



PLANNING COMMISSION

Mike Simone, Chairperson
Bushrod White, Vice-Chairperson
Kathy Kvasnicka
Thomas Holton
Jimmy Dominguez
Shannon Rhoda
Zachary Potter

Planning Commission Agenda
Regular Meeting
130 South McKinley Avenue
Thursday, December 14, 2023
6:00 PM

(Order & Contents Subject to Change by Action of the Commission)

** Login information on how to attend this meeting virtually (optional) is on the last page of this Agenda.*

Call to Order

Approval of Agenda

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

a. Approval of the November 9, 2023 Meeting Minutes

Public Comment This portion of the Agenda is provided to allow members of the audience to present comments to the Board. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up.

Public Hearing(s)

- a.** P2023-008 A Resolution of the Planning Commission of Fort Lupton Recommending that City Council Adopt an Amendment to the Future Land Use Map to the 2018 Fort Lupton Comprehensive Plan.
- b.** P2023-009 A Resolution of The Planning Commission of Fort Lupton Recommending to City Council approval of a Change of Zone Known as the Lupton Greens Rezoning
- c.** P2023-010 A Resolution of the Planning Commission of Fort Lupton Recommending to City Council Approval of the Lupton Greens Preliminary Plat

Discussion Items

Future Business

- a.** Next Planning Commission Meeting January 11, 2023 at 6:00 PM

Adjourn

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When calling in, please be sure to mute your microphone on your computer, phone or tablet. Planning staff and/or the Chairman of the Planning Commission will provide instructions on when and how comments can be made by the public virtually.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
November 9th, 2023**

The Planning Commission of the City of Fort Lupton met in session at City Hall Chambers, 130 South McKinley Avenue, the regular meeting place of the Planning Commission and virtually via GoToMeeting, on Thursday November 9, 2023.

Chair Mike Simone called the meeting to order at 6:00 PM

ROLL CALL

Commissioners Present: Chair Mike Simone, Vice-Chair Bushrod White, Members Kathy Kvasnicka, Shannon Rhoda, Zachery Potter, and virtually through GoToMeeting, Jimmy Dominguez.

City Staff Present: Planning Director Todd Hodges, Planner Magaly Morales, Planner Sean McDermott, Public Works Development Review Engineer David Rausch, and Planning Administrative Assistant Hailey McKay

APPROVAL OF AGENDA

Bushrod White moved to approve the agenda, Kathy Kvasnicka seconded.

CONSENT AGENDA

Bushrod White moved to approve the agenda, Kathy Kvasnicka seconded.

PUBLIC COMMENT

There were no public comments.

ACTION ITEMS

P2023-007 Coyote Creek Filing No. 5 Preliminary Plat

City Planner Magaly Morales introduced the action item submitted by JR Engineering, Coyote Creek Filing No. 5 Preliminary plat, which is located in the southeast corner of the Coyote Creek Development. The application is for 76 single family detached homes, and the area is zoned PUD and allows for residential uses. The master plan for the Coyote Creek development originally proposed multi-family housing at this location, however, did provide for the ability to develop single family attached or detached housing. Ms. Morales stated that the commission previously approved filing number 5 in November of 2022, but the application was withdrawn prior to the City Council hearing, and resubmitted for a new review this year. The application has been reviewed using the Residential Subdivision Standards that were in effect prior to the 2022 development code update. Public notification requirements were met, however, there was a misprint of the date for the Planning Commission hearing on the public notice sign posted on the property. The misprint was not corrected. Correct information was published in the newspaper, mailed out to surrounding property owners, published online, and otherwise available to interested parties. Per section 2.01 F (6) of the development code, the Planning Director approved the proceeding of the hearing.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
November 9th, 2023

Ken Merritt with JR Planners, Engineers, and Landscape Architects representing the applicant presented to the commissioners. Mr. Merritt presented information about the location, that it is approximately 10.2 acres, bounded on the east by College Ave. and Aims Community College, and Highway 52/ 1st Street to the south. He stated how the property is east of the 8th and 9th fairways of the Coyote Creek Golf Course. Mr. Merritt addressed how the property is a part of parcel D, Filing Number 3, which is already constructed and being finalized through filing number 5. He stated that they propose 76 single family detached lots, approximately 40x100 feet, with some lots being up to 160 feet in depth. Mr. Merritt presented the preliminary elevations for the homes, and stated that they are still at a point of being developed.

Chair Simone opened to public comments at 6:08 PM. Seeing none, Chair Simone closed the public comment section at 6:08 PM.

Chair Simone opened up for Commissioner questions at 6:08 PM.

Commissioners addressed their comments and questions with the applicant which included:

- Snow removal along College Ave.
- Size of homes compared to the lots
- Types of fences to be installed
- Price range of homes
- The rear elevations of homes, specifically the ones budding the golf course

Commissioner Potter moved to approve P2023-007 Coyote Creek Filing No. 5 Preliminary Plat, Commissioner Rhoda seconded the motion.

Motion passed unanimously on roll call votes.

DISCUSSION ITEMS

Board of Adjustments

Variance Procedure

Appeal of Decision

FUTURE BUSINESS

The next meeting of the Planning Commission will be on November 23rd, 2023 at 6:00 PM.

ADJOURNMENT

Commissioner White moved to adjourn the meeting at 6:35 PM, Commissioner Potter seconded the motion.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
November 9th, 2023**

Submitted by

Hailey McKay, Planning Administrative Assistant

Approved by Planning Commission

Mike Simone, Chair

DRAFT

RESOLUTION NO. P2023-008

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING THAT CITY COUNCIL ADOPT AN AMENDMENT TO THE FUTURE LAND USE MAP TO THE 2018 FORT LUPTON COMPREHENSIVE PLAN.

WHEREAS, the Planning Commission has the authority under Section 2-186 of the Municipal Code to prepare a master plan for the City and make careful and comprehensive surveys and studies of present conditions and future growth of the City with due regard to its relation to neighboring territory; and

WHEREAS, Colorado Revised Statute 31-23-208 states that the Planning Commission may amend the master plan upon holding at least one public hearing; and

WHEREAS, the master plan will be a reflection of the laws of the City and State, and shall serve in an advisory capacity to help implement the land use goals of the City; and

WHEREAS, on June 18, 2018 the 2018 Fort Lupton Comprehensive Plan (or master plan) was adopted by City Council, which included a Future Land Use Map to generally guide appropriate areas within the comprehensive plan area for certain types of development; and

WHEREAS, an application for a Change of Zone, Preliminary Plat and Final Plat has been submitted to the City for a commercial and residential subdivision at the property identified under Exhibit A of this Resolution; and

WHEREAS, the property is currently designated as General Commercial on the Future Land Use Map; and

WHEREAS, an amendment to the Future Land Use Map re-designating the property to Single-Family Detached is required in order for the property to be zoned to the R-2 Mixed-Density Zone District with residential land uses within the City of Fort Lupton; and

WHEREAS, re-designating the property to Single-Family Detached on the Future Land Use Map is appropriate based on the transition of land uses surrounding the property; and

WHEREAS, this amendment to the Future Land Use Map has been made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, best promote health, safety, mores, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision of traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds and the adequate provision of public utilities and other public requirements; and

WHEREAS, the Planning Commission is required to hold a public hearing on any amendment to the 2018 Fort Lupton Comprehensive Plan as a requirement of State law, and said hearing was published in a paper of general circulation on November 22, 2023; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has considered the amendment to the Future Land Use Map and supporting documentation, and has taken into consideration staff comments, all referral comments and any citizen testimony in response to this application. Based on the facts presented on this date, the Planning Commission recommends that City Council approve the re-designation of the property identified under Exhibit A to Single-Family Detached on the Future Land Use Map to the 2018 Fort Lupton Comprehensive Plan, conditional upon the following:

I. The Comprehensive Plan Amendment is contingent on the Change of Zone, Plan No. COZ2023-001.

DONE THIS 14TH DAY OF DECEMBER, 2023 BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

EXHIBIT A

An area of land being a portion of that parcel of land described within Warranty Deed recorded June 28, 1983 at Reception No. 1931751 within the records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW1/4) of Section Eight (8) Township One North (T.1N.), Range Sixty-six West (R.66W.) of the Sixth Principle Meridian (6th P.M.), Town of Fort Lupton, County of Weld, State of Colorado.

COMMENCING at the Northwest corner of Section 8 and assuming the North line of the (NW1/4) of said Section 8, as monumented by a #6 rebar with 2.5" aluminum cap stamped LS 38479 at the West end and by a #6 rebar with a 2.5" aluminum cap stamped LS 38479 at the East end, as bearing North 89°40'34" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2631.33 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE South 34°31'56" East a distance of 1499.18 feet to the East right-of-way line of the Union Pacific Railroad and to the **POINT OF BEGINNING**;

THENCE North 89°17'54" East a distance of 746.43 feet to the West right-of-way line of Rollie Avenue per Agreement recorded February 20, 2014 at Reception No. 3997164 and per Right-of-Way Map recorded September 22, 2014 at Reception No. 4047523 within the records of Weld County;

THENCE South 00°42'06" East along the said West right-of-way line a distance of 1351.09 feet to the North right-of-way line of County Road 10.5;

THENCE South 89°42'09" West along said North right-of-way line a distance of 746.96 feet to the East right-of-way line of said Union Pacific Railroad;

THENCE North 00°40'47" West along said East right-of-way a distance of 1345.82 feet to the **POINT OF BEGINNING**, from said point the North Quarter corner of said Section 8 bears North 54°56'43" East a distance of 2176.19 feet.

Said area of land contains 23.11 Acres (+/-1,006,872 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described area of land.

**STAFF REPORT FOR AN AMENDMENT TO THE FUTURE LAND USE MAP
PROJECT NO. CPAM2023-001**

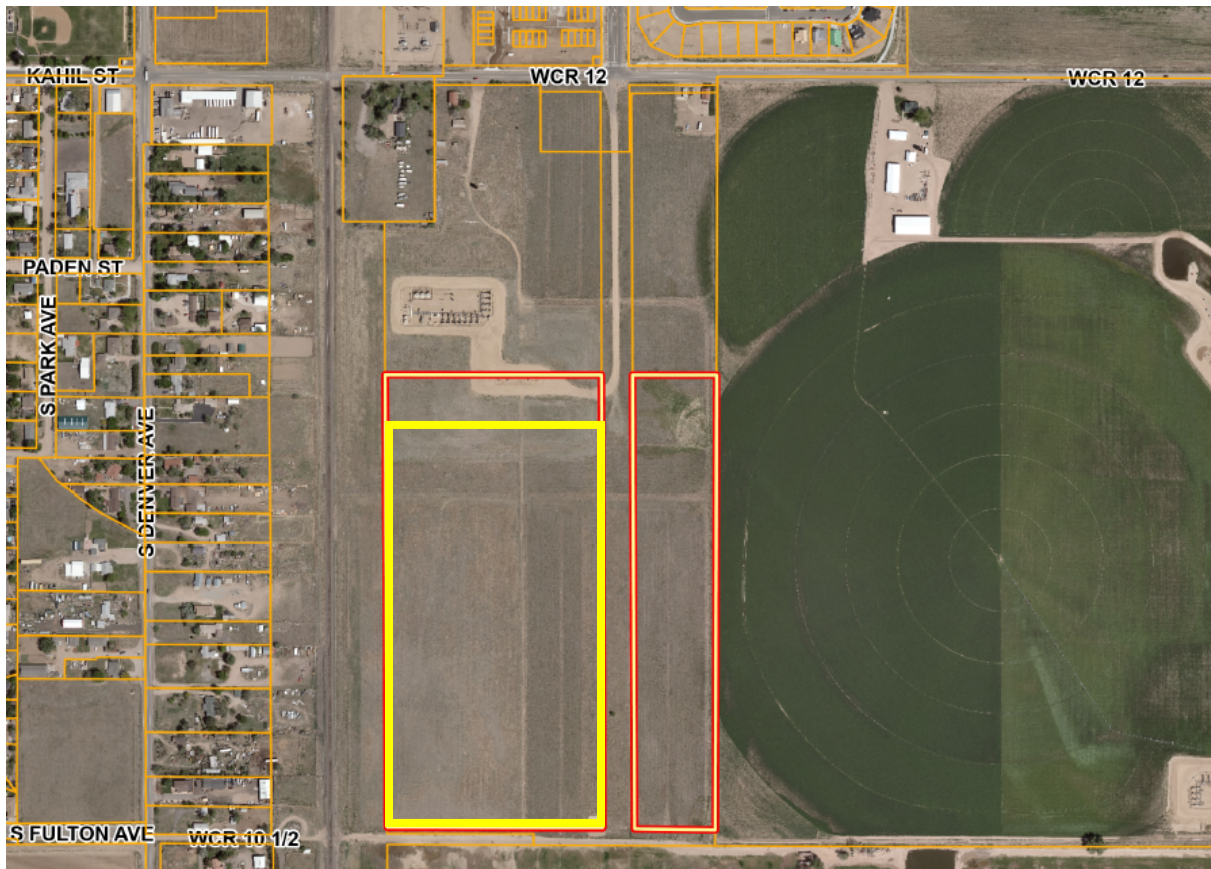
PROJECT DESCRIPTION

Project No.: CPAM2023-001

Project name: Amendment to the Future Land Use Map

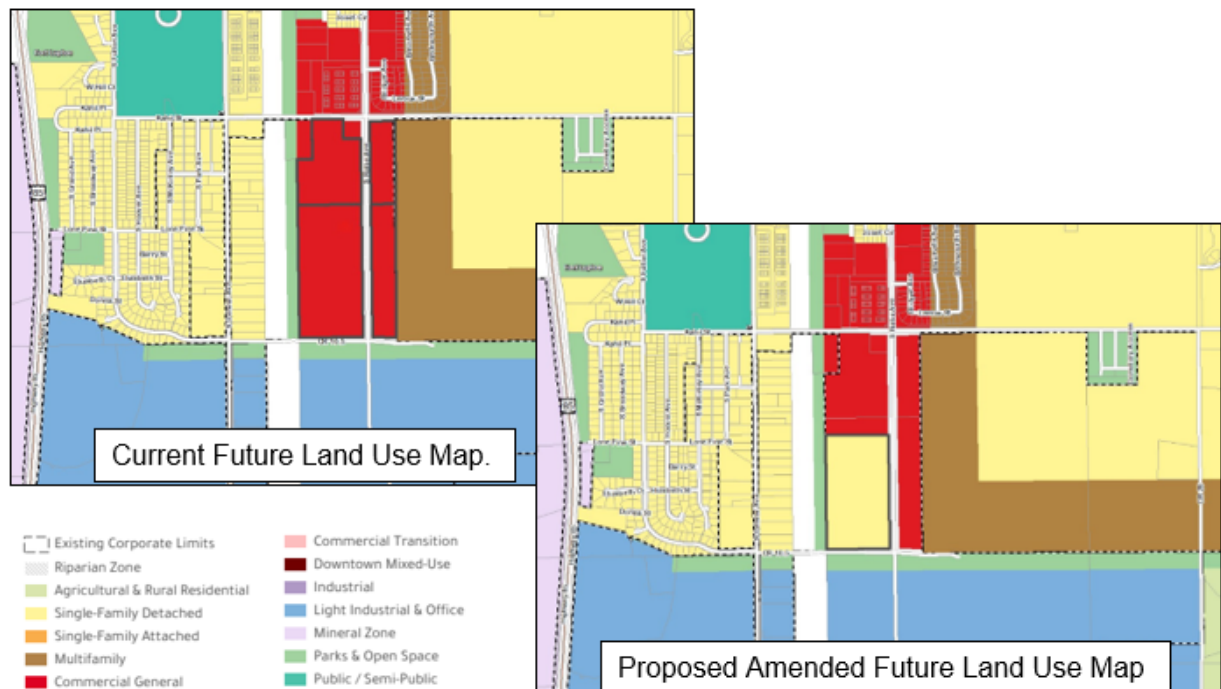
Location of Request:

The site is located south and adjacent to County Road 12 and approximately .16 miles west of S. Denver Ave. (the Property). The Property is located in the Northwest Quarter of Section 8, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.



Nature of Request:

This request is for Planning Commission to consider an amendment to the Future Land Use Map that was adopted in 2018 as a part of the Fort Lupton Comprehensive Plan.



The City is in receipt of an application for a Change of Zone, Preliminary Plat, and Final Plat from Fort Lupton Greens, LLP (Applicant) for a residential and commercial subdivision, known as Lupton Greens. These applications have been submitted concurrently and will be reviewed by the Planning Commission and City Council at separate public hearings. City staff has determined that an amendment to the 2018 Future Land Use Map is required in order for the property that is the subject of the Lupton Greens applications to conform with the Fort Lupton Comprehensive Plan. This proposed amendment is to reclassify a portion of the property from the General Commercial land use type to the Single-Family Detached use type.

The Future Land Use Map targets the areas to the east of the Property as residential growth areas, with the potential of multi-family designation. This land-use type can consist of a variety of development types, including higher density homes and planned subdivisions within residential growth areas. The comprehensive plan prioritizes residential growth and shows that, at time of studies conducted for the creation of the plan, 82.4% of study respondents favored single-family homes. The proposed single-family detached land use type supports this.

The loss of 23 acres of C-2 zoning leaves approximately 242 acres of C-2 zoned land in City limits, however this does not include PUD's, C-1, or Industrial zoning where the opportunity for commercial development still remains. The comprehensive plan does target other surrounding properties for general commercial land-use types.

Planning Commission and City Council should consider both the demand for more housing in the City as well as the loss of commercially zoned land when making their decision.

Site Size: 23.11 acres more or less.

Hearing Dates: Planning Commission – December 14, 2023 at 6:00 PM; and
City Council – January 16, 2024 at 6:00 PM.

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

Staff Recommendation: Approval.

SUMMARY OF PREVIOUS APPLICATIONS

On June 18, 2018 the Fort Lupton City Council adopted the 2018 Fort Lupton Comprehensive Plan, which included the Future Land Use Map, after receiving a recommendation for approval from the Fort Lupton Planning Commission.

APPLICATION PROCESS

Pursuant to Section 16-197 of the Municipal Code, an amendment to the Comprehensive Plan shall be adopted by resolution of the City Council. An amendment requires sufficient public notice and a public hearing before the Planning Commission and City Council.

Colorado Revised Statute 31-23-208 requires at least one public hearing be held prior to adopting an amendment to the Comprehensive Plan, with notice of time and place be given by one publication in a newspaper of general circulation in the municipality. The adoption of an amendment to the Comprehensive Plan shall be by resolution of the Planning Commission carried by the affirmative votes of not less than two-thirds of the entire membership of the Planning Commission.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

One of the roles of the Planning Commission is to create and update as needed a master plan (or comprehensive plan), as defined in [C.R.S. 31-23-206](#). This duty is reiterated in the Fort Lupton Municipal Code Section 2-186.

[Section 16-197](#) of the Municipal Code states that the master plan will be a reflection of the laws of the City and State, and shall serve in an advisory capacity to help implement the land use goals of the City.

NOTIFICATION REQUIREMENTS

The State Statute requires published notice of the hearings prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on November 22, 2023.

Notice was also sent to the following neighboring municipalities, and any responses received are enclosed with this staff report:

City of Brighton	Town of Hudson	Town of Dacono
Town of Platteville	Town of Firestone	Town of Lochbuie
Town of Frederick	Weld County	

STAFF RECOMMENDATION

Staff recommends approval of the amendment to the Comprehensive Plan Amendment.

For more information on this development, please refer to the documents found at:
<https://www.fortluptonco.gov/DocumentCenter/Index/804>

Magaly Morales-Tejada

From: McDowell, Shannon <SMcDowell@brightonco.gov>
Sent: Monday, December 4, 2023 3:24 PM
To: Magaly Morales-Tejada
Subject: Re: Notice of Proposed Comprehensive Plan Amendment - Fort Lupton

Hello Magaly,

The City of Brighton has no comment on this application. Thank you for sending it for our consideration!

Sincerely,

Shannon

From: Magaly Morales-Tejada <MMTejada@FortLuptonCo.Gov>
Sent: Monday, December 4, 2023 8:41 AM
Subject: Notice of Proposed Comprehensive Plan Amendment - Fort Lupton

Good morning,

Attached is a notice of public hearings for a proposed Comprehensive Plan Amendment in the City of Fort Lupton. Any comments or questions in this matter are appreciated.

Thank you,



Magaly Morales-Tejada
Planner I

Main 303.857.6694 | **Direct** 720.466.6111

Mobile (720) 683-1087 | **Fax** 303.857.0351

MMTejada@FortLuptonCo.Gov

1200 Dexter St Unit W13, Fort Lupton, CO 80621

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Magaly Morales-Tejada

From: Mark Doering <mdoering@cityofdacono.com>
Sent: Monday, December 4, 2023 1:27 PM
To: Magaly Morales-Tejada
Subject: Parcel No. 147108200045 referral for comprehensive plan amendment

Magaly,

Thank for the referral for the application for the parcel above.

The City of Dacono has no comments on the application.

Mark Doering



Mark Doering, AICP | Senior Planner | City of Dacono

Office: 303-833-2317 ext. 125

Website: [CityofDacono.com](https://www.cityofdacono.com)

Twitter: [Twitter@DaconoColorado](https://twitter.com/DaconoColorado)

Facebook: [Facebook.com/CityofDacono](https://www.facebook.com/CityofDacono)

Instagram: [Instagram.com/CityofDacono](https://www.instagram.com/CityofDacono)

RESOLUTION NO. P2023-009

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF A CHANGE OF ZONE KNOWN AS THE LUPTON GREENS REZONING ON A PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing December 14, 2023 for the purpose of reviewing a change of zone known as the Lupton Greens Change of Zone to the R-2 Mixed-Density Residential District on a property legally described under Exhibit A to this Resolution, and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the Lupton Greens Change of Zone application conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 300 feet, and posted notice of the public hearings on the site.

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and citizen testimony in response to this application. Based upon the facts presented on this date the Planning Commission hereby recommends approval of the Lupton Greens Change of Zone to the R-2 Mixed-Density Residential Zone District.

DONE THIS 14TH DAY OF DECEMBER 2023, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

EXHIBIT A

LEGAL DESCRIPTION

An area of land being a portion of that parcel of land described within Warranty Deed recorded June 28, 1983 at Reception No. 1931751 within the records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW1/4) of Section Eight (8) Township One North (T.1N.), Range Sixty-six West (R.66W.) of the Sixth Principle Meridian (6th P.M.), Town of Fort Lupton, County of Weld, State of Colorado.

COMMENCING at the Northwest corner of Section 8 and assuming the North line of the (NW1/4) of said Section 8, as monumented by a #6 rebar with 2.5" aluminum cap stamped LS 38479 at the West end and by a #6 rebar with a 2.5" aluminum cap stamped LS 38479 at the East end, as bearing North 89°40'34" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2631.33 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE South 34°31'56" East a distance of 1499.18 feet to the East right-of-way line of the Union Pacific Railroad and to the **POINT OF BEGINNING**;

THENCE North 89°17'54" East a distance of 746.43 feet to the West right-of-way line of Rollie Avenue per Agreement recorded February 20, 2014 at Reception No. 3997164 and per Right-of-Way Map recorded September 22, 2014 at Reception No. 4047523 within the records of Weld County;

THENCE South 00°42'06" East along the said West right-of-way line a distance of 1351.09 feet to the North right-of-way line of County Road 10.5;

THENCE South 89°42'09" West along said North right-of-way line a distance of 746.96 feet to the East right-of-way line of said Union Pacific Railroad;

THENCE North 00°40'47" West along said East right-of-way a distance of 1345.82 feet to the **POINT OF BEGINNING**, from said point the North Quarter corner of said Section 8 bears North 54°56'43" East a distance of 2176.19 feet.

Said area of land contains 23.11 Acres (+/-1,006,872 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described area of land.



LUPTON GREENS CHANGE OF ZONE STAFF REPORT
PROJECT NO. COZ2023-001

PROJECT DESCRIPTION

Project No.: COZ2023-001

Project name: Lupton Greens Change of Zone

Owner's Name: Fort Lupton Greens LLP

Representative: Fred L Croci and William "B.J." Johanningmeier ("Applicant")

Location of Request:

The site is located south and adjacent to County Road 12 and approximately .16 miles west of S. Denver Ave. (the Property). The Property is located in the Northwest Quarter of Section 8, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.



Nature of Request:

The Applicant has submitted a change of zone request to the 'R-2' Mixed-Density Zone District for the property identified on the map above. The current zoning of the Property is 'C-2' Heavy Commercial. This rezoning has been submitted concurrently for review with the Lupton Greens Preliminary Plat which was

brought before the Planning Commission as a separate public hearing and the Lupton Greens Final Plat that is being review administratively.

Site Size: The Property is 23.11 acres, more or less.

Current Zone District: 'C-2' Heavy Commercial.

Proposed Zone District: 'R-2' Mixed-Density Residential

Proposed Use: A tract of residential land that can be further subdivided at time of proposed development.

Existing Use: Vacant.

Hearing Dates: Planning Commission – December 14, 2023 at 6:00 PM; and
City Council – January 16, 2024 at 6:00 PM.

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

Staff Recommendation: Approval.

SUMMARY OF PREVIOUS APPLICATIONS

On January 27, 2010, the Fort Lupton City Council officially amended the zoning of the Property, known as Fort Lupton Greens from "A" Agriculture to "C-2" Commercial (Ordinance No. 2010-913). The change of zone became effective on April 2, 2010.

On September 22, 2022 and October 4, 2022 Planning Commission and City Council reviewed a concept plan for this property. No official decision is made on concept plans.

A Comprehensive Plan Amendment, Preliminary Plat and Final Plat applications are being reviewed concurrently with this application.

APPLICATION PROCESS

The Applicant is requesting approval of a change of zone to the 'R-2' Mixed-Density Residential.

A change of zone is processed under [Section 16-9](#) of the Fort Lupton Municipal Code ("Code"). After required public notice of the change of zone, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the change of zone. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

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

NOTIFICATION REQUIREMENTS

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on November 22, 2023.

Notice of the public hearings were posted on the Property pursuant to the Zoning Regulations at least fifteen (15) days prior to the hearings.

Notice was mailed to neighbors within three-hundred (300) feet of the Property on November 29, 2023.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The Property is located within the 'C-2' Heavy Commercial Zone District, governed by Section 16-4.01 of the Fort Lupton Municipal Code.

The Applicant wishes to change the zone of the Property to the 'R-2' Mixed-Density Residential Zone District, governed by Section 16-4.01 of the Fort Lupton Municipal Code. The intent of the R-2 Zone District is to allow a mix of housing options at strategic locations that transition to complement and support non-residential uses. A well-designed public realm provides the focal point to integrate a variety of building types with a consistent neighborhood character.

The Applicant has submitted the required documents pursuant to the Code.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

An amendment to the Comprehensive Plan has been submitted to Planning Commission for review concurrent with this project. If this amendment is approved by City Council the land use designation for this property would be Single-Family Detached.

REFERRALS

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

City Attorney	Police Chief	Public Works Director
Building Inspector	Public Works Director	OMI
GIS Specialist	Finance Director	CDOT
Economic Development Manager	Fort Lupton Fire Protection District	Development Review Engineer
Colorado DRMS	United Power	Comcast
CenturyLink	Xcel Energy	Postmaster
Weld County Dept. of Planning Services	Weld County Dept. of Public Health & Environment	Weld County Public Works
Weld County School District RE-8	Weld County GIS	NCWCD
Fulton Ditch Company	State Geologist	

STAFF RECOMMENDATION

Staff recommends approval.

For more information on this development, please refer to the documents found at:

<https://www.fortluptonco.gov/DocumentCenter/Index/804>

Lupton Greens Sketch Plat Change of Zone – Compliance Narrative

**June 2023
Project 22-002**

Prepared For
Commercial Broker's Alliance, LLC
1540 Main Street #218
Windsor, Colorado 80550

Prepared By
LandOne Engineering
361 71st Avenue, Suite 100
Greeley, Colorado 80634

Lupton Greens Change of Zone - Compliance Narrative

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Location:

The proposed sites are located in the east half of the west half of the northwest quarter and the west half of the east half of the northwest quarter of Section 8, Township 1 North, Range 66 West of the 6th PM, City of Fort Lupton, County of Weld, State of Colorado. More generally, the site is located south of County Road 12, southwest of Beckwourth Ave, east of Denver Ave, north of County Road 10 ½, and is split by the right-of-way (ROW) of S. Rollie Ave, which has not been constructed.

Existing Conditions:

The subject property consists of approximately 64.28 acres and is split (east and west) by the 110-foot South Rollie Avenue right-of-way, Reception No. 3997164 and 4047523. The subject property is currently zoned as C-2 Heavy Commercial. Most of the property is vacant land. There are a few houses located on the north side of both properties. Towards the middle of the west property, there is an existing oil and gas facility that will remain. There is a gravel road that runs south from WCR 12 providing access to the oil and gas facility. The oil and gas facility contains production equipment and multiple wells. In addition, the facility includes a tank battery setback of 200 feet and a well head setback of 150 feet. Existing utilities are described on page 7.

Proposed Land Uses:

There are six tracts, one lot, and two outlots proposed for the Lupton Greens Subdivision in this Sketch Plat. Since the property is bisected by South Rollie Avenue, the area included in this sketch plat is generally described as Lupton Greens East and Lupton Greens West within this narrative.

Lupton Greens East

Lupton Green East tracts and outlots will remain under the C-2, Heavy Commercial zoning and will be subject to with the City of Fort Lupton's newest Development Code. Lupton Greens East includes Lot 1, and Outlots A & B. Lot 1 is a two-acre property that is anticipated to be utilized for retail/commercial businesses. A monument sign for the overall property subdivision will be in the northwest corner of this lot within Outlot B. Outlot A would include only the detention pond and open space. The detention pond will be sized to handle flows from the entire property of Lupton Greens.

Lupton Greens West

Lupton Greens West includes Tracts B, C, D, E, and F. Tract B is 8.72 acres and just north of an existing oil and gas facility. This tract will remain under its current zoning, C-2, and will comply with the City of Fort Lupton's newest Development Code. Tract F is 23.11 acres. The Applicant proposes that Tract F be rezoned from C-2 to R-2 under the new Development Code. Rezoning this portion of Lupton Greens allows the Applicant to include Tract F in the Metropolitan District (Metro District), thereby allowing the Applicant to utilize funds held by the Metro District. These funds provide the necessary funding to complete the South Rollie Avenue extension south of WCR 12 to WCR 10.5 (approximately one-half mile of arterial street) and fund the construction of infrastructure to serve the entire subdivision, ensuring the economic stability of the overall subdivision. Additional information as to why this rezoning of Tract F is crucial to the overall subdivision can be found in the sections below.

A map depicting the layout for these sites can be found in Appendix E.

Sketch Plat Compatibility with Surrounding Area:

Just to the north of Lupton Greens East and West is a property that includes 90 single family detached homes, a 70-unit multi-family townhome development, and additional commercial properties under the C-2 zoning. In addition, several other residential use properties lie within Lupton Village. The lots to the south are zoned as I-1

and I-2 (Light and Heavy Industrial) and the lots to the east are under Weld County jurisdiction and zoned as Agriculture. To the west lies the UPRR ROW and just west of the recently approved project called The Flats.

As described above, Lot 1, Outlot A & B, and Tracts A & B will remain under the existing zoning of C-2 (Heavy Commercial). The Applicant requests to rezone only 25.51-acres of the 64.75 acres from C-2 to R-2 under this Sketch Plat to allow for compatible residential development alongside the existing commercial zoning to support the development of the commercial uses and infrastructure. This overall development will support a mix of office, retail, and multifamily dwellings along WCR 12. Tract B consists of roughly 8.72 acres and is adjacent to the existing oil and gas facility. Because of setbacks imposed by the oil and gas facility, portions of this tract will be restricted to only open space or infrastructure that would not create a risk to health and safety.

If rezoned to R-2, Tract F could include single family detached housing. Metro District funds generated by these single-family properties, as well as other fund-raising efforts, will make it possible for the Applicant to construct the South Rollie Avenue extension from WCR 12 to WCR 10 ½. Without this residential metropolitan district in place, or a substantial financial contribution from the City of Fort Lupton, the extension of South Rollie Avenue to WCR 10.5 could not be constructed by the Applicant.

In addition, the zoning amendment to R-2, abuts the UPRR right-of-way on the west and just to the west of the UPRR ROW are acreage homesites, which also border the east side of Denver Ave. The Applicant believes that these homeowners would probably prefer to have other homes out their back yards.

A map depicting the zoning surrounding Lupton Greens may be found in Appendix B.

Sketch Plat Compatibility with the City of Fort Lupton's Comprehensive Master Plan:

The Applicant believes that it is important to support the intent of the comprehensive plan and City's goals. Overall, Lupton Greens will be consistent with the City of Fort Lupton's Comprehensive Master Plan by keeping the entire area of Lupton Greens East under the C-2 zoning and only Tract F of Lupton Greens West is proposed to be rezoned to R-2.

The following statements, points, positive attributes, and clarifications are provided to further support the amendment to the zoning for Tract C.

Applicant's Statements and Points

In addition to the paragraphs above, the Applicant makes the following statements and points-of-fact:

1. The Metro Districts set up by the Applicant to build out Lupton Village (Residential & Commercial) between them can fund the improvements necessary to extend South Rollie Avenue from WCR 12 south to WCR 10.5.
2. The City does not, or cannot, fund the improvements necessary to extend South Rollie Avenue from WCR 12 south to WCR 10.5.
3. The Applicant does not, and cannot, fund the improvements necessary to extend South Rollie Avenue from WCR 12 south to WCR 10.5 without the aid of the Metro District participation, even with the assistance of the Commercial Metro District.

Based upon the statements and points-of-fact listed above, the Applicant believes that the improvements to South Rollie Avenue be constructed in the near future by this Applicant without the Metro District participation.

Therefore, it is essential that the City approve the Applicant's request for rezoning for the primary purpose of allowing the Applicant to extend South Rollie Avenue.

Positive Attributes of Rezoning Per Applicant's Request

The Applicant submits that rezoning Tract F also has the following positive attributes:

1. South Rollie Avenue will be extended from WCR 12 south to WCR 10.5 within the next 9 months, realizing more of the City's vision for extension of South Rollie Avenue to WCR 8. Ultimately, extension to WCR 8 will create a new route from WCR 12 to the City's new Fire Station, the future east/west WCR 8 route to Highway 85, and eventually the future east/west WCR 8 route to I-76.
2. The City will have in place a 4.69-acre regional detention pond to accommodate this project and hopefully assist the City with other current storm drainage issues in this area. This detention pond will also provide an opportunity to provide regional storm drainage detention to other area development to the east.
3. The City will end up with 38.77 acres of C-2 zoned property consistent with the current zoning under the new Development Code.
4. The exchange of 25.51 acres of C-2 zoning for R-2 zoning to accommodate detached single-family properties will allow the Applicant to construct the next segment of Rollie Avenue, an important north-south arterial street by utilizing the Metro District funding, an option not available under the current zoning.

Applicant Responses to Comments from City planning June 24, 2022, Email

City Planning Request:

"More information on how each proposed land use could work with the surrounding zoning."

Applicant's Response:

At this time the land on the east side of South Rollie Avenue, from WCR 12 to WCR 10.5 will work under the proposed C-2 (Heavy Commercial) zoning as described in the new Code. The land on the west side of South Rollie Avenue, from WCR 12 south to WCR 10.5 will not accommodate uses planned for the southwest portion of the property based upon C-2 (Heavy Commercial) zoning, but a portion does work under C-2 zoning.

The Applicant's development plan will consist of a mix of office, retail, and multifamily dwellings along WCR 12 surrounding the one-acre site owned by the Fire Department and north of the Oxy Petroleum well site. C-2 under the proposed new zoning plan can work, though the Applicant would prefer to be able to sell residential units in this area but will waive that ability. This area is approximately 8.72 acres in size, and some of the area falls within the 150-foot no-build zone. A discussion has been held with Oxy regarding the Applicant's plan for the development of this area. To the north of this land across WCR 12 lies a 70-unit multifamily townhome project with for sale product developed by Baessler Homes, with infrastructure that is nearly complete. To the northeast is single family detached housing project featuring 90 single family homes. To the east are properties under C-2 (Heavy Commercial) zoning. To the south is

a parcel under a current surface use agreement with Oxy Petroleum, successor in interest to Anadarko Petroleum.

The Applicant's development plan for the west side of South Rollie Avenue and south of the Oxy Petroleum well site, 23.11 acres, is single family detached housing of up to 90 units. Metro District funds from these single-family homes, as well as leftover funds from prior fund-raising efforts, will make possible the Applicant being able to fund the South Rollie Avenue extension south of WCR 12 south to WCR 10.5. Without those residential metro district dollars, or a substantial contribution on the part of the City of Fort Lupton, South Rollie Avenue cannot be extended to WCR 10.5 by this Applicant.

City Planning Request:

"How this proposed development fits into the Fort Lupton Comprehensive Plan. This area has been designated as C-2, Heavy Commercial, and is targeted as a commercial growth area. Please explain how this PUD will tie into the surrounding areas and will be a better use of this land now and into the future."

Applicant's Response:

At the present time South Rollie Avenue is not improved, other than by some gravel that has been placed in the right of way by the oil and gas operator to provide year-round access for its full-time access to the existing well sites.

South Rollie Avenue, even if improved by the City or the Applicant in the near future, will be a dead end road only able to service the Lupton Greens subdivision since South Rollie Avenue will terminate at WCR 10.5. Future extension is not available in the near future since according to Weld County records there is no ownership of land by the City, or right of way south of WCR 10.5 to build South Rollie Avenue. Additionally, the right of way for 10.5 from South Rollie Avenue west to Denver Avenue is likely too narrow to accommodate a permanent road meeting City standards under the City's current Transportation Plan. A temporary access road may be possible, but it will require a substantial amount of fill that the Lupton Greens project cannot afford to absorb. A temporary emergency vehicle turnaround is being proposed by the Applicant until such time as the southern portion of this project can provide other means for a more permanent turnaround.

The proposed zoning amendment abuts the UPRR on the west and just to the west of the UPRR right of way are a row of acreage homesites bordering along the east side of Denver Avenue. These homeowners would likely prefer to have other homes out their back yards.

The Applicant believes the City acquired the two easements through the sod farm owned by Fort Lupton Meadows, LLC and the parcel immediately south of the sod farm owned by Sharon Schuyler that were necessary to complete water and sewer line extensions down to Halliburton at WCR 8 some years ago. A search of Weld County records by the Applicant did not reveal documents indicating that the City acquired the necessary right of way across those parcels as it did at Lupton Village and Lupton Greens.

For South Rollie Avenue to function as a Heavy Commercial corridor attracting some retail users, it will need to have a permanent connection down to WCR 10, where the west half of South Rollie Avenue has already been partially improved between WCR 8 and WCR 10 where much of the City's jobs growth is and will likely be occurring in the future due to current zoning.

For retail type uses to succeed, which will help provide sales tax revenue for the City, retail needs rooftops which turn into an average of 2.6 + occupants per each single-family residence. At the present time even getting a current population count for Fort Lupton is difficult at best. Another five thousand residents or (15,000 people) will put Fort Lupton on the radar to additional small to medium sized retailers. Retailers need population and they need traffic as these two things create success for retailers.

An incomplete South Rollie Avenue will not provide adequate traffic counts and even a complete South Rollie Avenue and the corresponding increasing traffic counts, without adequate rooftops and people living nearby to spend money does not provide success to their businesses. That is why there has been an emphasis on retailers wanting to be located on Highway 52, like Burger King, Wendy's and most recently McDonald's. Other retail users have located along Denver especially in the downtown corridor.

Above are reasons why, in this Applicant's opinion, that a more suitable use for the present time would be R-2 zoning, as has been proposed for the 23.11-acre site along the west side of South Rollie Avenue, where the Applicant's only zoning change has been requested.

Zoning Amendment Criteria:

The following City criteria has been evaluated to provide information to support the Applicant's request to amend the zoning of Tract C:

Question 1: To correct a manifest error in an ordinance establishing the zoning for a specific property.

The amendment is not being completed to correct an error.

Question 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 City generally.

As noted, the proposed amendment would align with current zoning and market trends to the north of the project and provide a vehicle to create revenue for the infrastructure needed to support the entire development.

Question 3: If the current zoning is inconsistent with the policies and goals of the Comprehensive Plan.

The current zoning is consistent with the intent of the comprehensive plan since a significant portion of the property is not being rezoned. The proposed zoning amendment will create consistency with current market conditions and facilitate the development of the other tracts.

Question 4: If 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 Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan.

The amendment is not necessary to provide community related uses.

Question 5: If 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.

The current zoning was established in 2010 and has been in place for approximately 12 years. Based on development trends to the north and along the State Highway 52 corridor, commercial zoning for the entire property is not supported because of time and trends. Rezoning Tract F to residential land use would align with current trends and assist in supporting the C-2 zoning that is not being changed.

Question 6: The Zoning Map amendment shall not substantially alter the character of the district or the neighborhood.

The amendment will not substantially alter the character of the neighborhood. It will continue the trends established by the development to the north and will create suitable transitions to the surrounding zoning.

Question 7: Spot zoning. The Zoning Map amendment will not create a spot zone.

The amendment will not create spot zoning and will create suitable transitions to the surrounding zoning.

Question 8: Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

Specific uses are not being proposed at this time. However, individual applications will be held to the zoning standards set by the zoning codes. No variances to the current or future zoning code are being proposed at this time. As part of the approval process for this subdivision and rezone amendment, a traffic impact study will be completed and provided for review and approval.

Question #9: This declaration of criteria for zoning map amendments shall not control an amendment that occurs incidentally to a general revision of the Zoning Map.

The proposed amendment is not incidental to general revisions.

Utilities:

Utilities proposed under this Prelim/Final Plat will comply with all Fort Lupton codes and regulations including, but not limited to, the City of Fort Lupton Storm Drainage Design and Technical Criteria and the City of Fort Lupton Standards and Specifications for the Design and Construction of Public Improvements.

Potable and Non-Potable Water:

An existing 12-inch water main runs north to south within the area designated for S. Rollie Ave, within the 110ft right-of-way easement. There are six temporary fire hydrants proposed that will connect to this main line with an 8-inch line. There are two existing fire hydrants, one on the north and one on the south, that will be relocated in the same general area.

Sanitary Sewer:

An existing 18-inch sanitary sewer main lies parallel to and roughly 30 feet from the existing water main within the potentially proposed S. Rollie Ave public roadway. Five stubs are proposed, all being 8-inch PVC lines. The 8-inch stubs will connect to the 18-inch line via 48-inch manholes and will end with a sanitary sewer cap.

Storm Drainage:

There are currently no existing storm drainage facilities on either site. The existing runoff sheet flows off site to the north. See Appendix C for the NRCS soils report. The proposed storm design includes the installation of a 24-inch storm main within the proposed S. Rollie Ave public roadway. This main will connect to several Type R curb inlets to collect runoff from the proposed conditions. A detention pond with an outlet structure and other storm structures is also within the proposed design. A preliminary drainage plan is shown within Appendix D. Additional details of the proposed design can be found within

the Lupton Greens Drainage report prepared by LandOne and submitted to the City of Fort Lupton within the current submittal package.

Dry Utilities:

Existing gas, overhead electric, and fiber optics lines run on the north side of the site within the WCR 12 right-of-way. This gas line was installed by FTL Land Assemblage LLP for Lupton Village, to the north, and does not have enough gas to satisfy the needs of the proposed Plat uses. There is an abandoned gas line that runs north and south from WCR 12 to the oil and gas facility. The easement for this abandoned line was purchased by the Applicant and will be vacated as these plans progress. An existing overhead electric line also runs along WCR 10 ½.

Existing Transportation Network:

Access to these sites would come from WCR 12 and South Rollie Avenue to the north. The public roadway, South Rollie Avenue, will be extended from WCR 12 to WCR 10 ½. Timing for construction of this public road will be dependent upon the approval of this Sketch Plat. When constructed, the roadway will be designed according to the City of Fort Lupton Standards and Specifications for the Design and Construction of Public Improvements.

Existing Significant Cultural, Archaeological, and Historical Resources and Plans for Protection:

No significant cultural, archaeological, or historical resources have been identified on either site, therefore no plans for protection are required.

Commercial Mineral Deposits on Site:

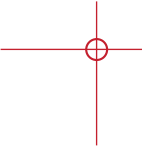
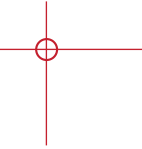
There is currently an oil and gas facility within the west site, but there are no known commercial mineral deposits on site.

Surface Use Agreement:

The oil and gas facility within Tract C of Lupton Greens West falls within an existing surface use agreement. Discussions with the oil and gas Applicant, Oxy Petroleum, has been held regarding the Applicant's plan for development of this area. An amended surface use agreement is being negotiated currently and will be provided to the City once it is available. The existing surface use agreement has been provided under Appendix F. The amended agreement will consist of maintaining the existing access point to the Oil & Gas facility, set limits for the existing facility, and maintain 150' Well Head Setback and the 200' Tank Battery Setback for public safety.

City's Public Land Dedication Requirements:

There is an existing 110 foot right-of-way that is already dedicated and runs through the middle of the two proposed sites within the Lupton Greens Sketch Plat. There is also an existing 60ft right-of-way dedicated on the north side for WCR 12. WCR 12 will be widened with this development and right-of-way dedication will be provided.



Appendices:

Appendix A: Vicinity Map

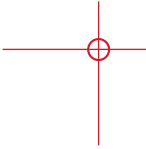
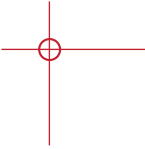
Appendix B: Surrounding Area Zoning Map

Appendix C: NRCS Soils Report

Appendix D: Preliminary Drainage Plan

Appendix E: Sketch Plat Site Plan

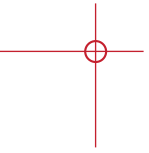
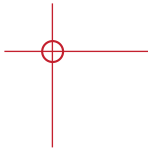
Appendix F: Existing Surface Use Agreement



Appendix A

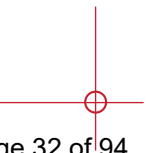
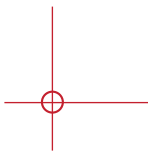
Vicinity Map

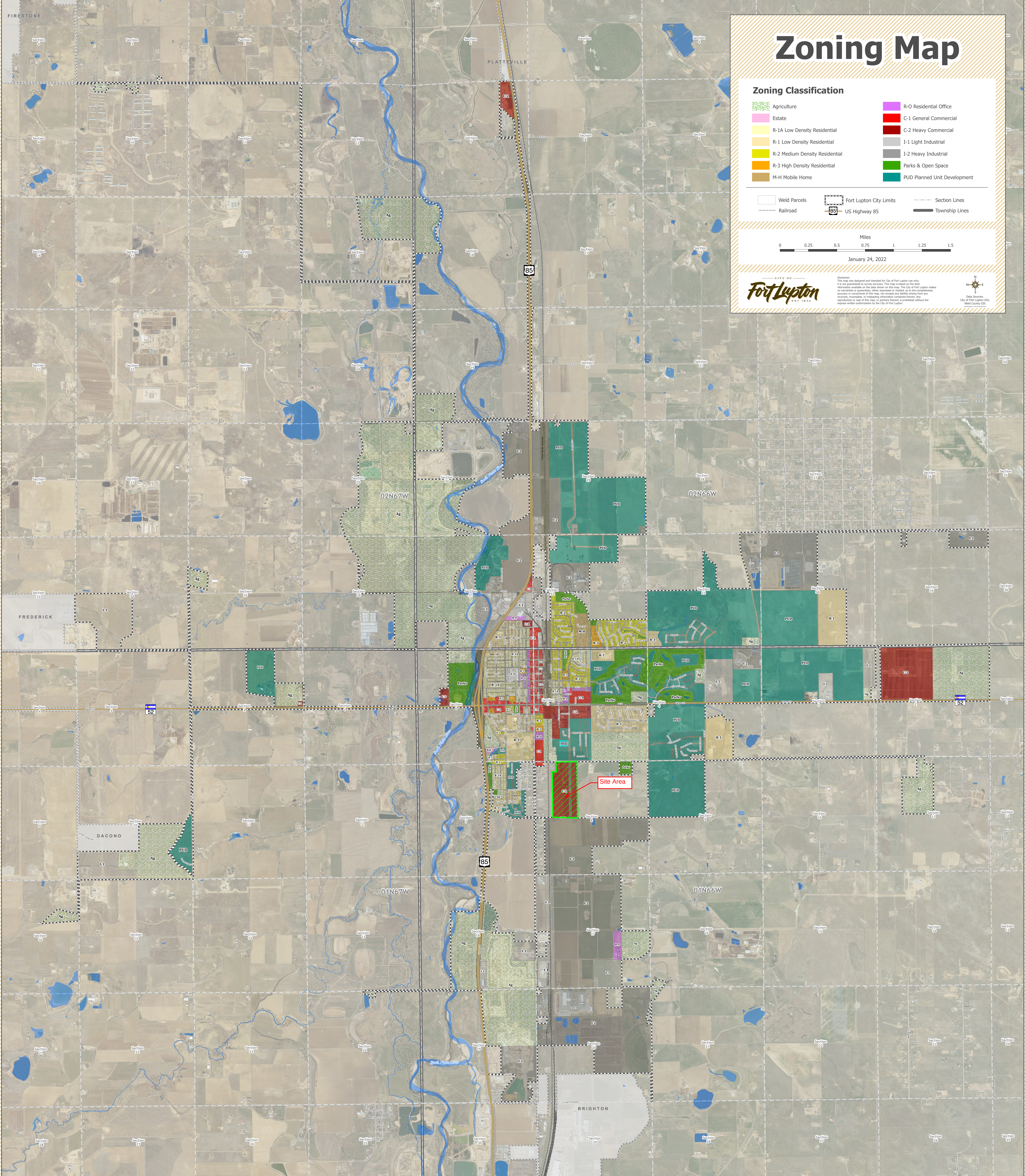




Appendix B

Surrounding Area Zoning Map



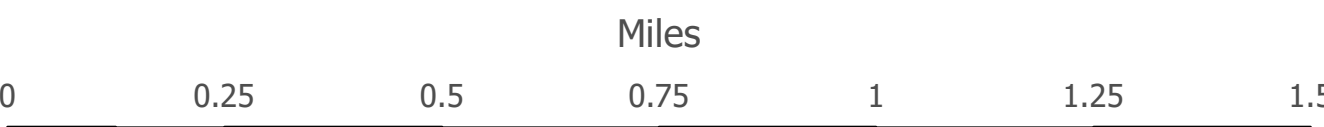


Zoning Map

Zoning Classification

- | | |
|--------------------------------|------------------------------|
| Agriculture | R-O Residential Office |
| Estate | C-1 General Commercial |
| R-1A Low Density Residential | C-2 Heavy Commercial |
| R-1 Low Density Residential | I-1 Light Industrial |
| R-2 Medium Density Residential | I-2 Heavy Industrial |
| R-3 High Density Residential | Parks & Open Space |
| M-H Mobile Home | PUD Planned Unit Development |

- | | | |
|--------------|-------------------------|----------------|
| Weld Parcels | Fort Lupton City Limits | Section Lines |
| Railroad | US Highway 85 | Township Lines |



January 24, 2022

CITY OF
Fort Lupton
EST. 1924

Disclaimer:
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North Arrow
Data Sources:
City of Fort Lupton GIS
Weld County GIS
Aerial Imagery

Appendix C

NRCS Soils Report



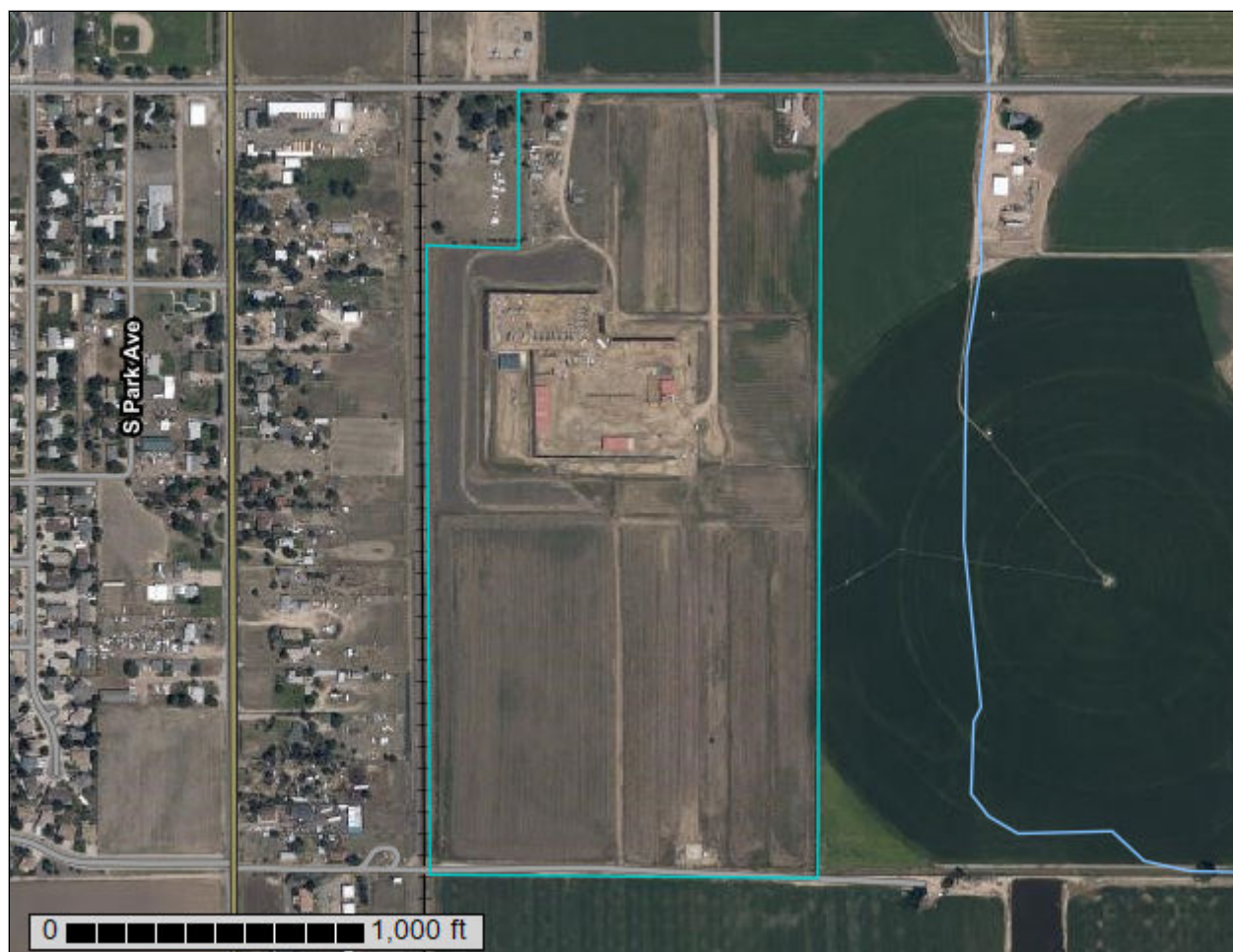
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Weld County, Colorado, Southern Part**



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 20, Aug 31, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
29	Julesburg sandy loam, 0 to 1 percent slopes	70.7	92.7%
30	Julesburg sandy loam, 1 to 3 percent slopes	0.4	0.5%
75	Vona sandy loam, 0 to 1 percent slopes	5.2	6.8%
Totals for Area of Interest		76.3	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Weld County, Colorado, Southern Part

29—Julesburg sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3626

Elevation: 4,700 to 4,800 feet

Mean annual precipitation: 15 to 19 inches

Mean annual air temperature: 48 to 52 degrees F

Frost-free period: 145 to 155 days

Farmland classification: Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

Map Unit Composition

Julesburg and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Julesburg

Setting

Landform: Terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: South platte river alluvium

Typical profile

H1 - 0 to 12 inches: sandy loam

H2 - 12 to 27 inches: sandy loam

H3 - 27 to 60 inches: sand

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): 2s

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: A

Ecological site: R067BY024CO - Sandy Plains

Hydric soil rating: No

Minor Components

Valent

Percent of map unit: 4 percent

Hydric soil rating: No

Edgar

Percent of map unit: 4 percent
Hydric soil rating: No

Remmit

Percent of map unit: 4 percent
Hydric soil rating: No

Vona

Percent of map unit: 3 percent
Hydric soil rating: No

30—Julesburg sandy loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2tlpz
Elevation: 4,200 to 4,320 feet
Mean annual precipitation: 15 to 20 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 144 to 163 days
Farmland classification: Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

Map Unit Composition

Julesburg and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Julesburg

Setting

Landform: Interfluves
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Eolian sands

Typical profile

A - 0 to 5 inches: sandy loam
BA - 5 to 12 inches: sandy loam
Bt1 - 12 to 30 inches: sandy loam
Bt2 - 30 to 39 inches: sandy loam
C - 39 to 80 inches: loamy sand

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Very low

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Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline to very slightly saline (0.1 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 5.9 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4s

Hydrologic Soil Group: A

Ecological site: R072XY111KS - Sandy Plains

Hydric soil rating: No

Minor Components

Manter

Percent of map unit: 5 percent

Landform: Interfluves

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Interfluve

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R072XY111KS - Sandy Plains

Hydric soil rating: No

Valent

Percent of map unit: 5 percent

Landform: Interfluves

Landform position (three-dimensional): Interfluve

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R072XY109KS - Rolling Sands

Hydric soil rating: No

Haxtun

Percent of map unit: 5 percent

Landform: Interfluves, drainageways

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Interfluve

Down-slope shape: Linear

Across-slope shape: Concave

Ecological site: R072XY111KS - Sandy Plains

Hydric soil rating: No

75—Vona sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 363v

Elevation: 4,650 to 4,950 feet

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Mean annual precipitation: 13 to 15 inches

Mean annual air temperature: 48 to 55 degrees F

Frost-free period: 130 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Vona and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Vona

Setting

Landform: Terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium

Typical profile

H1 - 0 to 6 inches: sandy loam

H2 - 6 to 28 inches: fine sandy loam

H3 - 28 to 60 inches: sandy loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 6.8 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Hydrologic Soil Group: A

Ecological site: R067BY024CO - Sandy Plains

Hydric soil rating: No

Minor Components

Remmit

Percent of map unit: 11 percent

Hydric soil rating: No

Olney

Percent of map unit: 4 percent

Hydric soil rating: No

Soil Information for All Uses

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

Hydrologic Soil Group

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

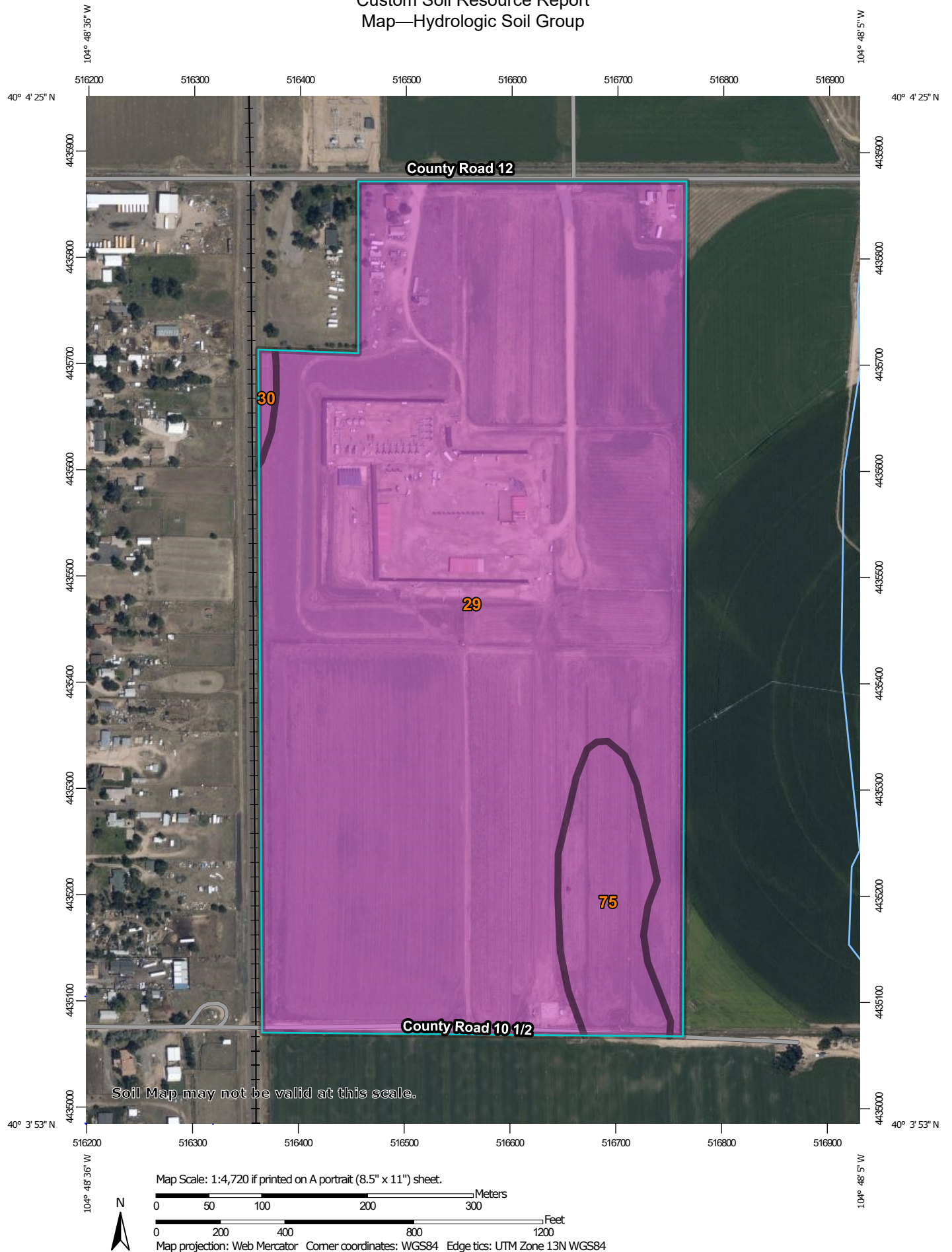
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Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Custom Soil Resource Report Map—Hydrologic Soil Group



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points

 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available

Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Southern Part
 Survey Area Data: Version 20, Aug 31, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 19, 2018—Aug 10, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
29	Julesburg sandy loam, 0 to 1 percent slopes	A	70.7	92.7%
30	Julesburg sandy loam, 1 to 3 percent slopes	A	0.4	0.5%
75	Vona sandy loam, 0 to 1 percent slopes	A	5.2	6.8%
Totals for Area of Interest			76.3	100.0%

Rating Options—Hydrologic Soil Group

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

References

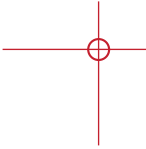
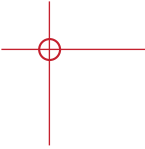
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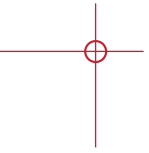
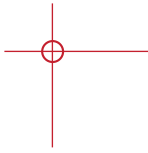
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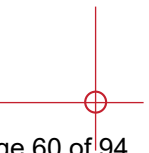
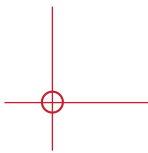
Appendix D

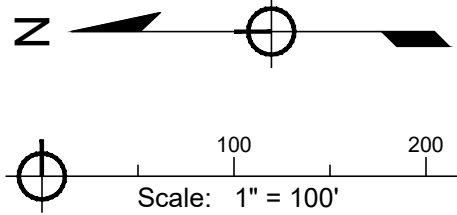
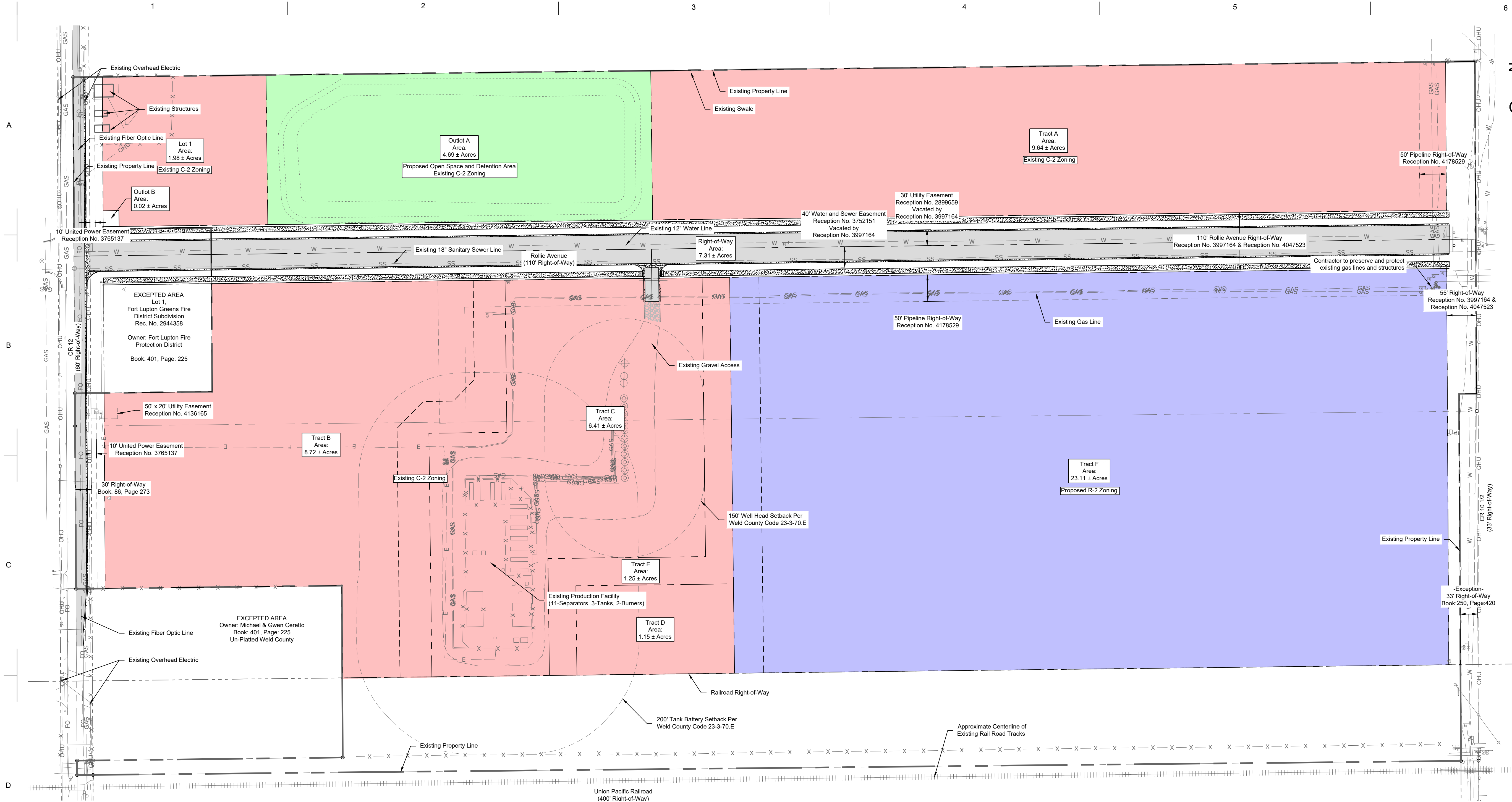
Preliminary Drainage Plan



Appendix E

Sketch Plat Plan Sheet





Preliminary
Not for
Construction

Job Number 22-002
Checked By EW
Date

LandOne Engineering, LLC assumes no responsibility for existing utility locations (horizontal or vertical). The existing utilities shown on this drawing have been plotted from the best available information. It is however the responsibility of the contractor to verify the location of all the utilities prior to the commencement of any construction activities.



Revision Description

Date

Rev No.

Lupton Greens

Zoning Exhibit

Fort Lupton, CO

Sheet

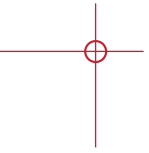
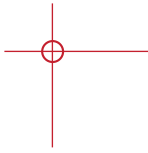
EX-1

PARCEL AREA TABLE			
PARCEL ID	AREA (AC)	SEGMENT LENGTHS (FT)	SEGMENT BEARINGS
Lot 1	1.98	308.42	S00°38'42.95"E
		282.01	S89°17'54.37"W
		280.28	N00°42'05.63"W
		30.00	N89°17'54.37"E
		29.80	N00°42'05.63"W
		252.32	N89°40'33.62"E
Outlot A	4.69	725.00	S00°38'42.95"E
		281.30	S89°17'54.37"W
		725.00	N00°42'05.63"W
		282.01	N89°17'54.37"E
Outlot B	0.02	30.00	N89°40'33.62"E
		29.80	S00°42'05.63"E
		30.00	S89°17'54.37"W
		30.00	N00°42'05.63"W
Tract A	9.64	1497.77	S00°38'42.95"E
		279.83	S89°42'09.30"W
		1495.79	N00°42'05.63"W
		281.30	N89°17'54.37"E

PARCEL AREA TABLE			
PARCEL ID	AREA (AC)	SEGMENT LENGTHS (FT)	SEGMENT BEARINGS
Tract B	8.72	203.61	N89°39'48.31"E
		552.97	S00°42'05.63"E
		287.00	S89°17'54.37"W
		146.93	N00°42'05.63"W
		459.21	S89°17'54.37"W
		168.88	N00°40'46.67"W
		173.96	N89°40'33.62"E
		445.67	N00°41'33.79"W
		368.52	N89°40'33.62"E
		203.64	S00°42'05.63"E
		221.41	N00°40'46.67"W
		459.21	N89°17'54.37"E
Tract C	6.41	146.93	S00°42'05.63"E
		287.00	N89°17'54.37"E
		371.36	S00°42'05.63"W
		525.97	S89°17'54.37"W
		296.88	N00°42'05.63"W
		220.33	S89°17'54.37"E

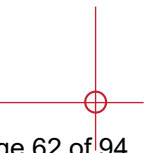
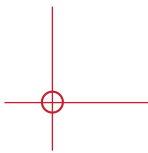
PARCEL AREA TABLE			
PARCEL ID	AREA (AC)	SEGMENT LENGTHS (FT)	SEGMENT BEARINGS
Tract D	1.15	296.88	N00°40'46.67"W
		168.35	N89°17'54.37"E
		296.88	S00°42'05.63"E
		168.46	S89°17'54.37"W
		168.46	S89°17'54.37"W
Tract E	1.25	52.00	N00°40'46.67"W
		220.33	N89°17'54.37"E
		296.88	S00°42'05.63"E
		525.97	N89°17'54.37"E
		52.00	S00°42'05.63"E
Tract F	23.11	577.97	S89°17'54.37"W
		296.88	N00°42'05.63"W
		168.35	S89°17'54.37"W
		1345.82	N00°40'46.67"W
		168.46	N89°17'54.37"E

PARCEL AREA TABLE			
PARCEL ID	AREA (AC)	SEGMENT LENGTHS (FT)	SEGMENT BEARINGS
Right-of-Way	7.31	55.00	S00°38'42.95"E
		252.32	S89°40'33.62"W
		30.00	S89°40'33.62"W
		30.00	S00°42'05.63"E
		280.28	S00°42'05.63"E
		725.00	S00°42'05.63"E
		1495.79	N89°42'09.30"E
		279.83	S00°38'42.95"E
		55.00	S89°42'09.30"W
		626.40	N00°17'50.70"W
		33.00	S89°42'09.30"W
		510.58	N00°40'46.67"W
		22.00	N89°42'09.30"E
		746.96	N00°42'05.63"W
		1351.09	N89°17'54.37"E
		52.00	N00°42'05.63"W
		371.36	N00°42'05.63"W
		552.97	N89°39'48.31"E



Appendix F

Existing Surface Use Agreement



**EASEMENT, RIGHT-OF-WAY
and
SURFACE USE AGREEMENT**

This Easement, Right-of-Way and Surface Use Agreement ("Agreement") is entered into as of the 18th day of January, 2003, by and between Fort Lupton Greens, LLP, whose address is 5305 West 86th Avenue, Arvada, CO 80003 ("Surface Owner," whether one or more) and Kerr-McGee Rocky Mountain Corporation, a Delaware corporation ("KMRMC"), with offices at 1999 Broadway, Suite 3600, Denver, CO 80202 covering certain lands, (the "Lands") situated in Weld County, Colorado described as follows:

Township 1 North, Range 66 West, of the 6th P.M.

Section 8: W/2E/2NW/4, E/2W/2NW/4, less a tract in the NE/4NW/4/NW/4 more specifically described as follows: Beginning on the north line of the NW/4; thence 50 feet east of the center line of the Union Pacific Railroad Company ROW to the point of beginning; thence east 324 feet; thence south 500 feet 8 inches; thence west 324 feet; thence north 500 feet 8 inches to the point of beginning, being 2 acres more or less.

For and in consideration of the sum of ten dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby agree to the terms and provisions set forth as follows:

1. Compensation for Wells; Release of All Claims

KMRMC shall pay to Surface Owner the sum as set forth in and according to the terms of that certain Letter Agreement by and between Surface Owner and KMRMC, dated January 18, 2003, as full and final settlement and satisfaction for any and all detriment, depreciation, injury or damage of any nature to the Lands or growing crops thereon that may occur as a result of KMRMC's drilling or completion operations or its continuing activities for the production or transportation of oil, gas, or other hydrocarbons or products associated with the foregoing including, but not limited to, surface use, access, mud and reserve pits, wellhead equipment, separators, tank batteries, pipelines, gathering lines, flowlines, pipeline interconnections, and any and all other reasonable or customary uses of land related to said operations or activities.

2. Grant of Right of Way and Easement

Surface Owner hereby grants, bargains, sells, assigns and conveys to KMRMC an easement and right-of-way for the purpose of constructing, using and maintaining access roads, locations for surface equipment and subsurface gathering lines for each well drilled upon the Lands, pipelines, and pipeline interconnections for one year from the date of commencement of surface activities for drilling operations and so long thereafter as oil or gas is produced or capable of being produced from any well drilled on the Lands.

3. Drilling of Wethington 1-7A

Surface Owner specifically grants KMRMC permission to use the above described Lands for all and any of the rights, and easements as more specifically stated in paragraphs 1 and 2 above to directionally drill, operate and produce the Wethington 1-7A well from a surface location on the Lands approximately 1034' FNL, 1387' FWL (Section 8: NW/4, T1N-R66W). In consideration therefore, KMRMC shall pay to Surface Owner the sum as set forth in and according to the terms of that certain Letter Agreement by and between Surface Owner and KMRMC, dated January 18, 2003, as full and final settlement and satisfaction for any and all detriment, depreciation, injury or damage of any nature to the Lands or growing crops thereon that may occur as a result of KMRMC's drilling or completion operations or its continuing activities for the production or transportation of oil, gas, or other hydrocarbons or products associated with the foregoing including, but not limited to, surface use, access, mud and reserve pits, wellhead equipment, separators, tank batteries, pipelines, gathering lines, flowlines, pipeline interconnections, and any and all other reasonable or customary uses of land related to said operations or activities. It is agreed and understood said well shall be drilled to a bottom hole location in the NE/4, Section 7, Township 1 North, Range 66 West, 6th P.M. It is further agreed and understood by and between the parties hereto that the production facilities for said well will be located, maintained and improved as necessary, upon the Lands.

This Agreement shall be binding upon the respective heirs, executors, administrators, successors, and assigns of the undersigned.

The undersigned have executed this Agreement as of the day first above written.

SURFACE OWNER
FORT LUPTON GREENS, LLP

KERR-McGEE
ROCKY MOUNTAIN CORPORATION

By: [Signature]
Josef Guetlein, General Partner

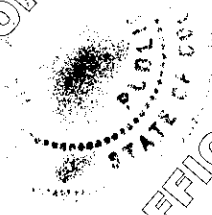
By: [Signature]
James P. Wason
Attorney-in-Fact

STATE OF COLORADO)
)ss
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 24 day of February, 2003, by Josef Guetlein, as General Partner of Fort Lupton Greens, LLP, on behalf of the partnership.

Witness my hand and official seal.

[Signature]
Notary Public



My commission expires 6/13/2006

STATE OF COLORADO)
CITY AND)ss
COUNTY OF DENVER)

This instrument was acknowledged before me this 24 day of February, 2003, by James P. Wason, Attorney-in-Fact of Kerr-McGee Rocky Mountain Corporation, a Delaware corporation, on behalf of the corporation.

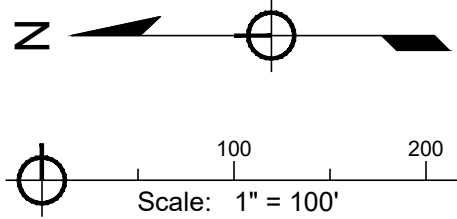
Witness my hand and official seal.



[Signature]
Notary Public

My commission expires _____

My Commission Expires 03/24/2004



LANDONE engineering
361 71st Avenue, Suite 100
Greeley, CO 80634

Preliminary
Not for
Construction

Job Number	22-002
Checked By	EW
Date	

LandOne Engineering, LLC assumes no responsibility for existing utility locations (horizontal or vertical). The existing utilities shown on this drawing have been plotted from the best available information. It is however the responsibility of the contractor to verify the location of all the utilities prior to the commencement of any construction activities.

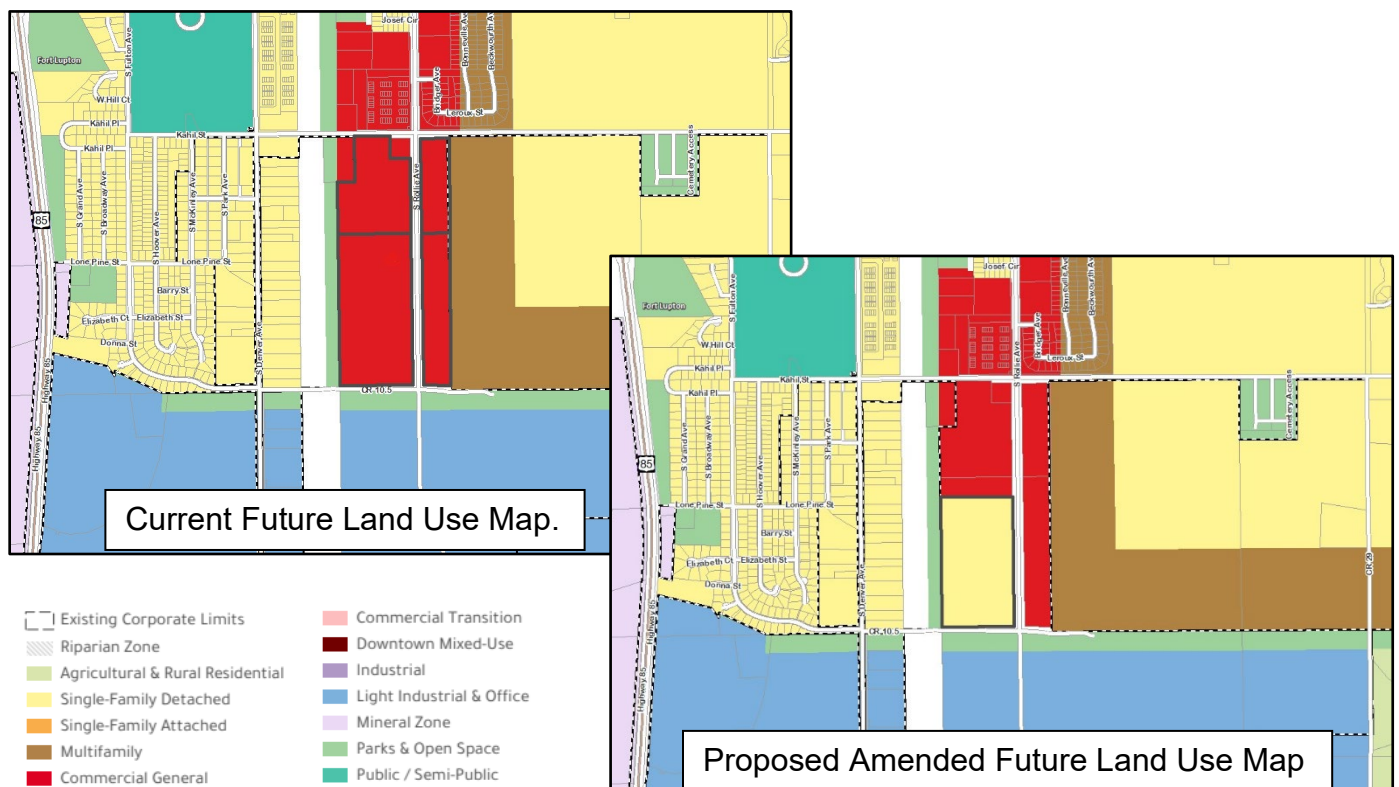
[illegible][illegible]

Lupton Greens
Change of Zone Map
Fort Lupton, CO

PARCEL AREA TABLE			
PARCEL ID	AREA (AC)	SEGMENT LENGTHS (FT)	SEGMENT BEARINGS
Right-of-Way	7.31	55.00	S00°38'42.95"E
		252.32	S89°40'33.62"W
		30.00	S89°40'33.62"W
		30.00	S00°42'05.63"E
		280.28	S00°42'05.63"E
		725.00	S00°42'05.63"E
		1495.79	S00°42'05.63"E
		279.83	N89°42'09.30"E
		55.00	S00°38'42.95"E
		626.40	S89°42'09.30"W
		33.00	N00°17'50.70"W
		510.58	S89°42'09.30"W
		22.00	N00°40'46.67"W
		746.96	N89°42'09.30"E
		1351.09	N00°42'05.63"W
		52.00	N00°42'05.63"W
		371.36	N00°42'05.63"W
		552.97	N00°42'05.63"W
105.10	N89°39'48.31"E		
258.58	N00°42'05.63"W		
287.28	N89°40'33.62"E		

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is proposing an amendment to its comprehensive land use plan map, pursuant to the City of Fort Lupton Municipal Code Notice Requirements and Colorado State Statute Notice Requirements for a Master Plan Amendment. The proposed change is limited to a portion of Parcel No. 147108200045. This parcel is currently identified for General Commercial Land Uses on the Future Land Use Map. The proposed amendment would change it to Single-Family Detached Uses.



The public hearings are to be held before the Planning Commission on December 14, 2023 at 6:00 P.M., and before the City Council on January 16, 2023 at 6:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the City Planning and Building Department at (720) 928-4003.



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Sign Posting Affidavit

Lupton Greens

Project No. PPL2023-005, and COZ2023-001



Facing North West towards CR
12 and South Rolie Avenue



Facing North West towards CR
12 and South Rolie Avenue

I, Fred L Croci hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 27th day of November, 2023.

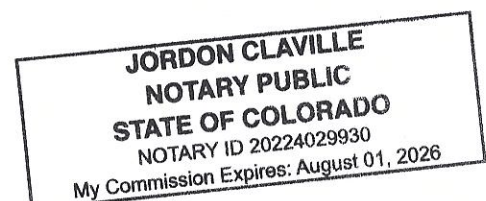
[Signature]

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Fred L Croci, this 28 day of November, 2023. Witness my hand and seal.

My commission expires 08/01/2026.

[Signature]
Notary Public





Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621
www.fortluptonco.gov

Phone: 303.857.6694
Fax: 303.857.0351

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a **Preliminary Plat, Change of Zone and Comprehensive Plan Amendment** referred to as the **Lupton Greens Preliminary Plat, Change of Zone and Comprehensive Plan Amendment** located south and adjacent to Country Road 12 and approximately .16 miles east of S. Denver Ave in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, December 14, 2023, at 6:00 P.M., and before the City Council on Tuesday, January 16, 2023, at 6:00 P.M. or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall remains closed at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at (303) 857-6694.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT BIT.LY/FLDEVELOPMENT AND SCROLLING DOWN TO THE ROW TITLED: LUPTON GREENS Preliminary and Final Plat, Change of Zone, and Comprehensive Plan Amendment

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

An area of land being a portion of that parcel of land described within Warranty Deed recorded June 28, 1983 at Reception No. 1931751 within the records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW1/4) of Section Eight (8) Township One North (T.1N.), Range Sixty-six West (R.66W.) of the Sixth Principle Meridian (6th P.M.), Town of Fort Lupton, County of Weld, State of Colorado.

COMMENCING at the Northwest corner of Section 8 and assuming the North line of the (NW1/4) of said Section 8, as monumented by a #6 rebar with 2.5" aluminum cap stamped LS 38479 at the West end and by a #6 rebar with a 2.5" aluminum cap stamped LS 38479 at the East end, as bearing North 89°40'34" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2631.33 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE North 89°40'34" East a distance of 1009.00 feet to the Northeast corner of that parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736 within the records of Weld County, and to the **POINT OF BEGINNING**;

THENCE continuing North 89°40'34" East a distance of 368.51 feet to the Northwest corner of The Fort Lupton Greens Fire District Subdivision recorded April 19, 2002 at Reception No. 2944358 within the records of Weld County;

Thence along the West, South and East lines of said The Fort Lupton Greens Fire District Subdivision the following Three (3) courses and distances:

THENCE South 00°42'06" East a distance of 258.64 feet;

THENCE North 89°39'48" East a distance of 308.71 feet;

THENCE North 00°42'06" West a distance of 258.58 feet to the North line of the NW1/4 of said Section 8;

THENCE North 89°40'34" East along said North line a distance of 287.28 feet to the Northeast corner of the West Half of the East Half of the Northwest Quarter (W1/2E1/2NW1/4), also known as the East West Sixty Fourth corner of said Section 8;

THENCE South 00°38'43" East along the East line of said W1/2E1/2NW1/4 a distance of 2641.18 feet to the Southeast corner of said W1/2E1/2NW1/4, also known as the Center East West Sixty Fourth corner of said Section 8;

THENCE South 89°42'09" West along the South line of said W1/2E1/2NW1/4 a distance of 626.40 feet to the Southeast corner of the County Road 10.5 right-of-way as described in Quit Claim Deed recorded May 25, 1908 at Book 250 Page 420, Reception No. 129592 within the records of Weld County;

Thence along the East and North right-of-way lines of said County Road 10.5 the following Two (2) courses and distances:

THENCE North 00°17'51" West a distance of 33.00 feet;

THENCE South 89°42'09" West a distance of 510.58 feet to the East right-of-way line of Union Pacific Railroad;

THENCE North 00°40'47" West along said East right-of-way a distance of 2107.00 feet to the South line of said parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736;

Thence along the South and East lines of said parcel of land the following Two (2) courses and distances:

THENCE North 89°40'34" East a distance of 173.96 feet;

THENCE North 00°41'34" West a distance of 500.67 feet to the North line of the NW1/4 of said Section 8 and to the **POINT OF BEGINNING**.

Said area of land contains 64.75 Acres (+/-2,820,395 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described area of land.



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 29 day of November, 2023, a true and correct copy of the foregoing Notice of Public Hearings for the Lupton Greens Preliminary and Final Plat, Change of Zone, and Comprehensive Plan Amendment was sent via United States Mail, postage pre-paid, to the following addresses:

UNITED POWER INC
500 COOPERATIVE WAY
BRIGHTON, CO. 80603-8728

LUPTON VILLAGE RESIDENTIAL
METROPOLITAN DISTRICT
C/O WOLFERSBERGER
12210 BRIGHTON RD UNIT 8
COMMERCE CITY, CO. 80640-1002

RIPPETH JAMES B JR
1332 LEROUX ST
FORT LUPTON, CO. 80621-2764

MCCAULEY-SUITS GAYL M,
MCCORMICK HEATHER N
1322 LEROUX ST
FORT LUPTON, CO. 80621-2764

WARNER ANNETTE M
CALAWAY STEPHEN
1312 LEROUX ST
FORT LUPTON, CO. 80621-2764

MACIAS DISRAELI
1302 LEROUX ST
FORT LUPTON, CO. 80621-2764

SCOTT IAN JAY
SCOTT KIMBERLY JEAN
1242 LEROUX ST
FORT LUPTON, CO. 80621-2763

HUTSON KEVIN
1232 LEROUX ST
FORT LUPTON, CO. 80621-2763

ROGERS JAI R
1222 LEROUX ST
FORT LUPTON, CO. 80621-2763

TUKA ALEX A
TUKA RAVEN J
1212 LEROUX ST
FORT LUPTON, CO. 80621-2763

RUSCH LUKE ALLEN
ROSSIGNOL ASHLEY ROSE
539 BRIDGER AVE
FORT LUPTON, CO. 80621-2762

HOLMBERG JOHN
533 BRIDGER AVE
FORT LUPTON, CO. 80621-2762

GUERRERO ROSANGELICA
1243 LEROUX ST
FORT LUPTON, CO. 80621-2763

VUE ASSIS
LAOVAYSANG KHAIVAN
526 BRIDGER AVE
FORT LUPTON, CO. 80621-2762



CASEY SHAWN
CASEY JAMIE L
503 S ROLLIE AVE UNIT 2E
FORT LUPTON, CO. 80621-8382

DUNCAN JOANNA
DUNCAN JOSHUA
503 S ROLLIE AVE UNIT 3A
FORT LUPTON, CO. 80621-8383

HAMPTON JOSH
503 S ROLLIE AVE UNIT 3B
FORT LUPTON, CO. 80621-8383

LIRA MICHAEL R
HERNANDEZ ERIN A
503 S ROLLIE AVE UNIT 3C
FORT LUPTON, CO. 80621-8383

HOFF BRIAN D
503 S ROLLIE AVE UNIT 3D
FORT LUPTON, CO. 80621-8383

PARKER ANDREW
PARKER DOUGLAS
PARKER TRISHA
503 S ROLLIE AVE UNIT 3E
FORT LUPTON, CO. 80621-8383

STRAIN KYLE EDWARD
STRAIN TAYLOR ELISE
503 S ROLLIE AVE UNIT 7A
FORT LUPTON, CO. 80621-8387

VOLESKY JAY JAMES
VOLESKY JENNIFER ANN
503 S ROLLIE AVE UNIT 7B
FORT LUPTON, CO. 80621-8387

MANIS ETHAN G
503 S ROLLIE AVE UNIT 7C
FORT LUPTON, CO. 80621-8387

POLIKUIT CHRISTOPHER JOHN D
503 S ROLLIE AVE UNIT 7D
FORT LUPTON, CO. 80621-8387

COOLEY CINDA M
503 S ROLLIE AVE UNIT 7E
FORT LUPTON, CO. 80621-8387

BLANCO JORDAN S
SHAW JENYCA
503 S ROLLIE AVE UNIT 8A
FORT LUPTON, CO. 80621-8388

POTTER ZACHARY
503 S ROLLIE AVE UNIT 8B
FORT LUPTON, CO. 80621-8388

GILSON ROBERT D
503 S ROLLIE AVE UNIT 8C
FORT LUPTON, CO. 80621-8388

WITMER PAUL M
503 S ROLLIE AVE UNIT 8D
FORT LUPTON, CO. 80621-8388

SCHWARTZ MICHELLE
WINKLER JUSTIN
503 S ROLLIE AVE UNIT 8E
FORT LUPTON, CO. 80621-8388

BACON DOUGLAS C
GROCHOWSKI MARY A
503 S ROLLIE AVE UNIT 12B
FORT LUPTON, CO. 80621-8392

QUINTANA NATALIA J
QUINTANA ANDRE M
503 S ROLLIE AVE UNIT 12C
FORT LUPTON, CO. 80621-8392



SIANIS ANTHONY J
503 S ROLLIE AVE UNIT 12D
FORT LUPTON, CO. 80621-8392

WILSON OWEN
503 S ROLLIE AVE UNIT 13A
FORT LUPTON, CO. 80621-8393

BARNES JEREMY W
BARNES DANA RENEE
503 S ROLLIE AVE UNIT 13B
FORT LUPTON, CO. 80621-8393

STEED BENJAMIN
503 S ROLLIE AVE UNIT 13C
FORT LUPTON, CO. 80621-8393

GOBEY JEFFREY R
503 S ROLLIE AVE UNIT 13D
FORT LUPTON, CO. 80621-8393

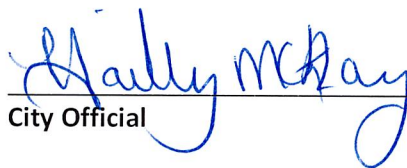
KONING EMILY
BAKER MATTHEW K
503 S ROLLIE AVE UNIT 13E
FORT LUPTON, CO. 80621-8393

FORT LUPTON MEADOWS LLC
6194 S BENTON CT
LITTLETON, CO. 80123-3702

CERETTO MICHAEL W
CERETTO GWEN S
13144 COUNTY ROAD 12
FORT LUPTON, CO. 80621-8348

GABEL TODD A
GABEL CORINNE
17154 COUNTY ROAD 29
PLATTEVILLE, CO. 80651-8505

FORT LUPTON FIRE PROTECTION
DISTRICT
1121 DENVER AVE
FORT LUPTON, CO. 80621-2650


City Official

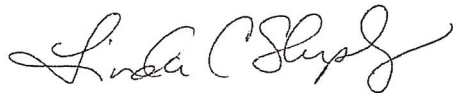
Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

City of Fort Lupton Legals***
130 S McKinley Avenue
Fort Lupton CO 80621

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Weld } ss

This Affidavit of Publication for the Fort Lupton Press, a weekly newspaper, printed and published for the County of Weld, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 11/23/2023, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Fort Lupton Press

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 11/23/2023. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20004025550-965882

Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a Preliminary Plat, Change of Zone and Comprehensive Plan Amendment referred to as the Lupton Greens Preliminary Plat, Change of Zone and Comprehensive Plan Amendment located south and adjacent to Country Road 12 and approximately .16 miles east of S. Denver Ave in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, December 14, 2023, at 6:00 P.M., and before the City Council on Tuesday, January 16, 2024, at 6:00 P.M., or as soon as possible thereafter.

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Further information is available through the City Planning and Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

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COMMENCING at the Northwest corner of Section 8 and assuming the North line of the (NW1/4) of said Section 8, as monumented by a #6 rebar with 2.5" aluminum cap stamped LS 38479 at the West end and by a #6 rebar with a 2.5" aluminum cap stamped LS 38479 at the East end, as bearing North 89°40'34" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2631.33 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE North 89°40'34" East a distance of 1009.00 feet to the Northeast corner of that parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736 within the records of Weld County, and to the POINT OF BEGINNING;

THENCE continuing North 89°40'34" East a distance of 368.51 feet to the Northwest corner of The Fort Lupton Greens Fire District Subdivision recorded April 19, 2002 at Reception No. 2944358 within the records of Weld County;

Thence along the West, South and East lines of said The Fort Lupton Greens Fire District Subdivision the following Three (3) courses and distances:

THENCE South 00°42'06" East a distance of 258.64 feet;

THENCE North 89°39'48" East a distance of 308.71 feet;

THENCE North 00°42'06" West a distance of 258.58 feet to the North line of the NW1/4 of said Section 8;

THENCE North 89°40'34" East along said North line a distance of 287.28 feet to the Northeast corner of the West Half of the East Half of the Northwest Quarter (W1/2E1/2NW1/4), also known as the East West Sixty Fourth corner of said Section 8;

THENCE South 00°38'43" East along the East line of said W1/2E1/2NW1/4 a distance of 2641.18 feet to the Southeast corner of said W1/2E1/2NW1/4, also known as the Center East West Sixty Fourth corner of said Section 8;

THENCE South 89°42'09" West along the South line of said W1/2E1/2NW1/4 a distance of 626.40 feet to the Southeast corner of the County Road 10.5 right-of-way as described in

Quit Claim Deed recorded May 25, 1908 at Book 250 Page 420, Reception No. 129592 within the records of Weld County;

Thence along the East and North right-of-way lines of said County Road 10.5 the following Two (2) courses and distances:

THENCE North 00°17'51" West a distance of 33.00 feet;

THENCE South 89°42'09" West a distance of 510.58 feet to the East right-of-way line of Union Pacific Railroad;

THENCE North 00°40'47" West along said East right-of-way a distance of 2107.00 feet to the South line of said parcel of land described in

Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736;

Thence along the South and East lines of said parcel of land the following Two (2) courses and distances:

THENCE North 89°40'34" East a distance of 173.96 feet;

THENCE North 00°41'34" West a distance of 500.67 feet to the North line of the NW1/4 of said Section 8 and to the POINT OF BEGINNING.

Said area of land contains 64.75 Acres (+/-2,820,395 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described area of land.

Legal Notice No. FLP967
First Publication: November 23, 2023
Last Publication: November 23, 2023
Publisher: Fort Lupton Press

RESOLUTION NO. P2023-010

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE LUPTON GREENS PRELIMINARY PLAT LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, Fort Lupton Greens LLP (“Applicant”) has applied for approval of the Lupton Greens Preliminary Plat for a mixed-use residential and commercial subdivision (the “Application”); and

WHEREAS, the Planning Commission held a public meeting on December 14, 2023 for the purpose of reviewing the Lupton Greens Preliminary Plat; and

WHEREAS, after review of the Application and consideration of staff comments, Applicant’s presentation and any public input, Planning Commission finds the request for the Lupton Greens Preliminary Plat conforms with City codes and requirements and policies therein; and

WHEREAS, all legal notification requirements have been met, including publishing the time and place of the public hearings in the Fort Lupton Press, posting notice at least fifteen (15) days before the hearings on the property, mailing notice to property owners within three-hundred (300) feet of the property; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has considered the application and has taken into consideration staff comments, the applicant presentation, all referral comments and any citizen testimony in response to this application. Based upon the review of applicable policies and goals in the Fort Lupton Comprehensive Plan, review of the Subdivision and Zoning Regulations, and the facts presented on this date, the Planning Commission hereby recommends approval of Lupton Greens Preliminary Plat for a mixed residential and commercial subdivision located in the Northwest Quarter of Section 8, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.

I. Prior to finalizing the Preliminary Plat:

A. Any redline comments provided by City staff shall be made to the preliminary plat.

DONE THIS 14th DAY OF DECEMBER, 2023, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

**LUPTON GREENS PRELIMINARY PLAT
PPL2023-005**

PROJECT DESCRIPTION

Project No.: PPL2023-005

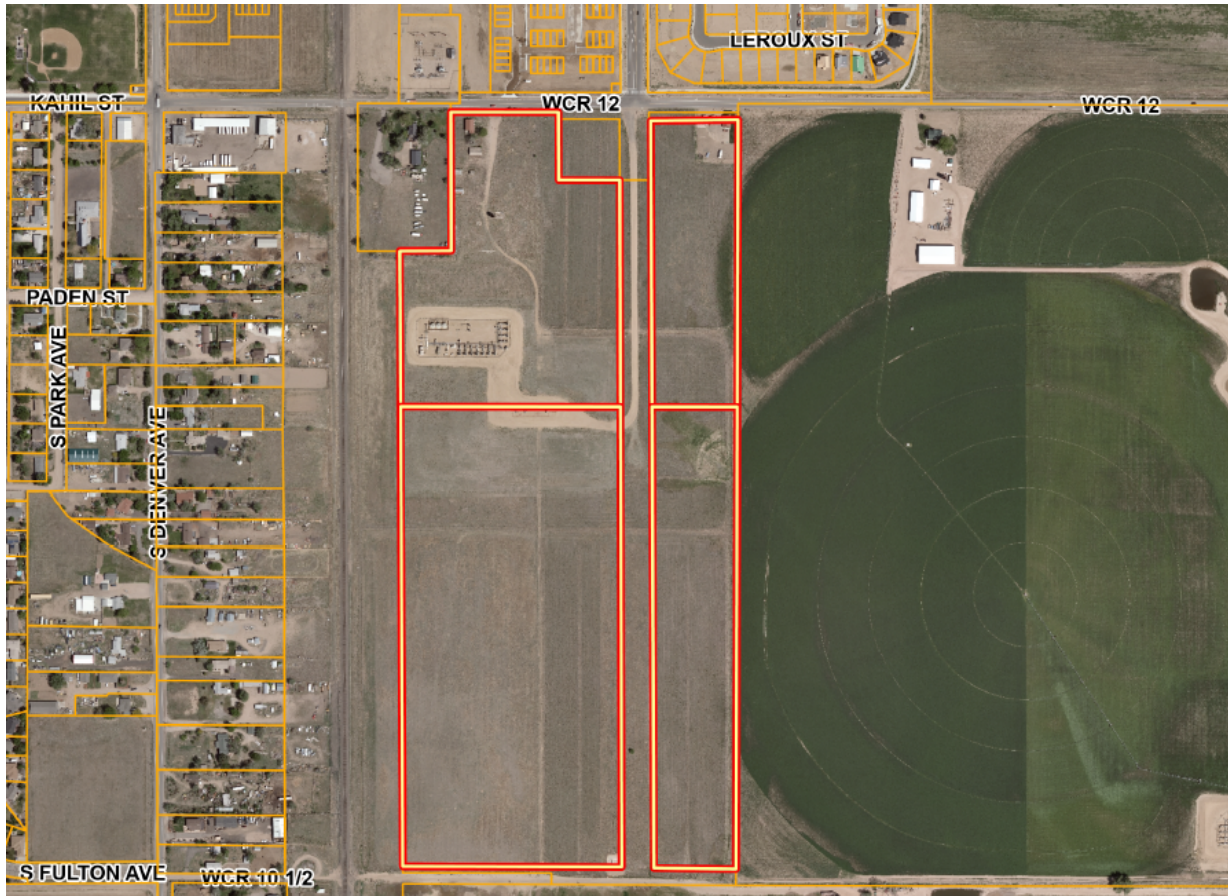
Project Name: Lupton Greens Preliminary Plat

Owner's Name: Fort Lupton Greens LLP

Representative: Fred L Croci and William "B.J." Johanningmeier ("Applicant")

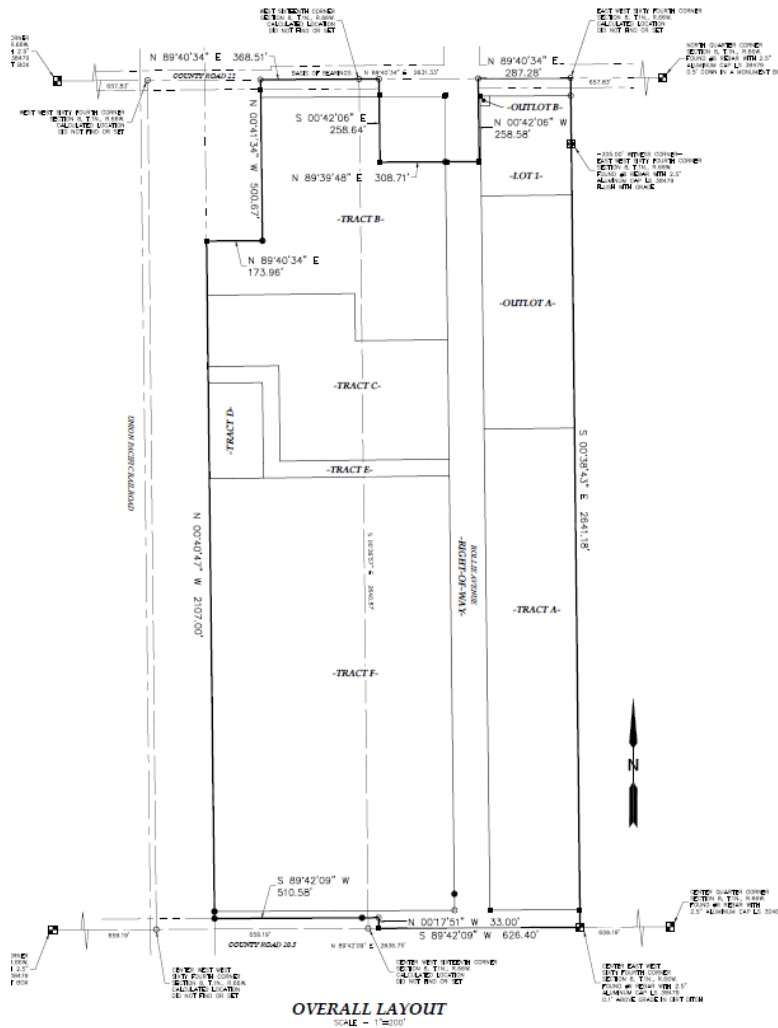
Location of Request:

The site is located south and adjacent to County Road 12 and approximately .16 miles west of S. Denver Ave. (the Property). The Property is located in the Northwest Quarter of Section 8, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.



Nature of Request:

The Applicant has submitted a request for a preliminary plat for a mixed use subdivision that will include 1 commercial lot, 5 commercial tracts, 1 residential tract and two outlots. The proposed change of zone for Tract F is being reviewed concurrently with this application.



Site Size: 73.76 acres, more or less.

Zone District: C-2 General Commercial and R-2 Mixed-Density Residential (if the proposed concurrent request for a change of zone from the 'C-2' Heavy Commercial Zone District is approved by Planning Commission and City Council).

Proposed Use: A mixed-use residential and commercial subdivision with open space.

Existing Use: The Property is primarily vacant with an existing residence along the northern portion. Towards the middle of the western portion of property, there is an existing oil and gas facility that will remain. There is a gravel road that runs south from CR 12 that provides access to the oil and gas facility. This facility contains production equipment and multiple wells.

Hearing Dates: Planning Commission – December 14, 2023 at 6:00 PM; and
City Council – January 16, 2024 at 6:00 PM.

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

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

SUMMARY OF PREVIOUS APPLICATIONS

On January 27, 2010, the Fort Lupton City Council officially amended the zoning of the Property, known as Fort Lupton Greens from “A” Agriculture to “C-2” Commercial (Ordinance No. 2010-913). The change of zone became effective on April 2, 2010.

On September 22, 2022 and October 4, 2022 Planning Commission and City Council reviewed a concept plan for this property. No official decision is made on concept plans.

A Comprehensive Plan Amendment, Change of Zone and Final Plat applications are being reviewed concurrently with this application.

APPLICATION PROCESS

The Applicant is requesting approval of a preliminary plat. Under the Fort Lupton Municipal Code, after required public notice of the preliminary plat, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the preliminary plat. The Planning Commission’s comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City’s standards, regulations and policies.

The Applicant has submitted their preliminary plat and final plat concurrently, as permitted by the Municipal Code. A final plat is not reviewed by Planning Commission under the Municipal Code; however, the final plat map has been included in the Planning Commission packet for reference.

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

NOTIFICATION REQUIREMENTS

The Municipal Code requires published notice of the hearings in a timely manner prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton press on November 22, 2023.

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

Notice was mailed to neighbors within three-hundred (300) feet of the Property on November 29, 2023.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The Preliminary Plat was reviewed using the following criteria as outlined in Sec. 16-2.02 of the Fort Lupton Municipal Code (FLMC):

- a. The application is in accordance with the Comprehensive Plan, and in particular, the physical development patterns and concepts of the plan.*
- b. The development and infrastructure is arranged in a manner to minimize impacts on geologic hazards, environmentally sensitive areas, wildlife habitat, or other natural features of the land.*
- c. The arrangement and proposed design of streets, open spaces, and blocks meet the development and design standards of the subdivision regulations, and are coordinated with existing or potential development on adjacent property.*
- d. The proposed blocks and lots are capable of meeting all development and site design standards of the applicable zoning district.*
- e. The application demonstrates a preliminary likelihood of being able to meet the design, construction, performance, and maintenance requirements for all required improvements.*
- f. Any phasing is clearly indicated and demonstrates a logical and coordinated approach to development, and the timing, location, and construction of amenities is consistent throughout phases.*
- g. Any impacts identified by specific studies or technical reports, including a review of storm water, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.*
- h. The design does not impede the construction of anticipated or planned future public infrastructure or other development within the area.*
- i. The recommendations of professional staff or any other public entity or review agencies asked to officially review the preliminary plat.*

The Preliminary Plat is for a mixed-use residential and commercial subdivision that will include one lot and 5 tracts of commercial land on 29.15 acres more or less, 1 residential tract on approximately 23.11 acres, right-of-way on 7.31 acres and two outlots on approximately 4.71 acres for open space and detention. The proposed division into tracts rather than lots allows for future commercial and residential uses to further subdivide at time of any proposed development. The Applicant has submitted the required documents pursuant to the Code.

REFERRALS

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

City Attorney	Police Chief	Public Works Director
Building Inspector	Public Works Director	OMI
GIS Specialist	Finance Director	CDOT
Economic Development Manager	Fort Lupton Fire Protection District	Development Review Engineer
Colorado DRMS	United Power	Comcast

CenturyLink	Xcel Energy	Postmaster
Weld County Dept. of Planning Services	Weld County Dept. of Public Health & Environment	Weld County Public Works
Weld County School District RE-8	Weld County GIS	NCWCD
Fulton Ditch Company	State Geologist	

STAFF RECOMMENDATION

Staff recommends conditional approval of the Lupton Greens Preliminary Plat. Conditions are listed under the proposed Resolution included with the Planning Commission packet.

For more information on this development, please refer to the documents found at:

<https://www.fortluptonco.gov/DocumentCenter/Index/804>

Preliminary/Final Plat Narrative

Lupton Greens Subdivision

Introduction

The following information is being submitted as a request for the City to complete a review for approval of the Preliminary/Final Plat and associated documents for the proposed project. From the Developer's perspective, the goal for the Preliminary/Final Plat submittal and review process will be to:

- Provide for the overall Plat for the subdivision;
- Show conformance with the City of Ft Lupton's design requirements;
- Bring out and address any concerns stakeholders may have;
- Provide clarification of the major aspects of the development; and
- Obtain approval for the Preliminary/Final Plat from the City of Ft Lupton Planning Commission and City Council.

Comments/Concerns:

Location

The proposed project is located in Fort Lupton, Colorado on the east side of Denver Avenue, south of County Road 12, north of County Road 10 ½, and more particularly described as follows: Part of the East Half of the West Half of the Northwest Quarter and the West Half of the East Half of the Northwest Quarter of Section 8, Township 1 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.

Comments/Concerns:

Zoning and Land Use

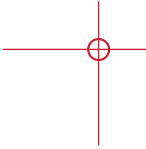
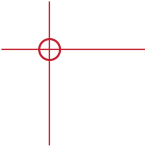
The property is approximately 73.76 total acres of vacant land including 9.48 acres of Right-of-Way area dedicated for the railroad west of the property and County Road 12 north of the property. The remaining 64.28 acres intended to be developed is currently zoned C-2 (Heavy Commercial). The proposed land use is residential and commercial. There is also an existing oil and gas pad within the property.

Comments/Concerns:

Subdivision

The site has been laid out utilizing City of Ft Lupton design standards and criteria. We request that any concerns with the replat be identified at the time of this submittal so that modifications can be made prior to final engineering design.

Comments/Concerns:



Streets

The Street Design complies with City adopted emergency access requirements. All internal streets/driveways will be considered private and will be maintained by the metro district.

Comments/Concerns:

Open Space and Trails

The subdivision will meet Fort Lupton design standards for openspace, at the time of individual lot development, each developer will maintain openspace/trails per the City's requirements. A centrally detention pond (Outlot A – Approximately 4.69 acres) will be dedicated open space and stormwater detention, while each Lot/Tract will meet design standards set forth by the City. The community will be internally connected to the planned regional trail system on the east side of the community.

Comments/Concerns:

Grading and Drainage

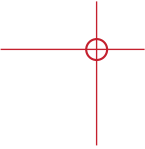
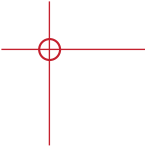
General grading and drainage has been determined and is shown on the Grading Plan. The grading and drainage of the subdivision will generally be from south to north. Internal storm drainage pipes will be used to convey stormwater to the designated detention pond, within Outlot A, on the east side of the site.

Comments/Concerns:

Sanitary Sewer

The existing 18-inch sanitary sewer system in South Rollie Avenue will be utilized for the subdivision. 8" sanitary sewer lines will be stubbed to service each Lot/Tract. All wastewater will gravity flow from South to North in the mainline within South Rollie Avenue.

Comments/Concerns:



Potable Water

This community will be fed by an existing 12-inch main line located within South Rollie Avenue. The subdivision's potable water system will be looped internally to provide redundancy and fire flow. The location of the internal loops will be specified at the time of design for each individual Lot/Tract.

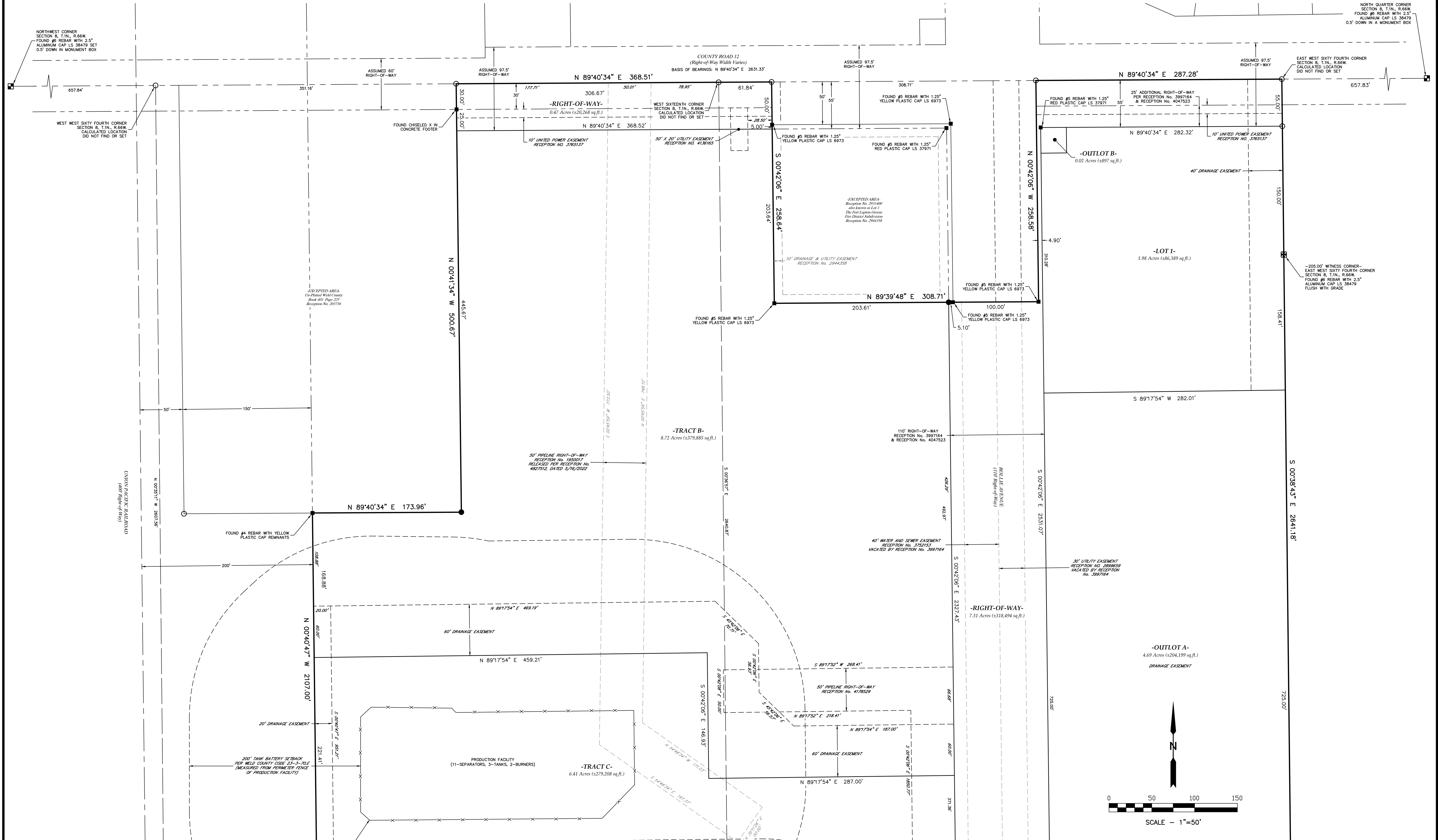
Comments/Concerns:

Compliance

In general, the proposed subdivision is consistent and complies with City of Fort Lupton applicable zoning and comprehensive planning criteria.

Comments/Concerns:

Preliminary Plat of
LUPTON GREENS SUBDIVISION



LEGEND	
	BOUNDARY LINE
	LOT LINE
	EXISTING EASEMENT LINE
	SECTION LINE
	FRACTIONAL SECTION LINE
	RIGHT-OF-WAY LINE
	PERIMETER FENCING
	ALIQUOT MONUMENT AS DESCRIBED
	WITNESS CORNER AS DESCRIBED
	BOUNDARY MONUMENT AS DESCRIBED
	SET 24" OF #4 REBAR WITH A PINK PLASTIC CAP STAMPED LAT40 LS 38479
	CALCULATED POSITION
	PRODUCING OIL/GAS WELL HEAD
	PLUGGED & ABANDONED WELL HEAD

Sheet 2 of 4
Jason S. Allee-On behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479

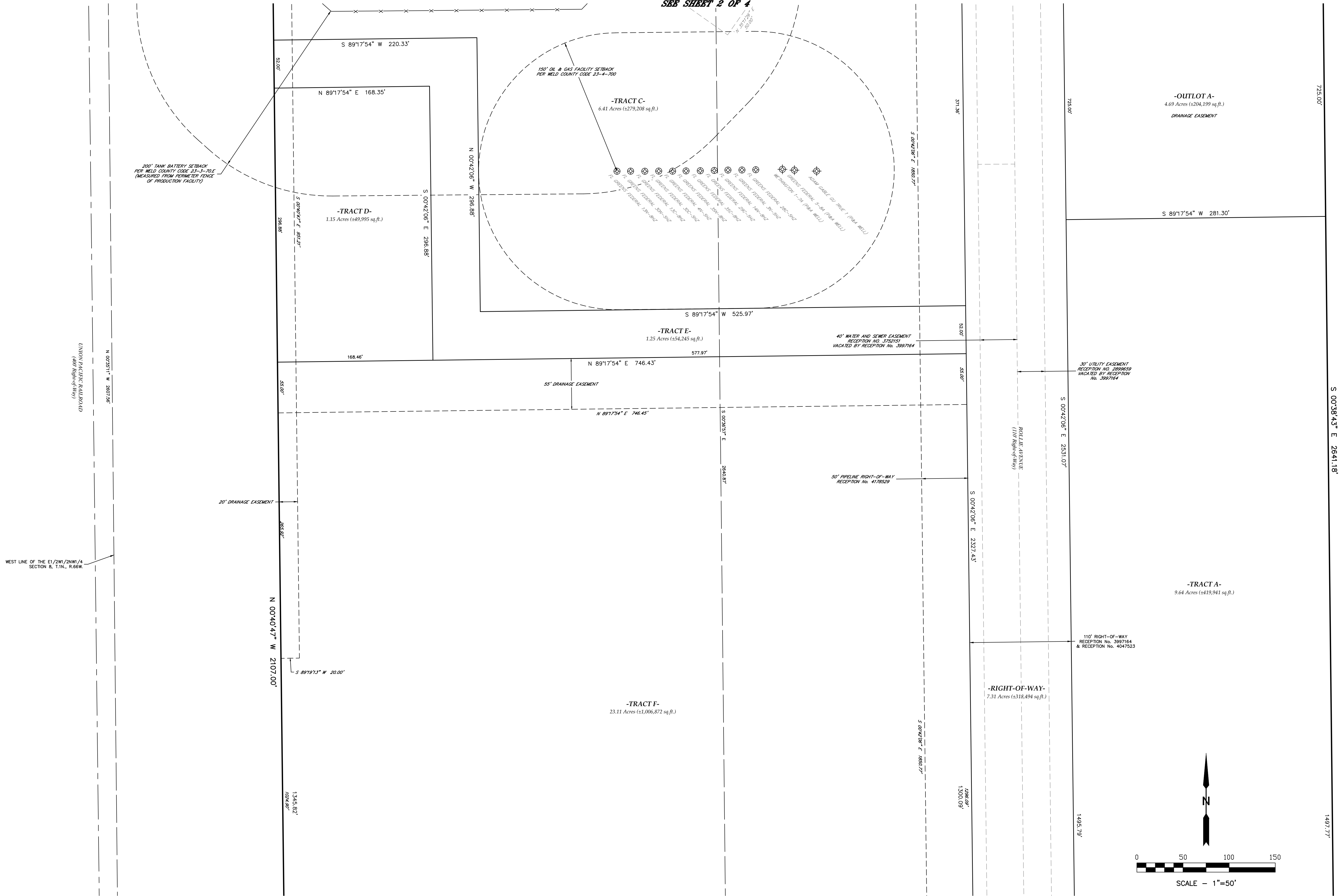


Lat40°, Inc.
Professional Land Surveyors
6250 W. 10th Street, Unit 2
Greeley, CO 80634
O: 970-515-5294

DATE: 5/18/2022	FILE NAME: 2021410SUB	DRAWN BY: JA	CHECKED BY: JA	SCALE: AS NOTED	PROJECT #: 2021410
REVISIONS:		DATE:	LUPTON GREENS SUB FOR LANDONE ENGINEERING 361 71ST AVE GREELEY, CO 80634 2 SHEET 2 OF 4		
UPDATED O&G PARCEL		6/8/2022			
UPDATE OVERALL BOUNDARY & TC INFO		7/27/2022			
UPDATE LOTS & EASEMENTS-LD		1/9/2023			
UPDATE LOTS & EASEMENTS-LD		1/25/2023			
UPDATE EASEMENTS - LD		5/24/2023			

Preliminary Plat of
LUPTON GREENS SUBDIVISION

SEE SHEET 2 OF 4



LEGEND	
	BOUNDARY LINE
	LOT LINE
	EXISTING EASEMENT LINE
	SECTION LINE
	FRACTIONAL SECTION LINE
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Sheet 3 of 4
Jason S. Allee—On behalf of Lat40^o, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479

SEE SHEET 4 OF 4

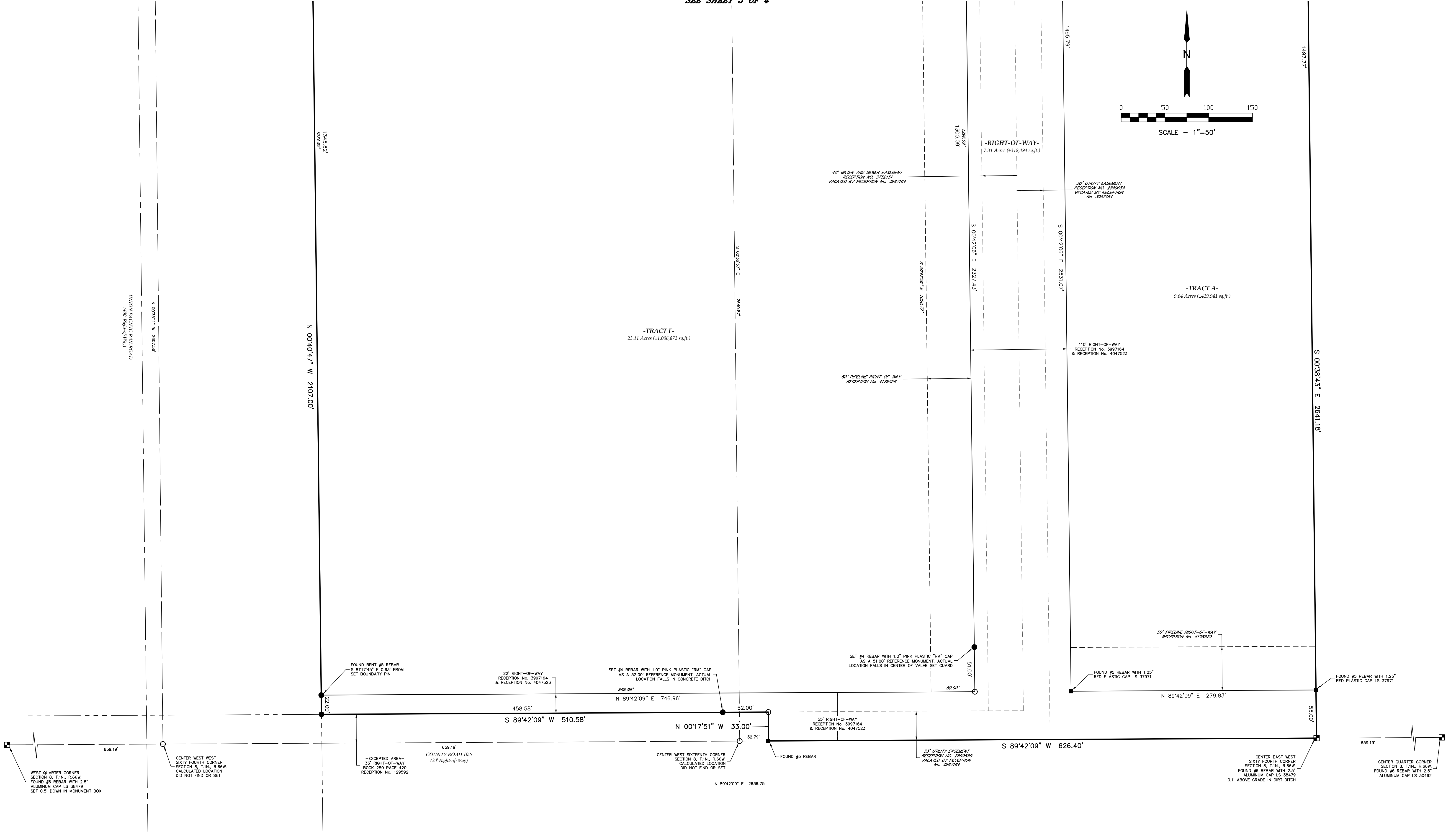
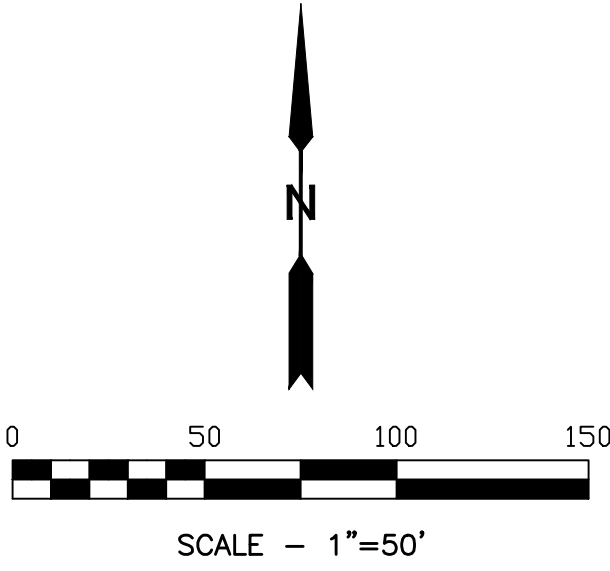


Lat40^o, Inc.
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6250 W. 10th Street, Unit 2
Greeley, CO 80634
O: 970-515-5294

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UPDATE EASEMENTS — LD		5/24/2023			
LUPTON GREENS SUB FOR LANDONE ENGINEERING 361 71ST AVE GREELEY, CO 80634					3 SHEET 3 OF 4

Preliminary Plat of
LUPTON GREENS SUBDIVISION

SEE SHEET 3 OF 4



LEGEND

	BOUNDARY LINE		ALIQUOT MONUMENT AS DESCRIBED
	LOT LINE		WITNESS CORNER AS DESCRIBED
	EXISTING EASEMENT LINE		BOUNDARY MONUMENT AS DESCRIBED
	SECTION LINE		SET 24" OF #4 REBAR WITH A PINK PLASTIC CAP STAMPED LAT40 LS 38479
	FRACTIONAL SECTION LINE		CALCULATED POSITION
	RIGHT-OF-WAY LINE		PRODUCING OIL/GAS WELL HEAD
	PERIMETER FENCING		PLUGGED & ABANDONED WELL HEAD

Sheet 4 of 4
Jason S. Allee-On behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479

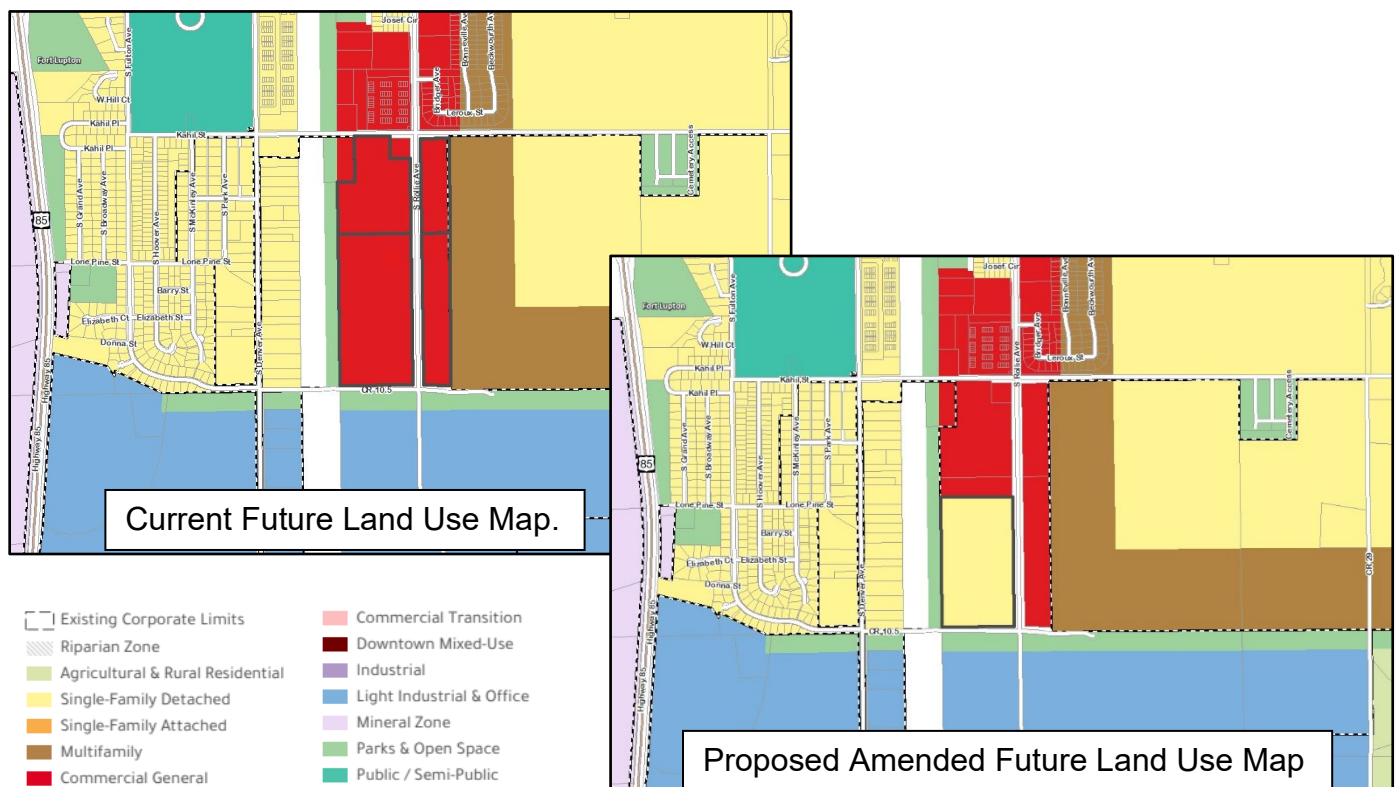


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UPDATE LOTS & EASEMENTS-LD		1/9/2023			
UPDATE LOTS & EASEMENTS-LD		1/25/2023			
UPDATE EASEMENTS - LD		5/24/2023			

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is proposing an amendment to its comprehensive land use plan map, pursuant to the City of Fort Lupton Municipal Code Notice Requirements and Colorado State Statute Notice Requirements for a Master Plan Amendment. The proposed change is limited to a portion of Parcel No. 147108200045. This parcel is currently identified for General Commercial Land Uses on the Future Land Use Map. The proposed amendment would change it to Single-Family Detached Uses.



The public hearings are to be held before the Planning Commission on December 14, 2023 at 6:00 P.M., and before the City Council on January 16, 2023 at 6:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the City Planning and Building Department at (720) 928-4003.



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Sign Posting Affidavit

Lupton Greens

Project No. PPL2023-005, and COZ2023-001



Facing North West towards CR
12 and South Rolie Avenue



Facing North West towards CR
12 and South Rolie Avenue

I, Fred L Croci hereby acknowledge that the aforementioned property was posted
in accordance with City Codes. Said public hearing notice was posted on this 27th day of
November, 2023

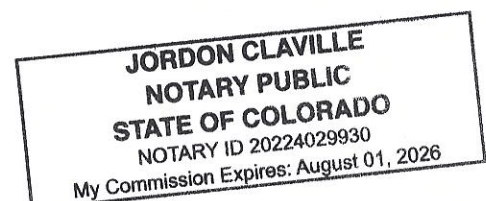
[Signature]

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Fred L Croci, this 28
day of November, 2023. Witness my hand and seal.

My commission expires 08/01/2026

[Signature]
Notary Public





Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621
www.fortluptonco.gov

Phone: 303.857.6694
Fax: 303.857.0351

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a **Preliminary Plat, Change of Zone and Comprehensive Plan Amendment** referred to as the **Lupton Greens Preliminary Plat, Change of Zone and Comprehensive Plan Amendment** located south and adjacent to Country Road 12 and approximately .16 miles east of S. Denver Ave in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, December 14, 2023, at 6:00 P.M., and before the City Council on Tuesday, January 16, 2023, at 6:00 P.M. or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall remains closed at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at (303) 857-6694.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT BIT.LY/FLDEVELOPMENT AND SCROLLING DOWN TO THE ROW TITLED: LUPTON GREENS Preliminary and Final Plat, Change of Zone, and Comprehensive Plan Amendment

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

An area of land being a portion of that parcel of land described within Warranty Deed recorded June 28, 1983 at Reception No. 1931751 within the records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW1/4) of Section Eight (8) Township One North (T.1N.), Range Sixty-six West (R.66W.) of the Sixth Principle Meridian (6th P.M.), Town of Fort Lupton, County of Weld, State of Colorado.

COMMENCING at the Northwest corner of Section 8 and assuming the North line of the (NW1/4) of said Section 8, as monumented by a #6 rebar with 2.5" aluminum cap stamped LS 38479 at the West end and by a #6 rebar with a 2.5" aluminum cap stamped LS 38479 at the East end, as bearing North 89°40'34" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2631.33 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE North 89°40'34" East a distance of 1009.00 feet to the Northeast corner of that parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736 within the records of Weld County, and to the **POINT OF BEGINNING**;

THENCE continuing North 89°40'34" East a distance of 368.51 feet to the Northwest corner of The Fort Lupton Greens Fire District Subdivision recorded April 19, 2002 at Reception No. 2944358 within the records of Weld County;

Thence along the West, South and East lines of said The Fort Lupton Greens Fire District Subdivision the following Three (3) courses and distances:

THENCE South 00°42'06" East a distance of 258.64 feet;

THENCE North 89°39'48" East a distance of 308.71 feet;

THENCE North 00°42'06" West a distance of 258.58 feet to the North line of the NW1/4 of said Section 8;

THENCE North 89°40'34" East along said North line a distance of 287.28 feet to the Northeast corner of the West Half of the East Half of the Northwest Quarter (W1/2E1/2NW1/4), also known as the East West Sixty Fourth corner of said Section 8;

THENCE South 00°38'43" East along the East line of said W1/2E1/2NW1/4 a distance of 2641.18 feet to the Southeast corner of said W1/2E1/2NW1/4, also known as the Center East West Sixty Fourth corner of said Section 8;

THENCE South 89°42'09" West along the South line of said W1/2E1/2NW1/4 a distance of 626.40 feet to the Southeast corner of the County Road 10.5 right-of-way as described in Quit Claim Deed recorded May 25, 1908 at Book 250 Page 420, Reception No. 129592 within the records of Weld County;

Thence along the East and North right-of-way lines of said County Road 10.5 the following Two (2) courses and distances:

THENCE North 00°17'51" West a distance of 33.00 feet;

THENCE South 89°42'09" West a distance of 510.58 feet to the East right-of-way line of Union Pacific Railroad;

THENCE North 00°40'47" West along said East right-of-way a distance of 2107.00 feet to the South line of said parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736;

Thence along the South and East lines of said parcel of land the following Two (2) courses and distances:

THENCE North 89°40'34" East a distance of 173.96 feet;

THENCE North 00°41'34" West a distance of 500.67 feet to the North line of the NW1/4 of said Section 8 and to the **POINT OF BEGINNING**.

Said area of land contains 64.75 Acres (+/-2,820,395 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described area of land.



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 29 day of November, 2023, a true and correct copy of the foregoing Notice of Public Hearings for the Lupton Greens Preliminary and Final Plat, Change of Zone, and Comprehensive Plan Amendment was sent via United States Mail, postage pre-paid, to the following addresses:

UNITED POWER INC
500 COOPERATIVE WAY
BRIGHTON, CO. 80603-8728

LUPTON VILLAGE RESIDENTIAL
METROPOLITAN DISTRICT
C/O WOLFERSBERGER
12210 BRIGHTON RD UNIT 8
COMMERCE CITY, CO. 80640-1002

RIPPETH JAMES B JR
1332 LEROUX ST
FORT LUPTON, CO. 80621-2764

MCCAULEY-SUITS GAYL M,
MCCORMICK HEATHER N
1322 LEROUX ST
FORT LUPTON, CO. 80621-2764

WARNER ANNETTE M
CALAWAY STEPHEN
1312 LEROUX ST
FORT LUPTON, CO. 80621-2764

MACIAS DISRAELI
1302 LEROUX ST
FORT LUPTON, CO. 80621-2764

SCOTT IAN JAY
SCOTT KIMBERLY JEAN
1242 LEROUX ST
FORT LUPTON, CO. 80621-2763

HUTSON KEVIN
1232 LEROUX ST
FORT LUPTON, CO. 80621-2763

ROGERS JAI R
1222 LEROUX ST
FORT LUPTON, CO. 80621-2763

TUKA ALEX A
TUKA RAVEN J
1212 LEROUX ST
FORT LUPTON, CO. 80621-2763

RUSCH LUKE ALLEN
ROSSIGNOL ASHLEY ROSE
539 BRIDGER AVE
FORT LUPTON, CO. 80621-2762

HOLMBERG JOHN
533 BRIDGER AVE
FORT LUPTON, CO. 80621-2762

GUERRERO ROSANGELICA
1243 LEROUX ST
FORT LUPTON, CO. 80621-2763

VUE ASSIS
LAOVAYSANG KHAIVAN
526 BRIDGER AVE
FORT LUPTON, CO. 80621-2762



CASEY SHAWN
CASEY JAMIE L
503 S ROLLIE AVE UNIT 2E
FORT LUPTON, CO. 80621-8382

DUNCAN JOANNA
DUNCAN JOSHUA
503 S ROLLIE AVE UNIT 3A
FORT LUPTON, CO. 80621-8383

HAMPTON JOSH
503 S ROLLIE AVE UNIT 3B
FORT LUPTON, CO. 80621-8383

LIRA MICHAEL R
HERNANDEZ ERIN A
503 S ROLLIE AVE UNIT 3C
FORT LUPTON, CO. 80621-8383

HOFF BRIAN D
503 S ROLLIE AVE UNIT 3D
FORT LUPTON, CO. 80621-8383

PARKER ANDREW
PARKER DOUGLAS
PARKER TRISHA
503 S ROLLIE AVE UNIT 3E
FORT LUPTON, CO. 80621-8383

STRAIN KYLE EDWARD
STRAIN TAYLOR ELISE
503 S ROLLIE AVE UNIT 7A
FORT LUPTON, CO. 80621-8387

VOLESKY JAY JAMES
VOLESKY JENNIFER ANN
503 S ROLLIE AVE UNIT 7B
FORT LUPTON, CO. 80621-8387

MANIS ETHAN G
503 S ROLLIE AVE UNIT 7C
FORT LUPTON, CO. 80621-8387

POLIKUIT CHRISTOPHER JOHN D
503 S ROLLIE AVE UNIT 7D
FORT LUPTON, CO. 80621-8387

COOLEY CINDA M
503 S ROLLIE AVE UNIT 7E
FORT LUPTON, CO. 80621-8387

BLANCO JORDAN S
SHAW JENYCA
503 S ROLLIE AVE UNIT 8A
FORT LUPTON, CO. 80621-8388

POTTER ZACHARY
503 S ROLLIE AVE UNIT 8B
FORT LUPTON, CO. 80621-8388

GILSON ROBERT D
503 S ROLLIE AVE UNIT 8C
FORT LUPTON, CO. 80621-8388

WITMER PAUL M
503 S ROLLIE AVE UNIT 8D
FORT LUPTON, CO. 80621-8388

SCHWARTZ MICHELLE
WINKLER JUSTIN
503 S ROLLIE AVE UNIT 8E
FORT LUPTON, CO. 80621-8388

BACON DOUGLAS C
GROCHOWSKI MARY A
503 S ROLLIE AVE UNIT 12B
FORT LUPTON, CO. 80621-8392

QUINTANA NATALIA J
QUINTANA ANDRE M
503 S ROLLIE AVE UNIT 12C
FORT LUPTON, CO. 80621-8392



SIANIS ANTHONY J
503 S ROLLIE AVE UNIT 12D
FORT LUPTON, CO. 80621-8392

WILSON OWEN
503 S ROLLIE AVE UNIT 13A
FORT LUPTON, CO. 80621-8393

BARNES JEREMY W
BARNES DANA RENEE
503 S ROLLIE AVE UNIT 13B
FORT LUPTON, CO. 80621-8393

STEED BENJAMIN
503 S ROLLIE AVE UNIT 13C
FORT LUPTON, CO. 80621-8393

GOBEY JEFFREY R
503 S ROLLIE AVE UNIT 13D
FORT LUPTON, CO. 80621-8393

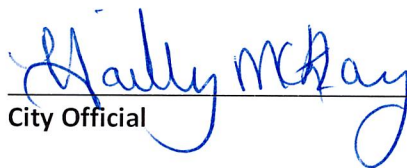
KONING EMILY
BAKER MATTHEW K
503 S ROLLIE AVE UNIT 13E
FORT LUPTON, CO. 80621-8393

FORT LUPTON MEADOWS LLC
6194 S BENTON CT
LITTLETON, CO. 80123-3702

CERETTO MICHAEL W
CERETTO GWEN S
13144 COUNTY ROAD 12
FORT LUPTON, CO. 80621-8348

GABEL TODD A
GABEL CORINNE
17154 COUNTY ROAD 29
PLATTEVILLE, CO. 80651-8505

FORT LUPTON FIRE PROTECTION
DISTRICT
1121 DENVER AVE
FORT LUPTON, CO. 80621-2650


City Official

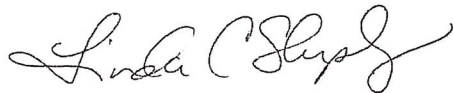
Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

City of Fort Lupton Legals***
130 S McKinley Avenue
Fort Lupton CO 80621

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Weld } ss

This Affidavit of Publication for the Fort Lupton Press, a weekly newspaper, printed and published for the County of Weld, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 11/23/2023, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



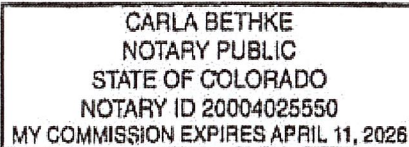
For the Fort Lupton Press

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 11/23/2023. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20004025550-965882

Carla Bethke
Notary Public
My commission ends April 11, 2026



Public Notice

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a Preliminary Plat, Change of Zone and Comprehensive Plan Amendment referred to as the Lupton Greens Preliminary Plat, Change of Zone and Comprehensive Plan Amendment located south and adjacent to Country Road 12 and approximately .16 miles east of S. Denver Ave in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, December 14, 2023, at 6:00 P.M., and before the City Council on Tuesday, January 16, 2024, at 6:00 P.M., or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall remains closed at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

An area of land being a portion of that parcel of land described within Warranty Deed recorded June 28, 1983 at Reception No. 1931751 within the records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW1/4) of Section Eight (8) Township One North (T.1N.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6th P.M.), Town of Fort Lupton, County of Weld, State of Colorado.

COMMENCING at the Northwest corner of Section 8 and assuming the North line of the (NW1/4) of said Section 8, as monumented by a #6 rebar with 2.5" aluminum cap stamped LS 38479 at the West end and by a #6 rebar with a 2.5" aluminum cap stamped LS 38479 at the East end, as bearing North 89°40'34" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2631.33 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE North 89°40'34" East a distance of 1009.00 feet to the Northeast corner of that parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736 within the records of Weld County, and to the POINT OF BEGINNING;

THENCE continuing North 89°40'34" East a distance of 368.51 feet to the Northwest corner of The Fort Lupton Greens Fire District Subdivision recorded April 19, 2002 at Reception No. 2944358 within the records of Weld County;

Thence along the West, South and East lines of said The Fort Lupton Greens Fire District Subdivision the following Three (3) courses and distances:

THENCE South 00°42'06" East a distance of 258.64 feet;

THENCE North 89°39'48" East a distance of 308.71 feet;

THENCE North 00°42'06" West a distance of 258.58 feet to the North line of the NW1/4 of said Section 8;

THENCE North 89°40'34" East along said North line a distance of 287.28 feet to the Northeast corner of the West Half of the East Half of the Northwest Quarter (W1/2E1/2NW1/4), also known as the East West Sixty Fourth corner of said Section 8;

THENCE South 00°38'43" East along the East line of said W1/2E1/2NW1/4 a distance of 2641.18 feet to the Southeast corner of said W1/2E1/2NW1/4, also known as the Center East West Sixty Fourth corner of said Section 8;

THENCE South 89°42'09" West along the South line of said W1/2E1/2NW1/4 a distance of 626.40 feet to the Southeast corner of the County Road 10.5 right-of-way as described in Quit Claim Deed recorded May 25, 1908 at Book 250 Page 420, Reception No. 129592 within the records of Weld County;

Thence along the East and North right-of-way lines of said County Road 10.5 the following Two (2) courses and distances:

THENCE North 00°17'51" West a distance of 33.00 feet;

THENCE South 89°42'09" West a distance of 510.58 feet to the East right-of-way line of Union Pacific Railroad;

THENCE North 00°40'47" West along said East right-of-way a distance of 2107.00 feet to the South line of said parcel of land described in Warranty Deed recorded July 24, 1914 at Book 401 Page 225 Reception No. 203736;

Thence along the South and East lines of said parcel of land the following Two (2) courses and distances:

THENCE North 89°40'34" East a distance of 173.96 feet;

THENCE North 00°41'34" West a distance of 500.67 feet to the North line of the NW1/4 of said Section 8 and to the POINT OF BEGINNING.

Said area of land contains 64.75 Acres (+/-2,820,395 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described area of land.

Legal Notice No. FLP967
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