



**NOTICE OF REGULAR MEETING  
KERSEY PLANNING AND ZONING COMMISSION  
KERSEY MUNICIPAL BUILDING  
446 1<sup>st</sup> Street, Kersey, CO  
TUESDAY, FEBRUARY 6, 2024  
6:00 P.M.**

**1) CALL TO ORDER**

**2) ROLL CALL**

**3) NEW BUSINESS**

- a. Approval of November 7, 2023 Regular Meeting Minutes

**4) PUBLIC HEARING**

- a. Puryear Change of Zone
- b. Lot 4 Highway 34 Transportation Center Site Plan

**5) OLD BUSINESS**

- a. Comprehensive Plan Update

**6) ADJOURN**

**Town of Kersey**  
**P&Z Communication**

<b>Meeting Date:</b> 2/06/2024	<b>Page 1 of 1</b>	<b>Item: New Business:</b>
<b>Agenda No:</b> <b>3. a.</b>	<b>Presented by:</b>	
<b>BACKGROUND:</b>  <p>Approval of the November 7, 2023 regular meeting minutes</p>		
<b>RECOMMENDED MOTION: I move to approve the minutes of the regular meeting on November 7, 2023.</b>		

**MINUTES  
PLANNING AND ZONING COMMISSION  
KERSEY MUNICIPAL BUILDING  
REGULAR MEETING  
November 7, 2023**

The Kersey Planning and Zoning Commission regular meeting was called to order by Planning Commission member Jay Pier at approximately 6:03 p.m. on November 7, 2023. Commissioners present were Coralie Slusher, Dalton Naibauer, Mary Roth (via WebEx) and Town Board Representative Mayor Gary Lagrimanta (by phone). Commissioner absent was Bob Kellerhuis. Commissioner Breuer resigned earlier this month. The Planning Commission has two vacancies.

Staff present were Julie Piper, Town Clerk; Barb Brunk (via WebEx), Town Planner, and Christian Morgan, Town Manager.

Audience present were Daniel Clark.

**NEW BUSINESS:**

1. Public Hearing – Platte River Fort Annexation #3 Agriculture Zone, Annexation and Zoning  
Barb Brunk, Town Planner, states this is an annexation of 8 acres of land, a small triangle on the north end of their property. It is currently zoned Weld County Agriculture and will be proposed Town of Kersey Ag. The other property was annexed in 2017. Platte River Fort has been working many years with the Clark family to obtain this property and to annex it into their property and the town. The South Platte River will then divide both properties entirely. Barb Brunk then reviews all the review criteria from the staff report and the maps showing the annexation. She also notes this annexation meets the criteria in the Comprehensive Plan and meets the criteria for contiguity. Staff noticed, posted, and published referral of the annexation. Three referrals were received, two with no conflict and one from Central Weld Water District that if water was needed at this location, a new tap for water would be needed. Therefore, this annexation meets statutory requirements. Staff requested from the applicant to reserve land for trail along the Platte River. Barb states the Planning Commission is the recommending body for approval to the Board of Trustees. No further questions from the Board of Trustees. Daniel Clark, 2230 Hemlock Avenue, Greeley states he and his brothers approve the annexation. Their father had been working on this for quite some time and then passed away and it has taken them a while to get this back in order.

There being no further questions or comments, the Public Hearing is closed at approximately 6:15 p.m.

Motion made by Commissioner Naibauer and seconded by Commissioner Slusher to recommend approval to the Town Board for Platte River Fort Annexation #3 with land reserved for a trail system. Motion carried with a 5-0 vote.

2. Approval of September 5, 2023 Regular Meeting Minutes.  
Motion made by Commissioner Roth and seconded by Commissioner Naibauer to approve the minutes of the September 5, 2023 regular meeting. Motion carried with a 5-0 vote.

**ADJOURNMENT**

There being no further discussion, Commissioner Pier adjourned the meeting at approximately 6:18 p.m.

Respectfully Submitted,

Julie Piper Julie Piper, Town Clerk

# Town of Kersey

## Planning Commission Communication

<b>Meeting Date:</b> February 6, 2024	<b>Page 1 of 15</b>	<b>Item: Puryear Change of Zone</b>
<b>Agenda No:</b>	<b>Presented by:</b> <b>Danna Ortiz</b>	
<p><b>BACKGROUND:</b> Greeley Properties, LLC has submitted an application to change the zoning of the north half of their property from C1- Business to D – Industrial.</p>		
<p><b>RECOMMENDED MOTION:</b></p> <p>I move that we forward the Puryear Change of Zoning application to the Board of Trustees with a recommendation of approval subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Prior to any development on the property, the applicant shall submit a Site Plan application. The application shall demonstrate how the proposed development shield quieter uses from noise, traffic, lights, dust, etc. and complies with all applicable Community Design Standards, including landscaping, buffering, screening, lighting, parking and architectural requirements.</li> <li>2. The applicant shall enter into applicant shall enter into a Site Plan Agreement with the Town that details, among other things, truck haul routes, road improvements and road maintenance.</li> <li>3. Prior to site plan approval, the applicant shall submit evidence that they have entered into an agreement with the Iron Ditch Lateral owners. The agreement must guarantee that any alteration to, or disturbance of the ditch must be done in a manner to assure the delivery of water through the ditch at the historic rate and must be coordinated and in agreement with the Irons Lateral Ditch right-of-way owners.</li> </ol>		

## Kersey Planning Commission

February 6, 2024


**Subject:** Puryear Change of Zone Request for D - Industrial Zoning

**Presenter:** Town Planner Danna Ortiz

### BACKGROUND INFORMATION

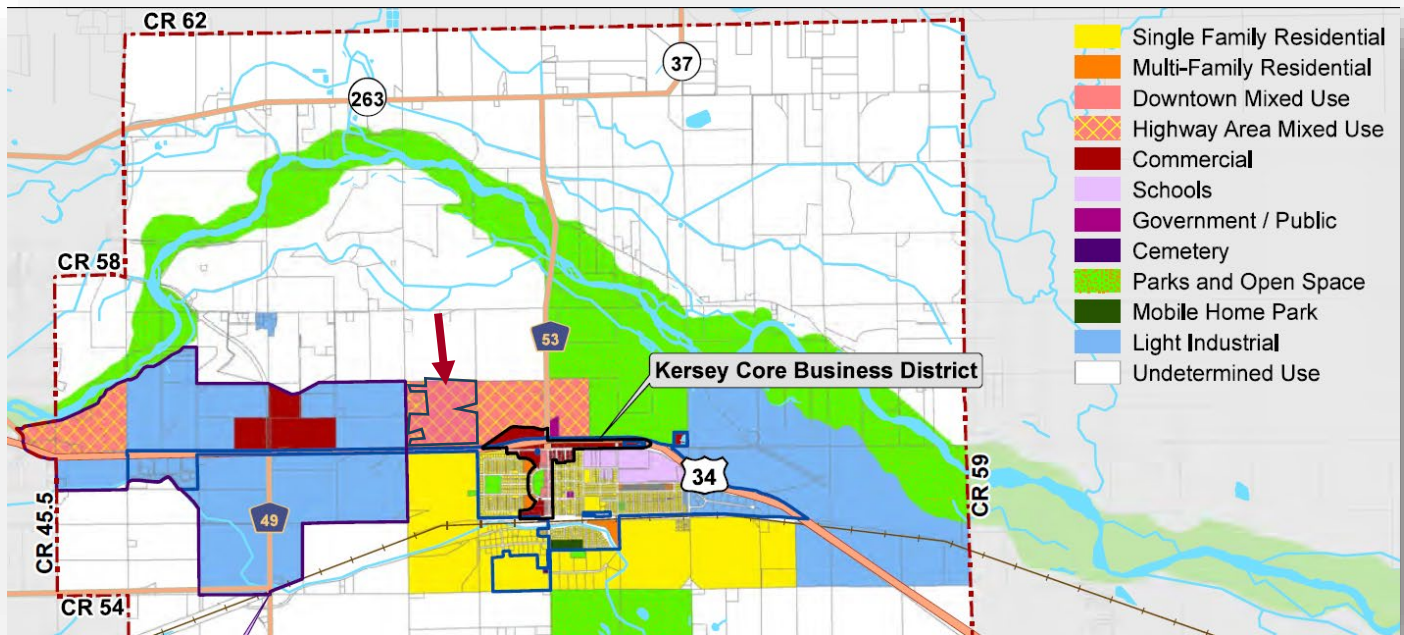
Greeley Properties, LLC has submitted a change of zone application for its property, which is located northeast of the intersection of WCR 51 and Highway 34. Currently the entire property is zoned C1 – Business. The company is requesting that the 78 acres north of the Irons Lateral Ditch, which bisects the property, be rezoned D-Industrial, while the southern 56 acres continue to be zoned C1- Business. The property is currently agricultural dryland with significant oil and gas facilities which have been operating for approximately five years.

The proposed rezoning would allow Puryear Tank Lines to construct a facility on the property. Puryear specializes in bulk tank delivery of liquid asphalt and liquefied petroleum gas. Although they are located in North Carolina, they have identified this site as a key service point as they expand in the western U.S. The business will require outdoor storage and the ability to access the site 24 hours a day, 7 days a week, although 90% of operations will occur during standard business hours.

BACKGROUND INFORMATION	
Type of Application	Change of Zone
Location:	
Applicant/Landowner:	Greeley Properties, LLC
Size of Property:	134 acres
Existing Land Use:	Agriculture and Oil/Gas
Proposed Land Use:	Industrial/Commercial
Existing Zoning:	Town of Kersey C1 Highway Business
Proposed Zoning:	D Industrial (north) C1 Highway Business (south)
Legal Description/ Address:	Part of SW ¼ Section 17, Township 5 North, Range 65 West, 6 <sup>th</sup> PM, Town of Kersey, Colorado; 27408 CR 51, Kersey, 80644 / 27408 WCR 51

## RELATION TO THE KERSEY COMPREHENSIVE PLAN

The property has been included in the Kersey Planning Area since 1998. When the plan was updated in 2016, the land use designation for the property was updated to include Highway Area Mixed Use Development. Per the adopted Kersey Comprehensive Plan, “The Future Land Use maps serve as a general guide to determine locations of different types of development within the Kersey Influence Area.... All new development and redevelopment will comply with the Community Design Principles, as outlined in Chapter 2 of the Kersey Land Use Code.”



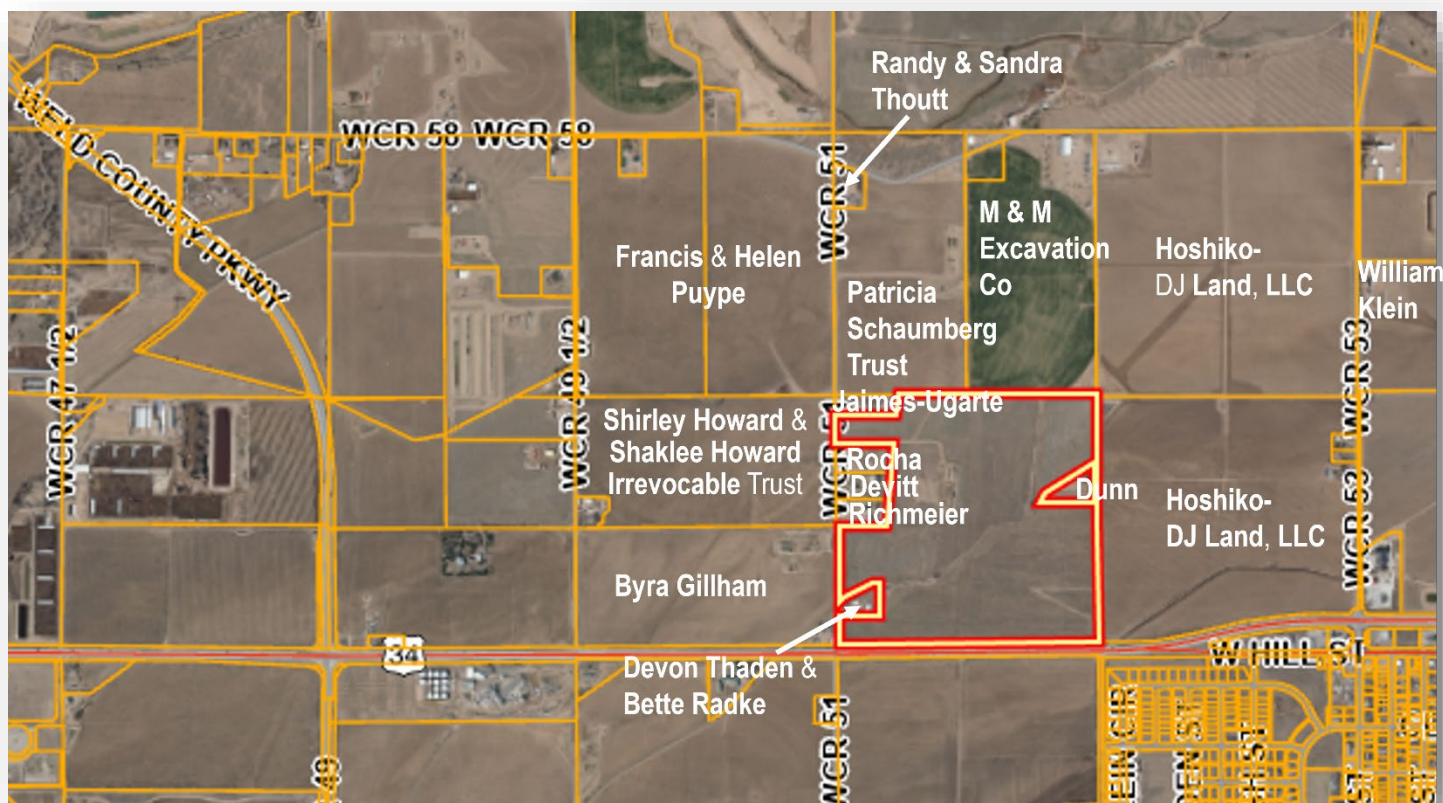
The following Comprehensive Plan goals and policies pertain to this proposal:

- **GOAL G2:** Grow with the intention of maintaining a small-town sense of community.
- **GOAL ED1:** Establish an economic base that provides job opportunities, goods and services, and a stable tax base for Kersey while maintaining a small-town atmosphere.
- **Policy ED1.1:** Take a pro-active approach to attracting desirable economic development to Kersey.
- **Policy ED1.2:** Designate areas for additional economic development.
- **Policy ED1.4:** Encourage a variety of businesses to locate in Kersey.

**Staff Comment:** While the comprehensive plan encourages economic growth in the area, it also emphasizes the importance of ensuring that new growth fits within the environment and with Kersey’s small-town character. The proposed industrial zoning would allow more intense uses next to homes and active farming operations. If the Planning Commission supports the proposed change of zone, it will be critical to buffer the uses on the property and to shield quieter uses from noise, traffic, lights, dust, etc. Intensity does not mean sacrificing quality. Architectural and site design standards still apply, to ensure this areas is an attractive, well-integrated part of the Kersey community.



The property is in a rural area. Seven residential lots have been carved out along the western and eastern perimeters of the property.



## REFERRAL COMMENTS AND PUBLIC NOTICE

Staff mailed details about the application to 14 referral agencies, 17 adjacent property owners within 300 feet of the property, two owners of the ditch lateral, and three mineral rights owners/lessees. Staff also published a notice of this hearing in the Greeley Tribune and posted a sign on the property.

FROM	REFERRAL COMMENTS
CDOT	<p>Should the rezoning be approved, memorialize haul routes in a formal development agreement – no trucks shall be allowed to access Highway 34 from WCR 51. If trucks are found to be using it, CDOT will install a physical barrier over the road until improvements are designed and installed (acceleration lanes on the north and south). Ensure that the east bound acceleration lane from WCR 58 on WCR 49 is long enough with the expanded storage requirements. Site Plan Traffic Report must state the existing length and what is required for this use.</p>
David and Amanda Devitt	<p>I am writing to express our concerns regarding the proposed change of zone application for Puryear on the land behind our property. As a family that is directly impacted by this development, we believe it is crucial to address several key concerns.</p> <ol style="list-style-type: none"> <li><b>Increased Traffic Congestion:</b> The prospect of multiple semi-trucks per day entering and exiting the property raises significant concerns about traffic congestion and wear and tear on our road.</li> <li><b>Noise:</b> The constant movement of trucks, especially if operations extend into the night, could result in substantial noise pollution. This would undoubtedly disrupt the peace and quiet of our residential area.</li> <li><b>Air Quality:</b> Emissions from the trucks and other industrial activities.</li> <li><b>Property Values:</b> Studies have shown that proximity to industrial developments can negatively impact property values. As a homeowner, we are worried about the potential depreciation of our property value due to this development.</li> <li><b>Environmental Impact:</b> I would like to know more about the measures the company plans to implement to minimize environmental impact, including stormwater runoff, waste disposal, and protection of local water sources.</li> <li><b>Light:</b> The installation of bright lights for nighttime operations could disrupt homes with children.</li> <li><b>Health and Safety:</b> What safety protocols are in place to address any accidents or spills on the property, minimizing risks to the health and safety of the residents nearby (us)?</li> <li><b>Community Aesthetics:</b> Preserving the rural character and aesthetic appeal of our community is important to us.</li> <li><b>Water usage and contamination:</b> We seek reassurance regarding water usage plans and measures to prevent water contamination from industrial activities.</li> <li><b>Road Safety:</b> As someone residing on a dirt road with small children, we are particularly concerned about the safety risks posed by increased truck traffic. Dust pollution, road degradation, and safety hazards could endanger our family and other residents.</li> </ol> <p>Our concern with the road is that it is not annexed into the town of Kersey, so <b>who is going to maintain our road?</b></p> <p>We purchased this land because we wanted a small acreage, but after purchasing 8 years ago we have had an oil company go in next door to us, tank batteries/facilities put in in front of and behind our properties, and now a trucking company. It's so</p>



FROM	REFERRAL COMMENTS
	<p>discouraging to have spent so much money on our land and homes in hopes of having a bit of land and privacy, just to have it overrun.</p> <p>While we understand that the decision-making process may be complex and that our individual voices may not carry significant weight, we believe it is important to express our concerns nonetheless. We respectfully request that these concerns be taken into consideration during the decision-making process, as they represent the sentiments of our family along with our neighbors to the south (my sister and brother-in-law and their children). Despite the potential challenges in influencing the outcome, we remain hopeful that our input will be valued and that steps will be taken to address the issues raised. Thank you for considering our perspective.</p>
<b>Helen and Francis Puype and Attorney</b>	<p>The Puypes' attorney Amy Penfold called asking questions about the proposed application and concerns about how their farm will be impacted. Puryear's representative was going to meet with them – I have not learned the outcome of this meeting.</p>
<b>Jessica and Nick Richmeier</b>	<p>My name is Jessica Richmeier my Husband (Nick) and I and our two children live at 27276 County Road 51. We do have some concerns when it comes to the zoning changes that will be happening around us. I know my sister and brother-in-law have also voiced some concerns. Between the two families we have 5 kids under the age of 8 and we are primarily concerned for their safety when it comes to that many trucks traveling on our county road. We are concerned about the long-term impacts proposed in an industrial development on our community's wellbeing, environment and the quality of life of the families around it that will be directly affected. We would appreciate transparency and accountability from all parties involved in the decision-making process. Clear communication and openness to feedback are essential for fostering trust and collaboration between all the homeowners affected and this business. We request mitigation measures to address concerns that we as the homeowners being affected. We think proactive steps should be taken to minimize negative impacts on traffic, noise, air quality, and other environmental and social factors. When we built our houses 8 years ago the previous landowner was not honest with us on what his intentions with the land around us were. We know we can't control what happens and what is developing around our homes, but we would appreciate honesty in regards to this development. Our number one priority is keeping our family's safe.</p>
<b>Patricia Schaumberg</b>	<p>Ms. Schaumberg's farm is immediately north of the Puryear property. She is concerned about the impact the proposed rezoning will have on her farm.</p>
<b>Devon Thaden</b>	<p>Phone conversation with Devon Thaden: His family lives at 27088 County Road 51. I asked the applicant to share details about the proposed uses on the property, truck traffic, and truck routes. Mr. Thaden is especially concerned that truck traffic may use the shared access easement that runs along his southern property line as he has a small child and farm equipment using it is quite different than trucks regularly using it.</p>
<b>Dennis Hoshiko, William Klein, Craig Herbst</b>	<p>Mr. Hoshiko and Mr. Klein and the Lower Latham Reservoir Company co-own the 138-year-old, earthen Irons Lateral Ditch that bisects the property, Mr. Hoshiko and Mr. Klein are also adjacent landowners and Mr. Herbst is Mr. Hoshiko's farm tenant. They are concerned about:</p>

FROM	REFERRAL COMMENTS
	<ul style="list-style-type: none"> <li>• The potential for increased erosion and damage to the canal due to development activities</li> <li>• Fugitive dust emissions from the site negatively affecting air quality</li> <li>• Lack of weed control</li> <li>• Increased truck traffic and potential safety hazards</li> <li>• Site access, particularly as it relates to the ditch.</li> </ul> <p>It is <u>essential that the ditch is not disrupted in any way</u> as it irrigates your property as well as William Klein's property.</p>
<b>Lower Latham Reservoir Company</b>	See attached letter. Key issues: ditch easement and historic access easement are not correctly shown on the plat, no fencing on/across easement allowed, may be high groundwater that could negatively impact structures and utilities, historical irrigation and drainage patterns must be maintained, ditch owners should have the opportunity to review and comment on drainage plans, add six notes to the plans.
<b>No Conflict/No Response</b>	Platte Valley School District RE-7, High Plains Library District, Central Weld County Water District, Platte Valley Fire Protection District, Atmos Energy, Century Link, Western Area Power Authority, Latham Ditch Company, Aims Junior College, Union Pacific Railroad, Xcel Energy, Central Colorado Water Subdistrict, West Greeley Soil Conservation District, Berryman Farms HOA, Berryman Farm Company, Robert and Valerie Dunn, Byra Gillham, Shirley Howard, Jaimes-Ugarte Jose Carmen, M&M Excavation CO, Gabriel and Marcela Rocha, Janet and Ed Schmidt, Nicholas and Jessica Richmeier, PDC Energy, Cecil's Kersey Farm, LLC, Lyco Energy Corporation

## APPLICANT'S RESPONSE TO REFERRAL COMMENTS

The Applicant responded **in red** to concerns about traffic, noise, air pollution, property values, environmental impact.

- **Increased Traffic Congestion:** The prospect of multiple semi-trucks per day entering and exiting the property raises significant concerns about traffic congestion and wear and tear on our road. **The intent is to travel along the east boundary of your property behind a landscape setback to the Oil & Gas entry and then onto CR 51 then North to CR 58 and West to CR 49. With all Truck Traffic. Cars and Pickups should use that route as well. As far as daily truck trips, these trucks generally will only have 1-2 trips into the yard per week.**
- **Noise:** The constant movement of trucks, especially if operations extend into the night, could result in substantial noise pollutions. This would undoubtedly disrupt the peace and quiet of our residential area. **The business does operate 24 hours per day, but the majority of the in and out will be during normal business hours.**
- **Air Quality:** Emissions from the trucks and other industrial activities. **The nature of the business falls under Federal and State Guidelines for Emissions. Puryear only runs late model trucks that meet those standards. Dust is always a concern for neighbors as well as Puryear. Dust mitigation will be addressed during the Building Permit Phase.**
- **Property Values:** Studies have shown that proximity to industrial developments can negatively impact property values. As a homeowner, we are worried about the potential depreciation of our property value due to this development. **Unable to answer at this time.**
- **Environmental Impact:** I would like to know more about the measures the company plans to implement to minimize environmental impact, including stormwater runoff, waste disposal, and protection of local water sources. **There will be a storm water detention pond at the north end of the property to collect for the whole north half of the site as it develops. Waste disposal will be contracted for with a Waste Management Company.**
- **Light:** The installation of bright lights for nighttime operations could disrupt homes with children. **Dark Sky Lighting is required in the Kersey Code for parking lots. Cut-offs will be installed where necessary.**

- Health and Safety: What safety protocols are in place to address any accidents or spills on the property, minimizing risks to the health and safety of the residents near by (us)? **As a trucking industry hauling hazardous product they are heavily regulated and have to report to DOT and Federal Authorities all incidents that fall under those guidelines.**
- Community Aesthetics: Preserving the rural character and aesthetic appeal of our community is important to us. **Doing what we can, but the reality is that you can't hide a Transportation Company.**
- Water usage and contamination: We seek reassurance regarding water usage plans and measures to prevent water contamination from industrial activities. **This will be addressed in the Site Plan and Permitting Phase.**
- Road Safety: As someone residing on a dirt road with small children, we are particularly concerned about the safety risks posed by increased truck traffic. Dust pollution, road degradation, and safety hazards could endanger our family and other residents. **Currently working with Weld County and the Town of Kersey to develop road improvements and maintenance agreement. Currently in the process of a Traffic Study to see what the impact to CR 51 and CR 58 will be. The intent is that Traffic to this site is not going to be passing in front of your property CR 51.**

## ZONING REVIEW CRITERIA

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

1. To correct a manifest error in an ordinance establishing the zoning for a specific property; or
2. To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally; or
3. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the *Kersey Comprehensive Plan*; or
4. The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the *Kersey Comprehensive Plan*, and the rezoning will be consistent with the policies and goals of the *Comprehensive Plan*; or
5. The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; or
6. A rezoning to Planned Unit Development overlay district is requested to encourage innovative and creative design and to promote a mix of land uses in the development.

**Staff Comment:** The proposed D-Industrial Zoning is necessary to accommodate a community-related use that was not anticipated at the time of the adoption of the *Kersey Comprehensive Plan*. While the rezoning aligns with the policies and goals in the *Comprehensive Plan*, it is important to consider that this property is situated in a rural, agricultural area, with seven homes, many housing young children, adjacent to the parcel.

Both the *Kersey Comprehensive Plan* and the *Kersey Land Use Code* underscore the importance of new developments blending seamlessly with the existing neighborhood. Therefore, it is vital that any future development strictly adheres to all criteria outlined in the *Kersey Land Use Code*. These criteria include, but are not limited to landscaping, buffering and screening, architecture, parking, lighting, drainage, open space, and traffic standards.

The following section provides examples of these requirements, ensuring that the proposed development maintains the character and integrity of the existing community.

### Section 2.17 Buffering and Screening

- Special consideration shall be given to adjacent land uses of different intensities. It shall be the responsibility of the developer of the more intensive use to ensure that the transition from one use to another is attractive, functional and

minimizes conflicts between the current and planned uses. Under no circumstances shall a fence be the only screening material used as a buffer between land uses.

- It is the responsibility of the developer of the higher intensity use to demonstrate that the uses will be compatible. This can be accomplished through the effective use of shared access and parking, appropriate building orientation and setbacks, landscaping, architectural treatment and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting and traffic.
- Loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations. Screening and landscaping shall prevent direct views of loading areas and their driveways and outside storage areas from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spill-over glare, noise, or exhaust fumes. Screening and buffering shall be achieved through walls, architectural features, and landscaping; and shall be visually impervious. Recesses in the building or depressed access ramps may be used.

#### Section 2.16 Landscape Design

- Landscape improvements shall be designed to enhance the overall appearance of the development and integrate the project with adjacent land uses and into the surrounding neighborhood. All improvements shall consider the people who will use the site, travel through or by the site and adjacent land uses. A minimum of fifteen (15) percent of the site (gross) shall be landscaped area, this may include landscaping in parking lots, within rights-of-way, and in detention areas.
- Integrate adjacent land uses of different intensities through a combination of berming, plantings and fencing. Use opaque screening only when necessary to mitigate the impact of noise, light, unattractive aesthetics, and traffic. A fence shall not be the only screening material used.
- Use landscaping to provide a transition from developed, managed landscape to more natural vegetation. Provide a tree canopy by installing shade trees within and adjacent to paved areas. All required landscaping shall be irrigated as required for plant establishment and maintenance. In order to provide for the ongoing health and appearance of landscape improvements, all landscaping shall be maintained and replaced by the landowner/occupant as necessary.

#### Section 2.20 Commercial and Industrial Architecture

- Requirement for Four-Sided Design: A building's special architectural features and treatments shall not be restricted to a single facade. All sides of a building open to view by the public, whether viewed from public or private property, shall display a similar level of quality and architectural interest.

#### Section 2.21 Lighting

- Evaluation of Exterior Lighting. Exterior lighting shall be evaluated in the development review process to ensure that the functional and security needs of the project are met in a way that does not adversely affect the adjacent properties or neighborhood. The degree to which exterior night lighting affects a property owner or neighborhood will be examined considering the light source, level of illumination, hours of illumination, and need for illumination in relation to the effects of the lighting on the adjacent property owners and the neighborhood.
- Concealed Light Source. Light sources shall be concealed or shielded to the maximum extent feasible to minimize the potential for glare and unnecessary diffusion on adjacent property and away from the vision of passing motorists. All lights shall be directed downward and the light source shall be equipped with "cut-off" devices so that it will not be visible from any adjacent property and to ensure that ambient skyward light is eliminated.
- Hours of Lighting Operation. All parking lot lighting fixtures and exterior building lights, except those required for security purposes, shall be extinguished within one (1) hour after the end of business hours and remain extinguished until one (1) hour prior to the beginning of business hours. If a portion of a parking lot is used after dark, only that portion shall be lighted.

## STAFF FINDINGS AND RECOMMENDATION

Staff finds that the proposed rezoning meets the criteria for a zoning amendment. Staff recommends that the Planning Commission forward the Change of Zoning application to the Board of Trustees with a recommendation for approval subject to the following conditions:

1. Prior to any development on the property, the applicant shall submit a Site Plan application. The application shall demonstrate how the proposed development shield quieter uses from noise, traffic, lights, dust, etc. and complies with all applicable Community Design Standards, including landscaping, buffering, screening, lighting, parking and architectural requirements.
2. The applicant shall enter into applicant shall enter into a Site Plan Agreement with the Town that details, among other things, truck haul routes, road improvements and road maintenance.
3. Prior to site plan approval, the applicant shall submit evidence that they have entered into an agreement with the Iron Ditch Lateral owners. The agreement must guarantee that any alteration to, or disturbance of the ditch must be done in a manner to assure the delivery of water through the ditch at the historic rate and must be coordinated and in agreement with the Irons Lateral Ditch right-of-way owners.

**STARR & WESTBROOK, P.C.**

ATTORNEYS AT LAW  
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 Email: [Mike@starrwestbrook.com](mailto:Mike@starrwestbrook.com)

Thursday, February 1, 2024

Town of Kersey  
 Planning Division  
 PO Box 657  
 Kersey, CO 80644

Email Only to: [dortiz@kerseygov.com](mailto:dortiz@kerseygov.com)

Attention: Danna Ortiz  
 Re: File Number: Unknown  
 Comments of The Lower Latham Reservoir Company

Dear Danna:

The following are the comments of The Lower Latham Reservoir Company (the “Company”) on behalf of the owners of the Iron Lateral Ditch with respect to the above land use proposal.

1. The owners of the Iron Lateral Ditch own an exclusive easement across this property that is not correctly shown on the plat of the property submitted to the Town (“Subdivision”). The easement width is the width of the ditch plus 25 feet from the toe or top of the bank of the ditch on each side of the ditch that lies on the Subdivision. The survey plat of the Subdivision should be amended to correctly show the location and width of the ditch easement.
2. The owners of the Ditch also own a historic access easement across the property from Weld County Road 51. The plat of the Subdivision should be amended to correctly show the location and width of the existing ditch access easement.
3. The applicant must not place any fence within the property and easements and the applicant shall not install any gates or fences on or across the easements and property without the prior written approval of the owners of the Iron Lateral Ditch.
4. The owners of the Iron Lateral Ditch identify to the applicant and the Town that there may be subsurface waters that arise in this property, and that there are periods of time when, due to water flowing within the ditch system and otherwise, that portions of the property receive significant amounts of subsurface water that is very near to the surface or resides on the surface. The utility of certain portions of the property for construction of structures could potentially be unavailable. The ditch owners do not have any plans to alter its operations that would cure this surface and subsurface water status. A note should be inserted on the survey plat of the property regarding these issues.
5. The applicant should acknowledge that historic irrigation and drainage patterns should be maintained on the property so that there are no changes in the operation of the ditch facilities. A drainage plan should be prepared by a licensed engineer to analyze and report on any change in drainage patterns caused by any change in use of the property. The ditch owners should be provided



with a copy of that plan and the ditch owners should have the opportunity to review and comment on the plan. The applicant should be required to maintain the existing irrigation and drainage patterns so that the quality of water entering the ditch from irrigation and from precipitation and other sources is maintained, and so that there is no change in point or type of drainage into the ditch that will occur. The applicant should be required to monitor and identify any pollutants or other hazardous materials that enter the ditch and should agree to stop any such deposit in the ditch system. A note should be inserted on the survey plat of the property regarding these issues.

6. The following notes shall be inserted by the Applicant onto the permanent Subdivision covenants or Subdivision plat or both the covenants and the plat:

A. The owners of the Iron Lateral Ditch have the authority to cut and remove trees within its right of way and it is acknowledged by the owners of the property in the Subdivision that the owners of the Iron Lateral Ditch will, at an appropriate time, remove all such trees on the property. The owners of the property in the Subdivision acknowledge that the property owners and successor owners may not plant or otherwise landscape the ditch right of way. The owners of the Iron Lateral Ditch also have the authority to install and maintain a road along each ditch bank for its purposes.

B. The property owners may not place any trail, path, or fence within the ditch right of way, and particularly across the right of way; and the property owners shall not to install any gates or fences near the Iron Lateral Ditch easement and right of way without the prior written approval of the owners of the Iron Lateral Ditch. Any fences approved by the owners of the Iron Lateral Ditch along the ditch easement must be stock-proof and fireproof to prevent damage by humans and livestock and other sources to the ditch. No permission is granted for any livestock watering in the ditch. Cattle guards instead of gates shall be utilized instead of gates.

C. The property owners acknowledge and understand that there may be subsurface waters that arise in and near this Subdivision development and that there are periods of time when, due to water flowing within the ditch system and otherwise, that portions of the property receive significant amounts of subsurface water that is very near to the surface or resides on the surface. Due to this problem, the utility of certain portions of the property for construction of structures could potentially be unavailable. The owners of the Iron Lateral Ditch have no plan to alter its operations as it would cure any surface and subsurface water issue.

D. The property owners shall maintain the irrigation and drainage patterns existing on the date of recording of the plat so that the quality of water entering the ditch from irrigation and from precipitation and other sources shall be maintained, and so that there is no change in rate, amount, point or type of drainage into the ditches that will occur. The property owners shall monitor and identify any pollutants or other hazardous materials that enter the ditch and should agree to stop any such deposit in the ditch system.

E. The property owners acknowledge that: 1) No livestock watering, swimming, tubing, canoeing or other use of the ditch or water in the ditch is allowed; 2) No dumping of refuse, including but not limited to household garbage, waste materials, grass clippings, tree and shrub prunings, motor oil, chemicals, pesticides or herbicides is allowed; 3) No pumps for lawn or other irrigation are allowed in the ditch; 4) No use of the ditch easement for hiking, biking, horseback, motorcycle, off road vehicles or other motorized or non-motorized vehicle shall be allowed; and 5) No

Town of Kersey Planning Division

-3-

Thursday, February 1, 2024

crossings of the Iron Lateral Ditch are permitted without the prior written consent of the owners of the Iron Lateral Ditch and compliance with the rules, regulations and requirements of the Iron Lateral Ditch.

If further information is needed concerning these comments, then you should contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Randolph W. Starr". The signature is fluid and cursive, with a large initial "R" and "S".

Randolph W. Starr

pc:

Greeley Properties II LLC  
Donald Allen Puryear II  
PO Box 7710  
Wilmington, NC 28406

# ZONING AMENDMENT

## LOT D, RECORDED EXEMPTION NO. 0963-17-3 RECX14-0088, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO

### LEGAL DESCRIPTION TO BE ZONED - ENTIRE AREA

A PARCEL OF LAND BEING A PART OF LOT D, RECORDED EXEMPTION NO. 0963-17-3 RECX14-0088, AND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO BEAR SOUTH 88°48'28" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 01°01'14" WEST ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 120.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 34;

THENCE NORTH 88°48'28" EAST A DISTANCE OF 30.00 FEET TO A POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 34 AND THE EAST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 51, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 01°01'14" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, A DISTANCE OF 280.22 FEET;

THENCE NORTH 88°48'20" EAST A DISTANCE OF 416.62 FEET;

THENCE NORTH 00°51'07" WEST A DISTANCE OF 342.19 FEET;

THENCE SOUTH 85°18'18" WEST A DISTANCE OF 66.81 FEET;

THENCE SOUTH 62°07'09" WEST A DISTANCE OF 332.42 FEET;

THENCE SOUTH 54°44'58" WEST A DISTANCE OF 65.79 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51;

THENCE NORTH 01°01'14" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, A DISTANCE OF 791.68 FEET;

THENCE NORTH 88°50'30" EAST A DISTANCE OF 475.16 FEET;

THENCE NORTH 04°24'59" EAST A DISTANCE OF 831.57 FEET;

THENCE SOUTH 88°00'52" WEST A DISTANCE OF 553.89 FEET TO A POINT ON THE EAST LINE OF SAID WELD COUNTY ROAD 51;

THENCE NORTH 01°01'00" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, A DISTANCE OF 283.69 FEET;

THENCE NORTH 88°51'13" EAST A DISTANCE OF 581.11 FEET;

THENCE NORTH 05°34'04" EAST A DISTANCE OF 212.28 FEET TO A POINT ON THE NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE NORTH 88°51'56" EAST ALONG THE NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 686.88 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE NORTH 88°51'57" EAST ALONG THE NORTH LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1,324.44 FEET TO THE NORTHEAST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 00°58'19" EAST ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1,322.83 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 00°57'50" EAST ALONG THE EAST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 1,202.35 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 34;

THENCE SOUTH 88°48'28" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 34, A DISTANCE OF 2,616.56 FEET TO THE POINT OF BEGINNING.

EXCEPT

THAT PARCEL DESCRIBED AS LOT A RE-1357 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT A, RECORDED EXEMPTION NO. 0963-17-3-RE1357, BEING PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND CONSIDERING THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO BEAR SOUTH 00°58'19" EAST WITH ALL BEARINGS HERIN RELATIVE THERETO;

THENCE SOUTH 00°58'19" EAST ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 688.17 FEET;

THENCE SOUTH 56°54'08" WEST A DISTANCE OF 35.42 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 56°54'08" WEST A DISTANCE OF 585.15 FEET;

THENCE SOUTH 37°17'01" WEST A DISTANCE OF 145.75 FEET;

THENCE NORTH 89°01'29" EAST A DISTANCE OF 585.79 FEET;

THENCE NORTH 00°58'19" WEST A DISTANCE OF 425.58 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 133.46 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

### NUMBER OF LOTS:

1 LOT

### ZONING:

EXISTING - HIGHWAY COMMERCIAL

PROPOSED - INDUSTRIAL (NORTH PARCEL), HIGHWAY COMMERCIAL (SOUTH PARCEL)

### LEGAL DESCRIPTION TO BE ZONED - NORTH PARCEL

A PARCEL OF LAND BEING A PART OF LOT D, RECORDED EXEMPTION NO. 0963-17-3 RECX14-0088, AND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND CONSIDERING THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO BEAR NORTH 88°51'56" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 01°01'00" EAST ALONG THE WEST LINE OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 210.96 FEET;

THENCE NORTH 88°51'13" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 51;

THENCE SOUTH 01°01'00" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, A DISTANCE OF 283.69 FEET;

THENCE NORTH 89°00'52" EAST A DISTANCE OF 553.89 FEET;

THENCE SOUTH 04°24'59" WEST A DISTANCE OF 831.57 FEET;

THENCE SOUTH 88°50'30" WEST A DISTANCE OF 475.16 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51;

THENCE SOUTH 01°01'14" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, A DISTANCE OF 791.68 FEET;

THENCE NORTH 54°44'58" EAST A DISTANCE OF 65.79 FEET;

THENCE NORTH 62°07'09" EAST A DISTANCE OF 332.42 FEET;

THENCE NORTH 85°18'18" EAST A DISTANCE OF 66.81 FEET;

THENCE NORTH 00°51'07" WEST A DISTANCE OF 7.63 FEET TO A POINT ON THE CENTERLINE OF A CANAL;

THENCE ALONG THE CENTERLINE OF SAID CANAL THE FOLLOWING 21 COURSES:

1. THENCE NORTH 85°52'13" EAST A DISTANCE OF 200.12 FEET;

2. THENCE NORTH 85°12'56" EAST A DISTANCE OF 217.31 FEET;

3. THENCE NORTH 84°49'21" EAST A DISTANCE OF 35.76 FEET;

4. THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 42°45'09", A RADIUS OF 66.22 FEET, AN ARC LENGTH OF 49.41 FEET, A CHORD OF 48.27 FEET, BEARING NORTH 62°06'12" EAST;

5. THENCE NORTH 46°53'12" EAST A DISTANCE OF 18.44 FEET;

6. THENCE NORTH 55°09'31" EAST A DISTANCE OF 223.80 FEET;

7. THENCE NORTH 53°46'44" EAST A DISTANCE OF 204.86 FEET;

8. THENCE NORTH 54°29'46" EAST A DISTANCE OF 61.03 FEET;

9. THENCE NORTH 48°05'12" EAST A DISTANCE OF 38.92 FEET;

10. THENCE NORTH 39°59'11" EAST A DISTANCE OF 92.14 FEET;

11. THENCE NORTH 40°15'04" EAST A DISTANCE OF 198.87 FEET;

12. THENCE NORTH 63°20'59" EAST A DISTANCE OF 16.41 FEET;

13. THENCE NORTH 88°50'36" EAST A DISTANCE OF 27.94 FEET;

14. THENCE NORTH 89°50'06" EAST A DISTANCE OF 205.22 FEET;

15. THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 33°21'35", A RADIUS OF 109.12 FEET, AN ARC LENGTH OF 63.53 FEET, A CHORD OF 62.64 FEET BEARING NORTH 73°27'33" EAST;

16. THENCE NORTH 30°38'04" EAST A DISTANCE OF 60.19 FEET;

17. THENCE NORTH 34°16'58" EAST A DISTANCE OF 43.36 FEET;

18. THENCE NORTH 34°41'06" EAST A DISTANCE OF 19.74 FEET

19. THENCE NORTH 54°17'55" EAST A DISTANCE OF 26.53 FEET;

20. THENCE NORTH 30°38'02" EAST A DISTANCE OF 19.31 FEET;

21. THENCE NORTH 31°27'05" EAST A DISTANCE OF 60.47 FEET;

THENCE NORTH 89°01'29" EAST A DISTANCE OF 9.83 FEET;

THENCE NORTH 37°17'01" EAST A DISTANCE OF 145.75 FEET;

THENCE NORTH 56°54'08" EAST A DISTANCE OF 620.57 FEET TO A POINT ON THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE NORTH 00°58'19" WEST ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 688.17 FEET TO THE NORTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 88°51'57" WEST ALONG THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1,324.44 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 88°51'56" WEST A DISTANCE OF 688.88 FEET;

THENCE SOUTH 05°34'04" WEST A DISTANCE OF 212.29 FEET;

THENCE SOUTH 88°51'13" WEST A DISTANCE OF 581.11 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 78.03 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

### LEGAL DESCRIPTION TO BE ZONED - SOUTH PARCEL

A PARCEL OF LAND BEING A PART OF LOT D, RECORDED EXEMPTION NO. 0963-17-3 RECX14-0088, AND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO BEAR SOUTH 88°48'28" WEST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 01°01'14" WEST ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 120.00 FEET;

THENCE NORTH 88°48'28" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 51, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 01°01'14" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, A DISTANCE OF 280.22 FEET;

THENCE NORTH 88°48'20" EAST A DISTANCE OF 416.62 FEET;

THENCE NORTH 00°51'07" WEST A DISTANCE OF 349.82 FEET TO A POINT ON THE CENTERLINE OF A CANAL;

THENCE ALONG THE CENTERLINE OF SAID CANAL THE FOLLOWING 21 COURSES:

1. THENCE NORTH 85°52'13" EAST A DISTANCE OF 200.12 FEET;

2. THENCE NORTH 85°12'56" EAST A DISTANCE OF 217.31 FEET;

3. THENCE NORTH 84°49'21" EAST A DISTANCE OF 35.76 FEET;

4. THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 42°45'09", A RADIUS OF 66.22 FEET, AN ARC LENGTH OF 49.41 FEET, A CHORD OF 48.27 FEET, BEARING NORTH 62°06'12" EAST;

5. THENCE NORTH 46°53'12" EAST A DISTANCE OF 18.44 FEET;

6. THENCE NORTH 55°09'31" EAST A DISTANCE OF 223.80 FEET;

7. THENCE NORTH 53°46'44" EAST A DISTANCE OF 204.86 FEET;

8. THENCE NORTH 54°29'46" EAST A DISTANCE OF 61.03 FEET;

9. THENCE NORTH 48°05'12" EAST A DISTANCE OF 38.92 FEET;

10. THENCE NORTH 39°59'11" EAST A DISTANCE OF 92.14 FEET;

11. THENCE NORTH 40°15'04" EAST A DISTANCE OF 198.87 FEET;

12. THENCE NORTH 63°20'59" EAST A DISTANCE OF 16.41 FEET;

13. THENCE NORTH 88°50'36" EAST A DISTANCE OF 27.94 FEET;

14. THENCE NORTH 89°50'06" EAST A DISTANCE OF 205.22 FEET;

15. THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 33°21'35", A RADIUS OF 109.12 FEET, AN ARC LENGTH OF 63.53 FEET, A CHORD OF 62.64 FEET BEARING NORTH 73°27'33" EAST;

16. THENCE NORTH 30°38'04" EAST A DISTANCE OF 60.19 FEET;

17. THENCE NORTH 34°16'58" EAST A DISTANCE OF 43.36 FEET;

18. THENCE NORTH 34°41'06" EAST A DISTANCE OF 19.74 FEET

19. THENCE NORTH 54°17'55" EAST A DISTANCE OF 26.53 FEET;

20. THENCE NORTH 30°38'02" EAST A DISTANCE OF 19.31 FEET;

21. THENCE NORTH 31°27'05" EAST A DISTANCE OF 60.47 FEET;

THENCE NORTH 89°01'29" EAST A DISTANCE OF 9.83 FEET;

THENCE NORTH 37°17'01" EAST A DISTANCE OF 145.75 FEET;

THENCE NORTH 56°54'08" EAST A DISTANCE OF 620.57 FEET TO A POINT ON THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 00°58'19" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 634.67 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 00°57'50" EAST ALONG THE EAST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1,202.35 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 34;

THENCE SOUTH 88°48'28" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 34, A DISTANCE OF 2,616.56 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 34 AND THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 51, SAID POINT ALSO BEING THE POINT OF BEGINNING.

EXCEPT

THAT PARCEL DESCRIBED AS LOT A RE-1357 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT A, RECORDED EXEMPTION NO. 0963-17-3-RE1357, BEING PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND CONSIDERING THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17 TO BEAR SOUTH 00°58'19" EAST WITH ALL BEARINGS HERIN RELATIVE THERETO;

THENCE SOUTH 00°58'19" EAST ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 688.17 FEET;

THENCE SOUTH 56°54'08" WEST A DISTANCE OF 35.42 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 56°54'08" WEST A DISTANCE OF 585.15 FEET;

THENCE SOUTH 37°17'01" WEST A DISTANCE OF 145.75 FEET;

THENCE NORTH 89°01'29" EAST A DISTANCE OF 585.79 FEET;

THENCE NORTH 00°58'19" WEST A DISTANCE OF 425.58 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 55.42 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

### PLANNING COMMISSION CERTIFICATE:

APPROVED BY THE KERSEY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

A.D., 20\_\_\_\_.

CHAIRMAN \_\_\_\_\_

PLANNING SECRETARY \_\_\_\_\_

### CERIFICATE OF APPROVAL BY BOARD OF TRUSTEES

THE AMENDMENT OF THE OFFICAL ZONING MAP OF THE TOWN OF KERSEY, WELD COUNTY, COLORADO IS APPROVED AND ACCEPTED BY ORDINANCE NUMBER \_\_\_\_\_, PASSED AND ADOPTED AT THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF KERSEY, COLORADO HELD ON \_\_\_\_\_, 20\_\_\_\_, AND RECORDED ON \_\_\_\_\_ AS RECEPTION \_\_\_\_\_, 20\_\_\_\_, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER BY THE BOARD OF TRUSTEES OF KERSEY, COLORADO.

BY: \_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
TOWN CLERK

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO }  
COUNTY OF WELD }ss

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_ AND IS RECORDED IN PLAT

BOOK NUMBER \_\_\_\_\_, FILM NUMBER \_\_\_\_\_, RECEPTION NUMBER \_\_\_\_\_.

WITNESS MY HAND AND SEAL \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

### SURVEYOR'S CERTIFICATE:

I, ROBERT D. THOMAS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND DONE IN ACCORD WITH APPLICABLE STATE OF COLORADO REQUIREMENTS.

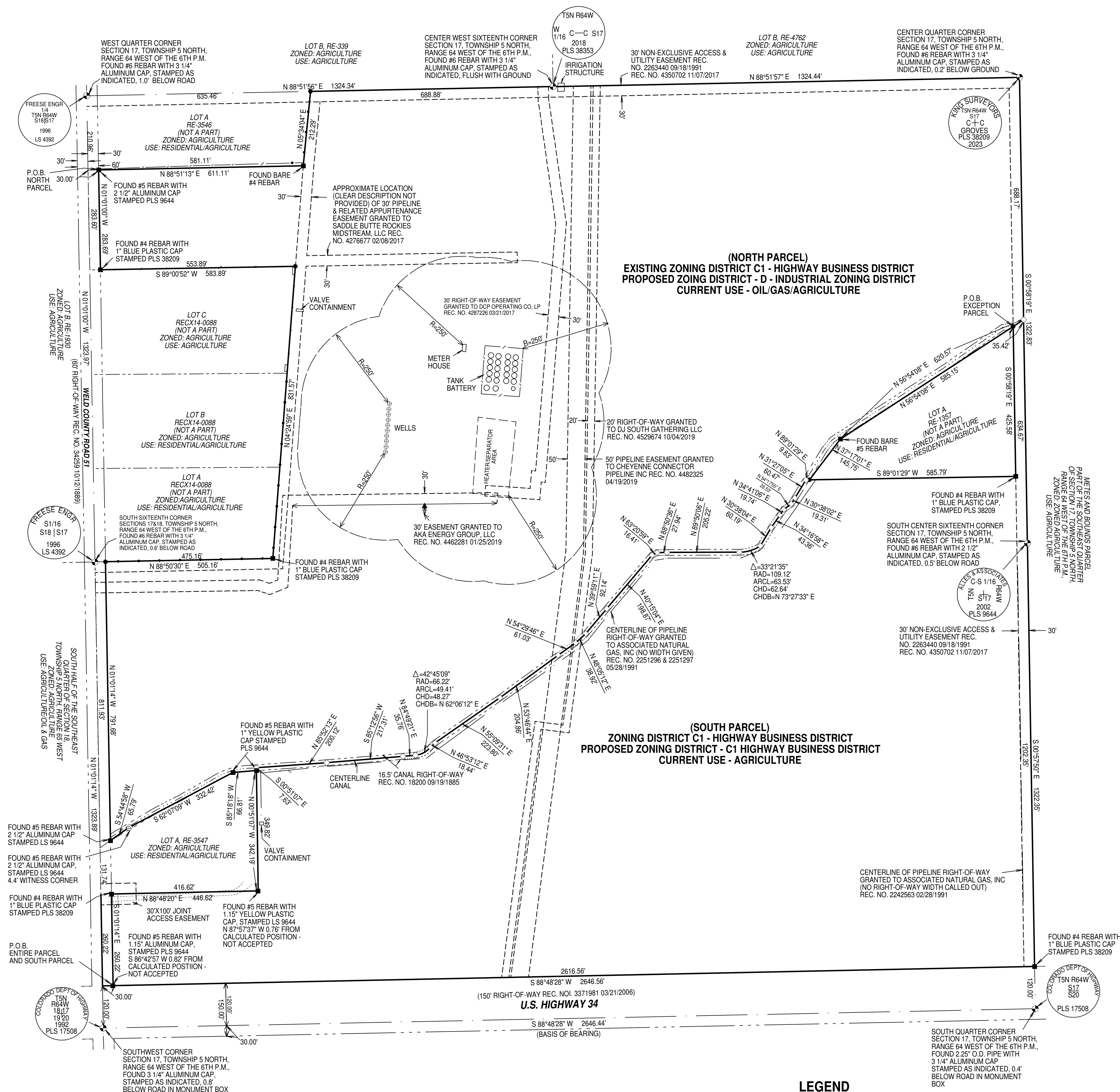
I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING AMENDMENT WAS PREPARED BY ME, OR UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF, BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND THE CITY OF GREELEY, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESS OR IMPLIED.

ROBERT D. THOMAS \_\_\_\_\_  
COLORADO PROFESSIONAL LAND SURVEYOR #38353

DATE \_\_\_\_\_

# ZONING AMENDMENT

**LOT D, RECORDED EXEMPTION NO. 0963-17-3 RECX14-0088,  
BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 64 WEST OF THE 6TH P.M.,  
COUNTY OF WELD, STATE OF COLORADO**



# Town of Kersey

## Planning Commission Communication

<b>Meeting Date:</b> February 6, 2024	<b>Page 1 of 14</b>	<b>Item: Lot 4, Western Truck &amp; Equipment Change of Zone</b>
<b>Agenda No:</b> <b>4.b.</b>	<b>Presented by:</b> <b>Danna Ortiz</b>	
<p><b>BACKGROUND:</b> Western Truck and Equipment has submitted a site plan application for a commercial spec. building on Lot 4 of the Highway 34 Transportation Center.</p>		
<p><b>RECOMMENDED MOTION:</b></p> <p>I move that we approve the Lot 4, Western Truck &amp; Equipment Site Plan application with the following conditions:</p> <ol style="list-style-type: none"><li>1. The applicant shall make any required final revisions to the Site Plan application package and provide updated plans to Staff for final approval.</li><li>2. The applicant shall provide a water demand analysis to determine the amount of water needed to serve the proposed use and confirm that Central Weld County Water District has sufficient capacity to serve the proposed demand.</li><li>3. The applicant shall satisfy the Platte Valley Fire Protection District concerns.</li><li>4. The applicant shall obtain all necessary permits from Weld County Department of Public Health and Environment and the Colorado Department of Public Health and Environment, including, but not limited to a Waste Handling Plan, Air Pollution Emission Notice, and Colorado Discharge Permit System.</li><li>5. The applicant shall enter into a Site Plan Agreement with the Town.</li></ol>		

**RESOLUTION NO. 2024-0004**  
**A RESOLUTION OF THE KERSEY PLANNING COMMISSION**  
**APPROVING A SITE PLAN FOR LOT 4, HIGHWAY 34**  
**TRANSPORTATON CENTER**

**WHEREAS**, an application has been made by Western Equipment & Truck for a Site Plan on Lot 4, of Replatted Highway 34 Transportation Center; in the North ½ of the Northwest ¼, Section 24, Township 5 North, Range 64 West, 6<sup>th</sup> P.M, Town of Kersey, Colorado; and

**WHEREAS**, the Town's Staff recommends conditional approval of the proposed Site Plan; and

**WHEREAS**, after proper notice, the Planning Commission held a public hearing on the 6<sup>th</sup> day of February 2024, and considered the application at the regular February 6, 2024, meeting.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION**  
**OF THE TOWN OF KERSEY AS FOLLOWS:**

1) The Planning Commission finds that the proposed Site Plan is consistent with the Kersey Comprehensive Plan.

2) The Planning Commission finds that the proposed Site Plan meets the requirements of Section 4.12 of the Kersey Land Use Code.

3) The Planning Commission by this resolution approves the Site Plan with the following conditions:

(a) Prior to recording the site plan maps, the applicant shall:

(i) Make any required final revisions to the Site Plan application package and provide updated plans to Staff for final approval.

(ii) Provide a water demand analysis to determine the amount of water needed to serve the proposed use and confirm that Central Weld County Water District has sufficient capacity to serve the proposed demand.

(iii) Satisfy the Platte Valley Fire Protection District concerns.

(b) The applicant shall obtain all necessary permits from Weld County Department of Public Health and Environment and the Colorado Department of Public Health and Environment, including, but not limited to a Waste Handling Plan, Air Pollution Emission Notice, and Colorado Discharge Permit System.

(c) The applicant shall enter into applicant a Site Plan Agreement with the Town.

(d) If Staff and the Applicant have a disagreement that cannot be reconciled at the staff level, the applicant may ask the Planning Commission for resolution.



**PASSED, ADOPTED AND APPROVED THIS 6<sup>TH</sup> DAY OF FEBRUARY 2024.**

**TOWN OF KERSEY**

**By:** \_\_\_\_\_  
Planning Commission Chair

**ATTEST:**

\_\_\_\_\_  
Town Clerk

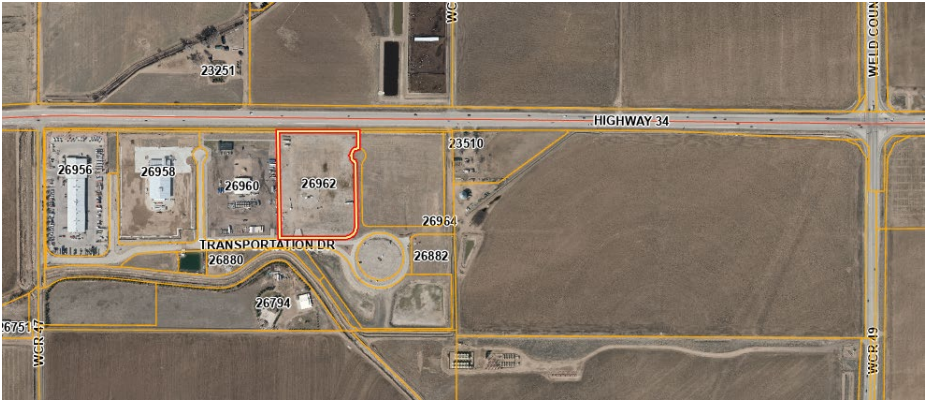
**Kersey Planning Commission**  
February 6, 2024

**Subject:** Highway 34 Transportation Center Lot 4 Site Plan Application

**Presenter:** Town Planner Danna Ortiz

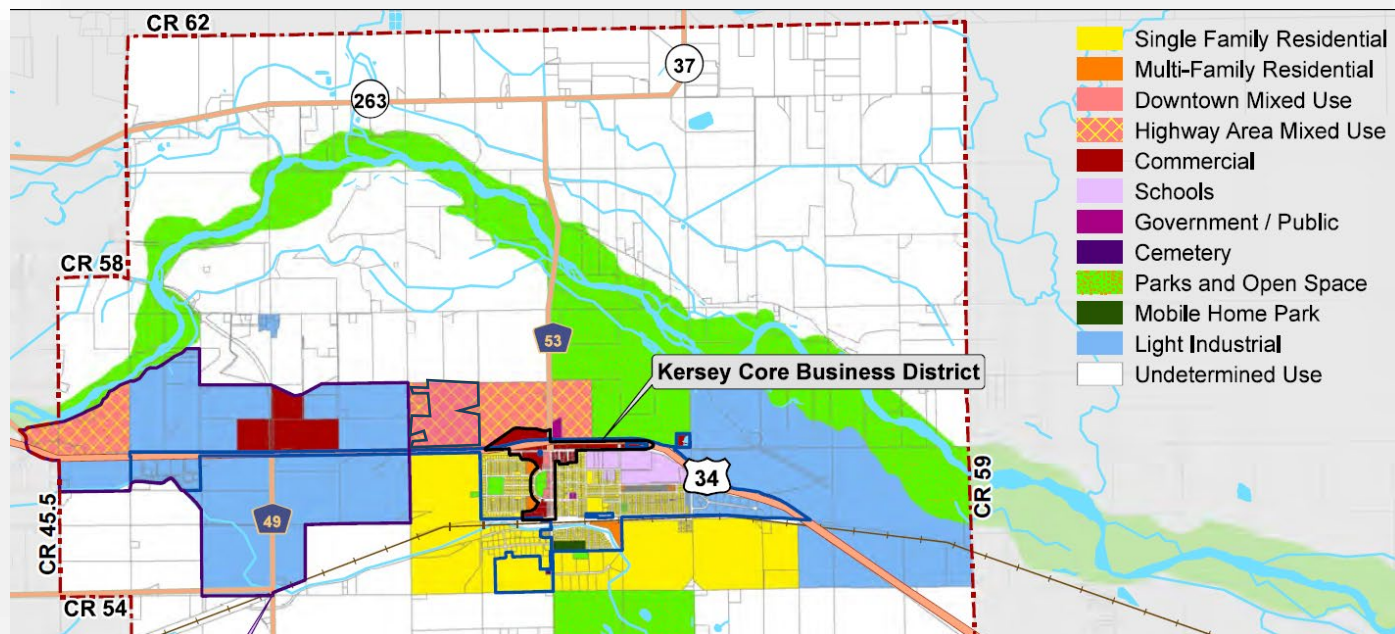
**BACKGROUND INFORMATION**

Landowner Craig Sparrow, of Western Equipment & Truck submitted a site plan application to construct a speculative building on Lot 4 of the Highway 34 Transportation Center. The site does not have an end-user. The proposed building will be similar in design to the Penske Truck Rental structure on Lot 2. The site will be open seven days a week, 7:00 a.m. – 6:00 p.m., with an estimated 15-25 employees.

BACKGROUND INFORMATION	
Type of Application	Site Plan
Location:	
Landowner/Applicant:	Western Equipment & Truck, Craig Sparrow/Ryan Banning, Northern Engineering
Size of Property:	7.61 acres +/- (331,658 square feet)
Existing Land Use:	Vacant
Proposed Land Use:	Industrial Spec Building
Existing Zoning:	PUD – Highway Commercial and Industrial
Proposed Zoning:	PUD – Highway Commercial and Industrial
Address:	26962 Transportation Dr
Legal Description:	Lot 4, Replat Highway 34 Transportation Center, N ½, NW ¼, Section 24, Township 5 North, Range 65 West, 6 <sup>th</sup> PM, Town of Kersey, Colorado
Lot Coverage:	Paved: 208,167 square feet Roof: 33,250 s.f. <u>Landscaped: 90,241 s.f.</u> Total: 331,658 s.f.

## RELATION TO THE COMPREHENSIVE PLAN

The proposed use is consistent with the Light Industrial designation on the 2016 *Future Land Use Map*.



This project is consistent with Goals and Strategies in the Kersey Comprehensive Plan, including:

- **GOAL ED1:** Establish an economic base that provides job opportunities, goods and services, and a stable tax base for Kersey while maintaining a small-town atmosphere.
- **Policy ED1.1:** Take a pro-active approach to attracting desirable economic development to Kersey.
- **Policy ED1.3:** Ensure that economic development in Kersey does not detract from the small-town atmosphere.
- **Policy ED1.4:** Encourage a variety of businesses to locate in Kersey.
- **Policy ED2.1:** Ensure that new and redeveloped buildings are attractive.

## ADJACENT LAND USES

The property is part of the Western Truck and Equipment industrial subdivision, which is generally surrounded by agricultural uses. Highway 34 runs along the northern property line. There are three homes near the property:

- Rosa and Otoniel Goldman's home and agricultural land is adjacent to the ditch that forms the property's southern boundary.
- The Vanessa and Erik Living Trusts own a single-family residence to the southwest.
- Ricky Van Maanen has a residence adjacent to the northeast property line.



## REFERRAL COMMENTS AND PUBLIC NOTICE

Staff mailed details about the application to 17 referral agencies and 8 adjacent property owners within 300 feet of the property. Staff also published a notice of this hearing in the Greeley Tribune and posted a sign on the property.

1. Weld County Department of Public Health and Environment (WCCDPHE) requests that the applicant clarify on the plans that the property will use a septic system until sewer is available and they will obtain all necessary permits from WCCDPHE and the Colorado Department of Public Health and Environment.
2. Central Weld County Water District noted that a water study is required to determine the feasibility and potential infrastructure modifications necessary for installation of a 2" meter. Fire flow is unavailable on existing CWCWD infrastructure. The Town can submit documentation and fees to our office when ready to move forward with a study.
3. Platte Valley Fire Protection District 1.
  - a) All construction/demolition shall comply with IFC Chapter-33. There must be an acceptable driving surface for emergency vehicles provided prior to and throughout construction.
  - b) All roads within the site and at the entrance shall be able to accommodate the weight of our heaviest fire apparatus and meet the requirements of IFC 503 & Appendix D throughout regular operations at the site. This driving surface shall always be maintained.
  - c) A Knox Box and/or Knox gate controller will be required on all gates to the site that will be locked. This can be discussed further as construction progresses. IFC 506
  - d) Premises identification shall meet the requirement of IFC 505.
  - e) Storage of flammable or combustible liquids shall meet the requirement of IFC Chapter 50 & 57.
  - f) Any storage that would meet the definition of "High Piled Combustible" storage shall meet the requirements of IFC Chapter 32.
  - g) Any traffic calming devices are prohibited. IFC 503.4.1
  - h) We will need sizes and construction types for any proposed buildings to determine the needed fire flows.
  - i) It is the responsibility of the applicant to ensure that all agencies are involved in all aspects of the review process.
  - j) Building plans will require separate review and approval of the Fire District.
  - k) Any construction near current or old oil and gas facilities, wells, pipelines, etc. Shall meet the requirements of the Platte Valley Fire Protection District, Weld County and the ECOM (Colorado Energy and Carbon Management Commission). Proper documentation is required that all pipelines have been accounted for and that developer is aware of these.

## SITE PLAN REVIEW CRITERIA

1. **All of the information required on a site plan is shown.**

**Staff Comment:** The site plan is complete.

2. **The lot size and lot dimensions are consistent with what is shown on the approved final plat.**

**Staff Comment:** The lot dimensions are consistent with the Western Truck and Equipment Subdivision Plat.

3. **No buildings or structures infringe on any easements.**

**Staff Comment:** The proposed building will not affect any easements.

- 4. The proposed site grading is consistent with the requirements of the Town's adopted storm drainage criteria or master drainage plans.**

**Staff Comment:** The Town Engineer is still reviewing the grading and drainage plans. The applicant must address his comments prior to recording of the site plan maps.

- 5. The density and dimensions shown conform with the *Kersey Zoning Code* Density and Dimensional Standards (Section 3.6) or the approved PUD requirements.**

**Staff Comment:** The building meets the requirements outlined in the PUD. Note: the site will use a septic system until sewer is available.

- 6. The applicable Community Design Principles and Development Standards have been adequately addressed and the proposed improvements conform with Article 2.**

**Staff Comment:** The project as proposed meets the intent of the design standards.

- The traffic circulation is generally designed to facilitate the safe movement of vehicles. Note it has been designed for large trucks, pedestrian circulation is extremely limited.
- All proposed lighting is dark sky compliant, and parking utilizes full cutoff fixtures. The applicant submitted a photometric plan that demonstrates the light will be contained on the property. Lights are arranged as to reflect the light away from nearby residential properties, and away from the vision of passing motorists.
- Buildings are designed in terms of their relationship to the height and massing of adjacent buildings, as well as in relation to the human scale. All HVAC systems, trash facilities and loading areas are screened.
- The proposed landscaping generally meets the intent of the Code. The applicant will submit a final landscape plan that complies with Town requirements prior recording the site plan or submit a waiver for the Town Board's approval.

	Required	Provided
<b>8% Open Space</b>	0.61 acres	1.96 acres
<b>15% Landscaped Area (L.A.)</b>	1.14 acres	1.96 acres
<b>Trees (1/1000 sf L.A.) *</b>	50	44
<b>Shrubs 9 (1/150 sf L.A.) *</b>	249	268
<b>Parking Lot Landscaping – 44 spaces</b>		
<b>Trees</b>	9	6
<b>Shrubs</b>	9	53

\* Includes parking lot trees/shrubs

## STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve the Lot 4, Western Truck & Equipment Site Plan application with the following conditions:

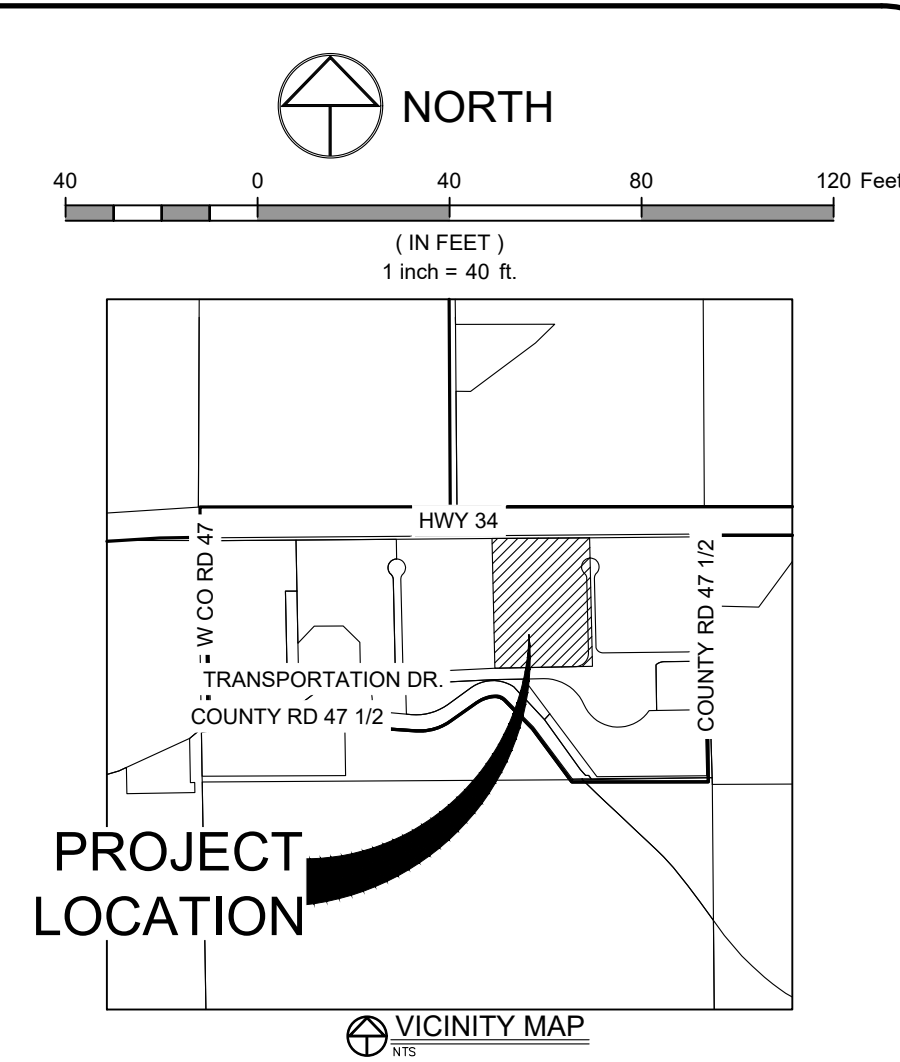
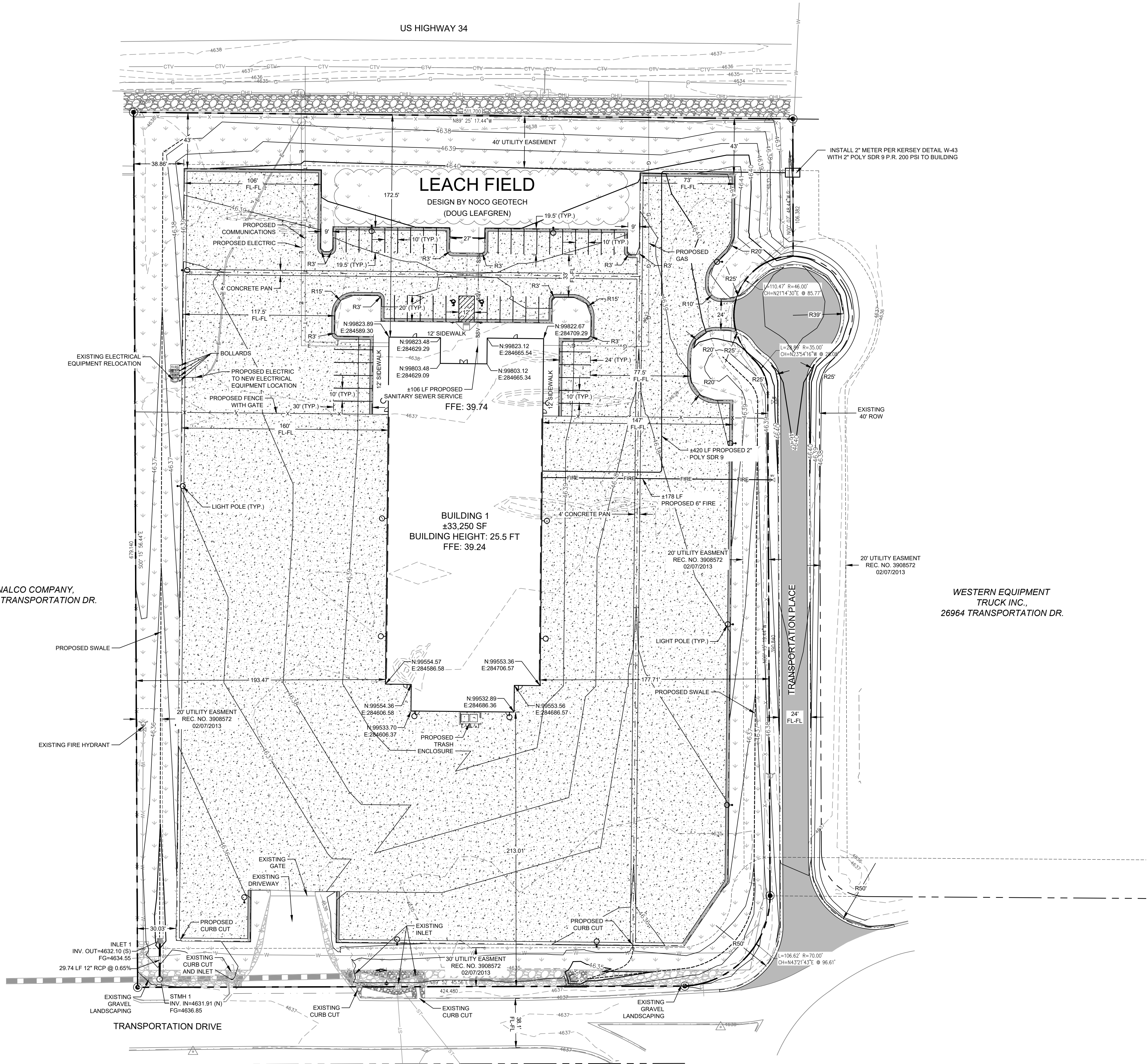
1. The applicant shall make any required final revisions to the Site Plan application package and provide updated plans to Staff for final approval.
2. The applicant shall provide a water demand analysis to determine the amount of water needed to serve the proposed use and confirm that Central Weld County Water District has sufficient capacity to serve the proposed demand.
3. The applicant shall satisfy the Platte Valley Fire Protection District concerns.
4. The applicant shall obtain all necessary permits from Weld County Department of Public Health and Environment and the Colorado Department of Public Health and Environment, including, but not limited to a Waste Handling Plan, Air Pollution Emission Notice, and Colorado Discharge Permit System.
5. The applicant shall enter into a Site Plan Agreement with the Town.







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**SITE INFORMATION**

**PROPERTY ADDRESS:**  
26962 TRANSPORTATION DRIVE, KERSEY, CO 80631

**LEGAL DESCRIPTION:**  
LOT 4, RE-PLAT HIGHWAY 34 TRANSPORTATION CENTER, BEING A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF KERSEY, COUNTY OF WELD, STATE OF COLORADO.

**PROPERTY OWNER:**  
WESTERN EQUIPMENT & TRUCK, INC.  
CRAIG SPARROW, C/O  
2055 1ST AVENUE  
GREELEY, CO 80631  
(970) 353-6682

**LOT SIZE:**  
331,658 SQUARE FEET (7.61 ACRES)

**USE:**  
MAINTENANCE/RENTALS (SPECULATIVE)

**HOURS OF OPERATION:**  
MONDAY - SUNDAY  
7AM - 6PM

**EMPLOYEE ESTIMATE:**  
15-25

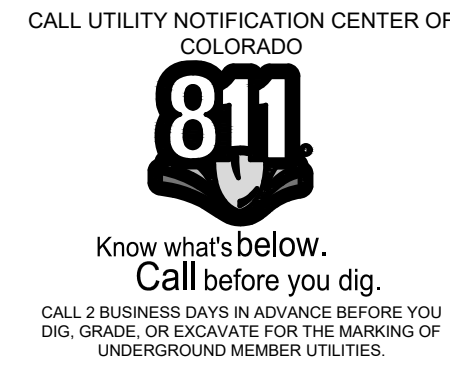
**LEGEND:**

PROPOSED VERTICAL CURB & GUTTER	
PROPOSED VERTICAL OUTFALL CURB & GUTTER	
PROPERTY BOUNDARY	
EXISTING LOT LINE EASEMENTS	
PRIVATE CONCRETE PAVING	
PUBLIC CONCRETE PAVING	

- NOTES:**
- SEE DETAIL SHEETS FOR ADDITIONAL INFORMATION REGARDING CURBS AND PAVEMENT SECTIONS.
  - PAVEMENT MARKINGS SHALL BE PER TOWN OF KERSEY STANDARDS AND PROJECT SPECIFICATION MANUAL.
  - LIMITS OF STREET CUT ARE APPROXIMATE. FINAL LIMITS ARE TO BE DETERMINED IN THE FIELD BY THE TOWN OF KERSEY ENGINEERING INSPECTOR. ALL REPAIRS TO BE IN ACCORDANCE WITH TOWN OF KERSEY STREET REPAIR STANDARDS.
  - ANY DAMAGED CURB, GUTTER AND SIDEWALK EXISTING PRIOR TO CONSTRUCTION, AS WELL AS STREETS, SIDEWALKS, CURBS AND GUTTERS, DESTROYED, DAMAGED OR REMOVED DUE TO CONSTRUCTION OF THIS PROJECT, SHALL BE REPLACED OR RESTORED TO TOWN OF KERSEY STANDARDS AT THE DEVELOPER'S EXPENSE PRIOR TO THE ACCEPTANCE OF COMPLETED IMPROVEMENTS AND/OR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
  - ALL PUBLIC CONCRETE PAVING SHALL BE 6" THICK.
  - REFER TO SITE AND LANDSCAPE PLANS (BY OTHERS) FOR ADDITIONAL INFORMATION RELATED TO DECORATIVE PAVING, HARDSCAPES, AND OTHER SITE AMENITIES.

**LAND USE TABLE**

PAVED:	208,167 SF
ROOF:	33,250 SF
PROPOSED LAWN/LANDSCAPING:	84,933 SF
EXISTING LAWN/LANDSCAPING:	5,308 SF



Revisions:

No.	Date:	Description:
1	01/10/2024	REVIEW SET
2	01/10/2024	NOT FOR CONSTRUCTION

**NORTHERN ENGINEERING**

SURVEY | MUNICIPAL | LAND DEVELOPMENT

FORT COLLINS | GREELEY 970.221.4198 NORTHERNENGINEERING.COM

PROJECT:	2008-003
DATE:	01/10/2024
DESIGNED BY:	A. PONCELOT
SCALE:	1" = 40'
DRAWN BY:	J. O'BANION
P. MANAGER:	R. BARNHART

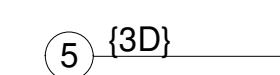
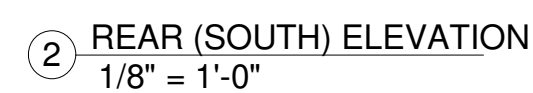
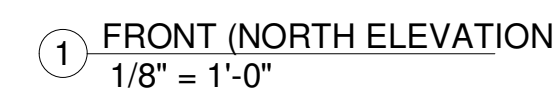
HIGHWAY 34 TRANSP. CENTER, LOT 4

CIVIL SITE PLAN

Sheet PV1

4 of 25





**Western**  
Equipment & Truck, Inc.

**Markley**  
DESIGNS  
ARCHITECTURE - PLANNING - CONSULTING  
970.673.8248  
MARKLEYDESIGNS.COM

Elevations

WESTERN EQUIPMENT & TRUCK  
HWY 34 & TRANSPORTATION CIRCLE  
LOT 4

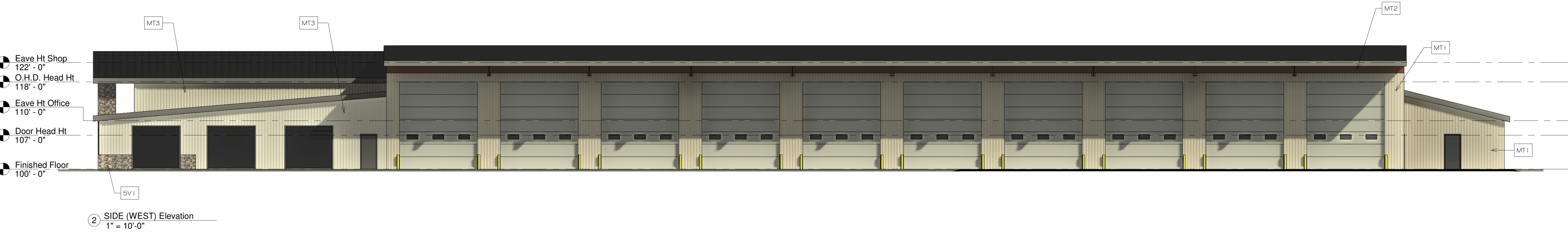
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KERSEY, COLORADO

PROJECT NO:	WEST-EQ4
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DATE	10/26/2023
REVISIONS	

10/26/2023

P-1 / 4  
SHEET





MT1

MT2

MT3

SV1

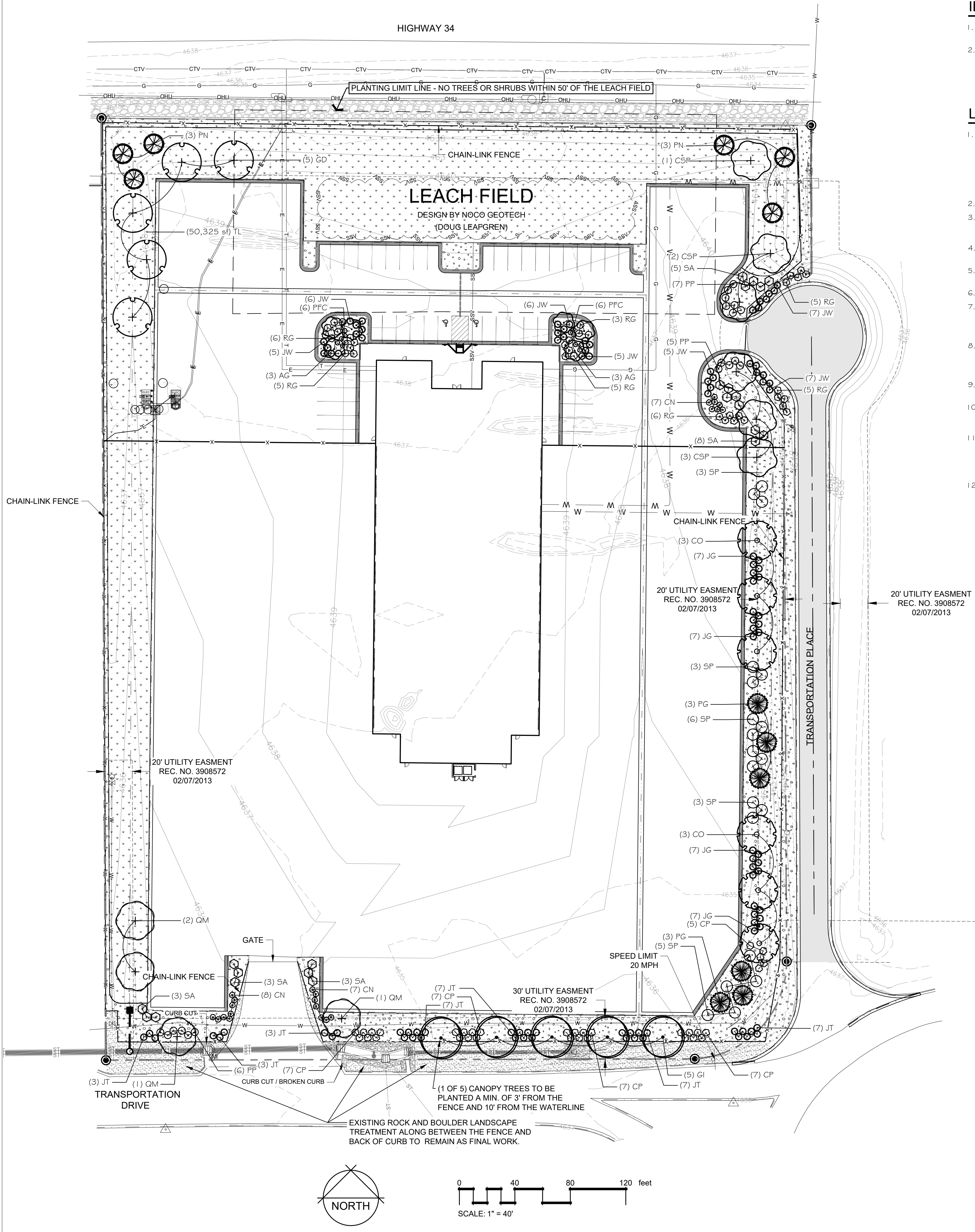
DS1

RF1

WT1

# PRELIMINARY PLANNING DOCUMENTS





IRRIGATION NOTES

- LANDSCAPING WILL BE WATERED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. ALL SHRUBS, PERENNIALS AND TREES (INCLUDING TREES IN NON-IRRIGATED SEED AREAS) WILL RECEIVE PERMANENT DRIP IRRIGATION.
- SEED AREAS WILL NOT RECEIVE PERMANENT IRRIGATION, BUT MAY REQUIRE TEMPORARY WATERING FOR ESTABLISHMENT. QUICK COUPLING VALVES WILL BE PROVIDED ON THE IRRIGATION SYSTEM TO ALLOW FOR TEMPORARY AND INCIDENTAL WATERING NEEDS FOR MAINTENANCE PURPOSES. RE: SEEDING NOTES.

LANDSCAPE NOTES

- SOIL PREPARATION: SOIL SHALL BE TILLED AND AMENDMENTS INCORPORATED TO A MINIMUM DEPTH OF SIX INCHES. THE FOLLOWING SCHEDULE SPECIFIES THE MINIMUM SOIL AMENDMENT REQUIREMENTS PER 1,000 SQUARE FEET OF LANDSCAPE AREA:
  - BLUEGRASS AND HIGH-WATER PLANTINGS: 3 CUBIC YARDS
  - SHRUBS, PERENNIALS AND MODERATE TO LOW-WATER PLANTINGS: 2 CUBIC YARDS
  - XERIC AND VERY LOW-WATER PLANTINGS: 1 CUBIC YARD OR COMPARABLE TREATMENT
  - DRYLAND AND NATIVE GRASSLAND RE-ESTABLISHMENT AREAS: NO REQUIRED AMENDMENTS
- STEEL EDGING - ALL PLANTING BEDS SHALL BE EDGED WITH PRO-STEEL EDGING.
- WEED BARRIER - ALL ROCK / MULCH AREAS TO RECEIVE TYFAR WEED BARRIER FABRIC OR APPROVED EQUIVALENT. OVERLAP SEAMS A MINIMUM OF 6". AT OVERLAP LOCATIONS AND EDGES OF CURBS, WALLS, STRUCTURES, PAVEMENTS, AND EDGING, WEED BARRIER SHALL BE SECURED WITH 1 1/2-GAUGE, 6-INCH LONG STAPLES AT 18 INCHES O.C. AT ALL EDGES.
- TREE RINGS - ALL TREES / SHRUBS IN TURF AREAS SHALL HAVE A 4-FOOT DIAMETER RING OF 4" DEEP SHREDDED REDWOOD MULCH.
- ALL ROCK / MULCH AREAS SHALL RECEIVE A 3" LAYER OF 1-1/2" LOCAL RIVER ROCK OVER WEED BARRIER FABRIC. ALL PLANTS IN ROCK / MULCH AREAS TO RECEIVE A 4" DEPTH OF SHREDDED REDWOOD MULCH BENEATH THE DRIP LINE OF THE PLANT.
- PERENNIAL AND GROUNDCOVER PLANT AREAS SHALL RECEIVE 4" OF SHREDDED REDWOOD MULCH AND NO FABRIC.
- ALL PLANTINGS OF TREES OR SHRUB WILL BE 50' FROM EDGE OF LEACH FIELD, SEPTIC TANK AND ASSOCIATED PIPING. PLACEMENT OF OTHER PERMANENT LANDSCAPING, STRUCTURES AND DIRT MOUNDS, OR OTHER ACTIVITIES THAT WOULD INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR FUNCTION OF THE SEPTIC SYSTEM ARE EXPRESSLY PROHIBITED OVER THE ABSORPTION FIELD AREAS.
- ANY SUBSTITUTE PLANT MATERIAL OR LANDSCAPE MATERIAL MUST BE APPROVED BY THE LANDSCAPE AND TOWN PLANNER PRIOR TO PLANTING. ALL PLANT MATERIAL MUST BE FIRST QUALITY AND SHALL COMPLY WITH THE MOST RECENT STANDARDS FOR NURSERY STOCK AS APPROVED BY THE AMERICAN STANDARDS INSTITUTE AND SPONSORED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
- ALL NEW PLANT MATERIAL SHALL MEET SPECIFICATIONS OF THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1) AND 8 CCR 5 1203-5, RULES PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT OF THE COLORADO NURSERY ACT.
- CONTRACTOR TO REVIEW AND VERIFY SITE CONDITIONS COMPARED TO PLANS. THESE ARE NOT ENGINEERED DRAWINGS, AND FIELD ADJUSTMENTS MAY BE NECESSARY DUE TO ACTUAL UTILITY LOCATIONS, STRUCTURES, OBJECTS OR CONDITIONS THAT ARE DIFFERENT THAN SHOWN ON THESE PLANS.
- WARRANTY: THE OWNER SHALL GUARANTEE ALL PLANT MATERIAL TO BE IN HEALTHY CONDITION (FREE OF DEAD OR DYING BRANCH TIPS; BEARING FOLIAGE OF NORMAL DENSITY, SIZE, AND COLOR; AND CLOSELY MATCHING ADJACENT SPECIMENS OF THE SAME SPECIES) FOR A TERM OF TWO YEARS THE WARRANTY TERM COMMENCES ON THE DATE OF ACCEPTANCE OF INSTALLED PLANT MATERIALS. WHEN WORK IS ACCEPTED IN PARTS, THE WARRANTY TERMS EXTEND FROM EACH ACCEPTANCE TO THE TERMINAL DATE OF THE GUARANTEE OF THE LAST ACCEPTANCE.
- HAVE ALL UTILITIES LOCATED BEFORE CONSTRUCTION. COORDINATE ALL WORK WITH OTHER TRADES.

LANDSCAPE CONCEPT

LANDSCAPING WILL BE CONSISTENT AND CONTINUOUS WITH THE SURROUNDING PRIVATE OPEN SPACE AREAS. THE INTENT OF THE LANDSCAPING IS TO HIGHLIGHT CERTAIN AREAS OF THE BUSINESS AND SCREEN LESS DESIRABLE VIEWS. PLANTINGS ON THE PERIMETER OF THE PROPERTY WILL RECEIVE MODERATELY DENSE PLANTINGS. GRASSY OPEN AREAS PROVIDE LINES OF SIGHT WHERE NEEDED. DROUGHT TOLERANT PLANT MATERIAL WITH AN EYE TOWARDS SEASONAL COLOR HAVE BEEN INCORPORATED INTO THE DESIGN. PLANT SELECTION WILL PROVIDE DROUGHT RESISTANCE AND MINIMAL MAINTENANCE.

OPEN SPACE NOTES:

THE OPEN SPACE AREAS WILL BE PRIVATELY OWNED AND MAINTAINED. EROSION CONTROL AND REVEGETATION WILL BE PROVIDED BY A COMBINATION OF SEED AREAS, AND MULCHED PLANTING BEDS. MAINTENANCE OF THE OPEN SPACE LANDSCAPING WILL INCLUDE MOWING AND WEED MANAGEMENT DURING AND AFTER CONSTRUCTION. SEED AREAS WILL BE MAINTAINED A MAXIMUM HEIGHT OF 8".

SEEDING NOTES:

- APPLY THE SPECIFIED SOIL AMENDMENTS. PREPARE SOIL THROUGH LOOSENING, THEN SEED IN TWO DIRECTIONS TO DISTRIBUTE SEED EVENLY OVER ENTIRE AREA. DRILL SEED ALL INDICATED AREAS AS SOON AS POSSIBLE AFTER COMPLETION OF GRADING OPERATIONS.
- DRILL SEED APPLICATION RECOMMENDED PER SPECIFIED APPLICATION RATE TO NO MORE THAN 1/2 INCH DEPTH. FOR AREAS NOT ACCESSIBLE FOR DRILL SEEDING METHOD, BROADCAST SEED TO BE 30-35 LBS. / ACRE.
- TREAT SEED AREA PRIOR TO INSTALLATION OF SEED WITH APPROPRIATE HERBICIDE TO PROACTIVELY MITIGATE HERBACEOUS WEED SPECIES GROWTH DURING ESTABLISHMENT PERIOD THEN AFTER APPROPRIATE TIME PERIOD APPLY SEED AS CALLED FOR ON APPROVED PLANS.
- FOR NON-IRRIGATED SEED: AFTER SEEDING, THE AREA SHALL BE COVERED WITH CRIMPED STRAW OR OTHER APPROPRIATE METHODS AND PROVIDED TEMPORARY IRRIGATION UNTIL SEED IS ESTABLISHED. EROSION CONTROL BLANKET MAY BE USED AS AN ALTERNATE TO CRIMPED STRAW AREAS THAT ARE INACCESSIBLE TO EQUIPMENT. THE EROSION CONTROL BLANKET SHALL BE, WESTERN EXCELSIOR CORPORATION, EXCEL CS-3, OR EQUAL.
- CONTRACTOR SHALL MONITOR SEED AREA FOR PROPER IRRIGATION, EROSION CONTROL, GERMINATION AND RESEEDING AS NEEDED TO ESTABLISH COVER.

LANDSCAPE TABLE

OPEN SPACE ACRES	REQUIRED	PROVIDED
PROPOSED LANDSCAPE	1.14 ACRES	1.95 ACRES
EXISTING LANDSCAPE		0.12 ACRES
TREES	38	38
SHRUBS	249	215
PARKING LOT LANDSCAPE	REQUIRED	PROVIDED
44 SPACES	9 TREES	6 TREES
2,711 S.F.	9 SHRUBS	53 SHRUBS

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
	STEEL EDGING
	ROCK MULCH

PLANT SCHEDULE

CODE	QTY	BOTANICAL / COMMON NAME	SIZE	
DECIDUOUS TREES				
CSP	6	Catalpa speciosa / Northern Catalpa	2" B#B	
CO	6	Celtis occidentalis / Common Hackberry	2" B#B	
GI	5	Gleditsia triacanthos inermis 'Trueshade' / Trueshade Honey Locust	2" B#B	
GD	5	Gymnocladus dioica 'Espresso' / Kentucky Coffeetree	2" B#B	
QM	4	Quercus muehlenbergii / Chinkapin Oak	2" B#B	
EVERGREEN TREES				
PG	6	Picea pungens 'Glauca' / Blue Colorado Spruce	6" B#B	
PN	6	Pinus nigra / Austrian Pine	6" B#B	
ORNAMENTAL TREES				
AG	6	Acer tataricum 'GarAnn' / Hot Wings® Tatanan Maple	1-1/2" B#B	
DECIDUOUS SHRUBS				
CP	33	Caragana pygmaea / Fygmy Peashrub	#5 CNT	
CN	22	Chrysothamnus nauseosus / Dwarf Blue Rabbitbrush	#5 CNT	
PFC	12	Potentilla fruticosa / Bush Cinquefoil	#5 CNT	
PP	18	Prunus besseyi 'PO115' / Pawnee Buttes® Sand Cherry	#5 CNT	
RG	35	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	#5 CNT	
SA	22	Shepherdia argentea / Silver Buffaloberry	#5 CNT	
SP	20	Syringa x hyacinthiflora 'Pocahontas' / Pocahontas Lilac	#5 CNT	
EVERGREEN SHRUBS				
JW	41	Juniperus horizontalis 'Wiltoni' / Blue Rug Juniper	#5 CNT	
JT	37	Juniperus sabina 'Tamaniscifolia' / Tamanx Juniper	#5 CNT	
JG	28	Juniperus x media 'Sea Green' / Sea Green Juniper	#5 CNT	
CODE	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING
SEED				
TL	50,325 sf	Non-Irrigated Seed / "Dryland Pasture Mix" 25% Oahe Intermediate Wheatgrass 20% Lincoln Smooth Brome 20% Luna Pubescent Wheatgrass 15% Bocage Tetraploid Perennial Ryegrass 15% Profile Orchard grass 5% Sodar Streambank Wheatgrass	Seed	



CALCULATION SUMMARY (NONRESIDENTIAL)							
ZONE	AREA DESCRIPTION	SPACING	GROUP	AVERAGE	MAX	MIN	MAX/MIN
A	PARKING LOT	10'	1	0.6	8.6	0.1	86

FIRM NAME  
**G2** CONSULTING ENGINEERS, INC.  
UNIT 100  
5000 GOODMAN STREET  
TIMNATH CO 80547  
(970) 460-7400  
G2CE.COM

CONSULTANT FIRM NAME

PROJECT DESCRIPTION

Kersey Lot 4 - Transportation Center  
Highway 34, Kersey, CO 80664

SEAL

NO.	REVISION/ISSUE	DATE
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PROJECT #  
20230117

DATE  
10/20/2023

DRAWN  
G2

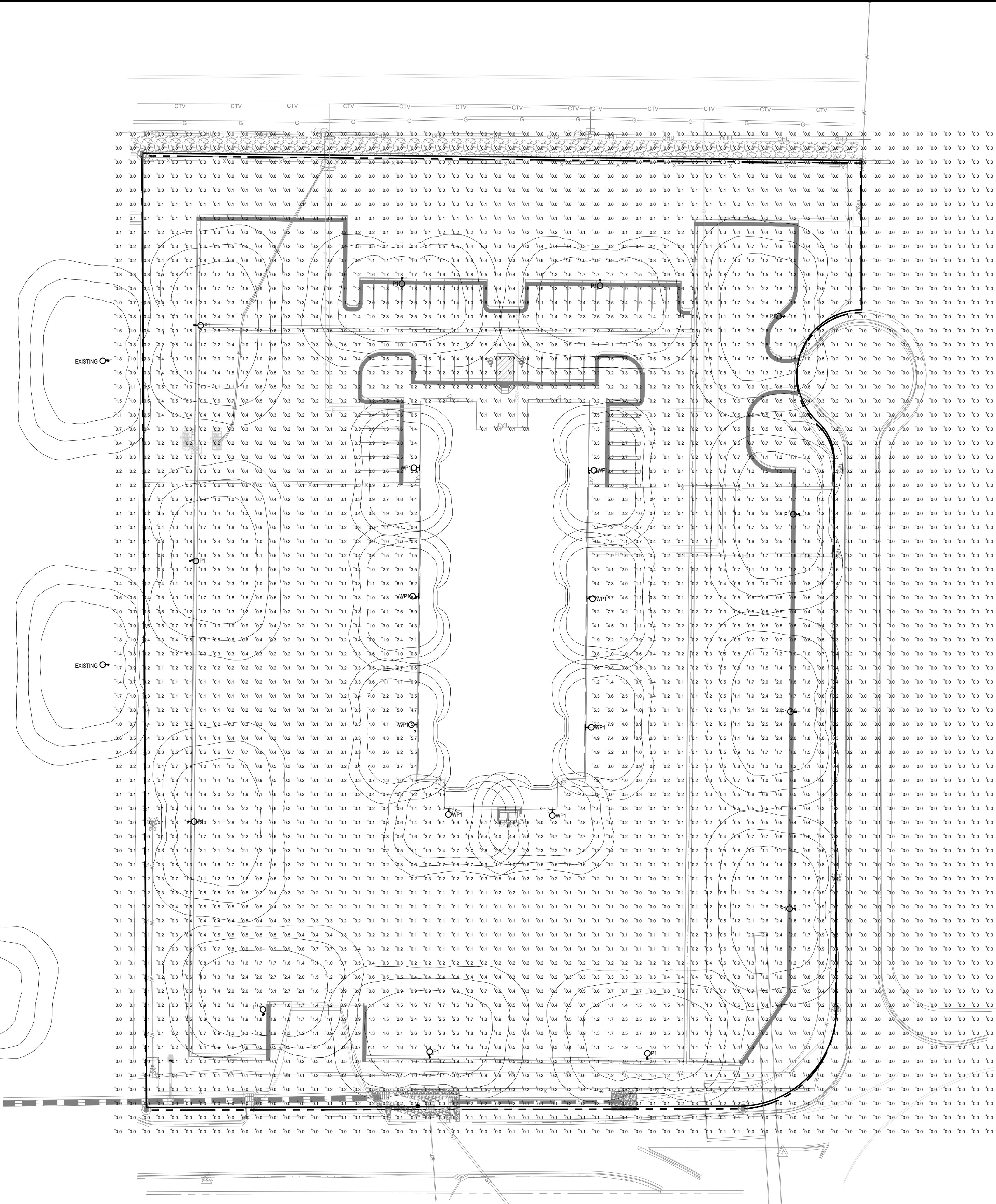
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AS NOTED

CHECKED  
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SHEET DESCRIPTION  
SITE PLAN - PHOTOMETRIC

SHEET NUMBER

E2.0



E2.0.dwg

1/15/2004



**Town of Kersey**  
**P&Z Communication**

<b>Meeting Date:</b>	<b>Page 1 of 1</b>	<b>Item: Old Business:</b>
2/06/2024		
<b>Agenda No:</b>	<b>Presented by:</b>	
5.	Danna Ortiz	
<b>BACKGROUND:</b>		
Comprehensive Plan Update – Danna will have an update on the progress of the Comp Plan		
<b>RECOMMENDED MOTION:</b>		

