



Built On What Matters

Town of Frederick Board of Trustees Agenda

Frederick Town Hall

Board Chambers

401 Locust Street

Tuesday, August 12, 2025

**Work Session 6:00 PM
Regular Meeting 7:00 PM**

Work Session 6:00 PM

- A. Budget Kick Off 2026

Call to Order – Roll Call

Pledge of Allegiance

Approval of Agenda

Special Presentations

- B. Rocky Mountain Christian Church - Shine Prom

Public Comment

This portion of the agenda is provided to allow members of the audience to provide comments to the Board of Trustees. Please sign in and you will be called. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Staff Reports

- C. Administrative Report

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 Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- D. Approval of Minutes
- E. List of Bills

Action Agenda

- F. Public Hearing: Resolution 25-R-43: A Resolution of the Board of Trustees Approving the Silverstone Commons Minor Subdivision - Audem Gonzales, Senior Planner
- Open the Public hearing
 - Presentation by Audem Gonzales, Senior Planner and Applicant
 - Public Comment
 - Board of Trustees Discussion and Questions
 - Close the Public Hearing
 - Board of Trustees Action on Resolution 25-R-43
- G. Resolution 25-R-44 amending and adopting revised impact fees for the Town of Frederick. - Bryan Ostler, Town Manager
Kurtis Adams, Finance Director

Board of Trustees Acting as Board of Adjustment

- H. 2310 Apple St Planning Decision Appeal

Mayor and Trustee Reports

Adjournment

Rocky Mountain Christian Church

Key Staff

- Matt Cote, Lead Pastor
- Amanda Rohrbaugh, Executive Pastor
- Dane Voorhees, Frederick Campus Pastor
- Nic Carver, Niwot Campus Pastor
- Kelly Weaver, Frederick Connections Director
- Teecy Statley, Niwot Connections Director

Board of Elders

- James Wittler
- Joe Crisman
- Mark Birmingham
- Tim Jenkins
- Tom Drochner
- Sheldon Mullett
- Jack Nugent

Internal Revenue Service
District Director

Department of the Treasury

Date:

JUL 16 1984

Employer Identification Number:

84-0942472

Accounting Period Ending:

December 31

Form 990 Required: ☐ Yes ☒ No

Rocky Mountain Christian Church
P.O. Box 743
Longmont, CO 80501

Person to Contact:

EO TECHNICAL ASSISTOR

Contact Telephone Number:

(214) 767-3526

EO:7216:BLW

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 170(b)(1)(A)(i) & 509(a)(1).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

The box checked in the heading of this letter shows whether you must file Form 990, Return of Organization Exempt from Income Tax. If Yes is checked, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

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(over)

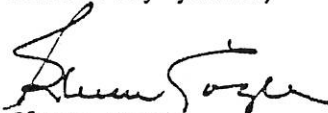
You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Glenn Cagle", is written over the typed name.

Glenn Cagle
District Director

[Print](#)**Community Grant Application - Submission #50212****Date Submitted: 7/9/2025****Town of Frederick Community Grant****Organization Name***

Rocky Mountain Christian Church

Address1*

5860 Majestic Street

Address2**City***

Frederick

State

CO

Zip

80504

Contact First Name*

Dane

Contact Last Name*

Voorhees

Contact Phone Number*

303-652-2211

Contact Email Address*

danevoorhees@rocky.church

Federal/State Tax ID*

84-0942472

Please describe your project and the reason for your request.*

For the last eight years, Rocky Mountain Christian Church has hosted a prom for our special needs community. In 2024, over 230 guests and nearly 400 volunteers from our church and the surrounding communities participated in this amazing night of fun, food and dancing.

Each guest enters this complimentary event on a red carpet complete with a warm welcome from a friendly crowd and paparazzi. Once inside, guests receive the royal treatment: professional photography, corsages and boutonnieres, a catered dinner, games, a respite room for parents and caregivers, and an awesome dance. This all leads up to the moment when each guest is crowned a king or queen of the prom.

For 2025 we would be honored to partner with you in serving our special needs friends and their caregivers. On September 12, 2025 we will be hosting 2 simultaneous events at our Niwot and Frederick campuses, providing outdoor and indoor activities, dinner, games and a dance for 250 guests, their families and caregivers. It will be an unforgettable night of laughter, music, fun and connection for some of the most under-served people in our community.

This event is 100% free for our guests. Your donation will help us offer this incredible night to our guests. Any donation, whether monetary or in-kind gifts, will be acknowledged in writing in accordance with Rocky's non-profit status.

Thank you for your consideration in partnering with us again and we appreciate all the support the Town of Frederick has shown in previous years.

Amount Requested*

\$5,000

Number of Frederick residents and/or visitors will participate and/or benefit from the program/project:*

500

In what way will this program enhance the Town of Frederick's positive image, provide opportunity for informal education, community building and/or family entertainment?*

This is a prom where we serve a portion of our community that is oftentimes overlooked. We love how our community comes together to serve at this event.

Have you requested support from other sources? Please provide a list of organizations that you have solicited or will be soliciting:*

Yes, we have or will be soliciting funds from:

City of Dacono, Town of Firestone, Flexx Productions, 5280 Staffing Solutions, OtterCares, Stapp Toyota, Winner's Circle, PharMerica, JPMorgan Chase, Stevinson Lexus and Hyundai, Fowler Kia, Premier Roofing, Interstate Ford, Transwest Frederick, FCI Constructors, SavATree, BolderBoulder, Longview Heating and Air, Firestone Pediatric Dentistry, Ward's Lawn Care, Applied Coatings Technologies, Smith Power Products, Black Hills Energy, Rickenbaugh Infiniti, AFW, ACE Firestone, Rusty Rental, ZakDirt, Agilent Technologies, OXY, CoreLogic, Qdoba Firestone, Ziggi's Corporate, Brewing Market Longmont, Snarfs Longmont, The Roost, Niwot Market, Summit Commercial Brokers, Impact Wealth, Eco Enclose, Joey Bocci Financial, Birdhouse Restaurant, Town of Erie, Coldwell Banker, Outdoor Craftsmen, Red Rock Roofing, Wurth Chiropractic

Has your organization applied for a grant from the Town of Frederick before?*
☒ Yes

☐ No
If you were awarding funding in the past, how much did you receive?

\$3,000

If you received funding in the past, how did you use the funds?

We use the funds to give our guests an evening to remember.

If you received funding in the past, were there funds leftover? If so, how were the funds utilized?

no

Program/Project Budget

Program/Project Name*

Shine Prom 2025

Total Project Budget:

Please provide a complete project budget list including personnel, promotion, supplies, services etc. The budget can be itemized below.

Item/Amount*

Food / \$18,700

Item/Amount

Decor / \$3,300

Item/Amount

Guest Swag Bags / \$6,500

Item/Amount

Volunteer Background Checks / \$5,500

Item/Amount

Event supplies and promos / \$600

Item/Amount

Vendors / \$7,830

Item/Amount

Item/Amount

Item/Amount

Item/Amount

Total Project/Program Budget:*

\$42,430

Please List Any Sources of Funding Secured*

Municipalities and Corporations \$8,500

Private Donations \$5,600

To include any gifts and/or grants pledged or paid. If none received please enter N/A

Request for Additional Funding

The Town of Frederick has generously supported this event in years past. With these funds, as a community, we get to provide the best prom for our special needs community at not cost the the guest.

We thank you for your generous contributions in the past and consideration for this year's event.

If the request is for funds exceeding \$500.00 please explain why your organization has requested funding beyond the \$500.00 grant award.

Please including the following attachments for inclusion in your application.**Board of Directors and Key Staff noting any paid staff.***

Key Staff.pdf

IRS Determination Letter indicating Tax-Exempt Status of the Organization*

Tax ID - EIN letter.pdf

By signing below, I certify that all information is true and correct to the best of my knowledge.*

Date*

7/9/2025

Dane Voorhees

Signature

SHINE PROM

CORPORATE SPONSORSHIP LEVELS

WHAT IS SHINE PROM?

Shine Prom is a special and unforgettable evening for our beloved special needs community! Guests at Shine Prom can come and be treated to a night of honor, fun, laughter, dancing, food, friendship and connection. Every guest at Shine Prom will start off the evening with a red carpet experience and then throughout the night they'll receive VIP treatment including dinner, karaoke and games, carriage rides and of course, dancing! The night will end with every Shine Prom guest being crowned as a king or queen of the prom.

HOW YOU CAN HELP:

EVENT DATE: SEPTEMBER 12TH
SPONSOR DEADLINE: AUGUST 31ST

GOLD | \$5,000

- Logo on the slideshow during the event
- Business promo in swag bag
- Sponsorship promoted on website
- 4 guest passes to the event
- Sponsorship promoted on social media

SILVER | \$2,500

- Logo on the slideshow during the event
- Business promo in swag bag
- Sponsorship promoted on website
- 2 guest passes to the event

BRONZE | \$1,000

- Logo on the slideshow during the event
- Business promo in swag bag
- Sponsorship promoted on webpage

SPONSOR A GUEST | \$200

- This event is FREE for our honored guests. By sponsoring a guest, you cover the cost of this unforgettable night for them and their caregiver.





A video recap of the 2024 Shine Prom will be played at the Board of Trustees meeting on August 12, 2025.



Town of Frederick

Admin Report 8.12.25

Upcoming Board of Trustees Meetings:

The following is the schedule for upcoming meetings, though topics are subject to be changed or rescheduled:

- August 12, 2025 – Regular Meeting
 - August 26, 2025 – Regular Meeting
 - September 9, 2025 – Regular Meeting
 - September 23, 2025 – Regular Meeting
-



Community and Economic Vitality

- For a list of all active development applications currently under review by the Town's Planning Department, Engineering Department, Legal Counsel, Frederick-Firestone Fire Protection District, and external review agencies, please follow these links to our ["What's Developing"](#) map and webpage, ["Development Applications Under Review."](#)



Dynamic, Inclusive & Connected Community

- Parks continues to work on Go Outdoors Frederick 2050, with the lion's share of this summer dedicated to community engagement, the asset management program which prescribes a condition score to every asset and prioritizes their replacement, the updated Land Use Code, specifically an "amenities matrix" which calls for a certain minimum standard on park amenities with various options for additional amenities which must meet a certain "score" for the area, along with a robust trail master plan highlighting missing links and identifying what will be development constructed versus Town. Many other items are also ongoing as well, with multiple updates and discussions occurring with the PROST Commission this fall and winter.



Strategic, Reliable and Sustainable Infrastructure

- Parks has issued an Invitation to Bid to upgrade the Skate Park lighting system with area controls and new timers. This project was requested by the Board back in late 2023. We expect a construction contract to come to the Board for approval in late September.

Built on What Matters.

- The Youth Conservation Corps project at Frederick Recreation Area is complete. The group removed over 5,000 Russian Olive and Tamarisk, both of which are invasive woody species. The group was able to move to Bulrush Open Space at the end of the project in early August and are removing invasive and noxious species in that area.
- Parks completed a replacement inflow ditch at Bulrush Open Space in late July. This ditch feeds the northwest wetland and had been filled in sometime in the late 20-tens. This will allow increased flows in the main north basin as well.
- Public Works updates:
 - Local street sweeping remains on schedule, with the primary current focus on the downtown areas due to several summer events.
 - Road grading operations have continued along County Roads 14, 16, and 17. With the help of the Frederick-Firestone Fire Protection District and their tender truck, crews also performed maintenance on County Road 5 after recent resident concerns.
 - 12 new “Frederick Town Limits” signs have been installed throughout Town, and new school flashers have been installed along Aggregate Boulevard for Grandview Elementary.
 - After the recent Chainsaws & Chuckwagons event, all Arts Committee-purchased wood carvings have been stained, sealed, and placed throughout Town.
 - The Fleet Division is looking forward to welcoming a new Maintenance Technician, Chris Sjodin, who is slated to begin in mid-August. They have remained busy with regular fleet maintenance, as well as repairs to a street sweeper and the excavator.
 - Facilities staff have been hard at work on several work orders around Town facilities, all while remodeling the Police Department’s squad room and staining and sealing the fence around the new Fifth Street parking lot.
 - Water quality teams recently performed chlorine testing and collected a health sample for the new hydrant line at the Chase Bank in the parking lot of King Soopers.
 - Construction Inspection:
 - The Fifth Street sidewalk repair project is making steady progress.
 - Concrete hazards in Eagle Valley are currently being addressed.
 - The Tipple Parkway overlay project is nearing completion.
 - Public improvements and turn lane projects are currently being completed near Agilent.
 - The Brigit’s Village project is nearing completion.



Safe and Secure

- Commander Dave Egan recently returned from attending the Senior Management Institute for Policing (SMIP), a 3-week program held in Boston. SMIP, a program of the Police Executive Research Forum, is an intensive course tailored for senior police executives, offering advanced training in leadership and management. The program includes instruction from distinguished university faculty, experienced police chiefs, and

private-sector professionals, focusing on current issues in policing and forward-thinking strategies for leading public service agencies. Held at the Boston University School of Law, the curriculum emphasizes executive development, strategic thinking, and innovative leadership approaches in law enforcement.

- After a decade of dedicated service, Police Secretary Patricia Cochran has officially retired. Over her ten-year tenure, she played an essential role in supporting departmental operations overseeing administrative duties. Known for her professionalism and steadfast organization, Patricia became a trusted figure within the police department. As she steps into retirement, she leaves behind a legacy of excellence and many who will miss her steady guidance and quiet efficiency. Patricia has also become the first recipient of the Department's FRED award which recognizes core values on display through the issuance of 4 separate challenge coins, one each for Family, Respect, Empowerment, and Dedication.



Fiscally Responsible Governance

- With the completion of the Annual Comprehensive Financial Report (ACFR), the Finance Department has shifted to preliminary 2026 Budget assembly. Departmental budget meetings have been scheduled for personnel, O&M, and CIP submission review.
- As of July 20, Bella Rosa Golf Course's gross revenues are about \$167,000 higher than at this same date in 2024. Increased revenues are due to increased daily fees coupled with increased use. Expenses have remained relatively static, and a full financial picture will be more available this coming winter.



Town of Frederick Board of Trustees

Meeting Minutes

July 22, 2025

FURA Meeting - 6:00 pm

Work Session - 6:30 pm

Call to Order - Roll Call

At 07:00 PM Trustee March called the meeting to order and requested roll call. Present were Trustee Mahan, Trustee TeVelde, Trustee March, Mayor Pro Tem Brown, Trustee Lamach, and Trustee Padia. Mayor Crites was not present. Also present were Town Manager Bryan Ostler, Deputy Town Attorney Christine Francescani, Town Clerk Tricia David, and Deputy Town Clerk Emily Nitcher.

Pledge of Allegiance

Approval of Agenda

The agenda was approved as submitted.

Special Presentations

Public Comment

This portion of the agenda is provided to allow members of the audience to provide comments to the Board of Trustees. Please sign in and you will be called. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Frederick resident Sue Pilon provided public comment on behalf of Brigit's Village. The grand opening will be August 26, 2025, and Sue provided a personal invitation for the Mayor and Board of Trustees to attend.

Staff Reports

Town Manager, Bryan Ostler referred to the contents of the packet regarding innovative things the town staff is working on. He expressed gratitude to multiple departments for the downtown banner poles. Mr. Ostler also mentioned Police Officer Esther Collins and her new role and how she will be focusing on outreach to the community - building relationships with HOAs, neighborhoods, and businesses. The Town will provide the Board with reports on that progress in future meetings. Furthermore, Risk Management is elevating its service level - working with departments to strategically address and mitigate risk as we move forward.

Trustee March requested a CPR/AED class for Board members. He also commended Bryan and staff for a job well done on the Chainsaws and Chuckwagons event.

A. Administrative Report -

Consent Agenda

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Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

A motion was made by Trustee Padia and seconded by Trustee Lamach to approve the Consent Agenda. Upon roll call vote, the motion passed 6-0.

B. Approval of Minutes

Action Agenda

C. Resolution 25-R-41 Boards, Committees and Commissions Appointments -
Tricia David, Town Clerk

A motion was made by Trustee Padia and seconded by Trustee Lamach to approve Resolution 25-R-41 Boards, Committees and Commissions Appointments. Upon roll call vote, the motion passed 6-0.

D. Resolution 25-R-42 A Resolution of the Board of Trustees of the Town of Frederick, Colorado in Support of United States House of Representatives Bill, H.R. 3095 -
Bryan Ostler, Town Manager
Wallace Hollimon, Special Project Support

A motion was made by Trustee Lamach and seconded by Trustee Mahan to approve Resolution 25-R-42 A Resolution of the Board of Trustees of the Town of Frederick, Colorado in Support of United States House of Representatives Bill, H.R. 3095. Upon roll call vote, the motion passed 6-0.

Mayor and Trustee Reports

Trustee Lamach thanked everyone for their efforts in the Chainsaws and Chuckwagons event.

Trustee Padia will not be able to attend the July 29th mini-retreat but will review the presentations later and see everyone at National Night Out (on August 5th).

Trustee TeVelde may not be available to attend National Night Out.

Mayor Pro Tem Brown will attend the mini-retreat.

Mayor Pro Tem Brown also mentioned the Frederick High School Alumni show coming up this weekend and encouraged attendance and support.

Trustee March said he would be attending the Alumni show.

Adjournment

There being no further business of the Board of Trustees, Trustee March adjourned the meeting at 7:41 PM.

Approved by the Board of Trustees:

ATTEST:

Tracie Crites, Mayor

Tricia David, Town Clerk

Town of Frederick
May 31, 2025 - June 29, 2025

21ST CENTURY EQUIPMENT LLC	Stroke Control	\$	103.34
AAA PEST PROS LLC	Monthly clubhouse exterminator service	\$	355.00
ACE HARDWARE OF FIRESTONE	Supplies	\$	567.77
ACUSHNET COMPANY	Golf shop merchandise	\$	1,779.70
ADAMSON POLICE PRODUCTS	Police Uniforms	\$	5,716.79
ADIDAS AMERICA INC	Golf shop merchandise	\$	143.54
AGFINITY	Fuel	\$	28,514.30
AH ARCHITECTURE PC	West Pump Station Repair Project	\$	8,177.05
AIRGAS USA LLC	Airgas Supplies	\$	65.46
ALEX SCHULTZ	Livestream BOT	\$	150.00
ALL IN ONE PROFESSIONAL SERVICES LLC	Interpretation Services	\$	286.67
AMERICAN EAGLE DISTRIBUTING	Beverage Order for restaurant	\$	792.30
AMERICAN SOLUTIONS FOR BUSINESS	County Summons Printing	\$	1,276.78
ANDY FAIRBANKS	Tuition Reimbursement	\$	495.00
BETTER BUSINESS CLEANING	Cleaning Service	\$	12,212.00
BIG M JANITORIAL INC	Frederick Way Median Contract	\$	450.00
BK TIRE, INC.	Tires & Disposal	\$	941.40
BLACK HILLS ENERGY	Gas Utility	\$	677.60
BLADES GROUP LLC	Asphalt	\$	1,426.00
BMI GENERAL LICENSING	Music License	\$	446.00
BOWDITCH & CASELL PUBLIC AFFAIRS LLC	Legislative Lobby Services	\$	7,000.00
BRIAN R CHASE	Frederick in Flight Pilot Travel Money	\$	150.00
BRIGITS VILLAGE	Passthrough Payment - Grant Program	\$	67,500.00
BUFFALO BRAND SEED LLC	Grass Seed	\$	4,100.00
CACP	Membership Renewal	\$	700.00
CAGE ENGINEERING INC	Bella Rosa Trail Extension	\$	18,552.10
CAPITAL BUSINESS SYSTEMS INC	Town Copier Lease	\$	2,811.37
CENSEO AV ACOUSTICS LLC	ESS Design Review	\$	580.00
CENTRAL WELD COUNTY WATER DIST	May CWCWD Water Purchase	\$	206,637.84
CENTRAL WELD CTY WATER DIST	Monthly Tap Fee	\$	108,000.00
CERVANTES CONCRETE	Concrete Repair - Meter Pit	\$	9,500.00
CHRISTOPHER LEE REINHERT	Frederick in Flight Pilot Travel Money	\$	150.00
CINTAS CORPORATION	Public Works Mat Service	\$	366.21
CLIFFORD MIKE KLAUITTER	Frederick in Flight Pilot Travel Money	\$	150.00
CO BERLINER HAUS LLC	Meal voucher reimbursement	\$	198.00
CODE PUBLISHING INC	Municipal Code Web Update	\$	141.00
COLORADO MUNICIPAL CLERKS ASSOC.	Conference	\$	2,705.00
COMCAST CABLE	TV Service	\$	21.95
COMCAST PHONE	Town Internet	\$	3,135.39
COMMUNITY COUNSELOR INC	Counseling Services	\$	375.00
CONCRETE EXPRESS INC	Partial Hydrant Meter Damage Deposit Refund	\$	2,313.83
CONFLUENCE INC	Go Outdoors Frederick 2050	\$	17,475.50
CORE & MAIN LP	Water Meters	\$	42,459.54
COREN PRINTING INC	M1 Form Printing	\$	73.88
COSTAR REALTY INFORMATION INC	Membership	\$	644.29
DARYL STEINER	Lawn Replacement Rebate Program	\$	1,200.00
DATASHIELD CORPORATION	Document Shredding	\$	178.25
DAVID L CHRISTIANSEN LLC	Background Psych	\$	450.00
DEBORAH DOLLRIES	Lawn Replacement Rebate Program	\$	790.00
DEFALCO CONSTRUCTION COMPANY	Fire Station #5 Drainage Repair	\$	118,290.08
DIANE YELVINGTON	Uniform Reimbursement	\$	154.95
DUNAKILLY MANAGEMENT GROUP CORP	Owner's Representation Service	\$	9,385.00
E & G TERMINAL INC	Electrical Terminals	\$	372.29
EARTHPLANTER LLC	Downtown Planters	\$	314.00
EASY PICKER GOLF PRODUCTS INC	Range picker maintenance	\$	89.00
ED SMITH	Frederick in Flight Pilot Travel Money	\$	150.00
ELDORADO ARTESIAN SPRINGS INC	Water Delivery Service	\$	433.82
ELEMENT WATER CONSULTING INC	Lower Boulder Change	\$	22,399.75
ELEVATED FIRE SUPPLY	Vehicle Supplies	\$	304.75
ENGLAND THIMS & MILLER INC	Esri GIS & Cartograph Asset Management	\$	1,025.00
ENTERPRISE FM TRUST	Enterprise Lease Payment	\$	61,839.66
ENVIRO GAS LLC	Frederick in Flight propane for hot air balloons	\$	1,481.55
EXPRESS SERVICES INC	Temp services - golf shop payroll	\$	12,681.56
F B HOWES III	Frederick in Flight Pilot Travel Money	\$	100.00
FACTORY MOTOR PARTS CO	Battery	\$	438.88
FAIRFIELD AND WOODS PC	Legal Services	\$	245.00
FASTENAL COMPANY	Containment Tray	\$	104.35

Town of Frederick
May 31, 2025 - June 29, 2025

FHS MUSIC FOUNDATION	Teen Edition Alumni Show	\$	2,000.00
FLEXX PRODUCTIONS LLC	final payment event rentals	\$	835.14
FOOD TRUCK AVENUE	Meal voucher reimbursement	\$	32.94
FORSGREN ASSOCIATES INC	May Water Reuse Study consultant costs	\$	34,971.16
FRONT RANGE INFLATABLES	Inflatables for Frederick in Flight	\$	647.50
G & G EQUIPMENT INC	Eyelet and Springs	\$	262.90
GARRETSONS SPORTS CENTER	Police Uniforms	\$	272.75
GENERAL AIR	Gas Cylinders	\$	26.43
GEORGIA BOYS COMMERCIAL SERVICES	meal voucher reimbursement	\$	58.71
GEORGIA BOYS SMOKEHOUSE	Frederick in Flight Pilot Dinner	\$	2,776.46
GREEN MILL SPORTMAN'S CLUB	Range Fees	\$	150.00
GUS'S GOODIES	Snacks for restaurant	\$	276.50
HARDLINE EQUIPMENT	Street Sweeper Parts	\$	4,797.01
HIGH COUNTRY BEVERAGE	Beverage Order for Restaurant	\$	1,757.95
HIGHER GROUND CONSULTING INC	Coaching	\$	750.00
HOLIDAY INN EXPRESS & SUITES FIRESTONE-LONGMONT	Frederick in Flight Pilot Hotel Rooms	\$	8,232.00
HOME DEPOT CREDIT SERVICES	Coil Cleaner	\$	1,228.53
HR ADVANTAGE GROUP LLC	HR Birdie- May 2025 Services	\$	5,775.00
INFOSEND INC	Utility Bill Notifications and Postage	\$	4,074.71
INTERSTATE FORD	Street Sweeper Maintenance	\$	1,314.27
IRON SPEAR PROTECTION GROUP LLC	Municipal Court Bailiff and Security	\$	661.38
JACOB LITTLE	Frederick in Flight Pilot Travel Money	\$	150.00
JAMIN KATZER	skydiving performance payment	\$	3,000.00
JD ENTERPRISES	Hydrant Meter Damage Deposit Refund	\$	4,500.00
JEANNE ANSON	Frederick in Flight Pilot Travel Money	\$	150.00
JENNIFER S BLANCHARD	Counselling Services	\$	375.00
JOHN BELL	Frederick in Flight Pilot Travel Money	\$	50.00
JOHN C CAVIN LLC	Frederick in Flight Pilot Travel Money	\$	3,000.00
JOHN DEERE FINANCIAL	Public Works Uniforms	\$	359.94
JUAN HERRERA	Restitution Payment	\$	200.00
JUB ENGINEERS INC	CR13/CR20 Intersection Improvement	\$	22,148.67
KATY PRESS	Retail Consulting Services	\$	2,400.00
KENZ & LESLIE DISTRIBUTING CO	Engine Restoration	\$	1,236.10
KINSCO LLC	Police Uniforms	\$	125.00
KIYOTA'S GREENHOUSE	Downtown Planters	\$	835.46
KUMAR & ASSOCIATES INC	Construction Observation and Material Testing	\$	1,224.25
L.G. EVERIST INC	Street Maintenance - Road Base	\$	1,159.72
LAMP RYNARSON & ASSOCIATES INC.	Fire Station #5 Drainage Project	\$	1,748.00
LANGUAGE LINE SERVICES	Translation Services	\$	11.48
LASER TECHNOLOGY, INC.	Lidar Repair	\$	299.00
LAST CALL ROMANCE	Concert in the Park - Live Band	\$	1,400.00
LIFE FELLOWSHIP OF FREDERICK	Park reservation refund due to power outage	\$	75.00
LINDA DRUMMOND	Frederick in Flight Pilot Travel Money	\$	150.00
LINKSOUL	Golf shop merchandise	\$	576.00
LOCO SKATE SHOP	GoSkate Day Park Rental Deposit & Cone Deposit	\$	700.00
LOLAS KITCHEN	Community Tour & Talk Meal	\$	1,800.00
LONGMONT LOCKSHOP	Re-Key 5830 Bella Rosa Locks	\$	812.82
M & M PIPELINE	Hydrant Meter Deposit Refund	\$	4,500.00
MAC EQUIPMENT INC	Capital Equipment Program	\$	1,783.98
MARTIN R ADIE	Frederick in Flight Pilot Travel Money	\$	180.00
MAVEN FIRE PROTECTION SERVICES LLC	Annual fire bottle inspection	\$	599.00
MAX DAFFRON	NoCo REDI Marketing Summit	\$	88.20
MICHAEL GIANETTI	Pilot Coordinator Payment	\$	3,500.00
MILE HIGH GOLF CARS	Golf Cart Rental	\$	406.29
MILLER MENDEL INC	Background Software	\$	2.06
MINT GREEN GROUP USA	Golf shop merchandise	\$	1,043.00
MIRROR IMAGE BREWING COMPANY	Beverage Order for Restaurant	\$	140.00
MOUNTAIN TRUCK & EQUIPMENT	Brake Rotor	\$	36.00
NATIONAL BUSINESS FURNITURE LLC	Furniture- Police Department Upgrade	\$	40,730.14
NATIONAL LEAGUE OF CITIES	Direct membership dues	\$	1,752.00
NEW COAL RIDGE DITCH COMPANY	2025 Coal Ridge Assessments	\$	352.00
NEW CONSOLIDATED LOWER BOULDER RESERVOIR	Costs of Lower Boulder Ditch Co. Agreement	\$	2,679.00
NORTH RANGE BEHAVIORAL HEALTH	Corresponder Program	\$	3,750.00
NORTHWEST PARKWAY	Tolls	\$	25.65
OCCUPATIONAL HEALTH CENTERS	Pre- Employment Screening	\$	482.00
O'KEEFE PUBLISHING INC	Advertising in divot magazine	\$	325.00
OUTDOOR CUSTOM SPORTSWEAR, LLC	Golf shop merchandise	\$	3,523.92

Town of Frederick
May 31, 2025 - June 29, 2025

PAUL C BENEDETTI	Legal Services	\$	3,330.00
PAUL MCHUGH	Landscape Escrow refund	\$	17,750.00
PETTY CASH	Change for Beer Garden	\$	400.00
PLUMMER	Water Treatment Feasibility Study	\$	2,393.75
POLICE AND SHERIFFS PRESS INC	Photo ID	\$	38.60
POTESTIO BROTHERS EQUIPMENT INC	Capital Equipment Program	\$	60,825.76
PRAIRIE MOUNTAIN MEDIA	Publishing Costs	\$	47.56
PRE ACTION FIRE INC	Professional Services - Fire Extinguishers	\$	1,610.00
PREMIUM EVENT STAFFING	TIPS Staff during Frederick in Flight	\$	2,825.14
PRINT EXPERTS	Frederick in Flight Poster	\$	2,541.02
QUALIFICATION TARGETS INC	Silhouette Targets	\$	363.67
RAMEY ENVIRONMENTAL COMPLIANCE	ORC Distribution System - May	\$	121.34
REPUBLIC NATIONAL DISTRIBUTING CO LLC	Beverage Order for restaurant	\$	176.60
RICK ENGINEERING COMPANY - COLORADO	Frederick Comprehensive Plan	\$	10,073.19
RINGCENTRAL INC	Town Telephone System	\$	4,028.93
ROLO CUADRADO	Frederick in Flight Pilot Travel Money	\$	150.00
RTC MANUFACTURING INC	Crosswalk Operations Software	\$	1,440.00
SAFEWAY	Kitchen Supplies	\$	260.68
SEAN EAKIN	Frederick in Flight Pilot Travel Money	\$	150.00
SEAN GOODY	Barricade & Cone Deposit Refund 7319 Dolores Ave	\$	125.00
SIERRA FEDDER	Mileage Reimbursement - oNOCO Redi Conference	\$	141.96
SIGNARAMA	Boulevard Banners	\$	798.40
SOUTHPAW ELECTRIC	Electrical Repair for Parks	\$	1,701.59
SPOT ON SOUND PRODUCTIONS	Band Final Payment	\$	5,125.00
SRIXON CLEVELAND GOLF XXIO	Golf shop merchandise	\$	917.73
ST ANTHONY'S HOSPITAL INSTITUTE OF EMERGENCY MEDICAL TRAINING	Haley Howell Town of Frederick Scholarship	\$	2,000.00
ST VRAIN VALLEY SCHOOLS EDUCATION FOUNDATION	Supplies for Success	\$	1,000.00
STEPHEN JOHNSON	Reimbursement - Boots	\$	179.99
STEVEN SMITH	Reimbursement - Testing	\$	85.00
SWIRE COCA-COLA USA	Coke products for restaurant	\$	1,498.93
SYSCO DENVER	Restaurant supplies	\$	2,848.87
TBL EXCAVATING	Hydrant Meter Damage Deposit Refund	\$	4,500.00
TELOS ONLINE INC	Public Works Backup Service	\$	75.00
THE SHERWIN-WILLIAMS CO	Paint/Supplies- PD Upgrade	\$	179.15
THE SJS OLSON GROUP LLC	Team Development Group Coaching for 2025 Cohort	\$	3,000.00
THE TREE FARM	Trees for Parks	\$	40.00
THOMAS C STEINBOCK	Frederick in Flight Pilot Travel Money	\$	150.00
TODD S NESS	Frederick in Flight Pilot Travel Money	\$	50.00
TOWN OF ESTES PARK	Police Golf Tourney Reg	\$	140.00
TRANSWEST TRUCK	2026 Freightliner - Plow Hook Truck Single Axle	\$	268,199.00
TRAVISMATHEW LLC	Staff uniform	\$	213.68
TRE ENVIRONMENTAL STRATEGIES LLC	Milavec Water Quality Analysis	\$	270.00
TRUEPOINT SOLUTIONS LLC	Scripting	\$	276.40
U.S. POSTAL SERVICE (CMRS-FP)	Postage	\$	500.00
ULINE INC	Mailbox Nametags	\$	1,034.27
UME CUSTOM EMBROIDERY & IMPRINTING LLC	Arts Committee t-shirts	\$	2,058.62
UNITED POWER	Electric Utilities	\$	45,319.07
UNIVERSITY AUTO PARTS INC	Oil and Air Filters	\$	797.71
UTILITY NOTIFICATION CENTER OF COLORADO	Raw Water Locates	\$	623.36
VECTOR DISEASE CONTROL INTERNATIONAL LLC	Professional Services - Mosquito Control	\$	9,369.00
VERIZON WIRELESS	Town Cell Phones	\$	7,993.70
VIA MOBILITY SERVICES	Transportation	\$	6,783.00
WARD ELECTRIC COMPANY INC	Downtown Parking Lot Project	\$	333.50
WASTE CONNECTIONS OF COLO INC	Youth Conservation Corps Project	\$	1,011.68
WELD COUNTY DEPARTMENT OF PUBLIC	Water Testing	\$	1,775.00
WEX BANK	Police Department Fuel	\$	1,227.56
WILLIAM J FITZGERALD	Frederick in Flight Pilot Travel Money	\$	150.00
WILSON WILLIAMS FELLMAN DITTMAN	Light Gig	\$	1,033.50
YAMAHA MOTOR FINANCE CORP USA	Golf Cart Lease	\$	5,387.39
ZACHARY HARRIS	2025 EDCC Basic Economic Development Course	\$	196.00
ZAK DIRT, INC	311 Parking Lot Project	\$	127,996.35
	Total	\$	<u>1,593,663.16</u>



Built On What Matters

Kristie Conroy, Vice
Chairperson

TOWN OF FREDERICK

Planning Commission

Staff Report

Tracy Moe, Chairperson

Nathan Scott,
Commissioner
Roger Kelley,
Commissioner

Resolution 25-R-43: A Resolution of the Board of Trustees Approving the Silverstone Commons Minor Subdivision

Agenda Date: Board of Trustees August 12, 2025

Attachments:

1. BOT Resolution 25-R-43
2. PC Resolution 25-PCR-06
3. Land Use Application
4. Vicinity Map
5. Future Land Use Plan
6. Zoning Map
7. Silverstone Commons Minor Subdivision Plat
8. Neighborhood Meeting Minutes
9. Planning Commission Minutes 6/26/2025
10. Staff Presentation
11. Applicant Presentation
12. Public Hearing Notice

Reviewed By:

Action Type

3) Quasi-Judicial: Actions of a specific nature or impact to a property interest that require an evidentiary hearing; such as land use applications; may be approved by ordinance or resolution as applicable.

Strategic Plan Alignment:



COMMUNITY AND ECONOMIC VITALITY– Frederick is a community that fosters economic, recreational, cultural, and environmental vitality and builds upon and enhances a variety of economic opportunities.

Summary Statement:

The applicant is requesting approval of a Minor Subdivision application which proposes creating four commercial lots and two landscaped outlots.

Detail of Issue/Request:

Owner: Evergreen-HWY 52 & William Bailey, LLC

Applicant: Zach Lauterbauch, Evergreen DevCo Inc.

Location: The property is generally located at the northwest intersection of William Bailey Avenue and Highway 52.

Zoning: C-H52 (mixed-use highway 52) with PUD overlay (Planned Unit Development)

Surrounding Land Uses and Zoning:

North: Land use - Neighborhood Park within Silverstone

Zoning: R-1 (residential low density) with PUD overlay (Planned Unit Development)

South: Land use - HWY 52 and vacant land in Dacono and Weld County

Zoning: Weld County AG and City of Dacono PUD (Planned Unit Development)

West: Land use - Single-family homes in Silverstone

Zoning: R-1 with PUD overlay

East: Land use - Circle K gas station and undeveloped land

Zoning: C-H52 (mixed-use highway 52) with PUD overlay (Planned Unit Development)

Request:

The applicant is requesting to plat 4 commercial lots as part of the Silverstone Commons Minor Subdivision. The plat also includes two outlots along HWY 52 that will contain the existing trail along the roadway, future gateway landscaping and the existing Silverstone residential monument sign.

Property History:

- The project area was annexed into the Town of Frederick in 1990 as a part of the Dacono Investment Co. annexation map.
- The property was platted as part of the Miners Village Filing 1 Subdivision Amendment plat in 2010.

- In 2018, the property was re-platted as Lot 1 of the Silverstone Filing 1 subdivision.
- In 2024, the Silverstone Commons Final Development Plan was approved for the site. Set commercial development standards.

Comprehensive Plan:

The Comprehensive Plan shows this area as single-family residential, even though the zoning is commercial. Development pressure in Frederick pushed more commercial along HWY 52 than the Comprehensive Plan envisioned. Even though this application is not directly aligned with the Comprehensive Plan, it is generally aligned with the idea of commercial hubs along major corridors.

Zoning:

The project is currently zoned C-H52 (mixed-use highway 52) with PUD overlay (Planned Unit Development). The zoning permits commercial lots to be platted by right. There is an existing approved FDP (Final Development Plan) associated with this project that includes commercial development standards. The proposed plat adheres to the commercial lot dimensional standards found in the Land Use Code and approved FDP.

Minor Subdivision:

The minor subdivision plat proposed 4 lots and 2 outlots on 4.6 acres. A private drive is proposed into the project area from William Bailey Avenue. The drive will contain a sidewalk along the southern edge of the roadway. Each lot will gain access from this commercial drive. The outlot along HWY 52 will contain the existing east-west trail along the roadway and the required right-of-way and gateway landscaping.

Utilities:

The Town of Frederick water and the Saint Vrain Sanitation District sanitary sewer will serve the project area. Utility easements are proposed to be dedicated on the plat. The sewer district is requiring any easements not being dedicated by plat to be in place before the Board of Trustees approves the plat.

Public Notice:

This project has been required to provide several public notices per Section 4.5 of the Land Use Code. See the list of requirements below:

1. Neighborhood meeting - mailed notice with a 500 ft. buffer
2. Initial application submittal - posted and mailed notice with a 500 ft. buffer
3. Public hearing - posted and mailed notice with a 500 ft. buffer

Attached to this staff report is a summary of the neighborhood meeting held on August 27, 2024. Per the meeting minutes, adjacent property owners raised concerns about the proposed car wash within the project area, specifically, the noise generated by the use. Also, concerns about landscaping along HWY 52 were discussed.

Review Criteria:

Section 4.9.3. Minor Subdivision criteria:

(Note: minor subdivisions require preliminary plat criteria)

1. The subdivision is compatible with and will not have adverse impacts on the surrounding properties.

Staff Response: The minor subdivision is creating 4 commercial lots in an area that is zoned commercial and has an approved final development plan with commercial development standards. Potential adverse impacts were factored into the FDP with appropriate buffers being required when site plan applications come in for review. The subdivision itself is not out of context with the surrounding neighborhood. Staff sees this area as an extension of Silverstone Marketplace to the east.

2. 10 or fewer new lots or blocks are created.

Staff Response: The project includes a maximum of 4 commercial lots.

3. The preliminary plat provides for a functional system of land use and is consistent with the criteria set forth in this Code.

Staff Response: The plat proposes a very simple and functional configuration of commercial lots.

4. The application is consistent with the approved sketch plan and incorporates the Planning Commission's recommendations and conditions of approval.

Staff Response: Not applicable

5. The land use mix within the project conforms to the Town's zoning district map and furthers the following planning objectives:

Staff Response: The anticipated uses are commercial, which are permitted by right in the C-H52 zone district.

a. The proposed development promotes the Town's small-town, rural character, or implements a Board-approved sub-area, corridor, or urban renewal plan, however titled;
Staff Response: The minor subdivision is around 4.6 acres in size. The anticipated uses are not large-scale commercial big boxes. The lot sizes are aligned with a small-town suburban development framework.

b. Proposed residential development adds diversity to the Town's housing supply;
Staff Response: N/A

c. Proposed commercial development will benefit the Town's economic base;
Staff Response: The plat is to create four commercial lots for businesses that will generate sales tax revenue for the Town as well as provide for more commercial amenities for the residents of Frederick.

d. Parks and open space are incorporated into the site design, as appropriate to the proposed principal use or uses of the land;
Staff Response: N/A

e. The proposed project protects the Town's environmental quality; and

Staff Response: Environmental impacts were reviewed during the original platting of the property. No potential impacts were found at that time.

f. The development enhances cultural, historical, educational and/or human service opportunities.

Staff Response: These opportunities do not exist on this site.

6. The utility and transportation design is adequate, given the existing and planned capacities of those systems.

Staff Response: The subdivision proposes a private driveway into the site that each lot will gain access from. The drive is located directly across Silverstone Drive to the east.

7. Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.

Staff Response: Staff does not find any potential negative impacts with this proposal. Individual lot site plans will provide adequate landscape and setback buffers between residential uses to the west and the new commercial use within this site.

8. There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

Staff Response: Commercial opportunities are becoming more prevalent within Frederick. The Silverstone Marketplace commercial area brings in great excitement and business to the community. Silverstone Commons is an extension of that commercial hub. Retail and other commercial uses are a very desirable amenity to the citizens of Frederick at this time.

Legal Comments:

The Town Attorney's Office reviewed the application materials and has provided comments throughout the review period. All requested changes have been incorporated into the application package.

Alternatives/Options

Approval:

I move to approve Resolution 25-R-43, which approves the Silverstone Commons Minor Subdivision application.

Approval with Conditions:

I move to approve Resolution 25-R-43, which approves the Silverstone Commons Minor Subdivision application with the following conditions: (list conditions)

Denial:

I move to approve Resolution 25-R-43, which denies the Silverstone Commons Minor Subdivision application (list criteria not met)

Financial Considerations

Not Applicable

Staff Recommendation

Staff is recommending approval of the Silverstone Commons Minor Subdivision application to the Board of Trustees.

The Planning Commission held a public hearing on June 26th, 2025 and recommended approval with conditions to the Board of Trustees with a vote of 4 Yes, 0 No. The condition was: "Revise the dedicatory statement to remove references to public roads and lands". The applicant has updated the plat document to remove that language since the PC meeting.

At the June 26th public hearing, the Planning Commission discussed with staff and the applicant the intent of the uses on the lots. The Planning Commission was concerned with the car wash use on the southwestern lot. Staff discussed that the use was permitted through the Final Development Plan and within that document, specific setbacks were approved for buildings, vacuums, landscape buffers, etc. Staff stated those elements are not typically shown on plats, but will be applied with future Site Plans. The Planning Commission expressed its desire to see site layouts, concepts, plans, etc. with subdivision applications. Staff is discussing this request internally to decide how and when future projects could or should be discussed in public hearings. It's not typical to require applicants to show future projects with subdivision applications, unless the applicant wishes to do so themselves.

Community Impact

This Minor Subdivision provides for more commercial opportunities within the Town of Frederick. The area was zoned commercial years ago, so the potential for commercial development was always known. Potential tax revenue from high-quality development is a plus for the Town and residents.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 25-R-43**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, APPROVING
THE SILVERSTONE COMMONS MINOR SUBDIVISION**

WHEREAS, on behalf of the owner, Evergreen DevCo Inc., 2390 East Camelback Road, Suite 410, Phoenix AZ, 85016 (“Applicant”) applied to the Town of Frederick for the subdivision, of the land described on Exhibit A, attached hereto and incorporated herein by this reference (“Subject Property”); and

WHEREAS, on June 26th, 2025, the Town of Frederick Planning Commission reviewed the application and recommended approval of the minor subdivision by approval of Planning Commission resolution 25-PCR-06; and

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. The Frederick Board of Trustees finds that:

- 1.1 An application for the Silverstone Commons Minor Subdivision 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 hearing held August 12th, 2025 at which time the public was able to provide testimony.
- 1.4 Sufficient notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 The Silverstone Commons Minor Subdivision application conforms with the applicable requirements of Section 4.9.3. of the Frederick Land Use Code, namely:
 - 1.5.1 The subdivision is compatible with and will not have adverse impacts on the surrounding properties.
 - 1.5.2 10 or fewer new lots or blocks are created.
 - 1.5.3 The preliminary plat provides for a functional system of land use and is consistent with the criteria set forth in this Code.
 - 1.5.4 The land use mix within the project conforms to the Town’s zoning district map and furthers the following planning objectives:
 - 1.5.4.1 The proposed development promotes the Town’s small-town, rural character, or implements a Board-approved sub-area, corridor, or urban renewal plan, however titled;
 - 1.5.4.2 Proposed residential development adds diversity to the Town’s housing supply;

- 1.5.4.3 Proposed commercial development will benefit the Town's economic base;
- 1.5.4.4 Parks and open space are incorporated into the site design, as appropriate to the proposed principal use or uses of the land;
- 1.5.4.5 The proposed project protects the Town's environmental quality;
- 1.5.4.6 The development enhances cultural, historical, educational and/or human service opportunities;
- 1.5.5 The utility and transportation design is adequate, given existing and planned capacities of those systems;
- 1.5.6 Negative impacts on adjacent land uses have been identified and satisfactorily mitigated; and
- 1.5.7 There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.
- 1.6 On the basis of the above, the Town of Fredrick Board of Trustees approves the Silverstone Commons Minor Subdivision application with the no conditions.

Section 2. **Effective Date.** This resolution shall become effective immediately upon adoption.

Section 3. **Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. **Certification.** The Town Clerk shall certify the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS ____ DAY OF _____, 2025.

TOWN OF FREDERICK

ATTEST:

By _____
Tricia David, Town Clerk

By _____
Tracie Crites, Mayor

EXHIBIT A

A PARCEL OF LAND BEING LOT 1, BLOCK 8, SILVERSTONE FILING NO. 1, AS RECORDED JANUARY 10, 2019, AT RECEPTION NO. 4459006 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO

25-PCR-06

A Resolution of the Planning Commission Recommending Approval of the Silverstone Commons Minor Subdivision

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 Silverstone Commons Minor Subdivision 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 hearing held June 26th, 2025 at which time the public was able to provide testimony.
 - 1.4 Sufficient notice was given according to Section 4.5 of the Frederick Land Use Code.
 - 1.5 The Silverstone Commons Minor Subdivision application conforms with the applicable requirements of Section 4.9.3. of the Frederick Land Use Code, namely:
 - 1.5.1 The subdivision is compatible with and will not have adverse impacts on the surrounding properties.
 - 1.5.2 10 or fewer new lots or blocks are created.
 - 1.5.3 The preliminary plat provides for a functional system of land use and is consistent with the criteria set forth in this Code.
 - 1.5.4 The land use mix within the project conforms to the Town's zoning district map and furthers the following planning objectives:
 - 1.5.4.1 The proposed development promotes the Town's small-town, rural character, or implements a Board-approved sub-area, corridor, or urban renewal plan, however titled;
 - 1.5.4.2 Proposed residential development adds diversity to the Town's housing supply;
 - 1.5.4.3 Proposed commercial development will benefit the Town's economic base;
 - 1.5.4.4 Parks and open space are incorporated into the site design, as appropriate to the proposed principal use or uses of the land;
 - 1.5.4.5 The proposed project protects the Town's environmental quality;
 - 1.5.4.6 The development enhances cultural, historical, educational and/or human service opportunities;

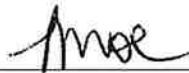
- 1.5.5 The utility and transportation design is adequate, given existing and planned capacities of those systems;
- 1.5.6 Negative impacts on adjacent land uses have been identified and satisfactorily mitigated; and
- 1.5.7 There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

Section 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 that the Board of Trustees approve the Silverstone Commons Minor Subdivision application with the following condition:

- 1. Revise the dedicatory statement to remove references to public roads and lands.

This resolution approved this 26th day of June, 2025 by a vote of 4 to 0.



Tracy Moe, Chairperson, Planning Commission



TOWN OF FREDERICK

PLANNING DEPARTMENT

401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435

PHONE: (720) 382-5500 • FAX: (720) 382-5520

Built On What Matters

www.frederickco.gov

LAND USE APPLICATION FORM

PROJECT NAME: Silverstone Commons

DATE SUBMITTED: August 02, 2024

APPLICATION FEE: TBD

TYPE OF APPLICATION:

- | | | |
|---|---|--|
| ☐ Annexation, Zoning and Concept Plan | ☐ Minor Modification | ☐ Subdivision Amendment |
| ☐ Annexation Agreement Amendment | ☐ Minor Subdivision Replat | ☐ Temporary Use |
| ☐ Appeal of Administrative Decision | ☐ Oil and Gas Drilling | ☐ Vacation of ROW or Easement |
| ☐ Code Text/Comprehensive Plan Amendment/
Planning Area Amendment | ☐ Preliminary Development Plan | ☐ Variance/Waiver |
| ☐ Conditional Use Review | ☒ Preliminary Plat | ☐ Vesting Property Rights |
| ☐ Conditional Use Site Plan | ☐ Sign Design Program | ☐ Zoning Compliance Letter |
| ☐ Final Development Plan | ☒ Site Plan | ☐ Zoning Map Amendment |
| ☒ Final Plat | ☐ Site Plan Amendment | ☐ Written Interpretation |
| ☐ Metropolitan District | ☐ Sketch Plan | ☐ Other |
| | ☐ Street Name Change | |

PROJECT INFORMATION:

Legal Description of Property (location within township, section, and range or Subdivision, Block and Lot):
LOT 1, BLOCK 8, SILVERSTONE FILING NO.1

Applicant's Name (This will be the primary contact):
Zach Lauterbach

Phone/Fax: 602-567-7125

Address: 2390 East Camelback Road, Suite 410, Phoenix, AZ 85016

Relation to Property Owner: Owner

E-mail Address: zlauterbach@evgre.com

ADDITIONAL CONTACTS:

Property Owner: Evergreen-Hwy 52 & William Bailey, L.L.C.

Consultant Business Name: Galloway & Company
Consultant Personal Contact: Aaron Johnston

Address: 2390 E Camelback, Suite 410
Phoenix, AZ 85016

Address: 5500 Greenwood Plaza Blvd., Suite 200 Greenwood
Village, CO 80111

Phone/Fax: 602.567.7125

Phone/Fax: 303-770-8884



TOWN OF FREDERICK

PLANNING DEPARTMENT

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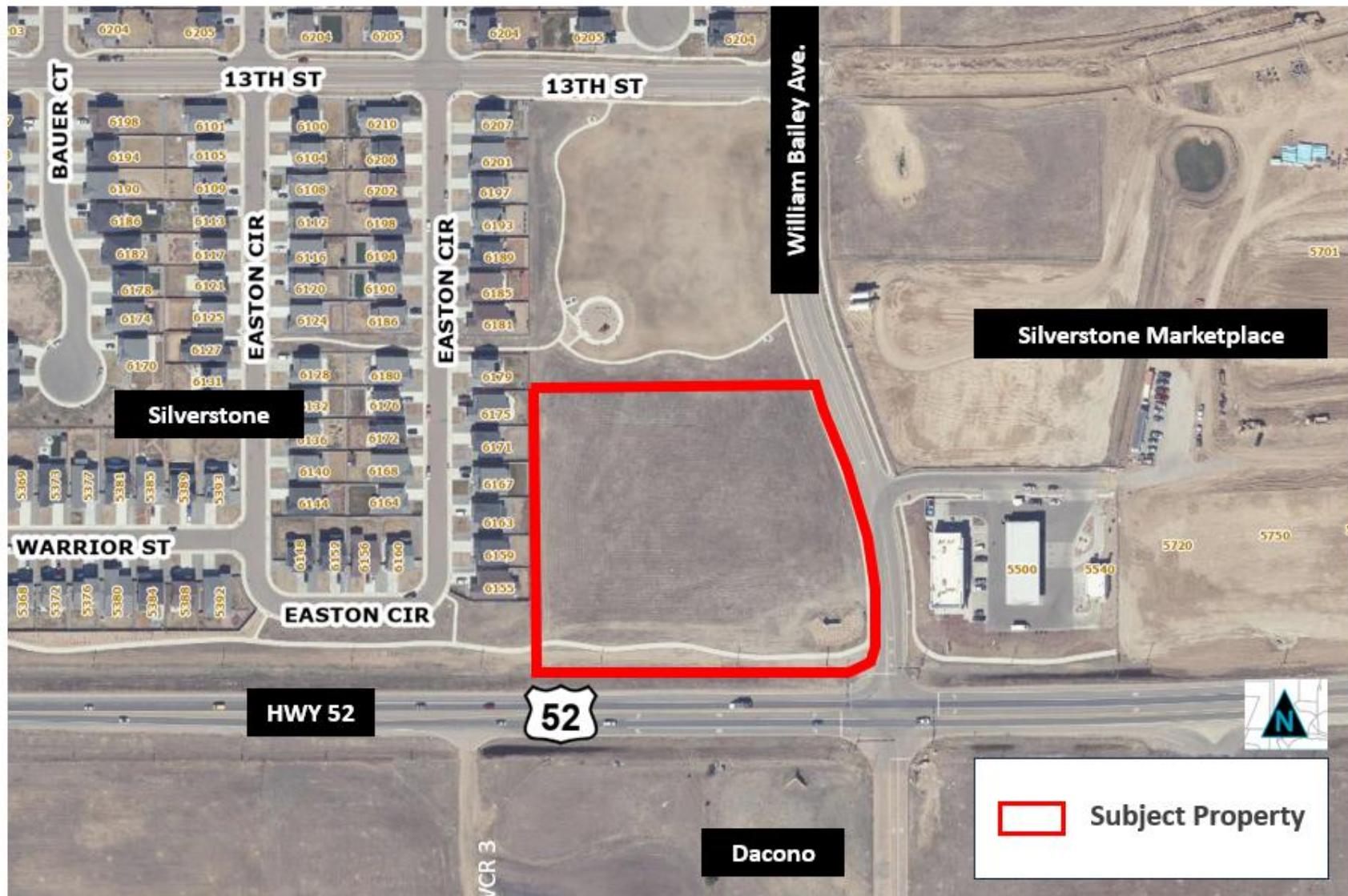
Built On What Matters

E-mail Address: zlauterbach@evgre.com	E-mail Address: aaronjohnston@gallowayus.com
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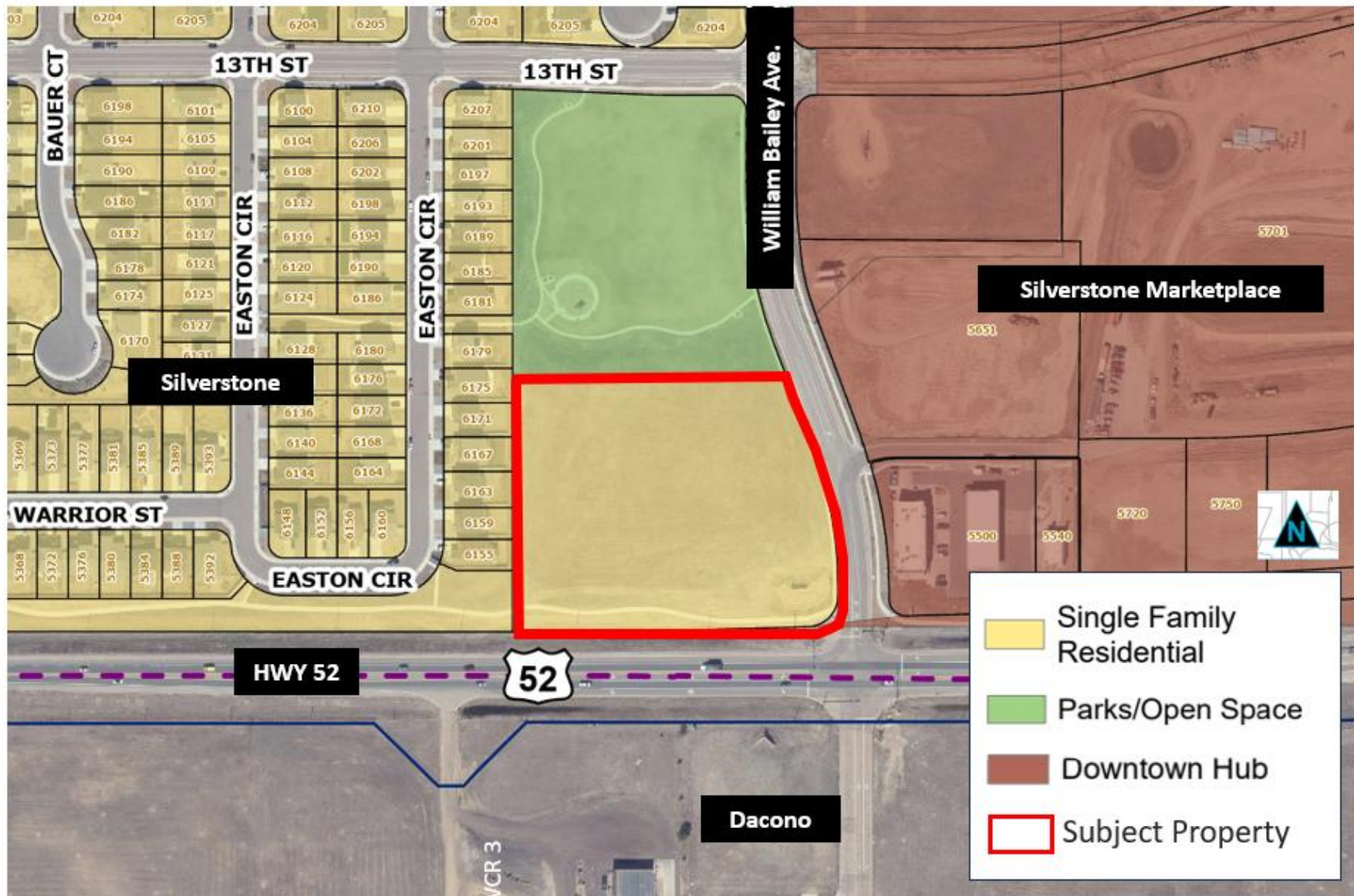
LAND USE APPLICATION FORM (CONTINUED)

Property Owner: Evergreen-Hwy 52 & William Bailey, L.L.C.		Consultant Business Name: Galloway & Company Consultant Personal Contact: Aaron Johnston	
Address: 2390 E Camelback, Suite 410 Phoenix, AZ 85016		Address: 5500 Greenwood Plaza Blvd., Suite 200, Greenwood Village, CO 80111	
Phone/Fax: 602.567.7125		Phone/Fax: 303-770-8884	
E-mail Address: zlauterbach@evgre.com		E-mail Address: aaronjohnston@gallowayus.com	
TOTAL ACREAGE OF PROPERTY UNDER CONSIDERATION: 4.579 acres			
Is site within Frederick Planning Area?		☒ Yes	☐ No
Project Address (if applicable): NW Corner of Hwy 52 & William Bailey Ave			
Existing Use: Vacant		Existing Zoning: Mixed Use Hwy 52 (C-H52) w/ PUD Overlay	
Proposed Use: Commercial		Proposed Zoning: Mixed Use Hwy 52 (C-H52) w/ PUD Overlay	
Number of Existing Residential Lots: 0		Number of Proposed Residential Lots: 0	
Number of Existing Commercial Lots: 1		Number of Proposed Commercial Lots: 4	
Number of Existing Industrial Lots: 0		Number of Proposed Industrial Lots: 0	
Is there an existing MOAPI in place? ☒ Yes ☐ No If yes, please provide reception date and number. Silverstone Per-Development Memorandum of Agreement for Public Improvements			
COMPREHENSIVE PLAN MAP DESIGNATIONS:			
LAND USE & PUBLIC FACILITIES Land Use Designation(s): C-H52 Public Facilities: None		UTILITY AND SPECIAL DISTRICTS Water: Town of Frederick Sewer: St. Vrain Sanitation District Fire Protection: Frederick Firestone Fire Other:	
TRANSPORTATION William Bailey Ave, Hwy 52 Street Connections:		ENVIRONMENTAL ISSUES Property in Floodplain: ☐ Yes ☒ No Sensitive Wildlife habitat area: ☐ Yes ☒ No	
PARKS, OPEN SPACE AND RECREATION Proposed park and/or trail: A trail exists along the north side of Highway 52		SUBSIDENCE AND OIL AND GAS Subsidence area: ☐ Yes ☒ No Oil and/or gas wells: ☐ Yes ☒ No	
CERTIFICATION: I certify that I am the lawful owner of the parcel(s) of land which this application concerns and consent to this action. DocuSigned by: Owner: <u>Zade Lauterbach</u> Date: August 01, 2024 DD10712EAM474DB...			
I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owners. I understand that all materials and fees required by the Town of Frederick must be submitted prior to having this application processed. Applicant: <u>Steve Orum</u> Date: 10/30/2024			

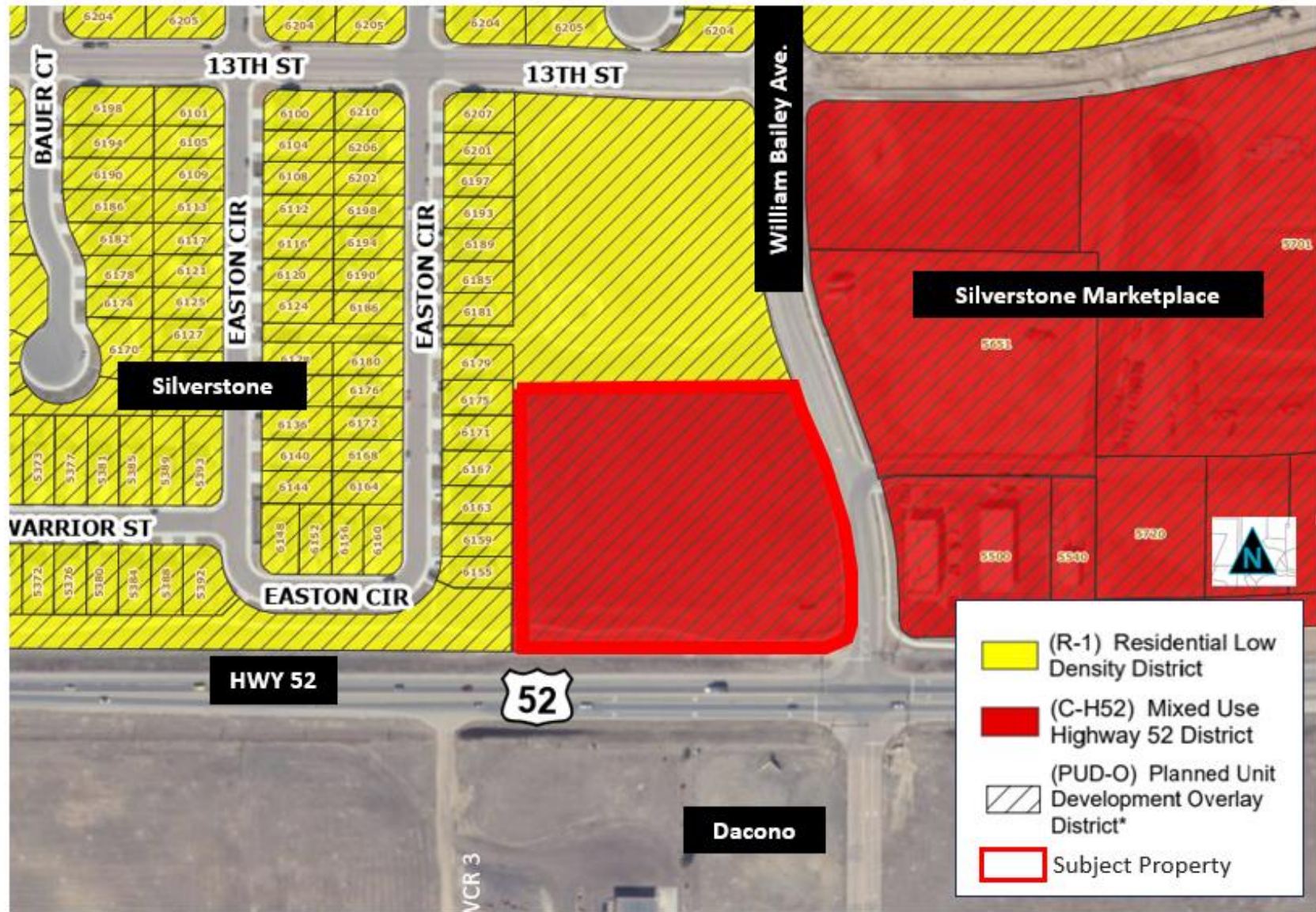
Vicinity Map



Future Land Use Plan



Zoning Map



SILVERSTONE COMMONS MINOR SUBDIVISION

A REPLAT OF LOT 1, BLOCK 8, SILVERSTONE FILING NO. 1
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 68 WEST,
OF THE 6TH P.M., TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO
4 LOTS AND 2 OUTLOTS
4.580 ACRES

CERTIFICATE OF OWNERSHIP AND DEDICATION:

A PARCEL OF LAND BEING LOT 1, BLOCK 8, SILVERSTONE FILING NO. 1, AS RECORDED JANUARY 10, 2019 AT RECEPTION NO. 4459006 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN FREDERICK, COUNTY OF WELD, STATE OF COLORADO.

PARCEL CONTAINS 199,483 SQUARE FEET OR 4.580 ACRES, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS, OUTLOTS, BLOCKS, STREETS, AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF SILVERSTONE COMMONS MINOR SUBDIVISION, AND DO HEREBY DEDICATE TO THE TOWN OF FREDERICK, ITS SUCCESSORS AND ASSIGNS FOREVER OTHER PUBLIC WAYS AND LANDS SHOWN HEREON, IN FEE-SIMPLE ABSOLUTE, AND DO HEREBY DEDICATE TO THE TOWN OF FREDERICK AND APPROPRIATE UTILITY COMPANIES AND EMERGENCY ASSISTANCE ENTITIES, THE EASEMENTS SHOWN HEREON FOR THE PURPOSES STATED.

THE ENTITIES NAMED ON THE EASEMENT, OR RESPONSIBLE FOR THE SERVICES AND/OR UTILITIES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR THE PURPOSES NAMED ON THE EASEMENT OR FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

THE SIGNATURE OF ANY REPRESENTATIVE OF ANY PARTNERSHIP OR CORPORATE ENTITY INDICATES THAT ALL REQUIRED PARTNERSHIP OR CORPORATE APPROVALS HAVE BEEN OBTAINED.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____ A.D., 2025.

EVERGREEN-HWY 52 & WILLIAM BAILEY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY
EVERGREEN DEVELOPMENT COMPANY-2023, L.L.C.,
AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGER

EVERGREEN DEVCO, INC.,
A CALIFORNIA CORPORATION
ITS: MANAGER

BY: _____
ITS: _____
DATE: _____

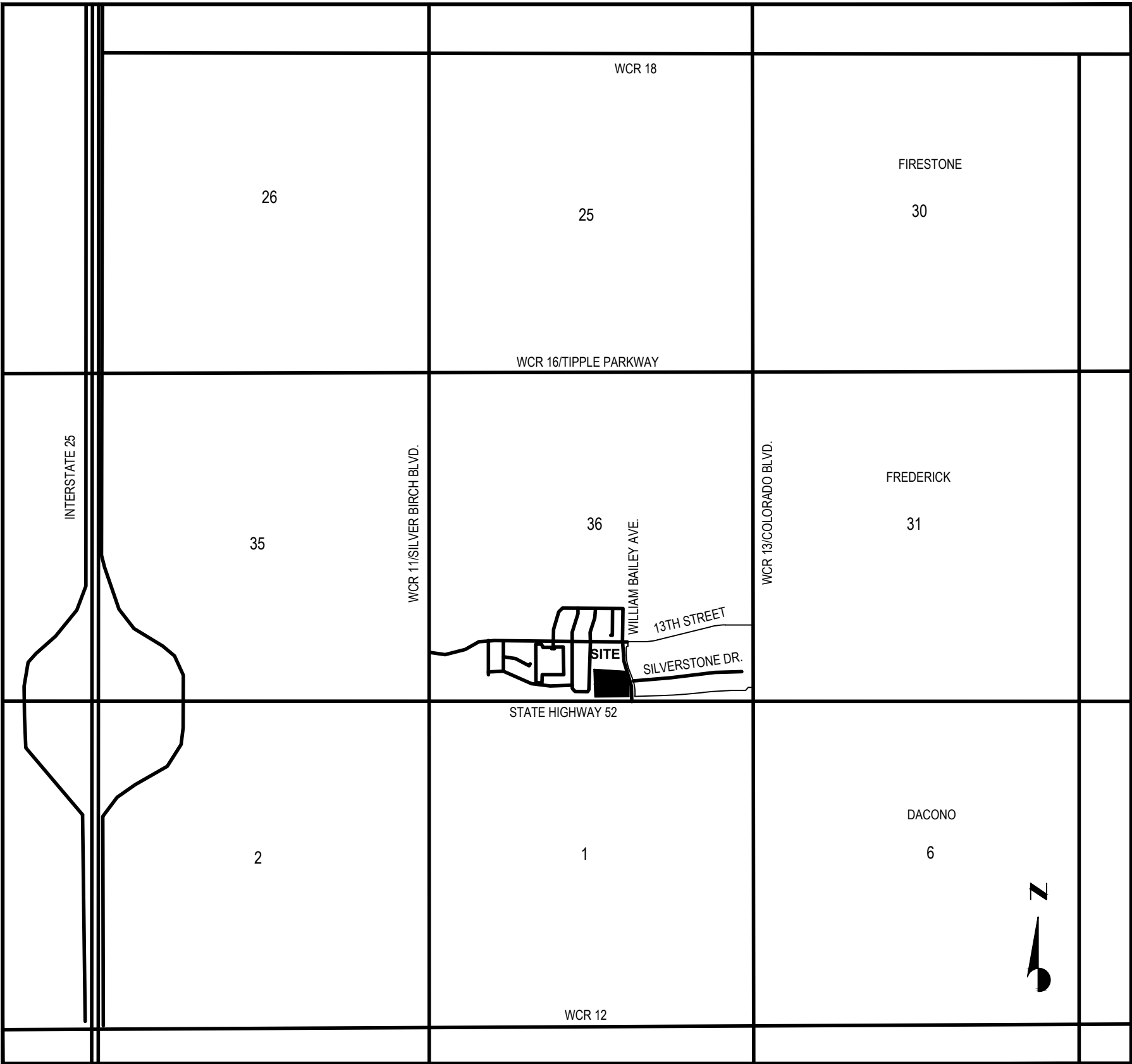
STATE OF _____)
) SS
COUNTY OF _____)

THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION WAS ACKNOWLEDGED BEFORE ME BY _____
ACTING IN HIS/HER CAPACITY AS _____ OF _____, THIS _____
DAY OF _____, 2025.

WITNESS MY HAND AND SEAL _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC



VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES

- 1) BASIS OF BEARING: ALL BEARINGS ARE BASED ON THE WEST LINE OF LOT 1, BLOCK 8 AS SHOWN ON THE FINAL PLAT OF SILVERSTONE FILING NO. 1, SAID LINE BEARS N 00°08'04" W, MONUMENTED ON BOTH ENDS, RESPECTIVELY BY A 24" NO. 5 REBAR WITH AN ATTACHED 1-1/4" ORANGE PLASTIC CAP STAMPED "PLS 37911," WITH ALL OTHER BEARINGS REFERENCED THERETO.
- 2) PER THE FEMA FLOOD INSURANCE RATE MAPS (FIRM), MAP NO. 08123C2079E, HAVING AN MAP REVISED DATE OF JANUARY 20, 2016, INDICATES THE SUBJECT PROPERTY TO BE DESIGNATED AS ZONE X (0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ON SQUARE MILE). THIS SURVEY MAKES THIS STATEMENT BY GRAPHIC PLOTTING ONLY.
- 3) ALL LINEAL MEASUREMENTS SHOWN ARE GROUND DISTANCES AND U.S. SURVEY FEET.
- 4) EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED ON THIS SURVEY WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESTRICTIONS, EXCLUSIONS, CONDITIONS, OBLIGATIONS, TERMS OR AS THE RIGHT TO GRANT THE SAME.
- 5) CAUTION: THE SURVEYOR PREPARING THIS MAP WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THIS MAP. ALL CHANGES TO THIS EXHIBIT MUST BE APPROVED IN WRITING BY THE SURVEYOR IN CHARGE.
- 6) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. C.R.S. 13-80-105(3)(A).
- 7) FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NCS-1070434-CO, DATED MAY 30, 2023 AT 5:00 P.M. WAS RELIED UPON FOR INFORMATION REGARDING EASEMENTS AND ENCUMBRANCES OF RECORD IN THE PREPARATION OF THIS PLAT. SAID COMMITMENT COVERS MORE PROPERTY THAN INCLUDED IN THIS PLAT.

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES:

THE FINAL PLAT MAP OF THE SILVERSTONE COMMONS MINOR SUBDIVISION IS APPROVED AT THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF FREDERICK, COLORADO, HELD ON _____, 2025. THE DEDICATIONS OF PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS AND OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES AS SHOWN HEREON, SUCH OTHER EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN ARE HEREBY ACCEPTED. ALL CONDITIONS, TERMS, AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS.

TRACIE CRITES, MAYOR

ATTEST:

TRICIA DAVID, TOWN CLERK

LAND USE SUMMARY CHART				
OUTLOTS	AREA (SF)	AREA (ACRES)	USE	% OF TOTAL
A	22,543	0.518	UTILITY EASEMENT AND 30' GATEWAY LANDSCAPE BUFFER AND LANDSCAPING	
B	4,765	0.109	UTILITY EASEMENT AND 30' GATEWAY LANDSCAPE BUFFER AND LANDSCAPING	
TOTAL AREA OF OUTLOTS	27,308	0.627		13.69%
LOTS				
1	50,754	1.165	FUTURE COMMERCIAL	
2	59,215	1.359	FUTURE COMMERCIAL	
3	35,686	0.819	FUTURE COMMERCIAL	
4	26,521	0.609	FUTURE COMMERCIAL	
TOTAL AREA OF LOTS	172,175	3.953		86.31%
TOTAL AREA	199,483	4.580		100.00%

SURVEYOR'S CERTIFICATE:

I, READE COLIN ROSELLES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

BY _____ (Seal)

DATE: _____

READE COLIN ROSELLES
COLORADO PROFESSIONAL LAND SURVEYOR NO. 37911
PROJECT NO.: EDIO000086.10
FOR AND ON BEHALF OF GALLOWAY & COMPANY, INC.

Galloway

5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

DRAFT

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SILVERSTONE COMMONS MINOR SUBDIVISION

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TOWNSHIP 2 NORTH, RANGE 68 WEST,
OF THE 6TH P.M., TOWN OF FREDERICK, COUNTY OF WELD,
STATE OF COLORADO

#	Date	Issue / Description	Init.
1	6/28/2024	ADDRESSED TOWN COMMENTS	AN
2	2/3/2025	ADDRESSED TOWN COMMENTS	AN
3	5/22/2025	ADDRESSED TOWN COMMENTS	AN
4	5/28/2025	ADDRESSED COMMENTS	ACS
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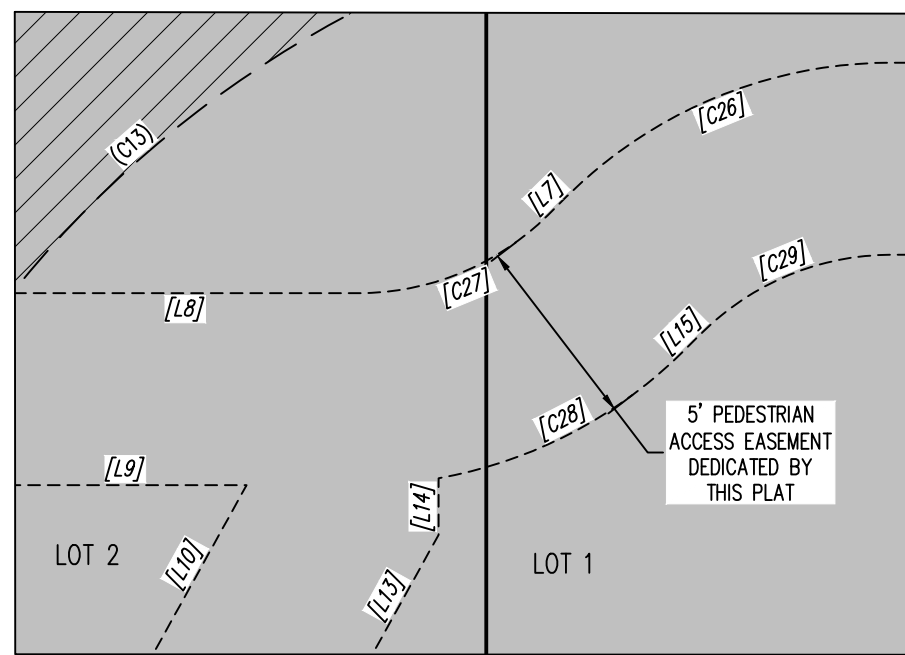
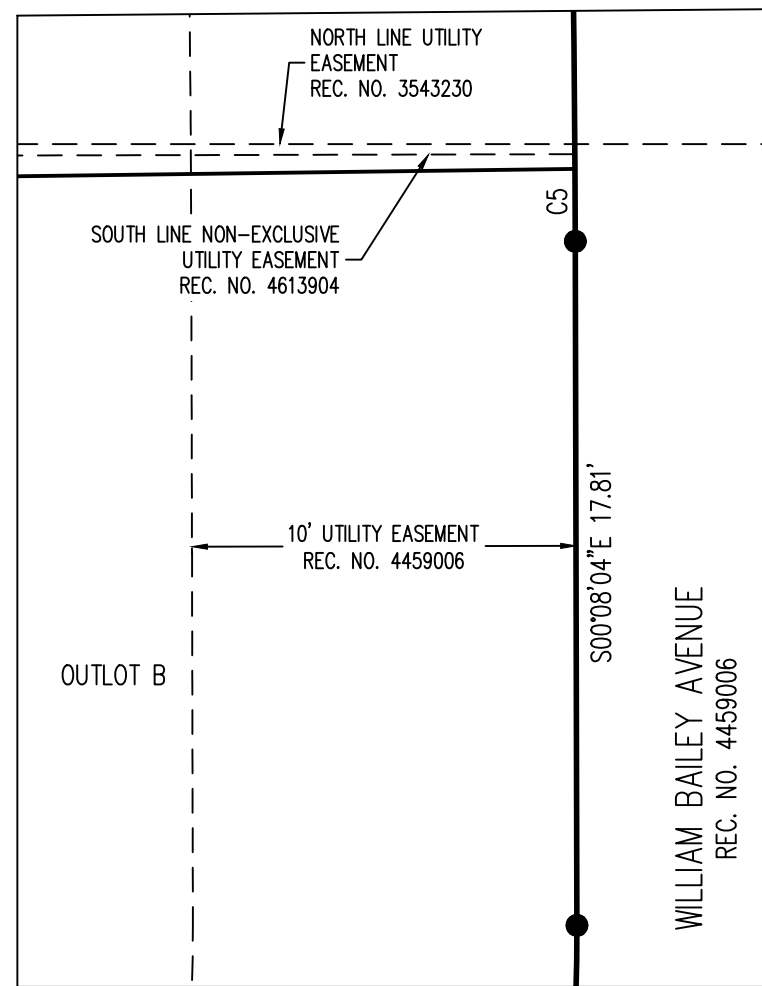
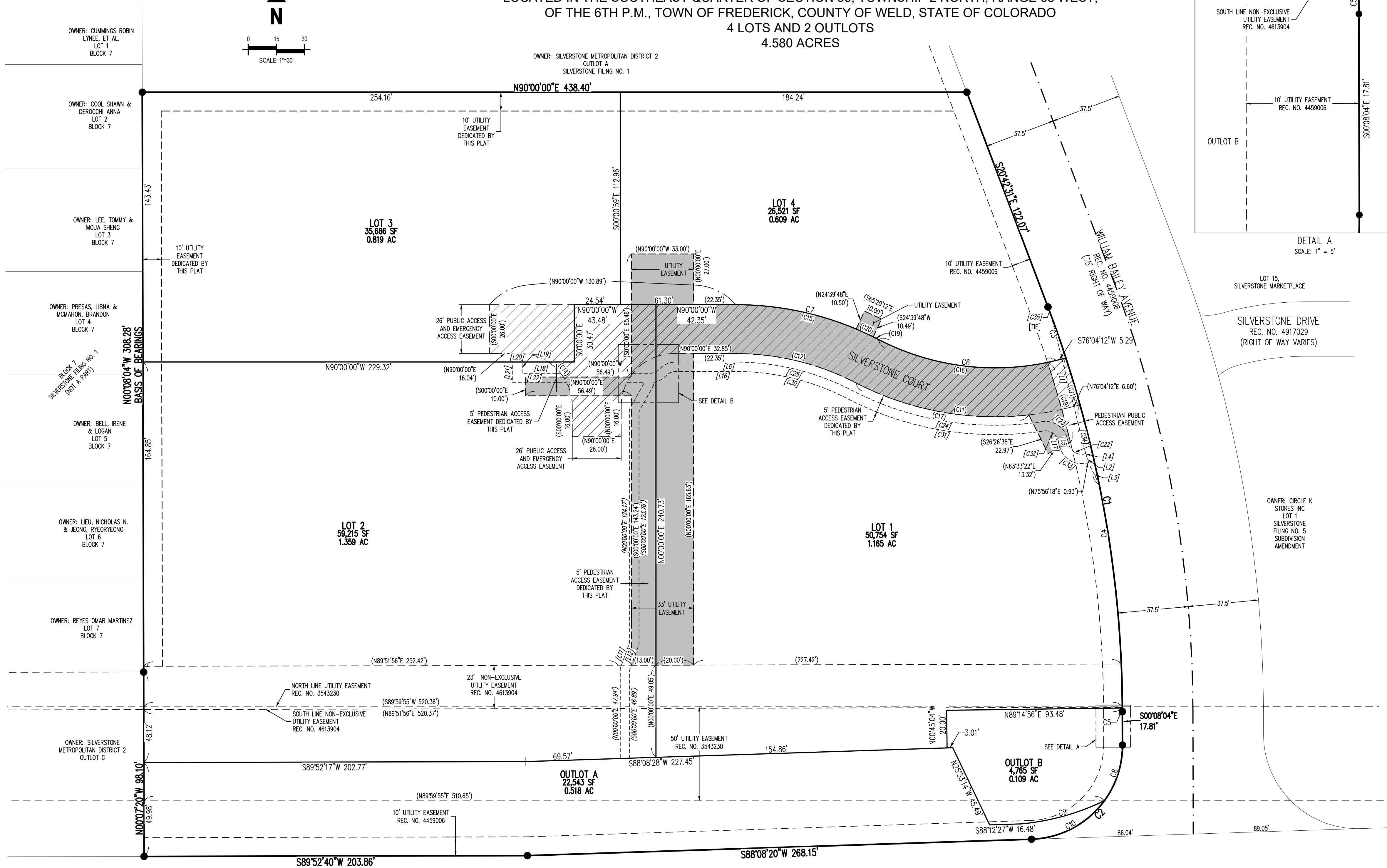
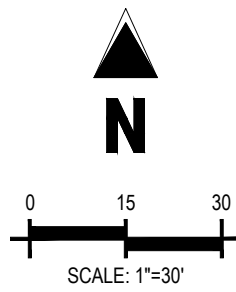
Project No:	EDIO000026.10
Drawn By:	AN
Checked By:	RCR
Date:	6/25/2024

1

SHEET 1 OF 2

SILVERSTONE COMMONS MINOR SUBDIVISION

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4 LOTS AND 2 OUTLOTS
4.580 ACRES



LEGEND	
●	FOUND 24" NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP STAMPED "PLS 37911"
REC. NO.	RECEPTION NUMBER
(DIM)	ACCESS, UTILITY EASEMENT DIMENSIONS ARE IN PARENTHESIS
[DIM]	PEDESTRIAN ACCESS EASEMENT DIMENSIONS ARE IN BRACKETS
—	PROPERTY LINE
—	LOT LINE
—	ADJACENT LOT LINE
---	EASEMENT
■	UTILITY EASEMENT DEDICATED BY THIS PLAT
▨	PUBLIC ACCESS AND EMERGENCY ACCESS EASEMENT DEDICATED BY THIS PLAT

LOT CURVE TABLE					
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	20°34'27"	219.94	612.50	S10°25'17"E	218.76
C2	88°16'40"	77.04	50.00	S44°00'08"W	69.64
C3	02°41'32"	28.78	612.50	S19°21'44"E	28.78
C4	17°42'19"	188.27	612.50	S9°09'49"E	188.52
C5	00°10'35"	1.89	612.50	S01°31'17"E	1.89
C6	41°18'46"	97.34	135.00	N83°16'25"W	95.25
C7	27°22'58"	78.86	165.00	N76°18'31"W	78.11
C8	36°14'38"	31.63	50.00	S17°59'07"W	31.10
C9	20°53'08"	46.49	127.54	S74°28'57"W	46.23
C10	52°02'02"	45.41	50.00	S82°07'27"W	43.86

UTILITY EASEMENT CURVE TABLE					
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)
(C11)	41°18'46"	116.09	161.00	S83°16'25"E	113.59
(C12)	27°22'58"	66.43	139.00	S76°18'31"E	65.80
(C13)	90°00'00"	43.98	28.00	N45°00'00"E	39.60
(C14)	90°00'00"	43.98	28.00	S45°00'00"E	39.60
(C15)	27°22'58"	78.86	165.00	N76°18'31"W	78.11
(C16)	39°17'58"	92.60	135.00	N82°16'06"W	90.79
(C17)	33°46'15"	94.90	161.00	S79°30'10"E	93.53
(C18)	41°12'35"	44.27	602.50	N15°59'14"W	44.26
(C19)	10°37'01"	3.02	165.00	N63°08'29"W	3.02
(C20)	37°28'23"	10.00	165.00	N65°24'11"W	10.00
(C21)	27°28'08"	26.03	612.49	S16°47'54"E	26.03

PEDESTRIAN ACCESS EASEMENT CURVE TABLE					
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)
[C22]	90°00'00"	11.00	7.00	N59°03'42"W	9.90
[C23]	84°36'14"	17.72	12.00	N56°21'49"W	16.15
[C24]	36°12'53"	104.13	165.50	N80°38'29"W	102.42
[C25]	27°22'58"	64.28	134.50	N76°18'31"W	63.67
[C26]	44°43'19"	9.37	12.00	S67°38'21"W	9.13
[C27]	44°43'19"	5.46	7.00	S67°38'21"W	5.33
[C28]	34°43'35"	7.27	12.00	N62°38'29"E	7.16
[C29]	44°43'19"	5.46	7.00	N67°38'21"E	5.33
[C30]	27°22'58"	61.89	129.50	S76°18'31"E	61.30
[C31]	36°12'53"	107.27	170.50	S80°38'29"E	105.51
[C32]	84°36'14"	10.34	7.00	S56°21'49"E	9.42
[C33]	90°00'00"	18.85	12.00	S59°03'42"E	16.97
[C34]	40°42'28"	43.55	612.48	S13°32'38"E	43.54
[C35]	02°25'35"	4.56	612.50	S20°29'43"E	4.56

PEDESTRIAN ACCESS EASEMENT LINE TABLE		
LINE TAG #	BEARING	LENGTH (FT)
[L1]	S14°03'42"E	76.04
[L2]	S18°41'40"E	6.30
[L3]	S26°25'47"E	11.62
[L4]	S75°56'18"W	0.53
[L5]	N14°03'42"W	3.17
[L6]	N90°00'00"W	31.80
[L7]	S45°16'41"W	0.71
[L8]	N90°00'00"W	9.03
[L9]	N90°00'00"W	9.31
[L10]	N28°58'34"E	16.00
[L11]	N20°00'00"E	14.62

PEDESTRIAN ACCESS EASEMENT LINE TABLE		
LINE TAG #	BEARING	LENGTH (FT)
[L12]	S20°00'00"W	14.62
[L13]	N28°58'34"E	16.00
[L14]	N0°00'00"E	1.47
[L15]	N45°16'41"E	0.71
[L16]	N90°00'00"E	31.80
[L17]	S14°03'42"E	3.17
[L18]	N90°00'00"W	20.54
[L19]	N0°00'00"E	6.03
[L20]	N90°00'00"W	5.00
[L21]	S0°00'00"E	11.03
[L22]	N90°00'00"E	28.74

Galloway

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Project No:	ED00000086.10
Drawn By:	AN
Checked By:	RCR
Date:	6/25/2024

October 25, 2024

RE: Silverstone Commons Neighborhood Meeting (8/27/24)

Attendees:

Applicants:

- Evergreen (Zach Lauterbach)
- Galloway (Mike Kracov, Tasha Bolivar, Aaron Johnston, Stephen Orehosky)
- Mister Carwash Development Team and Developing Partners
- Brakes Plus Development Team

Public:

- Jon Lee
- Libna Presas
- Nicholas Lieu
- Brandon McMahon
- Concerned Citizen (name not provided)

Meeting Notes/Questions:

- (BM) Noise concerns with carwash
 - Trees/screening requirements and coordination with the town to avoid negatively affecting adjacent home owners.
 - Pushing the tunnel as far away from the adjacent properties as possible.
 - Keeping the vacuums and trash enclosure as far away from adjacent properties as possible.
 - Decibel coordination.
 - *Each of these topics was discussed at length and remedies provided including but not limited to shifting on site features as far from the adjacent residential properties as possible, and also limiting business hours.*
- (JL) Landscaping concerns and making sure there is plenty of buffer from SH52 since this is the 'entry to the town'
 - *Discussion regarding the landscape buffer between the property and SH52 was heavily discussed.*
- (LP) Concerned with listening to the carwash in the middle of the day while working from home and worried about trees losing leaves in the winter and no longer providing cover.
 - *A high percentage of trees are required to be evergreen which will provide cover to the best of their ability.*
- Discussion about allowing for more opportunity to provide public comment in the future, but that the current application is and will be built to meet code requirements.





Town of Frederick Planning Commission

Meeting Minutes June 26, 2025

Call to Order – Roll Call: At 6:32 pm Chairperson Moe called the meeting to order and requested roll call.

Present were Chairperson Moe, Vice Chair Conroy, Planning Commissioner Scott, and Planning Commissioner Kelley.

Also present were Planning Manager Ali Van Deutekom, Senior Planner Audem Gonzalez, Deputy Town Attorney Christine Francescani, Civil Engineer Jason Berg, and Deputy Town Clerk Emily Nitcher.

Pledge of Allegiance:

Approval of Agenda: No Additions to the agenda.

Special Presentations:

Public Comment:

Staff Reports:

Consent Agenda: Motion by Commissioner Scott and seconded by Vice Chair Conroy to approve the Consent Agenda.

Upon roll call vote, motion passed unanimously.

Approval of Minutes:

Action Agenda:

Resolution 25-PCR-06: A Resolution of the Planning Commission Recommending Approval of the Silverstone Commons Minor Subdivision: No Public Comment.

Motion by Commissioner Kelley and seconded by Vice Chair Conroy to Approve 25-PCR-06 with the condition to revise the dedicatory statement to remove references to public roads and lands.

Upon roll call vote, motion passed unanimously.

Resolution 25-PCR-07 A Resolution of the Planning Commission Recommending Approval of the Wheatlands Preliminary Development Plan and Preliminary Plat: Public Comment: Katherine Lewis, property owner to the North. They are concerned about windblown trash and pollution impacting their farmland. They are also concerned with the walking path along the ditch, and how close it would bring foot traffic to their backyard. She also raised concerns about safety issues with the speed and depth of water in the ditch. As well as concerns about storm water and exit of water from the property.

Seeing no further public comment, the public hearing was closed.

The planning commission recommends that the Board of Trustees considers the concerns raised in public comment during their decision.

Motion by Commissioner Scott and seconded by Vice Chair Conroy to approve 25-PCR-07 with the condition that the cover sheet be updated to reflect the accurate number of units.

Upon roll call vote, motion passed unanimously.

Discussion Items :

Commissioner Reports:

Other Business:

Joint Session with the Board of Trustees- July 8th

Regular Planning Commission Meeting- July 31st: Other business:

Joint session to talk about land use code.

July 8th part of the regular meeting agenda.

7:00 pm start time.

July 31 Regular Meeting in July

Adjournment: There being no further business of the Planning Commission,
Charperson Moe adjourned the meeting at 8:07 pm.



Silverstone Commons

Minor Subdivision

Audem Gonzales, Senior Planner

BUILT ON WHAT MATTERS



Presentation Overview

- Strategic Plan Alignment
- Request
- Existing Conditions (vicinity map, comp plan & zoning)
- Project History
- Project Proposal
- Approval Criteria
- Notifications
- Recommendations



Strategic Plan Alignment



COMMUNITY AND ECONOMIC VITALITY

Frederick is a community that fosters economic, recreational, cultural, and environmental vitality and builds upon and enhances a variety of economic opportunities.

Built on What Matters.



Request

Applicant: Zach Lauterbauch – Evergreen DevCo Inc.

Owners: HWY 52 & William Bailey, LLC

Request approval for:

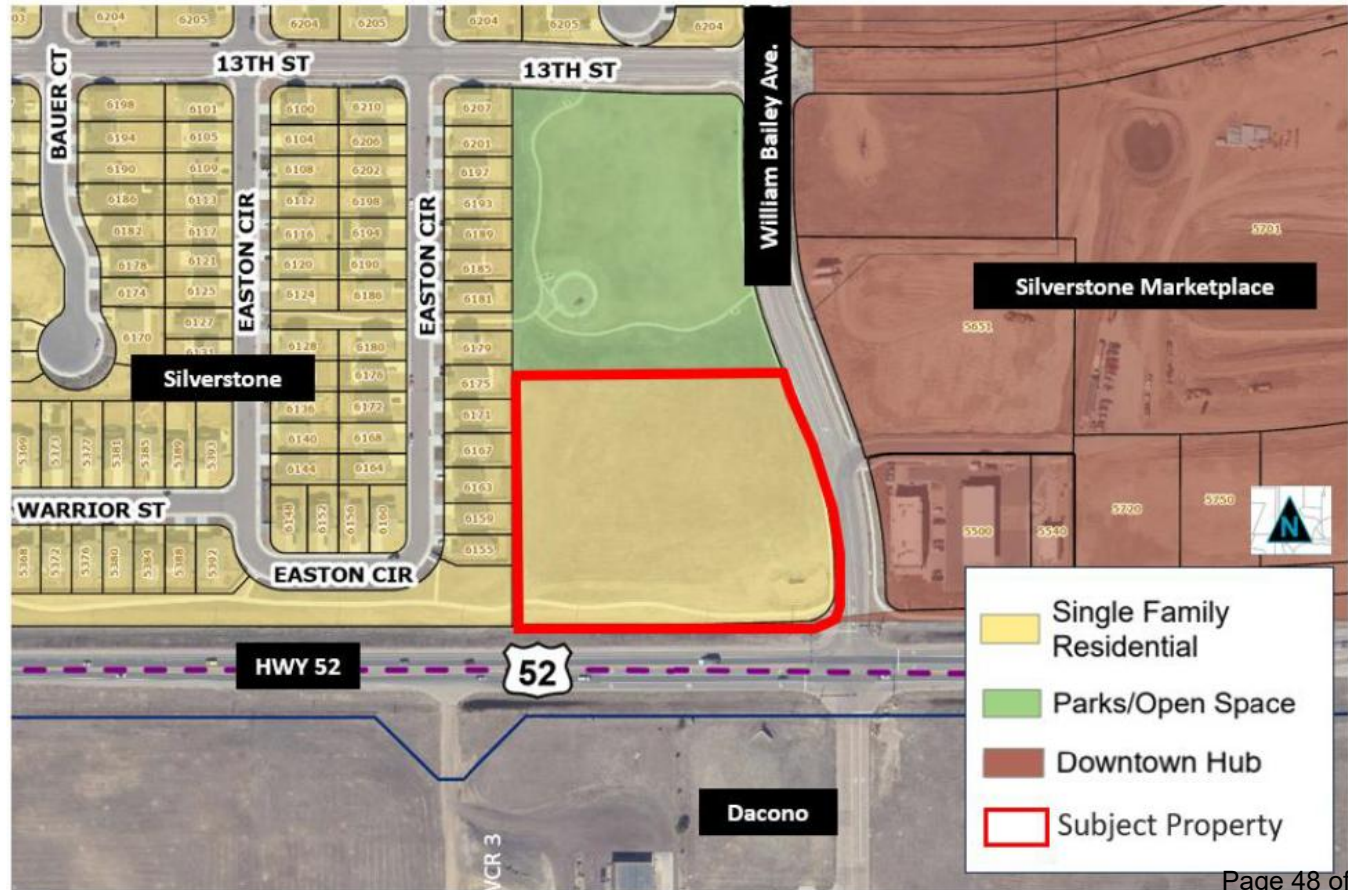
- Minor Subdivision with 4 commercial lots and 2 outlots

Built on What Matters.

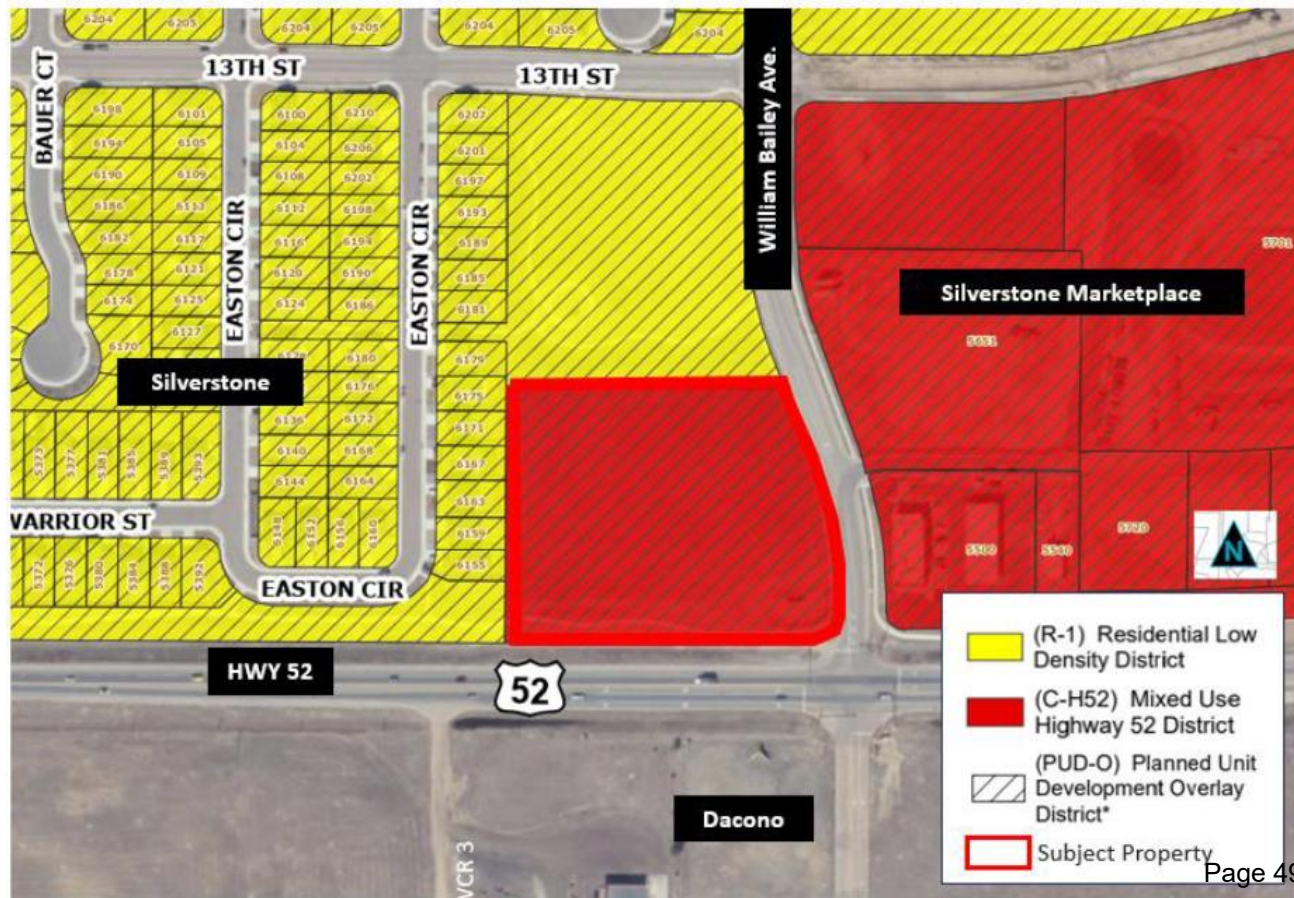
Vicinity Map



Comprehensive Plan



Zoning





Existing Site





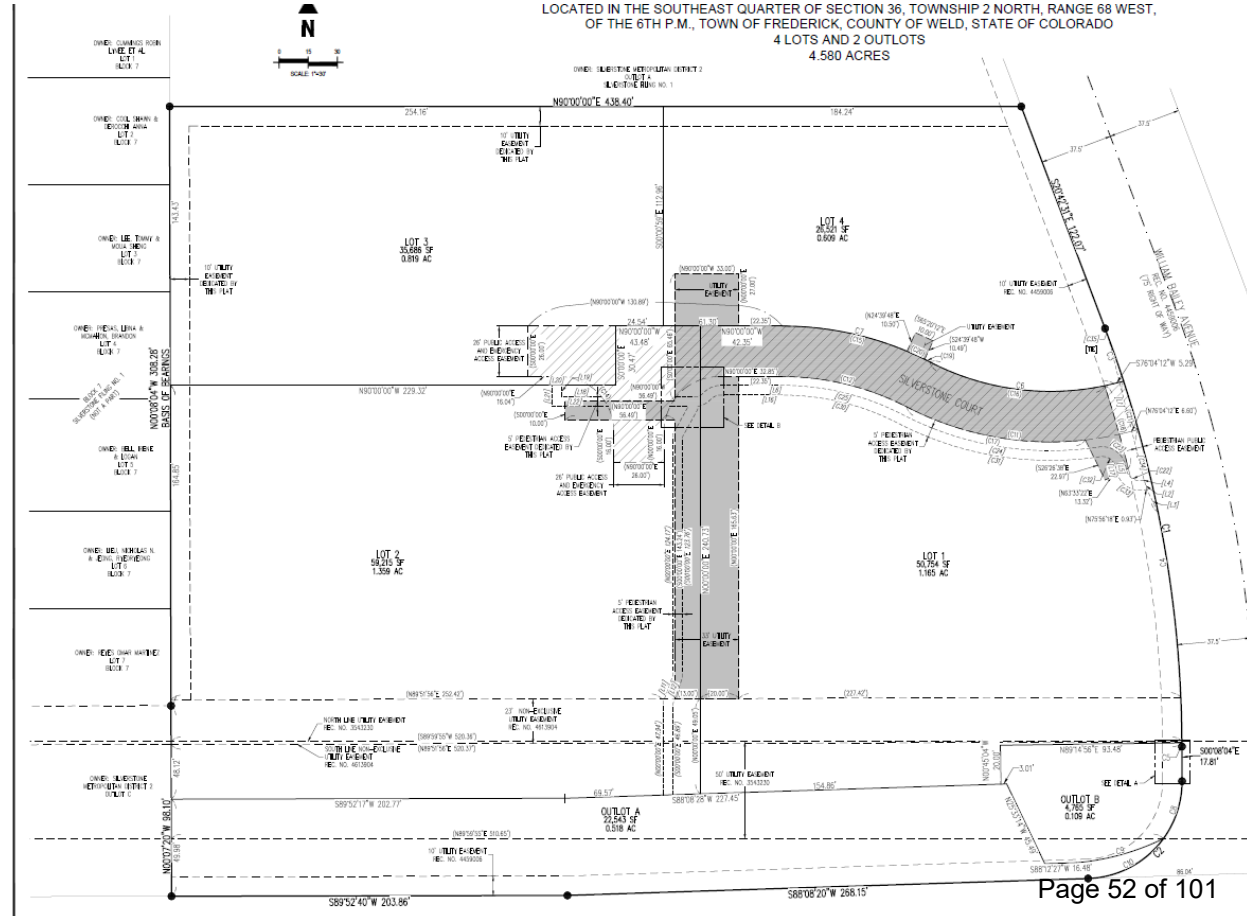
Property History

- The project area was annexed into the Town of Frederick in 1990 as a part of the Dacono Investment Co. annexation map.
- The property was platted as part of the Miners Village Filing 1 Subdivision Amendment plat in 2010.
- In 2018, the property was re-platted as Lot 1 of the Silverstone Filing 1 subdivision.
- In 2024, the Silverstone Commons Final Development Plan was approved for the site. Set commercial standards and setbacks.



Minor Subdivision

- ~4.5 acres
- 4 commercial lots
- 2 outlots (landscaping)
- Private street/drive
- Multiple utility and access easements
- Several existing easements
- Existing trail along HWY 52
- Sidewalk connections with Site Plans





Approval Criteria

- Section 4.9.3. Minor Subdivision criteria:
(Note: minor subdivisions require including preliminary plat criteria)



Notifications and Public Comment

- The Neighborhood Meeting was held on August 27, 2024.
 - Concerns with proposed car wash
 - Concerns about landscaping along HWY52
- The project was sufficiently noticed according to the requirements found in the Town of Frederick Land Use Code
 - Mailed notice – 500 ft. buffer
 - Posted notice
 - Published notice – 500 ft. buffer
- Public Comment
 - No written public comment received



Planning Commission

- Public hearing on June 26th, 2025
- Recommended approval with conditions, vote of 4 Yes, 0 No.
 - "Revise the dedicatory statement to remove references to public roads and lands".
- Planning Commission discussion
 - Future uses on the lots
 - Car wash building and vacuum setbacks
 - Landscape buffer distance
 - Expressed interest in seeing site plans along with plat applications

Built on What Matters.



Staff Recommendation

Staff is recommending approval of the Silverstone Commons Minor Subdivision application to the Board of Trustees.

Built on What Matters.



Recommended Motions

Approval:

I move to approve Resolution 25-R-43, which approves the Silverstone Commons Minor Subdivision application.

Approval with Conditions:

I move to approve Resolution 25-R-43, which approves the Silverstone Commons Minor Subdivision application with the following conditions: (list conditions)

Denial:

I move to approve Resolution 25-R-43, which denies the Silverstone Commons Minor Subdivision application (list criteria not met)



Next Steps

Applicant presentation

PC Questions

Public comment

PC Questions

BUILT ON WHAT MATTERS

Silverstone Commons Minor Subdivision



SILVERSTONE
FREDERICK, COLORADO

*Northwest Corner of Highway 52 &
William Bailey Ave, Frederick, CO*

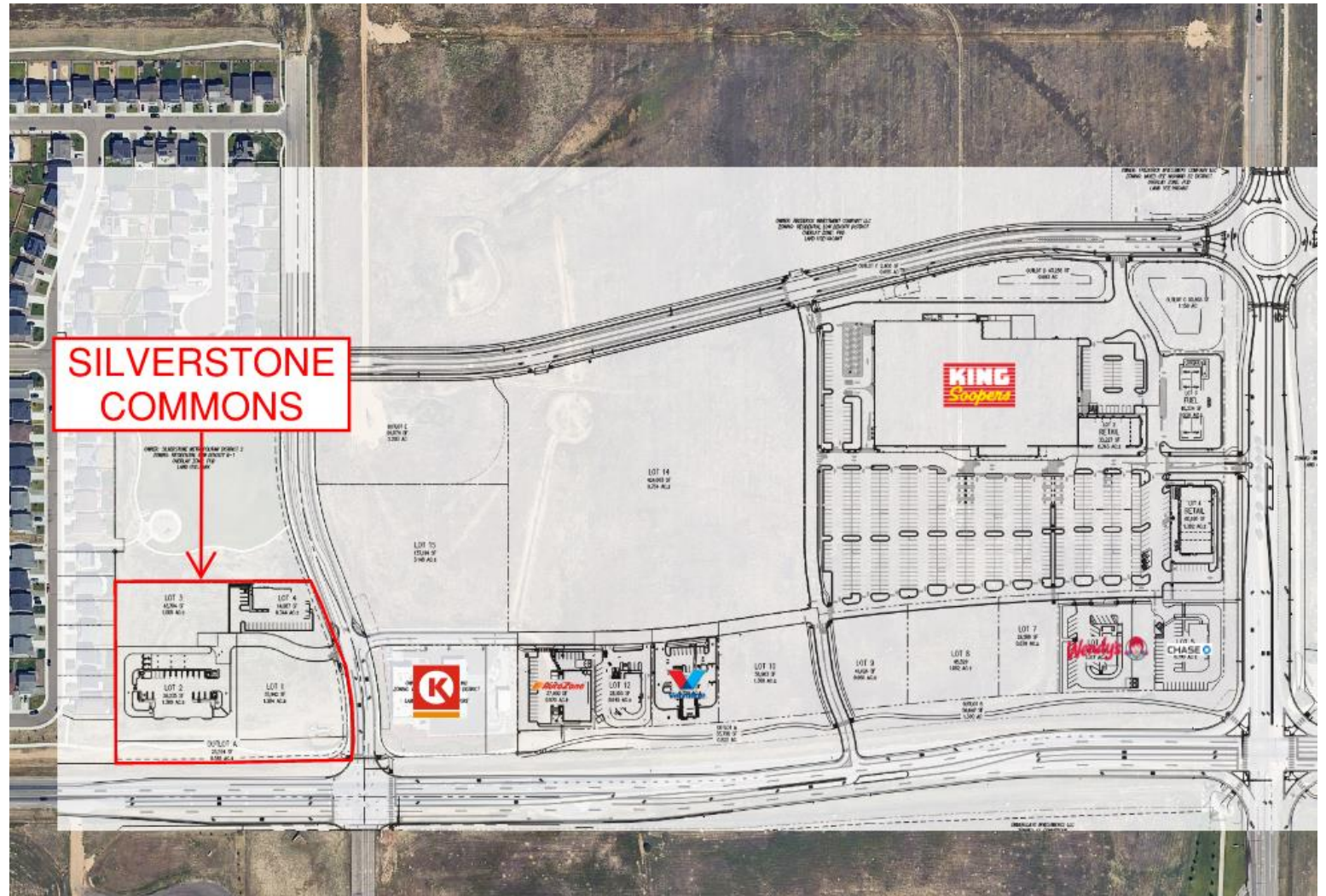
Project Status

Completed

- Final Development Plan Approved
- St Vrain Sanitary Easement Recorded
- Site Civil CD's Approved

Pending

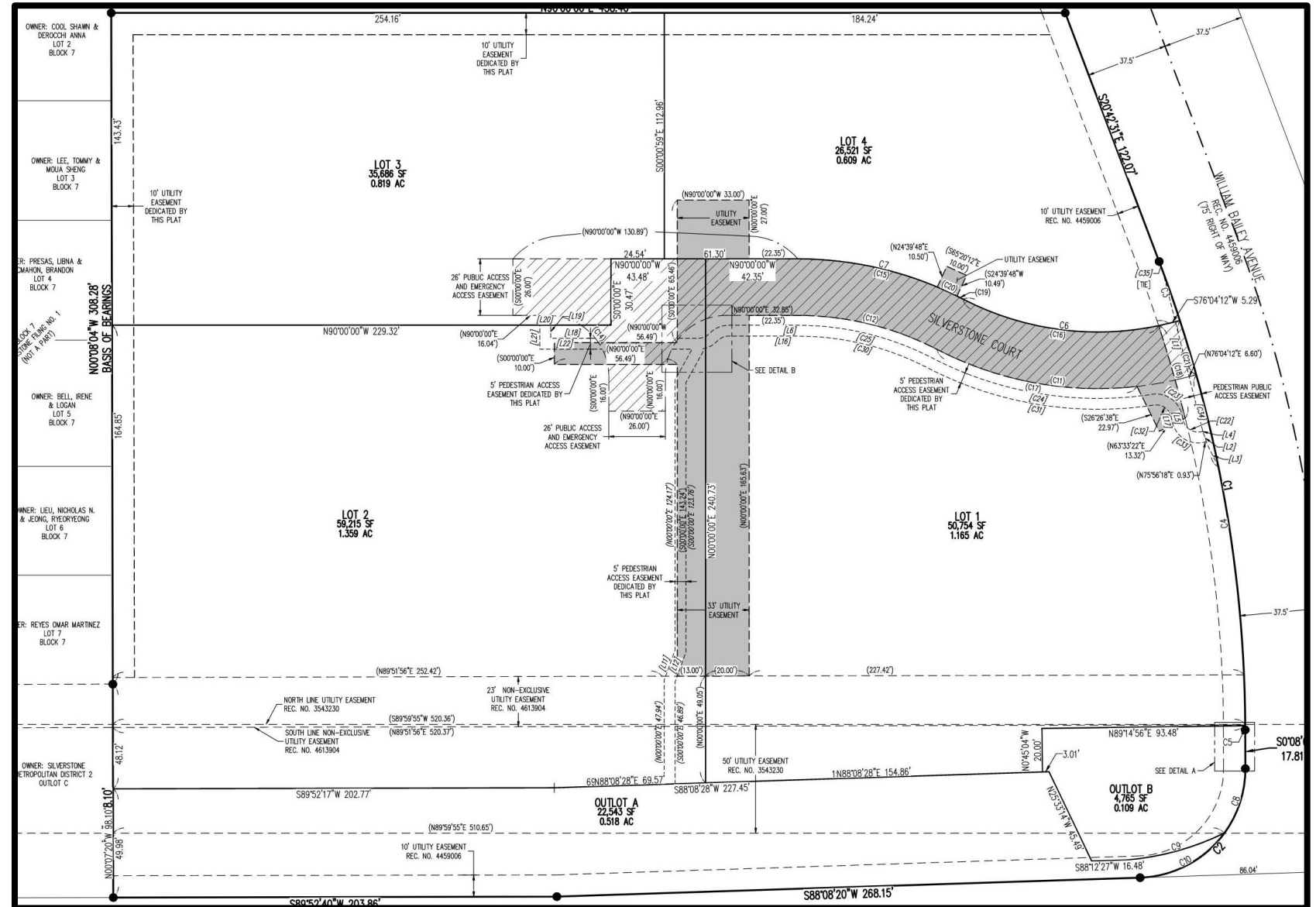
- Minor Subdivision (Plat)
- St Vrain Service Agreement
- Lot 2 and Lot 4 undergoing staff site plan review
- Evergreen marketing Lots 1 & 3



Plat Overview

4.58 acres at the northwest corner of Highway 52 & William Bailey Ave.

- 4 Commercial Lots
 - Lot 1: 1.16 acres
 - Lot 2: 1.36 acres
 - Lot 3: 0.82 acres
 - Lot 4: 0.61 acres
- 2 Outlots
 - Outlot A: 0.52 acres
 - Outlot B: 0.11 acres



Lot Summary

LAND USE SUMMARY CHART				
OUTLOTS	AREA (SF)	AREA (ACRES)	USE	% OF TOTAL
A	22,543	0.518	UTILITY EASEMENT AND 30' GATEWAY LANDSCAPE BUFFER AND LANDSCAPING	
B	4,765	0.109	UTILITY EASEMENT AND 30' GATEWAY LANDSCAPE BUFFER AND LANDSCAPING	
TOTAL AREA OF OUTLOTS	27,308	0.627		13.69%
LOTS				
1	50,754	1.165	FUTURE COMMERCIAL	
2	59,215	1.359	FUTURE COMMERCIAL	
3	35,686	0.819	FUTURE COMMERCIAL	
4	26,521	0.609	FUTURE COMMERCIAL	
TOTAL AREA OF LOTS	172,175	3.953		86.31%
TOTAL AREA	199,483	4.580		100.00%



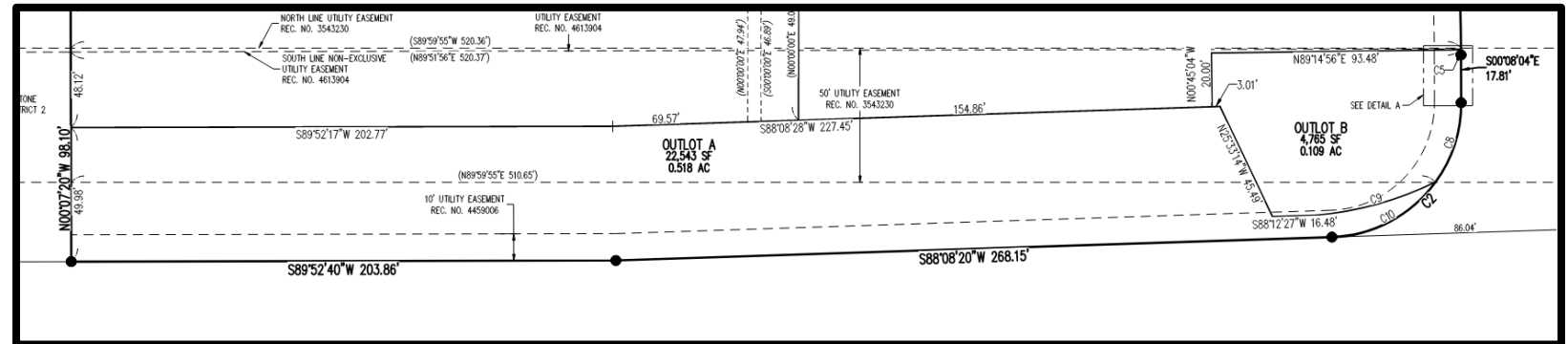
Outlot Overview

Outlots A and B are separated to distinguish between existing and planned improvements.

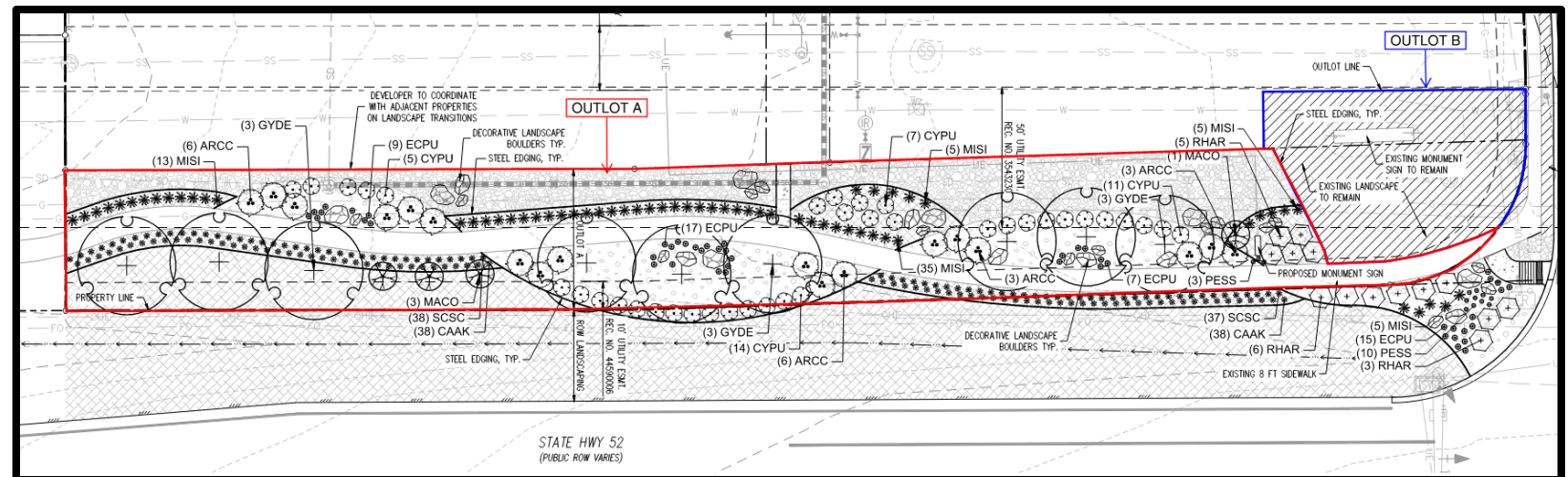
Outlot A will feature new landscaping, designed as a continuation of the Silverstone Marketplace landscaping, along Highway 52.

Outlot B includes the existing Silverstone Monument Sign and its surrounding landscaping.

Silverstone Commons: Minor Subdivision Plat



Silverstone Commons: Outlot Landscaping Plan



Questions?



NOTICE OF PUBLIC HEARING
BOARD OF TRUSTEES
TOWN OF FREDERICK

NOTICE IS HEREBY GIVEN that the Board of Trustees will hold a PUBLIC HEARING commencing on Tuesday, August 12th at 7:00 pm. This meeting will be held both in person and virtually (please see <https://www.frederickco.gov/1100/Agenda-Portal> to access the published agenda and link to the meeting's live stream). No public comment can be received via the live stream. The public hearing will be held upon application made by Zach Lauterbach, Evergreen Devco Inc., 2390 East Camelback Road, Suite 410, Phoenix, AZ, 85016, for the purpose of considering the Silverstone Commons Minor Subdivision land use application pursuant to the Codes of the Town of Frederick and applicable State statutes.

The affected property is generally located northwest of the William Bailey Avenue and Highway 52 intersection.

The legal description of the property is: "Located in the Southeast Quarter of Section 36, Township 2 North, Range 68 West of the 6th Principal Meridian, Town of Frederick, County of Weld, State of Colorado"

Interested and affected parties are encouraged to attend. The Board of Trustees will be taking written comments submitted prior to the hearing. Comments submitted prior to 5:00PM on the hearing date listed above will be forwarded with the staff report. During a public hearing, public input can be received.

Copies of the full application and supporting materials are available for the public to review. Please contact Project Planner, Audem Gonzales, at agonzales@frederickco.gov to receive instructions on how to access the materials.

Dated this 18th day of July, 2025

TOWN OF FREDERICK, COLORADO

By: _____
Tricia David, Town Clerk

Published: Longmont Times Call July 23, 2025-2125282

Prairie Mountain Media, LLC

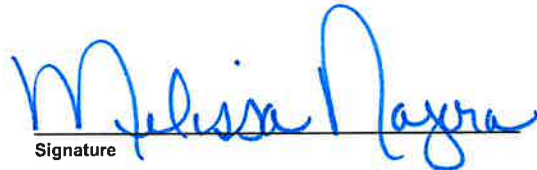
PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

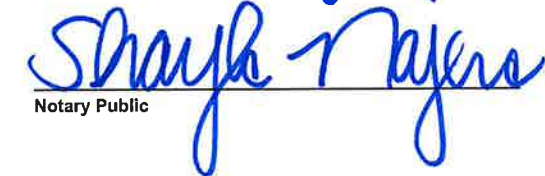
The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Jul 23, 2025


Signature

Subscribed and sworn to me before me this
23rd day of July, 2025.


Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

Account: 1051151
Ad Number: 2125282
Fee: \$42.63



Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

Kevin Brown, Mayor Pro Tem
Dan March, Trustee
Mark Lamach, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee
Chad teVelde, Trustee

Resolution 25-R-44 amending and adopting revised impact fees for the Town of Frederick.

Agenda Date: Board of Trustees August 12, 2025

Attachments:

1. Resolution 25-R-44
2. Memo_Impact Fee Phasing July 28
3. Memo_Impact Fee Exhibit A
4. Frederick Impact Fee Presentation 08122025

Reviewed By:

Action Type

1) Legislative: Actions that relate to subjects of a long term and general applicability; such as the passing of ordinances/resolutions/policies/etc.

Strategic Plan Alignment:



FISCALLY RESPONSIBLE GOVERNANCE– The Town of Frederick plans for, identifies, leverages, and utilizes resources that reflect exemplary stewardship for those who live in Frederick and those who will seek out Frederick in the future.

6.1 Create and implement a long-term financial model for the Town taking into account exist needs as well as planning for the future needs of the community.

6.2 Demonstrate excellence in public stewardship through updating critical

policies (i.e. personnel, procurement and financial policies) including developing a schedule for providing routine, timely updates to keep current with changing laws, trends and practices.

Summary Statement:

This request is to consider Resolution 25-R- amending the Town of Frederick Fee Schedule as attached consistent with the results of the recently completed impact fee study and direction received by the Board.

Detail of Issue/Request:

The Town of Frederick adopted ordinance 1161 previously which established the process for certain municipal fees. From time to time, that fee schedule is amended in order to adjust for routine market-driven increases. Ordinarily, that occurs in the fall of each year, around the time the budget is adopted setting forth the related fees for the upcoming year.

Historically, the Town has not been in a routine of completing an in-depth analysis of those various fees to ensure they are in line with the market and actually reflective of the true costs of delivering or providing services. This has resulted in a need to complete an impact fee study. This study was completed by BBC, a reputable firm specializing in the realm of public finance, economics and analysis. They have completed numerous impact fee studies for a wide range of municipalities and special taxing districts across colorado.

The result was a report and list of recommendations for potential adjustments to the existing fee schedule. These recommendations were discussed at the July 8, 2025 study session where the Board was given the opportunity to provide direction to Staff regarding next steps. The resulting action item is reflective of that feedback and direction. This action item and the associated fee schedule contemplate a tiered or stepped approach to impact fee increases over the next several years. These are fees that only apply to new development and have no impact to existing businesses or residents in Frederick.

If adopted, the new fees would become applicable immediately. The new fee schedule would only apply to new applications made to the Town after the effective date of the resolution. Those development applications that have previously applied for development review will be assessed at the previous fee schedule rates. With the tiered approach to impact fee increases, Staff will build in the scheduled adjustments and present those to the Board during budget time just as in years past. Lastly, recognizing that remaining financially sustainable and fiscally responsible are cornerstones of good governance, the Town will build in a plan to update this study every 5-7 years. This timeframe is recommended by the consultant as a good measure to avoid getting too far behind in what our fees ought to be.

Legal Comments:

This proposed fee schedule, the associated study and resolution have been reviewed and approved by the Town Attorney's Office.

Alternatives/Options

The Board could choose to not to adopt this adjusted fee schedule. Recognizing that many years have gone by since substantive adjustments have been made, this alternative is not recommended. The lack of substantive adjustments has resulted in reduced financial sustainability for the services or level of service provided in a myriad of areas within the Town. While there is a balancing that should occur to ensure that the impact fees don't effectively halt or stop development, that should be tempered with need to remain fiscally responsible.

Another alternative the Board could choose is to adopt the fee schedule at the full amount that was indicated in the study. This would be viewed as the most aggressive approach and would likely have the effect of discouraging development in Frederick. As shown in the tables within the study, communicates that charge impact fees at that level are seeing some of the lowest levels of commercial and residential growth which is counter to the previous direction for balance, sustainable growth. This alternative would also result in word spreading in the development community effectively sending a message that Frederick is closed for business. For these reasons, this alternative is not recommended.

A third alternative, and Staff's and BBC recommendations, based on the Board's feedback, is to adopt impact fees below their maximum legally defensible levels, BBC recommends applying a uniform discount of 60 percent across all fee categories as an initial step. This approach helps mitigate the risk of pushing development to surrounding communities where fees may be substantially lower.

To ensure the fees remain aligned with community goals and financial needs over time, we further recommend establishing a clear, deliberate plan to incrementally raise fees toward their full cost-recovery levels. For example, the Board could adopt a five-year schedule that increases fees in defined intervals, while retaining flexibility to pause or accelerate those adjustments based on economic or market conditions. This provides a transparent and proactive structure while preserving the Board's discretion to respond to evolving circumstances.

Financial Considerations

There are significant financial impacts related to the assessment and collection of impact fees. As proposed, these impacts would be positive for the Town as the adjusted fees work to support the Board's strategic objective of being financially sustainable.

Staff Recommendation

Staff recommends approval of Resolution 25-R- as presented.

Community Impact

Working in local government, there is a longstanding value that development should "pay its way". In other words, as new development comes to Frederick, existing residents and businesses don't have to shoulder the financial burden of new development. With that in mind, adopting this fee schedule at the levels that are recommended would work to create additional financial sustainability for the community as it continues to grow.

**TOWN OF FREDERICK
RESOLUTION NO. 25-R-44**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
AMENDING FEES FOR MUNICIPAL SERVICES**

WHEREAS, The Town of Frederick has adopted Ordinance No. 1161 which established a process for establishing certain municipal fees; and

WHEREAS, Ordinance No. 1161 directed the Town Clerk to prepare and publish by posting a listing of all such fees; and

WHEREAS, pursuant to the Ordinance No. 1161, the fee schedule is reviewed and updated amongst available market data and updated appropriately annually; and

WHEREAS, The Town has adopted a 2025-2056 Strategic Plan that prioritizes Fiscally Responsible Governance; and

WHEREAS, The Town recently completed an impact fee study to assess to what extent the current fees are set at the appropriate levels in order to promote fiscal responsibility in the future; and

WHEREAS, The Town of Frederick Board of Trustees finds it is in the best interest of the Town to amend the previously adopted Fee Schedule.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF FREDERICK, WELD COUNTY, COLORADO THAT:**

Section 1. **The Board of Trustees hereby amends the Fee Schedule with the changes noted on the attached Exhibit A.**

Section 2. **Effective Date.** This resolution and attached Exhibit A shall become effective 30 days following adoption.

Section 3. **Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. **Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED ON THIS 10TH DAY OF JULY 22, 2025.

ATTEST:

TOWN OF FREDERICK:

Tricia David, Town Clerk

By _____
Tracie Crites, Mayor

Exhibit A

Proposed Impact Fee Schedule for Residential and Non-Residential Development in the Town of Frederick

Development Type	Public Safety	Public Buildings	Transporation	Stormwater	Parks and Open Space	Total
Residential (\$/unit)						
Single-family residential	\$617	\$3,067	\$5,493	\$4,429	\$3,291	\$16,897
Multifamily residential	\$406	\$2,230	\$2,980	\$3,139	\$2,394	\$11,149
Non-residential (\$/sq. ft.)						
Retail & Commercial	\$0.40	\$1.76	\$11.11	\$2.80	-	\$16.07
Office	\$0.63	\$2.75	\$9.09	\$2.27	-	\$14.74
Public & Institutional	\$0.44	\$1.93	\$4.23	\$2.10	-	\$8.70
Industrial	\$0.29	\$1.28	\$4.10	\$2.62	-	\$8.29
Warehouse	\$0.06	\$0.28	\$1.14	\$2.62	-	\$4.10
Oil and gas (per well)	-	-	\$4,030	-	-	\$4,030

MEMORANDUM

To: Town of Frederick
From: BBC Research & Consulting
Re: Impact fee phasing
Date: July 18, 2024

Background

At the recent Board work session, BBC Research & Consulting (BBC) presented the results the Town's comprehensive impact fee study to the Mayor and Board of Trustees. Their feedback indicated that additional information demonstrating concepts for implementing fees at different percentages of their maximum allowable levels would help the Board determine where they are comfortable setting impact fee levels. To support the Board's decision making, BBC has put together this memorandum outlining some concepts for implementing higher impact fees.

Impact Fee Amounts

The impact fee study conducted by BBC calculates the maximum legally defensible fee levels that the Town may charge to recover the proportionate share of growth-related infrastructure costs. However, the Board retains discretion to set impact fees below these maximum levels to align with broader strategic objectives, such as encouraging specific types of development or minimizing cost burdens on targeted sectors. To support such policy decisions, BBC has developed several implementation concepts that apply different percentages of the maximum allowable fee levels.

It is important to note that impact fee revenues must be segregated into service-specific funds and used exclusively for the infrastructure categories for which they were collected. While applying a uniform discount (e.g., 40%) to all fees may be administratively simple, there may be strategic advantages to charging some fees at or near their maximum allowable levels while heavily discounting others. This approach ensures that services heavily dependent on impact fee revenues continue to receive sufficient funding, while fees for services that are commonly provided through other means can be reduced to support broader development goals.

To illustrate how the Board can exercise its discretion in setting impact fee levels, BBC developed three fee implementation scenarios:

- **Maximum allowable fees:** All impact fees are set at 100% of their calculated maximum allowable levels, reflecting the full cost of growth-related infrastructure attributable to

new development. This scenario ensures that each service category receives the maximum funding support from impact fees.

- **Uniform discount across all fee categories:** A 40% discount is applied evenly to all fee categories, resulting in fees set at 60% of their maximum allowable levels. This approach is simple to administer and reduces the overall fee burden proportionally across all services. The non-residential fees are discounted by 50%.
- **Mixed discounting approach:** Most fees are set at 75% of their maximum allowable levels, while the stormwater fee is set at 20%. This scenario illustrates how the Board can prioritize funding for services that rely heavily on impact fees, while significantly discounting fees for services that may receive funding from other sources, such as development agreements.

Figures 1 through 3 display the fees for each service under the three implementation scenarios to illustrate how the fees vary. In the maximum allowable fee scenario, each service category reflects the full amount justified by the impact fee study. The uniform discounting scenario reduces fees proportionally across all services—by 40% for residential uses and 50% for non-residential uses—resulting in a lower overall fee burden while maintaining relative balance between services. The mixed discounting scenario applies a more strategic approach: most services are set at 75% of their allowable maximums, while the wastewater fee is significantly reduced to 20%, reflecting the possibility of funding that service through alternative means.

These scenarios are intended to be illustrative, demonstrating how different discounting strategies affect the total impact fee burden on new development. Importantly, the Board is not limited to these examples; it can achieve a desired total impact fee amount through any combination of service-specific discounts that aligns with its policy goals and infrastructure funding needs.

Figure 1.
Multi-Family Impact Fee Implementation Concepts (Maximum allowable fee, uniform discounting, and mixed discounting)

Municipality	Impact Fee Category					Total Fees
	Police/ Public Safety	Public Buildings	Parks and/or Open Space	Streets/ Transportation	Stormwater Drainage	
Frederick (Current)	\$ 500	\$ 1,500	\$ 2,900	\$ 2,775	\$ 586	\$ 8,261
Frederick (Maximum allowable fee)	\$ 677	\$ 3,717	\$ 3,989	\$ 4,967	\$ 5,232	\$ 18,581
Frederick (40% uniform discounting)	\$ 406	\$ 2,230	\$ 2,394	\$ 2,980	\$ 3,139	\$ 11,149
Frederick (Mixed discounting)	\$ 507	\$ 2,788	\$ 2,992	\$ 3,725	\$ 1,046	\$ 11,059
Berthoud (2018)	\$ -	\$ 581	\$ 3,398	\$ 2,083	\$ 1,008	\$ 7,070
Dacono (2021)	\$ -	\$ 497	\$ 2,429	\$ 2,802	\$ -	\$ 5,728
Erie (2021)	\$ 375	\$ 2,272	\$ 1,490	\$ 3,837	\$ 1,005	\$ 8,979
Firestone (2022)	\$ -	\$ 407	\$ 3,212	\$ 1,847	\$ 999	\$ 6,465
Johnstown (2021)	\$ 713	\$ 2,696	\$ 1,176	\$ 2,735	\$ -	\$ 7,320
Loveland (unknown)	\$ 829	\$ 2,281	\$ 6,165	\$ 2,651	\$ -	\$ 11,926
Mead (2020)	\$ 289	\$ 2,541	\$ 1,568	\$ 4,751		\$ 9,149
Severance (2023)	\$ 438	\$ 1,526	\$ 932	\$ 2,757	\$ -	\$ 5,653
Windsor (2021)	\$ -	\$ -	\$ 8,848	\$ 4,353	\$ 225	\$ 13,201

Figure 2.
Single-Family Impact Fee Implementation Concepts (Maximum allowable fee, uniform discounting, and mixed discounting)

Municipality	Impact Fee Category					Total Fees
	Police/ Public Safety	Public Buildings	Parks and/or Open Space	Streets/ Transportation	Stormwater Drainage	
Frederick (Current)	\$ 500	\$ 1,500	\$ 2,900	\$ 4,000	\$ 977	\$ 9,877
Frederick (Maximum allowable fee)	\$ 1,028	\$ 5,111	\$ 5,485	\$ 9,154	\$ 7,382	\$ 28,161
Frederick (40% uniform discounting)	\$ 617	\$ 3,067	\$ 3,291	\$ 5,493	\$ 4,429	\$ 16,897
Frederick (Mixed discounting)	\$ 771	\$ 3,833	\$ 4,114	\$ 6,866	\$ 1,476	\$ 17,061
Berthoud (2018)	\$ -	\$ 822	\$ 4,806	\$ 2,973	\$ 1,680	\$ 10,281
Dacono (2021)	\$ -	\$ 965	\$ 3,829	\$ 4,863	\$ -	\$ 9,657
Erie (2021)	\$ 686	\$ 4,160	\$ 2,727	\$ 6,228	\$ 1,811	\$ 15,612
Firestone (2022)	\$ -	\$ 840	\$ 6,622	\$ 5,643	\$ 1,666	\$ 14,771
Johnstown (2021)	\$ 837	\$ 3,168	\$ 1,382	\$ 3,215	\$ -	\$ 8,602
Loveland (unknown)	\$ 1,190	\$ 3,281	\$ 8,944	\$ 2,651	\$ -	\$ 16,066
Mead (2020)	\$ 570	\$ 4,996	\$ 3,082	\$ 6,914		\$ 15,562
Severance (2023)	\$ 749	\$ 2,611	\$ 1,645	\$ 6,075	\$ -	\$ 11,080
Windsor (2021)	\$ -	\$ -	\$ 8,848	\$ 6,715	\$ 1,023	\$ 16,586

Figure 3.

Non-Residential Impact Fee Implementation Concepts (Maximum allowable fee, uniform discounting, and mixed discounting)

Municipality	Impact Fee Category				Total Fees
	Police/ Public Safety	Public Buildings	Streets/ Transportation	Stormwater Drainage	
Frederick (Current)	\$ 0.55	\$ -	\$ 0.28 to 5.78	\$ 0.49	\$ 1.31 to 6.81
Frederick (Maximum allowable fee)	\$ 0.11 to 1.04	\$ 0.47 to 4.59	\$ 1.89 to 18.52	\$ 3.50 to 4.66	\$ 6.84 to 26.78
Frederick (50% uniform discounting)	\$ 0.05 to 0.5	\$ 0.25 to 2.3	\$ 0.95 to 9.25	\$ 1.75 to 2.35	\$ 3.4 to 13.4
Frederick (Mixed discounting)	\$ 0.05 to 0.5	\$ 0.25 to 2.3	\$ 0.95 to 9.25	\$ 0.7 to 0.94	\$ 1.95 to 13.00
Berthoud	\$ -	\$ 4.63	\$ 0.96 to 4.03	\$ 0.84	\$ 6.43 to 9.50
Dacono	\$ -	\$ 1.39	\$ 0.43 to 6.33	\$ -	\$ 1.82 to 7.72
Erie	\$ 0.43	\$ 2.67	\$ 0.85 to 5.53	\$ 1.47	\$ 5.42 to 10.10
Firestone	\$ -	\$ 0.33	\$ 0.46 to 2.29	\$ -	\$ 0.78 to 2.61
Johnstown	\$ 0.46	\$ 0.86	\$ 2.22 to 5.70	\$ -	\$ 3.54 to 7.02
Loveland	\$ 0.30	\$ 0.32	\$ 0.28 to 68.38	\$ -	\$ 0.90 to 69.00
Mead	\$ 0.21	\$ 1.13	\$ 1.82 to 4.50		\$ 3.16 to 5.84
Severance	\$ 3.56	\$ 8.10	\$ 1.67 to 12.11	\$ -	\$ 13.32 to 23.76
Windsor	\$ -	\$ -	\$ 1.31 to 9.21	\$ 0.19	\$ 1.50 to 9.39

By adjusting fees across service categories, the Board can tailor the impact fee schedule to reflect the Town's infrastructure funding strategy, development goals, and administrative preferences. Whether applying uniform discounts for simplicity or using targeted discounts to prioritize certain services, the Board has the ability to shape a fee structure that is both legally defensible and aligned with the Town's broader objectives. The figures provided offer a clear visual comparison of the fee levels under each scenario, helping to inform discussions around equity, efficiency, and overall development impacts.

Impact Fee Phasing

The Board also has the option to phase in impact fees over time, beginning at a level that aligns with its current policy objectives and comfort level. This approach allows the Town to avoid sudden increases in development costs while still making progress toward recovering growth-related infrastructure expenses. Adopting an initial fee level below the maximum allowable amount can serve as a starting point, with the understanding that the schedule can be revisited and adjusted in the future.

To support long-term fiscal planning, the Board may choose to evaluate the impact fee schedule annually to determine whether adjustments are appropriate. This evaluation can consider factors such as inflation, changes in construction costs, infrastructure investment needs, and the competitive environment—particularly how the Town's total fee burden compares to that of neighboring communities. However, it is important to note that the Board is under no obligation to increase fees on an annual basis unless it explicitly chooses to do so. The decision to adjust fees remains entirely at the Board's discretion based on evolving priorities and conditions.

Recommendations

If the Board elects to adopt impact fees below their maximum legally defensible levels, BBC recommends applying a uniform discount of 60 percent across all fee categories as an initial step. This approach helps mitigate the risk of pushing development to surrounding communities where fees may be substantially lower.

To ensure the fees remain aligned with community goals and financial needs over time, we further recommend establishing a clear, deliberate plan to incrementally raise fees toward their full cost-recovery levels. For example, the Board could adopt a five-year schedule that increases fees in defined intervals, while retaining flexibility to pause or accelerate those adjustments based on economic or market conditions. This provides a transparent and proactive structure while preserving the Board's discretion to respond to evolving circumstances.

MEMORANDUM

To: Town of Frederick
From: BBC Research & Consulting
Re: Impact fee phasing
Date: July 31, 2025

Background

BBC Research & Consulting (BBC) understands that during a recent work session, the Board agreed to adopt the impact fees calculated by BBC at 60 percent of their maximum legally defensible levels. This approach is consistent with practices in other fast-growing Colorado communities that seek to balance infrastructure funding needs with development feasibility. To support implementation of the fees, BBC calculated the value of each impact fee at 60 percent of its maximum allowable level, as shown in Figure 1, below.

Figure 1.
Proposed Impact Fee Schedule for Residential and Non-Residential Development in the Town of Frederick

Development Type	Public Safety	Public Buildings	Transporation	Stormwater	Parks and Open Space	Total
Residential (\$/unit)						
Single-family residential	\$617	\$3,067	\$5,493	\$4,429	\$3,291	\$16,897
Multifamily residential	\$406	\$2,230	\$2,980	\$3,139	\$2,394	\$11,149
Non-residential (\$/sq. ft.)						
Retail & Commercial	\$0.40	\$1.76	\$11.11	\$2.80	-	\$16.07
Office	\$0.63	\$2.75	\$9.09	\$2.27	-	\$14.74
Public & Institutional	\$0.44	\$1.93	\$4.23	\$2.10	-	\$8.70
Industrial	\$0.29	\$1.28	\$4.10	\$2.62	-	\$8.29
Warehouse	\$0.06	\$0.28	\$1.14	\$2.62	-	\$4.10
Oil and gas (per well)	-	-	\$4,030	-	-	\$4,030



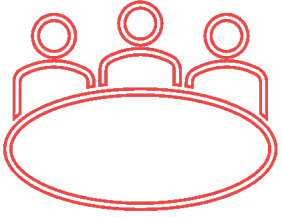
TOWN OF FREDERICK IMPACT FEE STUDY

Presented by

Dr. Michael Verdone, Managing Director
1999 Broadway, Suite 1470
Denver, Colorado 80202
(303) 321-2547
mverdone@bbcresearch.com

BBC
RESEARCH &
CONSULTING
Page 80 of 101

BACKGROUND



- In 2024, BBC began working with the Town of Frederick to conduct a comprehensive update of its residential and non-residential impact fees.
- BBC worked closely with town staff throughout the process to collect and validate information, calculations, and recommendations.
- Impact fees were calculated for residential and non-residential development types.

WHAT ARE IMPACT FEES?

“Fees collected through a set schedule or formula, spelled out in a local ordinance....fees are levied only against new development projects as a condition of permit approval to fund infrastructure needed to serve the proposed development. Impact fees are calculated to cover the proportionate share of the capital costs for that infrastructure...”

IMPACT FEES IN COLORADO



- **Early Roots (1920s):** Cities began charging developers for water rights required to serve new developments—an early form of impact fee.
- **Colorado Legal Foundation (1999):** *Krupp v. Breckenridge Sanitation District* ruled impact fees are legal if they meet standards of reasonableness and proportionality.
- **Codification in State Law (2001):** Senate Bill 01S2-015 authorized governments to impose impact fees under C.R.S. 29-20-104.5 for capital facilities needed to maintain service levels.
- **Expansion to Fire Districts (2016 - 2024):** HB16-1088 allowed fire protection districts to collect impact fees via intergovernmental agreements. SB24-194 eliminated the intergovernmental agreement requirement and allowed fire and ambulance districts to directly levy impact fees and propose sales taxes, pending voter approval.

PROPOSED IMPACT FEES

Development Type	Public Safety	Public Buildings	Transporation	Stormwater	Parks and Open Space	Total
Residential (\$/unit)						
Single-family residential	\$617	\$3,067	\$5,493	\$4,429	\$3,291	\$16,897
Multifamily residential	\$406	\$2,230	\$2,980	\$3,139	\$2,394	\$11,149
Non-residential (\$/sq. ft.)						
Retail & Commercial	\$0.40	\$1.76	\$11.11	\$2.80	-	\$16.07
Office	\$0.63	\$2.75	\$9.09	\$2.27	-	\$14.74
Public & Institutional	\$0.44	\$1.93	\$4.23	\$2.10	-	\$8.70
Industrial	\$0.29	\$1.28	\$4.10	\$2.62	-	\$8.29
Warehouse	\$0.06	\$0.28	\$1.14	\$2.62	-	\$4.10
Oil and gas (per well)	-	-	\$4,030	-	-	\$4,030

IMPACT FEE COMPARISON: SINGLE FAMILY

Municipality	Impact Fee Category					Total Fees
	Police/ Public Safety	Public Buildings	Parks and/or Open Space	Streets/ Transportation	Stormwater Drainage	
Frederick (Current)	\$ 500	\$ 1,500	\$ 2,900	\$ 4,000	\$ 977	\$ 9,877
Frederick (Proposed)	\$ 617	\$ 3,067	\$ 3,291	\$ 5,493	\$ 4,429	\$ 16,897
Windsor (2021)	\$ -	\$ -	\$ 8,848	\$ 6,715	\$ 1,023	\$ 16,586
Loveland (unknown)	\$ 1,190	\$ 3,281	\$ 8,944	\$ 2,651	\$ -	\$ 16,066
Erie (2021)	\$ 686	\$ 4,160	\$ 2,727	\$ 6,228	\$ 1,811	\$ 15,612
Mead (2020)	\$ 570	\$ 4,996	\$ 3,082	\$ 6,914		\$ 15,562
Firestone (2022)	\$ -	\$ 840	\$ 6,622	\$ 5,643	\$ 1,666	\$ 14,771
Severance (2023)	\$ 749	\$ 2,611	\$ 1,645	\$ 6,075	\$ -	\$ 11,080
Berthoud (2018)	\$ -	\$ 822	\$ 4,806	\$ 2,973	\$ 1,680	\$ 10,281
Dacono (2021)	\$ -	\$ 965	\$ 3,829	\$ 4,863	\$ -	\$ 9,657
Johnstown (2021)	\$ 837	\$ 3,168	\$ 1,382	\$ 3,215	\$ -	\$ 8,602



THANK YOU

Presented by

Dr. Michael Verdone, *Director*
1999 Broadway, Suite 1470
Denver, Colorado 80202
(303) 321-2547
mverdone@bbcresearch.com

BBC
RESEARCH &
CONSULTING
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Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

Kevin Brown, Mayor Pro Tem
Dan March, Trustee
Mark Lamach, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee
Chad teVelde, Trustee

2310 Apple St Planning Decision Appeal

Agenda Date: Board of Trustees August 12, 2025

Attachments: 1. Updated 2310 Apple St Siding Appeal

Reviewed By:

Action Type

3) Quasi-Judicial: Actions of a specific nature or impact to a property interest that require an evidentiary hearing; such as land use applications; may be approved by ordinance or resolution as applicable.

Strategic Plan Alignment:



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT OPERATIONS - As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

1.1 Develop and implement a strategy for delivering a parks, streets and downtown "win" including assessing available political capital.

1.2 Complete an update to the Municipal Code in connection with 2.5 below.

Summary Statement:

On July 01, 2025, Town Staff received an appeal of the administrative decision to not allow metal siding on a finished home application.

Detail of Issue/Request:

On July 01, 2025, Town Staff received an appeal of the administrative decision to not allow metal siding on a finished home application. At the public hearing, applicant and staff will make presentations to the Board, sitting as the Board of Adjustment, for the Board to consider in its decision making whether to approve or deny the appeal.

Legal Comments:

This is a quasi-judicial public hearing.

Alternatives/Options

This decision is purely a decision by the governing body. Staff takes no position.

Financial Considerations

N/A

Staff Recommendation

This decision is purely a decision by the governing body. Staff takes no position.

Community Impact

From: Bethany Ehlert Cooner <bcooner.foxchase@gmail.com>

Sent: Friday, August 1, 2025 2:52 PM

To: Christine Francescani <cfrancescani@frederickco.gov>

Subject: Re: Appeal check-in

Yes we want to appeal the metal siding issue at the Board hearing.

On Jul 31, 2025, at 3:11 PM, Christine Francescani <cfrancescani@frederickco.gov> wrote:

Hi Ms. Ehlert Cooner,

In staff's preparation for the August 12 appeal hearing regarding metal siding on the residence at 2310 Apple Street, we have noted that the appeal paperwork requests an appeal based upon denial of a certificate of occupancy. I am writing to check in with you on whether this is intended to be an appeal of the denial of a CO, or whether the appeal is regarding the Town not approving the metal siding.

In the event the intent is to appeal denial of a certificate of occupancy, that issue is not ripe for appeal because a CO has not been denied. While the metal siding (and landscaping) are matters that must be resolved in order to be granted a CO, they are preliminary to the Town's action on actually granting or denying a CO. We want to ensure proper resolution of this matter for you, and so we need to clarify the intent of the appeal. The issue of approval of metal siding is ripe for appeal, and if you intend to bring that forward on August 12, the Town is prepared for that.

If metal siding is in fact the focus of the appeal, then the Town requests that you provide updated appeal paperwork so that we can ensure the Board has everything it needs to make a decision on this matter – this does not have to be in-depth and should not delay the hearing, but should simply clarify. If the appeal is specific to denial of a CO, unfortunately that issue is not at a point that it can be appealed through Town code.

Thank you,

Christine M. Francescani (*she/her*) | Deputy Town Attorney

Town of Frederick | 720-382-5541

CFrancescani@frederickco.gov | [FrederickCO.gov](https://www.frederickco.gov)



Built On What Matters

TOWN OF FREDERICK

PLANNING DEPARTMENT

401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435

PHONE: (720) 382-5500 • FAX: (720) 382-5520

www.frederickco.gov

LAND USE APPLICATION FORM

PROJECT NAME: APPEAL OF ADMINISTRATIVE DECISION TO NOT ALLOW METAL SIDING ON FINISHED HOME

DATE SUBMITTED: 6/30/25

APPLICATION FEE: \$500

TYPE OF APPLICATION:

- | | | |
|--|--|--|
| ☐ Annexation, Zoning and Concept Plan (\$1,000 fee plus \$10 per acre) | ☐ Metropolitan District (\$5,500 fee) | ☐ Special Use Oil and Gas Drilling and Production (\$5,000 fee per well) |
| ☐ Annexation Agreement Amendment (\$500 fee for the first section; \$100 for every additional section) | ☐ Minor Modification (\$350 fee) | ☐ Street Name Change (\$750 fee) |
| ☒ Appeal of Administrative Decision (\$500 fee) | ☐ Minor Subdivision (\$1,500 fee) | ☐ Subdivision Amendment (\$1,000 fee) |
| ☐ Code Text Amendment (\$1,500 fee) | ☐ MOAPI (\$500 fee for the first section; \$100 for each additional section) | ☐ Vacation of ROW or Easement (\$500 fee for one easement or right-of-way; \$100 for every additional) |
| ☐ Comprehensive Plan/Planning Area Amendment (\$3,000 fee) | ☐ Preliminary Plat (\$2,500 fee plus \$10 per lot) | ☐ Variance (\$750 fee for residential; \$1,000 for non-residential) |
| ☐ Conditional Use (\$1,000 fee) | ☐ Preliminary Development Plan (\$2,500 fee plus \$10 per lot) | ☐ Vesting of Property Rights (\$1,000 fee) |
| ☐ Construction Plan Review (\$1,000 fee) | ☐ Sign Design Program (\$500 fee) | ☐ Water Dedication Analysis (\$250 fee) |
| ☐ Final Development Plan (\$2,500 fee plus \$5 per lot) | ☐ Site Plan (\$2,000 fee for up to 25,000 sf; otherwise, \$2,500 fee) | ☐ Waiver (\$1,000 fee for residential; \$1,500 fee for non-residential) |
| ☐ Final Plat (\$2,500 fee plus \$5 per lot) | ☐ Site Plan Amendment (\$500 fee for up to 1,000 sf; otherwise, \$750 fee) | ☐ Zoning (\$2,500 fee for one district; \$500 for each additional district) |
| ☐ Maps (Small - \$2.50; Large - \$7.00; Street Map - \$10.00) | ☐ Sketch Plan (\$2,000 fee) | ☐ Zoning Compliance Letter (\$75 fee) |

PROJECT INFORMATION:

Legal Description of Property (location within township, section, and range or Subdivision, Block and Lot):

2310 APPLE STREET
LOT 7, FOX CHASE SUBDIVISION NO. 2 TOWN OF FREDERICK CO 80504
SECTION 28 T 2 RANGE 68

Applicant's Name (This will be the primary contact):
BETHANY COONER

Phone/Fax: 720-725-6624

Address:
2455 APPLE STREET FREDERICK CO 80504

Relation to Property Owner:
CONSULTANT

E-mail Address: bcooner.foxchase@gmail.com

ADDITIONAL CONTACTS:

Property Owner: KINGDOM BUILDING
CONSTRUCTION, INC.

Consultant Business Name:

Consultant Personal Contact:

Address: 3879 E 120TH AVE #345
THORNTON CO 80233

Address:

Phone/Fax: 303-523-3399

Phone/Fax:

E-mail Address: bing@kbciccc

E-mail Address:

RECEIVED

JUL 01 2025

TOWN OF FREDERICK

LAND USE APPLICATION FORM (CONTINUED)

Property Owner: KINGDOM BUILDING CONSTRUCTION, INC.		Consultant Business Name:	
		Consultant Personal Contact:	
Address: 3879 E 120TH AVE #345 THORNTON CO 80233		Address:	
Phone/Fax: 303-523-3399		Phone/Fax:	
E-mail Address: bing@kbcii.cc		E-mail Address:	
TOTAL ACREAGE OF PROPERTY UNDER CONSIDERATION: NA			
Is site within Frederick Planning Area?		☐ Yes ☐ No	
Project Address (if applicable):			
Existing Use:		Existing Zoning:	
Proposed Use: NA		Proposed Zoning:	
Number of Existing Residential Lots:		Number of Proposed Residential Lots:	
Number of Existing Commercial Lots:		Number of Proposed Commercial Lots:	
Number of Existing Industrial Lots:		Number of Proposed Industrial Lots:	
Is there an existing MOAPI in place? ☐ Yes ☐ No If yes, please provide reception date and number.			
COMPREHENSIVE PLAN MAP DESIGNATIONS: NA			
LAND USE & PUBLIC FACILITIES Land Use Designation(s):		UTILITY AND SPECIAL DISTRICTS Water:	
Public Facilities:		Sewer:	
		Fire Protection:	
		Other:	
TRANSPORTATION Street Connections:		ENVIRONMENTAL ISSUES	
		Property in Floodplain: ☐ Yes ☐ No	
		Sensitive Wildlife habitat area: ☐ Yes ☐ No	
PARKS, OPEN SPACE AND RECREATION Proposed Park and/or trail:		SUBSIDENCE AND OIL AND GAS	
		Subsidence area: ☐ Yes ☐ No	
		Oil and/or gas wells: ☐ Yes ☐ No	
CERTIFICATION:			
I certify that I am the lawful owner, or represent and warrant that I am authorized to bind the entity that is the lawful owner, of the parcel(s) of land that this application concerns, and consent to this action.			
Signature: <u></u>			
Print Name: BING SELLERS		Date: 7-1-25	
I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing this application, I represent and warrant that I am authorized to bind the applicant and property owner(s). I understand that all materials and fees required by the Town of Frederick must be submitted prior to having this application processed.			
Signature: <u></u>			
Print Name: BING SELLERS		Date: 7-1-25	

APPEAL:

We are appealing the Town of Frederick's decision to not grant us Certificate of Occupancy, C.O. We built a beautiful home and ADU per the building department approved plans and current codes at 2310 Apple Street Frederick CO 80504.

We comply with The Town's Vision of "**Building a safe, inviting, and culturally vibrant community ...**"

This home is very safe. The metal siding is fireproof. The cellulose insulation we use is fireproof, the drywall is fire proof, and the roofing is fire proof and fire rated. This is one of the safest, most fire resistant homes in the world!

We have built these beautiful homes per the Building and Planning Department Approved plans in the Town of Frederick. These homes fully comply with all Town codes, requirements and intent. They have passed all building department inspections.



The Town will not issue the Certificate of Occupancy for 2310 Apple Street for the reason listed below. We believe this decision is incorrect and we are appealing their decision based on the following criteria.

The Planning Department stated "Metal siding is not permitted in residentially zoned neighborhoods per LUC 2.17.3.a". **The town misquoted the code!** It actually states;

- a. Metal buildings greater than two hundred (200) square feet are not permitted in a residentially zoned neighborhood.
- b. Clear span buildings are not permitted in a residentially zoned neighborhood.

This code says nothing about metal siding not being allowed.

There are many new residences with metal siding in Frederick, all of which received C.O.s. Here are 10 examples of newer homes that fall into this category. Clearly the people working in the Town of Frederick previously, who approved these homes and issued C.O.s for these homes, understood the town codes much better than the people currently working for the Town. Nonetheless, the Town has set a precedent to accept metal siding on residential homes, and since there is no town code forbidding metal siding, I respectfully request the Town issue our C.O.

2298 Apple Street	7701 County Road 5	2284 Apple Street
7604 Country Road 5	2285 Apple Street	2305 Apple Street
1891 Country Drive	2315 Apple Street	2455 Apple Street

Metal siding was allowed on all of these homes. We have included photos of 5 of the many homes in Frederick utilizing metal siding:

2315 Apple Street:



2298 Apple Street:



7604 CR 5:



1891 Country DR:



7701 CR 5

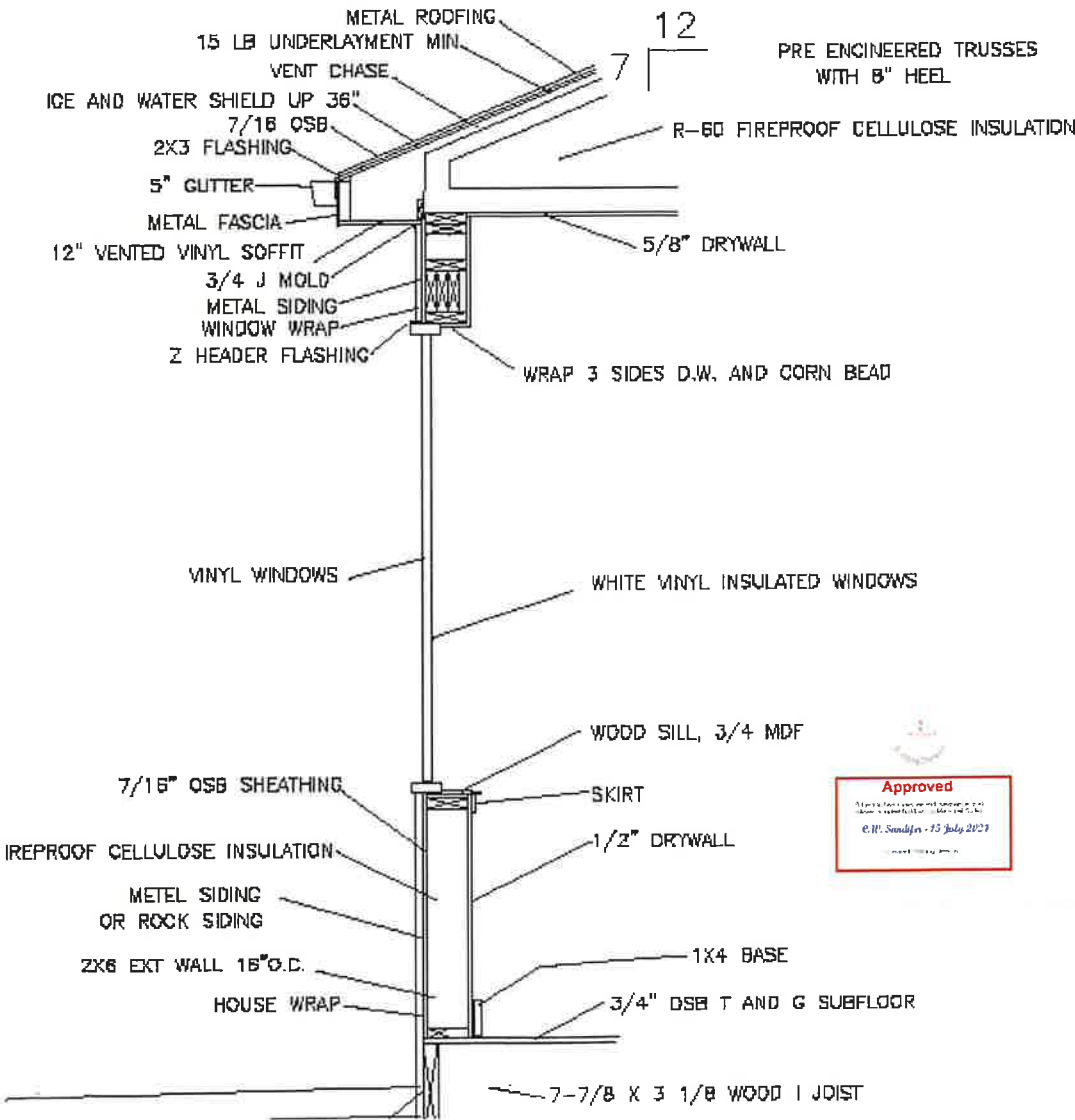


Given the Town's previous approval of metal siding in the Fox Chase neighborhood and surrounding neighborhoods and the fact that code allows metal siding. We reasonably relied on the Town's approval of the plans, and recent issuance of CO's to invest a significant sum of money to build the structures at 2310 Apple Street with metal siding. The Town's new stance lacks any apparent justification and causes substantial and unreasonable hardship to us.

EVIDENCE OF THE MANNER IN WHICH THE PROVISION HAS BEEN INTERPRETED IN THE PAST:

The plans for 2310 Apple Street were approved by the Planning and Building department July 15, 2024 and clearly specified “Metal Fascia” and “Metal Siding”. Based on the fact that the Town Building and Planning departments intelligently approved these plans, because there is no town code forbidding metal siding and IBC and IRC adopted codes specifically allow metal siding, we should be given C.O.

See Page 12 of Approved Plans:



The Town of Frederick has adopted and chosen to follow the 2021 International Residential Code (IRC) and the International Building Code (IBC). Both of these codes specifically allow metal siding. Since Frederick has adopted these codes it has adopted the use of metal siding.

The approved plans stated we were following 2021 IRC & IBC Codes, which both allow metal siding.

TYPE 5-N

Building Codes and Design Criteria

Wind Speed - 115 MPH three second gust

Exposure - Assumed to be C unless location complies with definition

Ground snow load - 30psf

Roof snow load - 30 psf

Footing depth - 36 inches to bottom of footing

Seismic Design - Category B

Weathering - Severe

Termite - Slight to moderate

Winter design temperature - 1 degree F

Air-Freezing Index - 1500

Mean annual temperature - 45 degrees F

2021

International Building Code

International Residential Code

International Plumbing Code

International Mechanical Code

International Fuel Gas Code

International Energy Conservation Code

International Fire Code

2023 National Electric Code



Approved

Subject to field inspection and compliance to all relevant adopted Building and Municipal Codes

C.W. Sandifer - 15 July 2024

Frederick Building Division

2 JOIST WHERE POSSIBLE
ITS, SIZES AND DISTANCES

GRAPHIC SCALE

100'

2021 IBC & IRC is the Town's accepted code:

"After public hearings in November and December of 2023, the Board has adopted the revised Building Code Ordinance No. 1390, going into effect on January 15, 2024. This ordinance update aligns with the Town's Strategic Plan for efficient government operations and enhanced safety, ensuring consistency with state standards and industry advancements in sustainability and energy efficiency. The Town of Frederick Building Department uses the **2021 International Codes** and **2023 National Electric Code**. The new codes will bring Frederick in line with other municipalities and the State of Colorado, which will soon adopt the 2023 NEC statewide."

Metal siding is allowed in 2021 IBC code. See below from Page 14.

EXTERIOR WALLS

has a wall covering of brick, concrete, stone, terra cotta, stucco or steel with minimum thicknesses in accordance with Table 1404.2.

2. Walls in which the *water-resistive barrier* is the only combustible component and the *water-resistive barrier* complies with the following:

- 2.1. A peak heat release rate of less than 150 kW/m², a total heat release of less than 20 MJ/m² and an effective heat of combustion of less than 18 MJ/kg when tested on specimens at the thickness intended for use, in accordance with ASTM E1354, in the horizontal orientation and at an incident radiant heat flux of 50 kW/m².

- 2.2. A flame spread index of 25 or less and a smoke-developed index of 450 or less as determined in accordance with ASTM E84 or UL 723, with test specimen preparation and mounting in accordance with ASTM E2404.

[BS] 1402.6 Flood resistance. For buildings in *flood hazard*

[BS] 1403.3.2 Hardboard siding. *Hardboard* siding shall conform to the requirements of ANSI A135.6 and, where used structurally, shall be so identified by the *label* of an *approved* agency.

[BS] 1403.4 Masonry. *Exterior walls* of masonry construction shall be designed and constructed in accordance with this section and Chapter 21. *Masonry units, mortar* and metal accessories used in anchored and adhered *veneer* shall meet the physical requirements of Chapter 21. The backing of anchored and adhered *veneer* shall be of concrete, masonry, steel framing or wood framing. Continuous insulation meeting the applicable requirements of this code shall be permitted between the backing and the masonry *veneer*.

[BS] 1403.5 Metal. *Exterior walls* constructed of cold-formed or structural steel shall be designed in accordance with Chapter 22. *Exterior walls* constructed of aluminum shall be designed in accordance with Chapter 20.

[BS] 1403.5.1 Aluminum siding. Aluminum siding shall conform to the requirements of AAMA 1402.

[BS] 1403.5.2 Cold-rolled copper. Copper shall conform to the requirements of ASTM B370.

Metal siding is allowed in 2021 IRC code. See below.

WALL COVERING

**TABLE R703.3(1)—continued
SIDING MINIMUM ATTACHMENT AND MINIMUM THICKNESS**

SIDING MATERIAL	NOMINAL THICKNESS (inches)	JOINT TREATMENT	TYPE OF SUPPORTS FOR THE SIDING MATERIAL AND FASTENERS					
			Wood or wood structural panel sheathing into stud	Fiberboard sheathing into stud	Gypsum sheathing into stud	Foam plastic sheathing into stud ¹	Direct to studs	Number or spacing of fasteners
Steel ^c	29 ga.	Lap	Siding nail (1 ¹ / ₂ " × 0.113") Staple-1 ³ / ₄	Siding nail (2 ³ / ₄ " × 0.113") Staple-2 ¹ / ₂	Siding nail (2 ¹ / ₂ " × 0.113") Staple-2 ¹ / ₂	Siding nail (1 ³ / ₄ " × 0.113") Staple-1 ³ / ₄	Not allowed	Same as stud spacing

The Building Department confirmed that the siding material used meets code as an applicable building material per correspondence from Deputy Attorney Francescani on 5-23-25.

Subject: RE: Fox Chase follow-up and farming in CE



Christine Francescani <cfrancescani@frederickco.gov>
to Matthew Chudacoff, Amber Wyatt, Teena Estrada

Fri, May 23, 2:05 PM

...

I know your clients must still be anxious about the certificate of occupancy for 2310 Apple. Town staff were able to confirm that the siding itself meets the applicable building code, and when I touched base with Justin Ritter this week, he noted that we still need updated elevations to review before making an official final decision to allow or not allow the siding.

Planning has not provided any place in Town code that says "No Metal Siding". We looked at the overall Land Use Code and see that there is no prohibition of metal siding anywhere. Where the LUC discusses siding it does not **MANDATE** any material. See below:

"Section 2.17

Suggested exterior wall materials include natural wood, stucco, brick, and stone."

These are **"suggestions,"** and there is no prohibition on other materials. Moreover, by using the term "include," the list of suggested materials is not exhaustive.

TECHNICAL MEANING OF THE PROVISION BEING APPEALED:

Justin Ritter and the Administrative Decision quotes "LUC 2.17.3.a" as the code that denies metal siding in residential neighborhoods.

Justin Ritter misquoted the code! It actually states;

- a. Metal buildings greater than two hundred (200) square feet are not permitted in a residentially zoned neighborhood.
- b. Clear span buildings are not permitted in a residentially zoned neighborhood.

This code says nothing about metal siding not being allowed.

Clearly the code is talking about a big metal framed, clear span ugly box. The home in question at 2310 is not a metal frame building. It is not clear span and it is not a big ugly box. I have been a builder for 40 years and have built many metal buildings. The industry defines metal buildings with metal framing, usually clear span and typically, they are a simple box such as below:



Delivered & Installed

At Big Metal Buildings, we ensure a seamless experience by offering delivered and installed buildings. We source the best installers in your area who are specifically chosen to meet the needs of your building project. These expert installers handle the delivery and installation process, allowing you to enjoy your new building without any hassle.



It is clear that code is talking about metal buildings, with metal frames, like the buildings pictured above. Our home looks nothing like these and is constructed of wood frame structure, totally different from the above "metal buildings".

There is no mention of metal siding for a residential building being prohibited in this code.

The home and ADU at 2310 Apple Street are not metal buildings, they are stick built, proper residential homes cosmetically equivalent to neighboring houses, which have a mix of metal siding, wood trim, stone and brick.

We believe Justin and the Planning Department made an error in interpreting this code. Our homes are not metal buildings!

THE POSITIVE OR NEGATIVE IMPACT OF THE REQUESTED APPEAL ON THE ACHIEVEMENT OF STATED TOWN DEVELOPMENT GOALS AND OBJECTIVES:

Frederick prioritizes sustainable growth and development, with a focus on responsible resource management and environmental stewardship.

We meet the goal of sustaining growth by providing beautiful, well built, long lasting homes. Steel siding lasts longer than wood siding, 100+ years. It won't shrink or crack, It can be painted any color. From the street aesthetically one cannot tell if it is metal or wood with strips.

The metal siding already being used throughout Frederick is fireproof and environmentally friendly requiring less paint over its lifetime than wood siding and can be recycled at the end of its life.

FRED Values are: Creating a culture of FAMILY where individuals feel RESPECTED and EMPOWERED by others and are DEDICATED to our Town.

We believe the Town's Planning and Building Departments reviewed the plans and made an informed and correct decision on their original approval of the plans and the metal siding.

We do not believe there will be any negative impact on the Town development goals and objectives if this appeal is approved, given that similar siding is present throughout Frederick and is not causing any problems or visual disharmony.

THE INTENT OF THE PROVISION IN IMPLEMENTING THE 2024 COMPREHENSIVE PLAN:

Frederick celebrates its values, relationships, and connections as a community while providing economic vitality for residents and local businesses, quality places to live, and neighborhoods and districts with distinct character.

We believe the metal siding helps create two quality homes for a large family to join Frederick, and contributes positively to a neighborhood with distinct character. We don't believe there is any risk to current Town planning priorities should the Board grant the appeal. Thank you for your time.

Frederick Municipal Court
401 Locust Street
Frederick CO 80530
(720) 382-5500

Receipt Number: R00240511

Cashier Name: Emily Nitcher

Terminal Number: 14

Receipt Date: 7/1/2025 3:13:01 PM

Transaction Code: 3-Miscellaneous - Miscellaneous Payme
Kingdom Building Const. Inc. 500.00
0899 500.00

Product: Miscellaneous Units: 0.00 Amount: 500.00

Total Balance Due: \$500.00

Payment Method: Check Reference 6322 Amount: \$500.00

Total Payment Received: \$500.00

Change: \$0.00