLANNING COMMISSION

Tracy Moe, Chairman

William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner

CONSIDERATION OF JOHNSON FARM/SPINDLE HILL ENERGY COMPREHENSIVE PLAN AMENDMENT AND REZONE

Agenda Date: October 6, 2022

Attachments:

- A. Comprehensive Plan Amendment
- B. Zoning Map
- C. Letter of Intent
- D. PCR-2022-12A
- E. PCR-2022-12B
- F. PCR-2022-12C

Submitted by: Maureen Welsh
Staff Planner

Strategic Plan Alignment: Community and Economic Vitality- Frederick is a community that fosters economic, recreational, cultural, and environmental vitality and enhances various economic opportunities.

Summary Statement: This is a request to consider the proposed Comprehensive Plan Amendment and Rezoning of 142.9 acres.

Detail of Issue/Request:

Applicant: Kirby Smith, Kirby Smith and Associates, Inc.

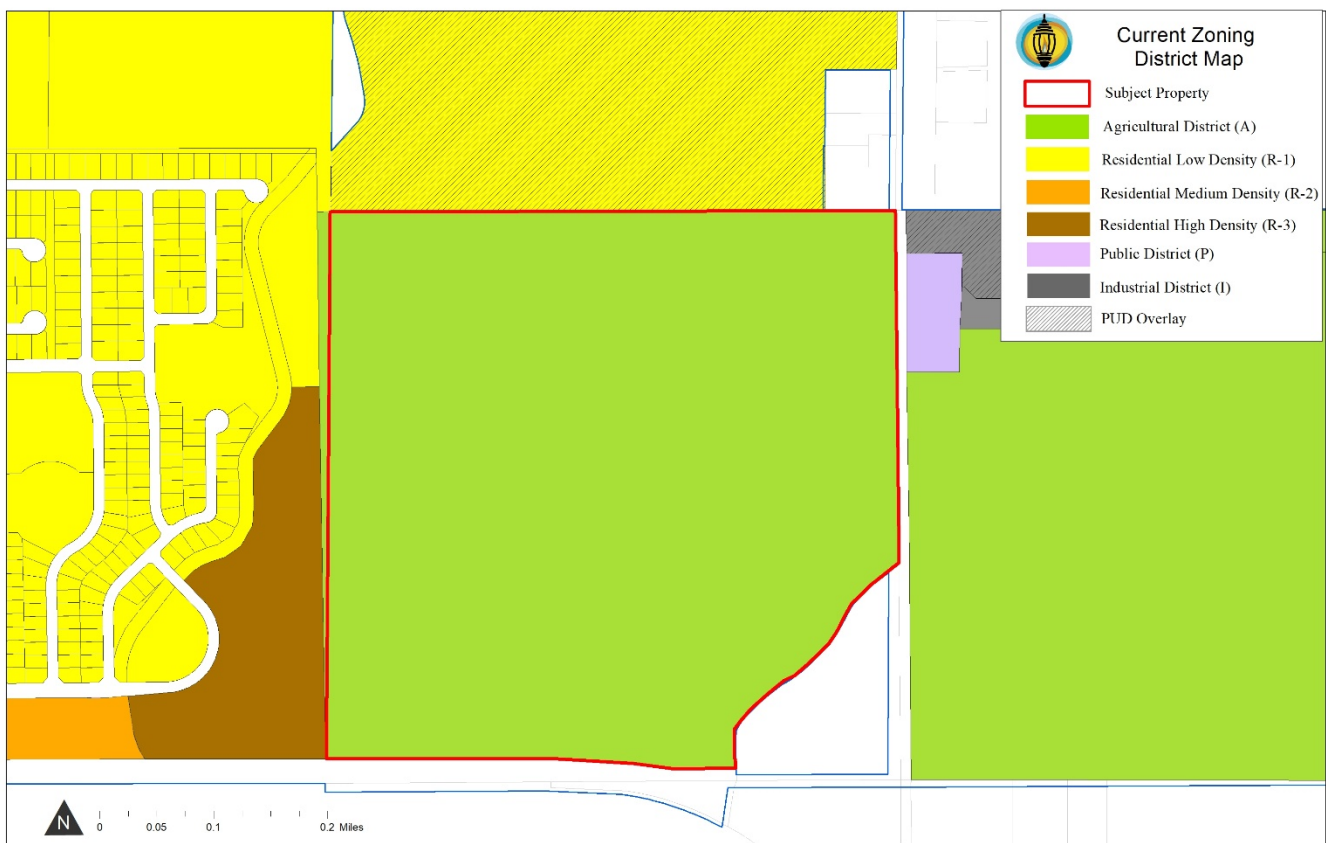
Owner: Johnson Farms LLP

Location and Zoning: This property is located east of the Savannah subdivision, north of Highway 52 and west of Wheatlands Boulevard/-County Road 17.

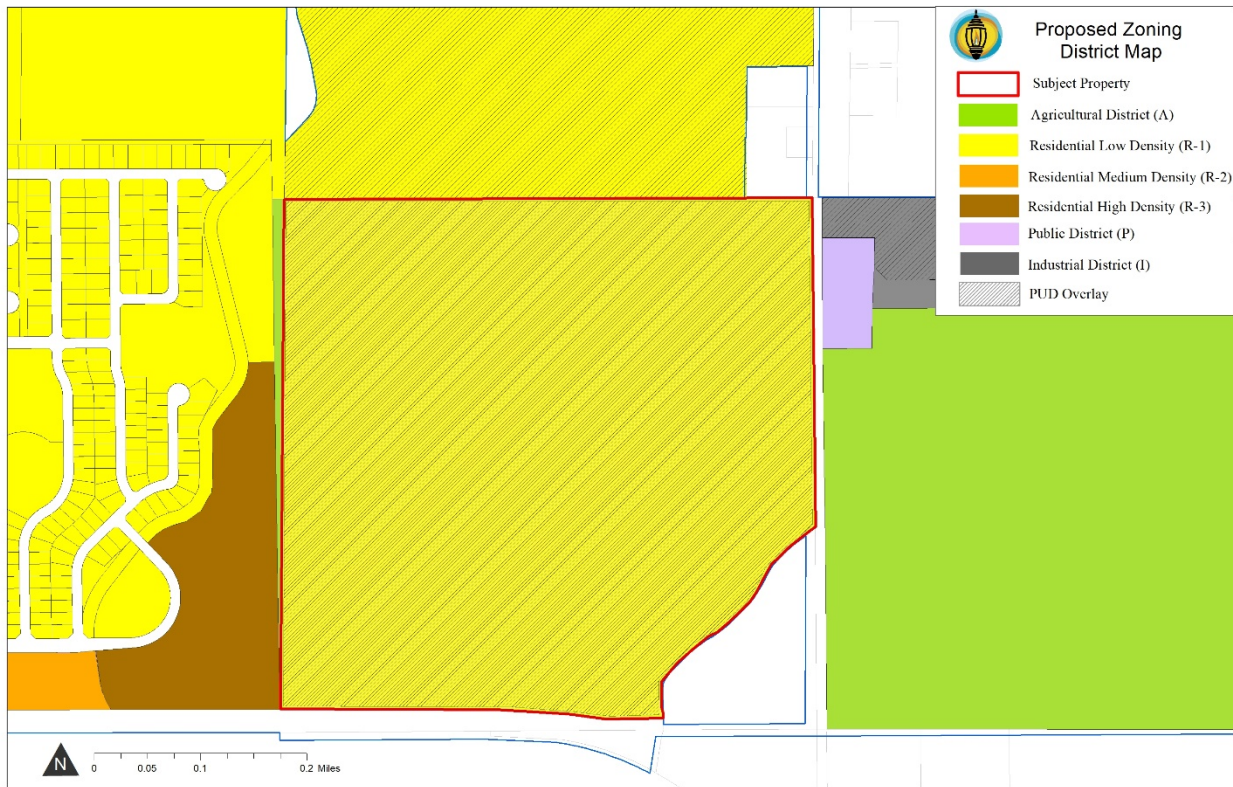
Surrounding Land Uses and Zoning:

North	Land use: Vacant (Brunemeier Annexation) Zoning: Residential Low Density (R-1) with PUD Overlay
South	Land use: Agricultural Zoning: Agriculture (A) in Weld County
West	Land use: Vacant/Open Space in Savannah Subdivision Zoning: Residential High Density (R-3) and R-1
East	Land use: Agricultural Zoning: Agricultural (A)

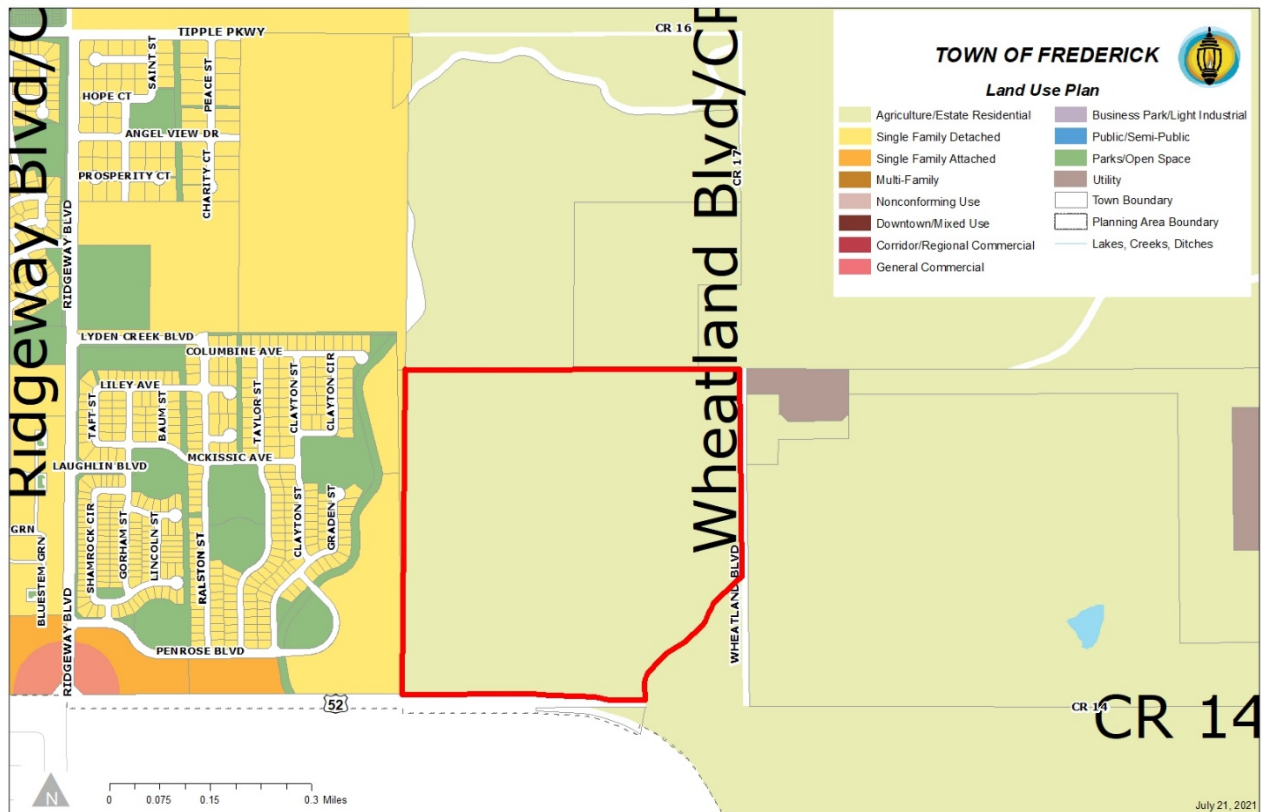
Vicinity Map with Existing Zoning:



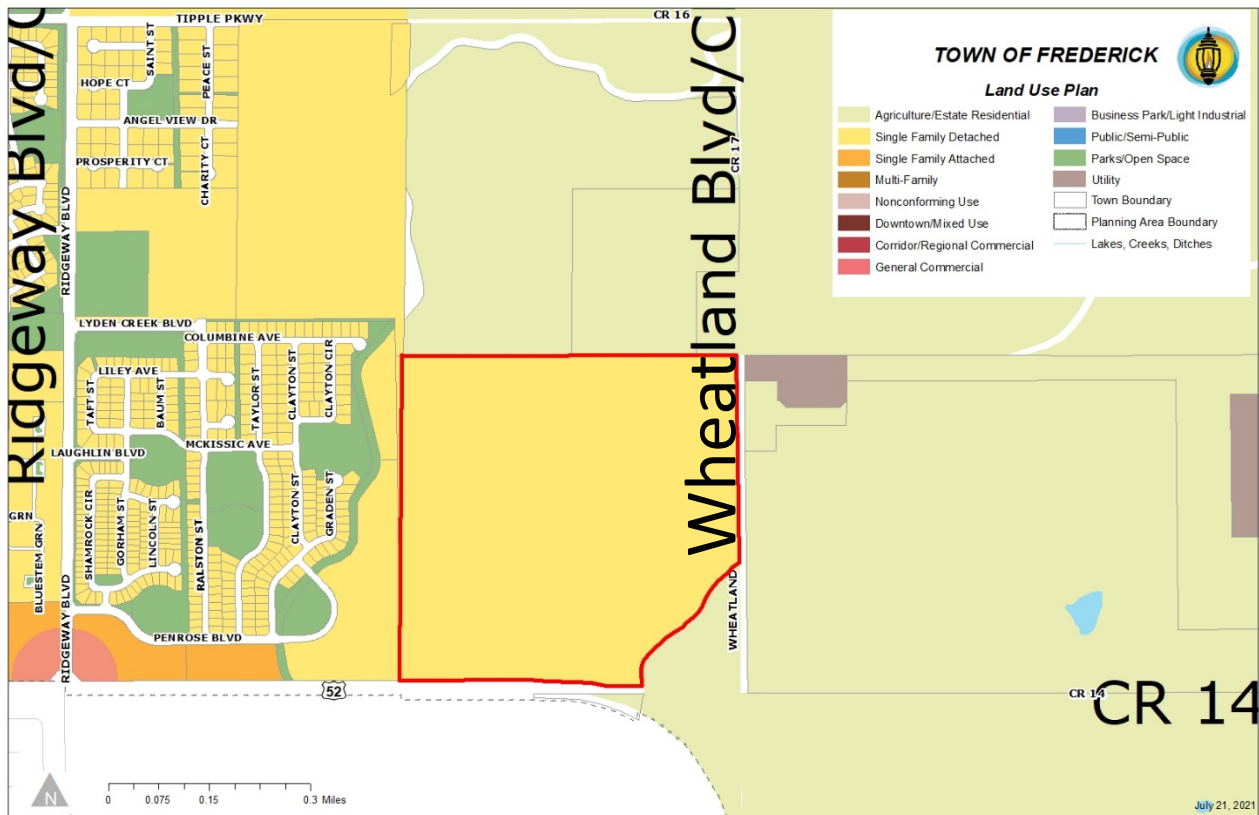
Vicinity Map with Proposed Zoning:



Current Comprehensive Plan Designation:



Proposed Comprehensive Plan Designation:



Background Information:

The Johnson Farms/ Spindle Hill Energy Annexation and Zoning was approved by the Town in 2006. At that time the 142.9-acre parcel was zoned as Agricultural. The 1996 and 2016 Comprehensive Plans have designated this parcel's land use as Agriculture/Estate Residential. The intent of this land use designation is to accommodate both agricultural land uses and large-lot single-family development which contribute to the rural character of the Town.

The Agricultural zone district permits residential uses such as single family detached dwellings at a density of 0.5 acres per dwelling unit. The Agricultural zone district also permits agricultural land uses such as farming, greenhouses, and open-air farmers' markets.

Request:

In order to process a rezone request, we require that the zoning map matches the intent of the Comprehensive Plan map. Our Planning Commission is considering both applications tonight in staff's effort to ensure that the Town's zoning map and Comprehensive Plan map are cohesive.

This request is to consider a Comprehensive Plan Amendment to change the land use designation of this property from Agriculture/Estate Residential to Single Family Detached. In tandem with the Comprehensive Plan Amendment request, the applicant is requesting a re-zoning of this property from Agricultural to Residential Low Density with a PUD Overlay. The single family detached land use

designation's intent is to provide stand-alone structures for individual families while providing a balance of local connectivity and conservation design to improve both motorized and non-motorized transportation. The Residential Low Density zone district permits single family detached dwellings at rate of 5 dwelling units per acre. With the PUD Overlay being requested as well, the applicant has the ability to request modifications to the Town's Land Use Code standards.

Comprehensive Plan Amendment Review Criteria:

The Comprehensive Plan may be amended pursuant to the following criteria:

- (1) The amendment improves the implementation of one or more goals, policies, and strategies of the Town of Frederick Comprehensive Plan.
- (2) The amendment will not pose a detrimental impact on existing or planned Town facilities, services or transportation facilities.
- (3) The amendment will not interfere with the existing or emerging land use patterns and densities/intensities of the surrounding neighborhoods as depicted on the Land Use Plan and contained within the Town of Frederick Comprehensive Plan.
- (4) The amendment will not interfere with, or prevent, the provision of any of the area's (neighborhood's) existing, planned, or previously committed services.

Staff Comment: Criterion 1) The intent of the Comprehensive Plan Amendment request is to accommodate a future residential subdivision within the Residential Low Density zone district. One of the Comprehensive Plan's current Goals is to encourage development within the Primary Growth Area to leverage existing community facilities and infrastructure. With the Town having experienced a significant amount of growth in recent years, many of the Comprehensive Plan's objectives have been realized. Almost all of the Town's Primary Growth Area has been accounted for. With this property directly abutting the Primary Growth Area, this region of Town could be considered the next primary area for growth and development. A second Goal that this request would implement is the support of our transportation system to accommodate the Town's growing population while ensuring safety and mobility for all modes of travel. This proposal would capitalize on the Objective of ensuring new neighborhoods are well-connected to older neighborhoods through both motorized and non-motorized transportation at time of developmental review. Criterion 2) Impacts to the Town's facilities, services or transportation facilities have yet to be identified. Any impact to these facilities and services will be considered and addressed when development is proposed. Criterion 3) With this parcel being located on the far east end of Town, it is not anticipated that this proposal will interfere with any existing or emerging land use patterns that Frederick is currently experiencing. Criterion 4) The proposed amendment is not anticipated to interfere with or prevent the provision of any existing, planned, or previously committed services.

Zoning Review Criteria:

For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the official zoning map shall not be amended except:

- (1) To correct a manifest error in an ordinance establishing the zoning for a specific property;
- (2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;
- (3) To bring the official zoning map into conformity with the policies and goals of the Comprehensive Plan; provided, that if a Comprehensive Plan update has not occurred in the five

- (5) years preceding the application date, the Board specifically finds that the public health, safety, and welfare will be advanced by amending the official zoning map to conform to the Comprehensive Plan;
- (4) To provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and which specifically advances public health, safety, or welfare by optimizing the delivery of necessary services or amenities that the Town Board determines are a high priority;
- (5) To encourage development or redevelopment of an area that has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment in accordance with an amended official zoning map.

Staff Comment: Criterion 2 is being met. By expanding the existing residential low density zone district boundary further east, it accommodates the type of residential growth that is continually attracted to Frederick's community.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code.

Legal/Political Considerations: The application has been reviewed by the Town Land Use Attorney, Todd Messenger, whose comments have been incorporated accordingly.

Alternatives/Options:

Comprehensive Plan:

Approval:

I move that the Johnson Farm/ Spindle Hill Energy Comprehensive Plan Amendment, case no. 2022-010 be approved based on the review criteria found in the Town Land Use Code Section 4.7.10, with no conditions; and to direct the Town Attorney to memorialize this approval as a resolution for prompt execution by Chairperson Moe without further action of the Commission.

Approval with Conditions:

I move that the Johnson Farm/ Spindle Hill Energy Comprehensive Plan Amendment, case no. 2022-010 be approved based on the review criteria found in the Town Land Use Code Section 4.7.10, and based on the following conditions;

- 1.
- 2.

Denial:

I move that the Johnson Farm/ Spindle Hill Energy Comprehensive Plan Amendment, case no. 2022-010 be denied based on the following findings of fact (list specific facts); and to direct the Town Attorney to reduce this denial, along with the findings of fact, to writing for prompt execution by Chairperson Moe without further action of the Commission.

Rezoning:

Approval:

I move to approve PCR-2022-12A, approval of Johnson Farm/ Spindle Hill Energy Rezone.

Approval with Conditions:

I move to approve PCR-2022-12C, approval of Johnson Farm/ Spindle Hill Energy Rezone with the following conditions; _____(list conditions)

Denial:

I move to approve PCR-2022-12B, denial of Johnson Farm/ Spindle Hill Energy Rezone.

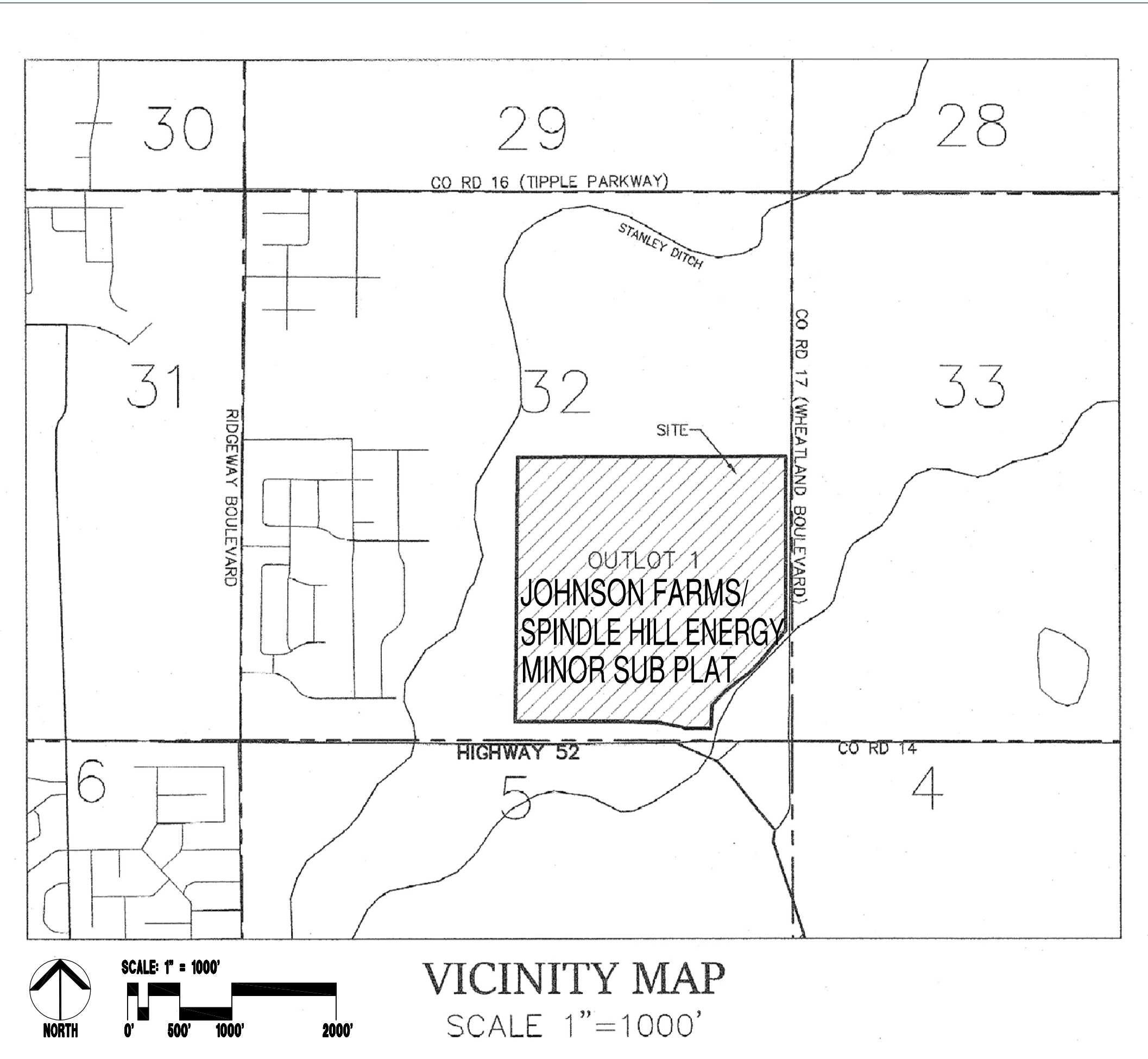
Staff Recommendation: Staff is looking to our Planning Commission for direction.

JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUB PLAT

Comprehensive Plan Amendment

A Portion Of The SE 1/4 Of Section 32, T 2 N, R 67 W of the 6th P.M.
Weld County, Colorado
142.914 TOTAL ACRES
Sheet 1 Of 2

VICINITY MAP



LEGAL DESCRIPTION:

JOHNSON FARMS / SPINDLE HILL ENERGY MINOR SUBDIVISION,
OUTLOT 1. 142.91 ACRES MORE OR LESS.
PART OF THE SOUTH HALF OF SECTION 33, AND THE SOUTHEAST
QUARTER OF SECTION 32, TOWNSHIP 2
NORTH, RANGE 67 WEST OF THE PRINCIPAL MERIDIAN, COUNTY OF
WELD, STATE OF COLORADO

TOTAL ACREAGE:

142.91 ACRES

PROJECT TEAM:

PROPERTY OWNER:

COLUMBINE HEIGHTS, LLC
17 BEACON HILL LANE
GREENWOOD VILLAGE, CO 80211
CONTACT: MICHAEL BLUMENTHAL
303-960-0900

CIVIL ENGINEER:

CIVILAIN ENGINEERING
P.O. BOX 8
HYGIENE, CO 80503
CONTACT: GARRETT WALSTAD
(303) 961-7387

SURVEYOR:

R.W.BAYER & ASSOCIATES
121705 TEJON ST. UNIT 700
WESTMINSTER, CO 80234
CONTACT: GREG BAYER
303-452-4433

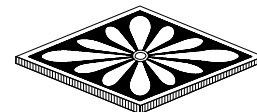
LAND USE PLANNER/LANDSCAPE ARCHITECT:

KIRBY SMITH & ASSOCIATES, INC.
6201 SOUTH HUDSON COURT
CENTENNIAL, CO 80121
CONTACT: KIRBY SMITH
303-694-9484

SHEET INDEX:

SHEET NUMBER:	SHEET NAME:
SHEET 1	– COVER SHEET
SHEET 2	– COLUMBINE HEIGHTS COMPREHENSIVE PLAN AMENDMENT

Prepared By:
Planner:


Kirby Smith & Associates, Inc.
Land Planning•Site Design•Landscape Architecture
6201 So. Hudson Court Centennial, CO 80121
(303) 694-9484 FAX (303) 694-9272

Prepared For:
Columbine Heights, LLC
c/o Michael Blumenthal
17 Beacon Hill Lane
Greenwood Village, CO 80211
(303) 796-0900

JOHNSON FARMS/SPINDLE HILL ENERGY
MINOR SUB PLAT
Comprehensive Plan Amendment
Cover Sheet

Date Prepared: 07/15/22
Revisions: 09/12/22

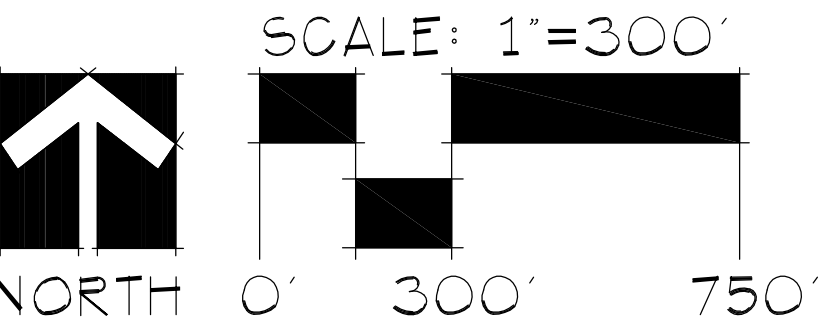
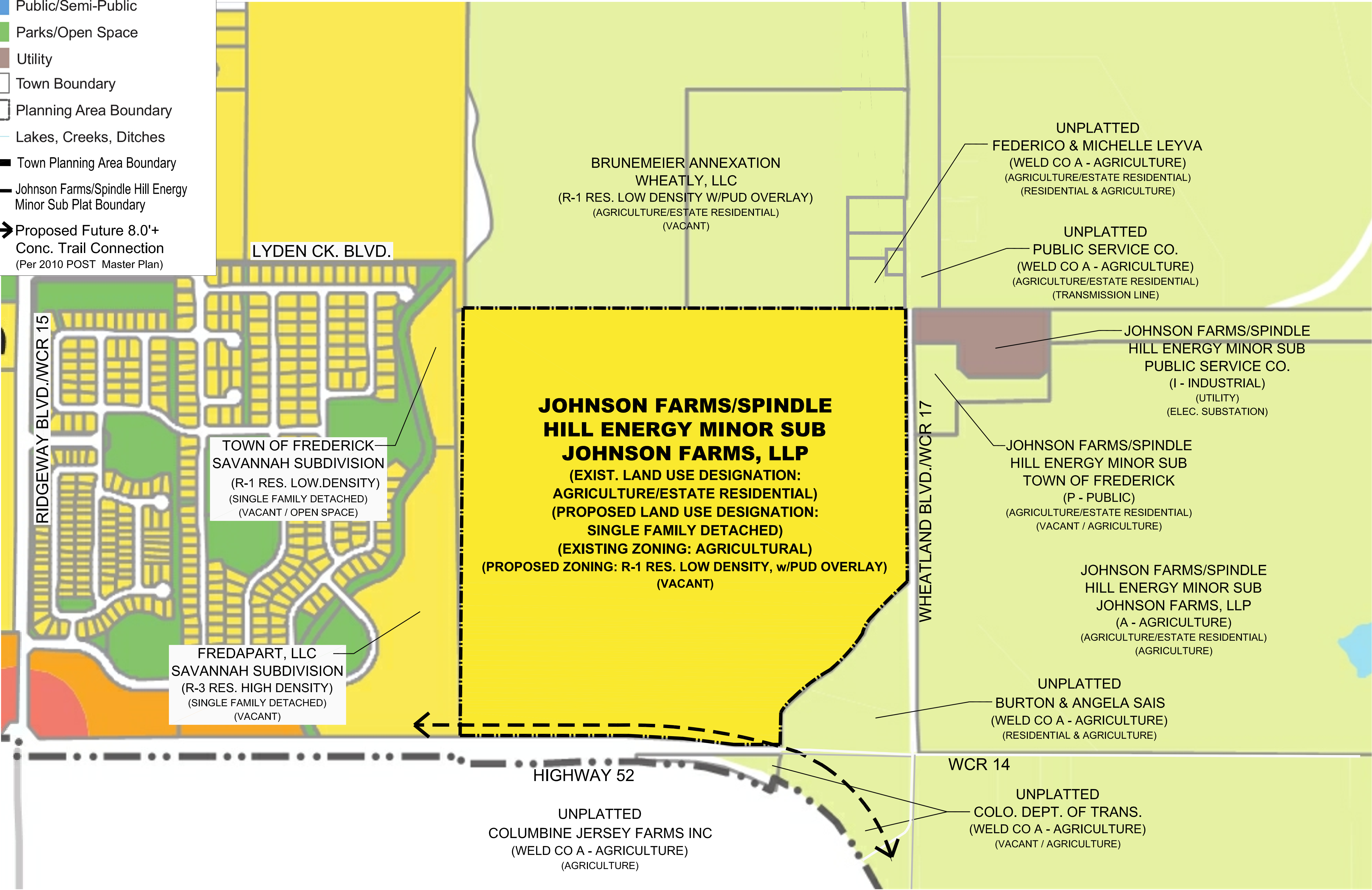
TOWN OF FREDERICK



Land Use Plan

- | | |
|--------------------------------|--------------------------------|
| Agriculture/Estate Residential | Business Park/Light Industrial |
| Single Family Detached | Public/Semi-Public |
| Single Family Attached | Parks/Open Space |
| Multi-Family | Utility |
| Nonconforming Use | Town Boundary |
| Downtown/Mixed Use | Planning Area Boundary |
| Corridor/Regional Commercial | Lakes, Creeks, Ditches |
| General Commercial | Town Planning Area Boundary |
- Adjacent Property Labels Legend
- | | |
|---|--|
| ANNEXATION/SUBDIVISION NAME | Johnson Farms/Spindle Hill Energy Minor Sub Plat Boundary |
| OWNERSHIP NAME | |
| (EXISTING ZONING) | |
| (COMP. PLAN AMENDMENT LAND USE DESIGNATION) | ← - - - - - Proposed Future 8.0'+ Conc. Trail Connection (Per 2010 POST Master Plan) |
| (EXISTING LAND USE) | |

Proposed Comprehensive Plan Amendment



THE TOWN OF FREDERICK'S 2016 COMPREHENSIVE PLAN IS UTILIZED AS THE BACKGROUND BASE MAPPING AND LEGEND FOR THIS EXHIBIT.

Prepared By:
Planner:



Prepared For:
Columbine Heights, LLC
c/o Michael Blumenthal
17 Beacon Hill Lane
Greenwood Village, CO 80211
(303) 796-0900

JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUB PLAT
Comprehensive Plan Amendment
Comp. Plan Amendment
Date Prepared: 07/15/22
Revisions: 09/12/22

JOHNSON FARMS / SPINDLE HILL ENERGY MINOR SUB PLAT - REZONE

LOCATED IN SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO.

CIVIL ENGINEER

CIVILIAN ENGINEERING
P.O. BOX
HYGIENE, CO, 80533
(303)961-7387
CONTACT: GARRETT WALSTAD

OWNER/DEVELOPER

COLUMBINE HEIGHTS, LLC
17 BEACON HILL LANE
GREENWOOD VILLAGE, CO, 80111
(303)796-0900
CONTACT: MICHAELBENT@MSN.COM

LANDSCAPE ARCHITECT

KIRBY SMITH & ASSOCIATES, INC.
6201 S. HUDSON COURT
CENTENNIAL, CO, 80121
CONTACT: KSAKIRBY@AOL.COM

LAND PLANNER

KIRBY SMITH & ASSOCIATES, INC.
6201 S. HUDSON COURT
CENTENNIAL, CO, 80121
CONTACT: KSAKIRBY@AOL.COM

LAND SURVEYOR (ORIGINAL FINAL PLAT)

POWER SURVEYING COMPANY, INC.
6911 BROADWAY
DENVER, CO, 80221
(303)452-4433
CONTACT: RICHARD B. GABRIEL

LAND SURVEYOR (REZONE MAP)

R.W. BAYER & ASSOCIATES
12170 TEJON ST. UNIT 700
WESTMINSTER, CO, 80234
(303)452-4433
CONTACT: GREG BAYER

LAND SURVEYOR (TOPOGRAPHIC SURVEY AND FUTURE PLATTING)

R.W. BAYER & ASSOCIATES
12170 TEJON ST. UNIT 700
WESTMINSTER, CO, 80234
(303)452-4433
CONTACT: GREG BAYER

NOTES:

- ALL LINEAR DISTANCES ARE U.S. SURVEY FEET.
- BASIS OF BEARINGS: THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTS SHOWN HEREON IS ASSUMED TO BEAR N89°52'39"E.
- THIS PROPERTY IS LOCATED IN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP NUMBERS 08123C2083E WITH AN EFFECTIVE DATE OF 01/20/2016. A FLOOD 'A' DESIGNATION IS LOCATED SOUTH OF HIGHWAY 52 WHICH IS OUTSIDE OF THE SHOWN PROJECT BOUNDARY.
- THIS PROPERTY IS CURRENTLY ZONED A AGRICULTURAL DISTRICT.
- THIS MAP IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, DOES NOT REPRESENT A MONUMENTED LAND SURVEY, AND IS NOT INTENDED FOR THE PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND.

CERTIFICATE OF OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT

JOHNSON FARMS LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP

BEING THE OWNER(S), MORTGAGEE OR LIEN HOLDER OF CERTAIN LANDS IN FREDERICK, COLORADO, HAVE CAUSED AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE TOWN OF FREDERICK TO BE PREPARED FOR SAID LAND TO SHOW HOW THE LOT, PARCEL OR TRACT WILL BE DEVELOPED. THE LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

OUTLOT 1, JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUBDIVISION, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

THIS DESCRIBED TRACT CONTAINS 142.914 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OFF PUBLIC RECORD, DO HEREBY AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO AS DEPICTED HEREON, SUBJECT TO APPROVAL BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK.

EXECUTED THIS _____ DAY OF _____, 20____

JOHNSON FARMS, LLP,
A COLORADO LIMITED LIABILITY PARTNERSHIP, LLP

BY: _____
AS: _____

ACKNOWLEDGE:

STATE OF COLORADO }
COUNTY OF _____ } SS

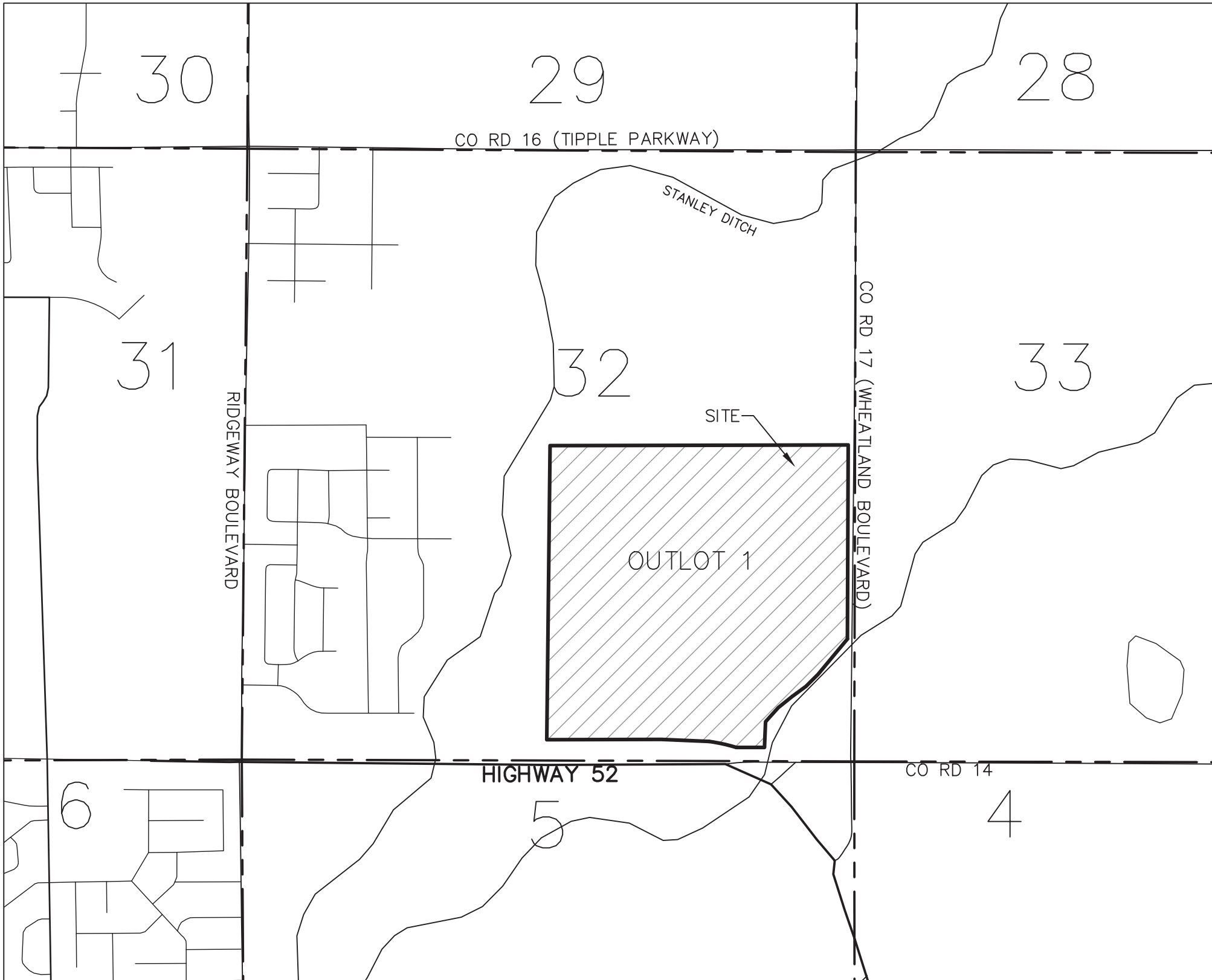
THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME BY
_____ ACTING IN HIS CAPACITY AS _____
OF _____, THIS _____ DAY OF _____, 20____.

WITNESS MY HAND AND SEAL:

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

PREPARED BY:

R.W. BAYER & ASSOCIATES, INC.
12170 TEJON STREET, UNIT 700
WESTMINSTER, COLORADO 80234
(303)452-4433
RWBSURVEYING@HOTMAIL.COM
CAD FILE: 20031/20031B.DWG
PAGE 1 OF 2
DATE PREPARED: JUNE 01, 2020



VICINITY MAP

SCALE 1"=1000'

SHEET INDEX	
SHEET 1	COVER SHEET
SHEET 2	REZONE MAP

R.W. BAYER & ASSOCIATES, INC.

12170 TEJON ST., NO 700
WESTMINSTER, COLORADO 80234
(303) 452-4433 RWBSURVEYING@HOTMAIL.COM

CAD FILE: 22029/22029.DWG REVISIONS:
6/30/22: REVISED ZONING LABELS AND DATE FOR SURVEY CERTIFICATE
9/10/22: REVISED TITLE

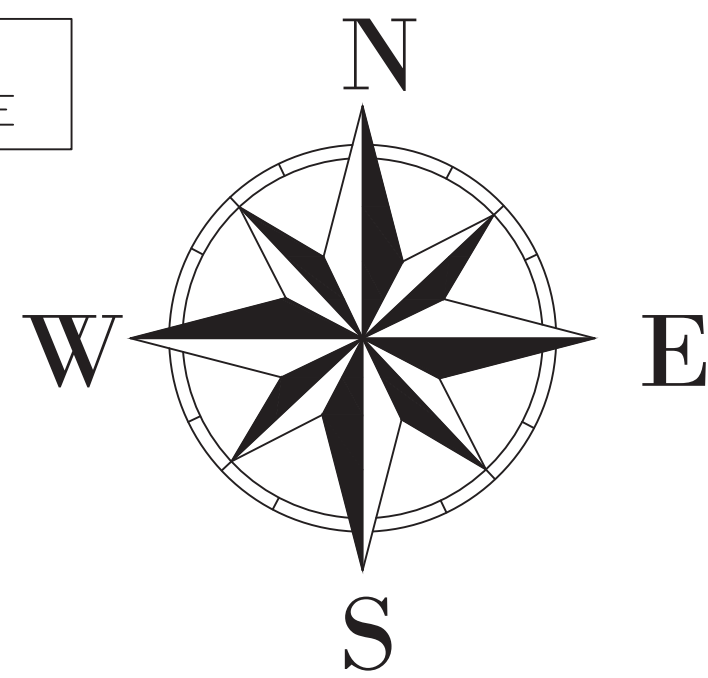
REZONE MAP

OUTLOT 1 OF JOHNSON FARMS/SPINDLE HILL ENERGY SUBDIVISION, BEING A PART OF THE SOUTEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

SCALE:	DATE: APRIL 7, 2022	DRW BY: E.A.P..	CKD BY: R.W.B.	PROJ. NO: 2022-029
BOOK: ---	PAGE: --	FILE NO: 32-2N.67-12L	SHEET: 1 OF 2	

JOHNSON FARMS / SPINDLE HILL ENERGY MINOR SUB PLAT - REZONE

LOCATED IN SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF
FREDERICK, COUNTY OF WELD, STATE OF COLORADO.



SCALE 1"=150'

LEGEND

- SECTION LINE
- RIGHT-OF-WAY
- BOUNDARY LINE
- DITCH OUTLINE

ZONING:
R-1-RESIDENTIAL LOW
DENSITY DISTRICT

7924 COLUMBINE AVE.
Tract 1 of Johnson Farms/Spindle Hill Energy Minor Subplat A
Parcel #131132317001
Owner: Town of Frederick

ZONING:
AGRICULTURAL DISTRICT

7515 HIGHWAY 52
PARCEL #131132300035
OWNER: ROCKY MOUNTAIN
FUEL COMPANY

ZONING:
R-3-RESIDENTIAL HIGH
DENSITY DISTRICT

6120 ELKAN JONES CIR.
Tract 4 of Savannah Subdivision Replat A
Parcel #131132317004
Owner: Fredpart LLC

ZONING:
R-1-RESIDENTIAL LOW
DENSITY DISTRICT W/PUD OVERLAY

Parcel #131132100023
Owner: Wheatly LLC

ZONING:
R-1-RESIDENTIAL LOW
DENSITY DISTRICT W/PUD OVERLAY

Parcel #131132100025
Owner: Wheatly LLC

WELD COUNTY
A-AGRICULTURE

Parcel #131132100022
6505 County Road 17
Owner: Yesenia Levyra, et. al.

WELD COUNTY
A-AGRICULTURE

I-INDUSTRIAL
W/PUD OVERLAY

ZONING:
P-PUBLIC DISTRICT

ZONING:
A-AGRICULTURAL DISTRICT

OUTLOT 1
REZONING OF JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUBDIVISION
PROPOSED ZONING: R-1 WITH PUD OVERLAY
ACREAGE: 142.914

2.5" DIA ALUMINUM CAP
PLS 24305 (NOT FOUND)
SOUTH ONE-QUARTER CORNER
SEC. 32, T.2.N., R.67.W.

1.1'

ASPHALT

STATE HIGHWAY 52

ASPHALT

WELD COUNTY ROAD 14

FOUND 2.5" DIA ALUMINUM CAP
PLS 24305
SOUTHEAST CORNER
SEC. 32, T.2.N., R.67.W.

R.W. BAYER & ASSOCIATES, INC.

12170 TEJON ST., NO 700
WESTMINSTER, COLORADO 80234
(303) 452-4433 RWBSURVEYING@HOTMAIL.COM

CAD FILE: 22029/22029.DWG REVISIONS:
6/30/22: REVISED ZONING LABELS AND DATE FOR SURVEY CERTIFICATE
9/10/22: REVISED TITLE

REZONE MAP

OUTLOT 1 OF JOHNSON FARMS/SPINDLE HILL ENERGY SUBDIVISION, BEING A PART OF THE SOUTEAST ONE-QUARTER OF
SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF
COLORADO.

SCALE: 1"=150'	DATE: APRIL 7, 2022	DRW BY: E.A.P.	CKD BY: R.W.B.	PROJ. NO: 2022-029
BOOK: ---	PAGE: --	FILE NO: 32-2N.67-12L	SHEET: 2 OF 2	



Kirby Smith & Associates, Inc.

April 26, 2022

Town of Frederick Planning Department
401 Locust Street/P.O. Box 435
Frederick, CO 80530

RE: Columbine Heights Property – 142.914 Ac. – Comprehensive Plan Amendment & Rezone (to R-1 w/PUD Overlay)
Application

Dear Planning Department:

Our company, Kirby Smith & Associates, Inc., on behalf of the property owners, Columbine Heights, LLC, are proposing a new single family detached residential community within the Town of Frederick. The project is located north of State Highway 52, and west of WCR 17 (parcel number 1311-32-4-17-004). The project includes **142.914 acres** and is currently **zoned Agricultural (A)** in the Town of Frederick, and proposes to **amend the Town's Comprehensive Plan from Agriculture/Estate Residential to Single Family Detached land use designation, and Rezone to Residential Low Density (R-1 with PUD overlay).**

The intent is to then develop this property as a high quality residential community, containing all Single Family Detached lots at a density of about 2.75 DU/Ac; a 12 acre Elementary School site (which the St. Vrain Valley School District has indicated that they are very interested in and will accept); and over 33% of the property as park and open space areas.

The property's future residential lots and school site are proposed to be accessed via a new north/south collector street connecting at the south with Hwy 52 (at a location which was recently determined by the Town engineering staff and CDOT), and continuing north into the neighboring Wheatfield proposed Single Family Residential community, in the general alignment shown on the Town's Transportation Master Plan (approved in February 2022). This collector street is expected to intersect with another east/west collector street within the proposed Wheatfield community (also shown on the Town's Transportation Master Plan) which is planned to connect to Ridgeway Blvd. along the Lyden Creek Blvd. alignment. Other access will be provided from WCR 17 to the east.

The property is located adjacent to Hwy. 52 and Weld County agricultural land to the south; an existing Weld County A-1 zoned residence near the southeast corner; Town of Frederick annexed agricultural land to the east; the Savannah Subdivision (single family detached residential zoned R-1) and more specifically directly adjacent to the 18.9 acre multi-family Tract (zoned R-3), and 4.4 acre open space tract owned by the Town of Frederick to the west (both also within the Savannah Subdivision); and the aforementioned Wheatfield future residential property (zoned R-1 with PUD Overlay) to the north.

The site is made up of gently sloping terrain, generally oriented toward the southeast and to the northwest, with a ridge running through the property from generally the northeast corner to the southwest corner. The site gently rises away from Hwy 52, WCR 17, and the Town open space areas to the west toward the higher ground across the middle and northern portions of the property. The Stanley Ditch Lateral forms the property far southeast property boundary; there are existing overhead power transmission lines in easements located along the north and west property lines; an existing pipeline easement along the eastern property line; there is one active oil and gas multi-well site near the southeast corner of the property; and two previously capped and abandoned well sites in the eastern half of the property. Much of the overall property offer future homes views toward the mountains of the Colorado Front Range to the west. The entire property (other than the active well site area) is currently used for agricultural production. No perennial waters, other than the adjacent irrigation ditch have been observed on the property.



Kirby Smith & Associates, Inc.

The Columbine Heights property is designated Agriculture/Estate Residential in the Town's Comprehensive Plan, which we believe to be an oversight due to the current zoning, and existing and future land use of the surrounding properties. The adjacent properties which abut the subject property to the north and west are zoned R-1 and R-3 in Frederick (the Savannah neighborhood to the west is zoned R-1 and R-3, and the Wheatfield property to the north, zoned R-1 with PUD Overlay). Both are zoned for Single Family Detached and possibly some Single Family Attached uses. Therefore this property should be designated for similar land uses and designated as Single Family Detached. Therefore a Comprehensive Plan Amendment is being proposed with this rezoning.

Dependent upon required approval processing, development could commence in early 2023, with lot sales commencing at a shortly thereafter.

Owners: Columbine Heights, LLC
c/o Michael Blumenthal
17 Beacon Hill Lane
Greenwood Village, CO 80211

Applicant/Representative: Kirby Smith & Associates, Inc.,
Mr. Kirby Smith -303-694-9484
6201 So. Hudson Ct.
Centennial, CO 80121

Sincerely,

Kirby J. Smith
President

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Recommending Approval of the Johnson Farm Spindle Hill Energy Rezone

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Johnson Farm Spindle Hill Energy Rezone has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held October 6, 2022.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.2 of the Frederick Land Use Code.

Section 2.

- 2.1 A public hearing was held and the public was able to provide testimony.
- 2.2 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends approval of the application.

This resolution approved this 6th day of October, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

PCR-2022-12B
A Resolution of the Planning Commission
Recommending Denial of the Johnson Farm Spindle Hill Energy Rezone

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Johnson Farm Spindle Hill Energy Rezone has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held October 6, 2022.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.2 of the Frederick Land Use Code.

Section 2.

- 2.1 A public hearing was held and the public was able to provide testimony.
- 2.2 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends denial of the application.

This resolution approved this 6th day of October, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission

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Recommending Conditional Approval of the Johnson Farm Spindle Hill Energy Rezone

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Johnson Farm Spindle Hill Energy Rezone has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held October 6, 2022.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.2 of the Frederick Land Use Code.

Section 2.

- 2.1 A public hearing was held and the public was able to provide testimony.
- 2.2 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends approval of the application with the following conditions:

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- 2.

This resolution approved this 6th day of October, 2022 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission