



AGENDA

Planning Commission Regular Meeting

Tuesday, July 28, 2020, at 6:30 pm

Evans Community Complex, City Council Chambers, 1100 37th Street

REGULAR MEETING

1. **CALL TO ORDER:**
2. **ROLL CALL:**
 - Chairman: Billy Castillo
 - Vice-Chairman:
 - Commissioners: Lyle Achziger
Mark LeClere
Kalen Myers
Robert Phillips
Dan Usery
3. **APPROVAL OF THE AGENDA:**
 - A. ****Motion/Vote:**
4. **APPROVAL OF THE MINUTES:**
 - A. 06/04/2020 ****Motion/Vote:**
5. **AGENDA ITEMS:**
 - 5.A **Arrowhead Project Overview**
Anne Best Johnson and Lauren Richardson for City of Evans
6. **PUBLIC HEARING:**
 - 6.A **Arrowhead Change of Zone – 20-ZA-02**
Anne Best Johnson for City of Evans
 - 6.B **Arrowhead Use by Special Review – 20-USR-02**
Lauren Richardson for City of Evans
7. **OTHER ITEMS:**
 - 7.A Discussion of appointment of Vice-Chairman of Planning Commission
 - 7.B Appointment of second Planning Commission member to Master Plan Steering Committee
 - 7.C Master Plan Steering Committee meetings
8. **ADJOURNMENT:**
 - **Motion/Vote:**



AGENDA

Planning Commission Regular Meeting

Tuesday, June 23, 2020, 6:00 pm

Evans Community Complex, City Council Chambers, 1100 37th Street

REGULAR MEETING

1. **CALL TO ORDER: 06:02 pm**

2. **ROLL CALL: 06:02 pm**

Chairman: Billy Castillo
Vice-Chairman:
Commissioners: Lyle Achziger
Dan Usery

3. **APPROVAL OF THE AGENDA: 06:03 pm**

****Motion/Vote: Motion to approve/Second. Passes unanimously.**

4. **APPROVAL OF THE MINUTES: 06:03 pm**

06/04/2020 ****Motion to approve/Vote: Motion/Second. Passes unanimously**

5. **PUBLIC HEARING: 06:03 pm**

5.A MountainTRAX Change of Zone

Tamara Such, Hunter Hoshiko, and Trevin Hogg for Applicant
Anne Best Johnson for City of Evans

06:03 pm: Staff Planner Anne Best Johnson goes over City .pptx presentation. Surrounding property and annexation status, procedure for annexation and change of zone. Acceptable to process an incoming parcel's zoning and a current parcel rezone simultaneously. Both processes are happening here as both types of parcels are part of this application.

Reviews procedure for annexation zoning and change of zone and identifies how these parcels were processed correctly: application, publishing, posting, mailings. City Council meetings that will follow this one are July 7 and 21.

7300 47th Avenue is already annexed and zoned I-2. COZ is a request to change to I-3. Parcel was annexed in with 2004 GWE annexation. 22477 WCR 33 is the parcel that is being annexed in and petitioned to be zoned I-3. Identifies the different uses possible between I-2 and I-3.

Reviews access points to the properties. Anticipated traffic was set forth in traffic impact study. Market has changed since original zoning, therefore new property owner has applied for expanded zoning appropriately. Traffic impact is appropriate. There is a Central Weld waterline in WCR 33, and there is a well and septic system on the property. If the City ever extends sewer lines and those lines are within 400 feet of property when applicant's septic fails, applicant will be required to hook into City services. Application is consistent with City's Comprehensive Plan, which indicates that this area is designated for industrial use.



Adequate City resources are available to the property; this will cause no undue strain on City resources.

Question: What is the definition of natural resource extraction?

Answer: Reads definition from Municipal Code.

Question: How big are these parcels?

Answer: Large parcel is 224 acres. Smaller one is just under 4 acres.

Question: Do the restrictions we impose in this property go with the property if it is sold?

Answer: Yes, land use approvals stay with the property.

Question: Have any objections to this application been filed?

Answer: No objections were filed on paper but staff have had conversations with several surrounding properties. Previous owner was required to pave WCR 33. That obligation stayed with this property when it was purchased. The road will have to be paved per that agreement unless applicant works out a different agreement with the City. Rather than amend the annexation agreement later, we are going to do a Development Agreement.

Question: How much land does Evans have on the south side of the river?

Answer: A lot. Most of it is zoned PUD with industrial uses within them. Water, oil and gas, gravel, etc.

06:31 pm: Hunter Hoshiko for Applicant. MountainTRAX. Purchased ARB Midstream at the end of March. We are a locally owned company, we are not from Denver or from out of State. We want to seek this zoning change in order to diversify. Our predecessor failed to diversify; crude by rail was their operation and it failed. There's quite a history with this property that came with a lot of promises.

Shows MountainTRAX in relation to the City—quite a way south. GWE came into the City in 2004, never came to fruition. In 2014, ARB came along and tried crude by rail. Never came to fruition. Now here we are, saying the same thing. We intend to open up a multi-commodity industrial park. Rail is available, and so is industrial land. We want the I-3 classification just for those couple extra industrial uses that might make our facility interesting to customers.

Shows intended ARB buildout. Shows current state of land. MountainTRAX has been discussing 6-acre lots – shows preliminary concept. Reviews comparative traffic analysis. Actual truck counts in 2020 has been 5-8 trucks per day. Neighbors have expressed concern about speed enforcement. The terminal tries to do everything in our power to ensure our drivers are driving the speed limit and not using jake brakes. Without tracking each truck vs. surrounding business traffic, it's hard to tell who is offending. City police are not staffed to monitor that road. A couple of incidents have caused issues with neighbors. We are learning as we go what is allowed.

Question: What information have you gotten when you asked about storage of different things on lots?

Answer: The answer we got was because we haven't had a site plan review yet.



Staff Answer: In industrial uses, you either have to have a site plan or a use by special review. Storage, for example, would require a site plan and we would have to look at screening and design standards.

Applicant question: As a business owner, what triggers that?

Answer: A lot of it is magnitude. We can talk about it before we go to City Council.

Applicant Clarification: The porta-potties, incidentally, were stored on property that is now in Weld County.

Question: Is it 20% storage that's allowed in industrial?

Answer: Yes, for outside storage. But we have to have screening.

Question: When was the ordinance enacted?

Answer: Do not know when the current site plan code was codified.

Discussion of criteria of site plan. Storage percentages vs. what can be stored.

Public Hearing:

Dean Ackerman, 22935 CR 33, LaSalle.

Been there almost 25 years. This is the third time we've come in here on this property for zoning. Each previous applicant has promised a lot. I feel sorry for Hunter if they inherited a problem. There are quite a few issues. I didn't call about the porta-potties. 8-inch line in the road fed with a 3-inch line will be a problem. They want this to be a 220-acre industrial park, but no one is addressing water infrastructure coming to the property. ARB wined and dined the neighbors and had meetings, then High Crush took over and said how many trucks they would be sending through.

If neighbors complain about the road, we get told to call ARB, they are supposed to do maintenance. More than 24 trucks a day are digging that hole, guaranteed. I feel sorry for these applicants. This is a good idea, but the property hasn't been managed well, and I'm not happy with ARB at all. I still wonder if ARB is involved in this. High Crush isn't there, but they paid for the tracks and the scale—that was theirs. We need an industrial park, we really do. But someone better start addressing the infrastructure. Neighbors were told crude oil, then frac sand, now there's combustible gas parked next to my house with no fire hydrant.

Evans annexes all this property, but there's no way to get down there; you can't get across the river. And you're not taking care of your own traffic flow with a restricted bridge like you have it. All the traffic gets shoved south and I'm pretty upset about that. We were sold a bill of goods before. We don't want that again. EnviroTech showed up with no warning and they're the culprits on the road who have ruined it. Tonight, as I was driving in, EnviroTech was emptying a truck right out onto the road.

We need maintenance on the road. GWE was supposed to do the road, ARB was supposed to do the road, now these guys are supposed to do the road. GWE was going to build a firehouse there because they were dealing with ethanol. We called about ARB and were told there were chemicals there. If you're going to put compressed gas on property, put it on the back of the

property. Why put it next to the road? Next to the houses? There are lots of issues here. I feel sorry for applicants. What are you going to do about the bridge? What are you doing to do to get across the river? What are you doing to do about water? This has been hanging out there undone since 2004 and the City of Evans has done no planning. They want to divide into 6-acre tracts. You don't have the water for that. A little gravel on the road would go a long way. A little maintenance would go a long way.

Pat Osieski, 23151 WCR 33, LaSalle: Don't have a problem with what MountainTRAX wants to do, it's just the bill of goods that we've been sold. I moved here just after ARB was approved so we got the wool pulled over our eyes. Found out later what had happened. The promises that were made at the time need to be enforced. They bought the property with the restriction on it to pave the road. Especially with 6-acre lots, a 3-inch water line won't give anybody enough water. We don't get sewer from the City, we get water from the water district, and we're all on septic. I live just out of the City, you own the road right out of my house. If I call in about the road, Scott would have someone come out and grade it. ARB isn't the big problem there, it's EnviroTech. If we call the Evans police, the police won't do anything. They say, *I'm not wasting my time sending officers out there.*

They promised us the road being paved. With all the traffic running up and down there at 50 mph, it should be paved. The chemical companies moving in was bad. I called the City Planner who told me there weren't any hazardous chemicals. I had to have the fire dept come out and look at it. The fire department had them build a building for containment.

This is just a new issue with a property across the street. I can't even see any of this from my house.

Public Hearing closed: **07:12 pm**

07: 12 pm: Trevin Hogg for Applicant. I am the ARB employee that came over with this new group. We have 60,000 gallons of protection water on site, which was approved by the fire chief. We paid for a 4-inch water line and worked with fire marshal. The primary fire district is LaSalle, Evans is secondary. When SmartChem built the warehouse, the fire marshal came out and inspected everything they built and the even the trucks in the middle of the field about every other week for safety and containment.

I've spoken to all the neighbors. The road has been bad in the past, but working with Scott at the City, we were able to change grading companies. The new grading company is coming out and repairing the damage done by the old one incrementally. We're working to get the road better and maintained. Thank goodness for Scott being willing to consider a new company.

Question: The State mandates that we have to fix the road? Answer: Yes. City contracts the grading company and we reimburse the City via an escrow account. By the end of 2019, I was mostly working with Scott. The road is improved now, minus EnviroTech washing their trucks out and going 90 to nothing on that road.

Anytime Mark called me about speeding, I would speak to High Crush. There was some damage to Mark's property and the owner came down from North Dakota and got it fixed.

That will continue – if I can fix something I will. I can't fix Envirotech, obviously, but any driver who comes into my facility will be strictly maintained.

Question: What is EnvironTech pumping out onto the road/

Answer: diluted mag/chloride. It makes a muddy paste on the road. They say, *Oh the neighbors will be so grateful*, but it made a mud hole in front of his place instead.

Question: So you work for MountainTRAX now?

Answer: Yes.

Question: So you're trying to solve these problems?

Answer: I've been trying to solve them for years, the road is the worst.

Question: So when we hear a person complain about a two foot hole in the road, what is that about?

Answer: Most of that was actually on our property. I just had a contractor out there to fix it.

Comment: Regarding the fire department – I agree that LaSalle will cover this area. We've looked at building a bridge across the river, but it would be tremendously expensive.

Response: Whenever I've talked to the police, it's always a manpower issue. *We only have four guys on shift, we can't send someone.* I just wanted them to drive the road once in a while during certain hours. UPS trucks will go 60 mph down that road. No signs for speed, for jake brakes. With no posted signs, it falls under "reasonable and prudent."

Question: Does the restricted bridge change your traffic?

Answer: No, all of our trucks always went to the south because that's where business is.

Tamara Such: We are not ARB. We do things above-board. We want to develop and improve the area. We intend to pave that road. Going forward we want to keep communication going. We appreciate all the comments and questions because we want to work with you. We are not our predecessors, and we are hoping people will give us a chance. I get why you're pissed off and it's really frustrating to hear that. We are going to fix this going forward.

Staff (ABJ): The purpose of the hearing tonight is not for a site-specific development plan. It is for the two motions that are in your packet: a change of zone from I2 to I3 for the parcel that is already in the City. And a change of zone on the incoming lot to I3. We appreciate surrounding property owners contacting staff. Review of the comments expressed by surrounding property owners will be made and follow up through MountainTRAX and staff will be completed.

A site plan requires notice to surrounding property owners. That process is a good opportunity to work out some of these details and how they are they going be resolved. Once MountainTRAX submits a master development plan we can talk about the road, triggering events for paving, screening, and other details.

Comment: This is my second of the three of the proposals for use of this property. Planning Commission appreciates the neighbor's comments. It's got to be frustrating for you. As far as planning, planning is exactly what we do. When we hear an applicant come in and talk about

what they want to do with their property, that's what we expect to happen. GWE – we went with it. All these promises are made, but it's a *plan*, it's not a *guarantee*. It's not a magic wand. A plan still requires follow through. Especially in a case of a company that goes bankrupt, they don't have the means to follow through on their promises. There's a not a whole lot the City can do in a situation like that. Somebody else comes along and buys the property and says, *This is what we're going to do*. The City says, *That sounds good*, and approves their plan. Or we can let the land sit empty and undeveloped. Again, these are promises. It's a plan, not a guarantee.

Now here's MountainTRAX with their own plan. I can't see how it helps at all to try to make them abide by the previous guys' plans. The City has a real interest in looking at this plan and if it has a chance of being successful, the City will want to go with it. .

It's easy to say the City should get out there and pave the road, but it's the developer who has supposed to pave the road. The developers build those roads, and then the city maintains them. That can get expensive and the City is struggling with the economy how it is to do that maintenance.

Staff Comment: Once we see the applicant's master concept plan, we can decide what will be the triggering points to fix the road, to bring in water. That type of thing.

Hopefully you gentlemen will take your concerns to the City and push them and get them addressed. I'd like to see this property do well. I'd like to see this plan succeed. I hope the third time is a charm. That's the only way everyone will be happy.

****Motion: I move to forward a recommendation of approval of the Rezoning request of 22744 WCR 33 as proposed with Conditions of Approval and Development Standards to City Council. Second. Passes unanimously.**

****Motion: I move to forward a recommendation of approval of the Rezoning request of the entire NiCon Terminal located at 7300 47th Avenue as proposed with Conditions of Approval and Development Standards to City Council. Second. Passes unanimously.**

6. OTHER ITEMS:

6.A Staff Report: 07:37 pm

07.28.2020 Agenda:

1. Planning Commission Appointment Process
2. 5-7 pm: Work Session – Planning Commission/Master Plan Steering Committee
Looking at historic land use patterns. PC can come back in August from 5-7 for part two of that discussion.
3. 7 pm: Regular Meeting -- ****Note: Different Time**
 - a. Arrowhead Change of Zone and Special Use Permit
to Outdoor Recreation Use Extensive
 - b. Minor Replat Code: In the fall of 2019, Staff showed Planning
Commission a spreadsheet of current land use code and pointed out
processes that need to be cleaned up. The first code to be amended is
Minor Replat. We will present that.



General update on Transportation master Plan. Ready to hire a consultant as soon as CDOT agreement is approved.

Received \$80k from DOLA to update Master/Comprehensive plan.

Have received five (5) applications for the open Planning Commission positions. One (1) alternate and two (2) Planning Commissioners will be appointed on July 7. July 28th will be their first hearing. They will have had an orientation with Staff before that.

DOLA may come back in August or September to do refresher.

Question: Regarding Arrowhead, do we have use of the lake?

Answer: No. We'll be building a split rail fence that will be marked with no trespassing.

Question: What happens to the park impact fees?

Answer: They go into buying and maintaining parks.

7. **ADJOURNMENT: 07:46 pm**
****Motion/Vote: Motion to adjourn/Second. Passes unanimously.**

DRAFT

PLANNING COMMISSION STAFF AGENDA MEMO

DATE: July 28, 2020
AGENDA ITEM: 5.A
SUBJECT: Overview of the Arrowhead Applications
NAME & TITLE: Randy Ready, Assistant City Manager
Anne Best-Johnson, Community Development Director
Lauren Richardson, City Planner

AGENDA ITEM DESCRIPTION:

The City acquired the property north of Arrowhead Lake on April 20, 2020. The site is currently in unincorporated Weld County and has an approved Site Plan for a Mini Storage facility through Weld County. As the property owner, the City will be processing an annexation application through City Council on August 3 and 18. In accordance with Section 18.06.030.C.2, the Planning Commission may hear an application for a change of zone and land use applications associated with the proposed annexation after the City Council has determined the annexation petition complies with Colorado Revised Statute. Because the City is the petitioner, an annexation petition is not needed due to Statute.

The 16-acre property is located south of and adjacent to 37th Street and west of and adjacent to Arrowhead Drive/47th Avenue. The property is outlined on the map below.



The purpose of this memo and the brief presentation is to provide an overview of the separate agenda items to be presented to you this evening. There is no action required as an outcome of this memo.

The agenda for the regular meeting will follow statutory requirements as well as the process outlined in the City of Evans Municipal Code listed below:

1. Overview presentation
2. Change of Zone
3. Special Use Permit

The act of Changing the Zone does not permit specific land uses. Future uses contemplated on the property will be discussed during the Special Use Permit hearing.

FINANCIAL SUMMARY:

There are no financial implications resulting in providing an overview of the process and agenda progression for this evenings' Regular Agenda.

RECOMMENDATION:

There is no request being made by Staff of Planning Commission. The information provided is an overview of the land use application processes to be heard.

SUGGESTED MOTIONS:

There is no request being made by Staff of Planning Commission as a result of the overview presentation.

ATTACHMENTS:

There are no attachments.

PLANNING COMMISSION AGENDA REPORT

DATE: July 28, 2020

AGENDA ITEM: 6.A

SUBJECT: Consideration of Case File #20-ZA-02 Approving the Arrowhead Open Space Zoning Amendment request

PRESENTED BY: Lauren Richardson, City Planner

AGENDA ITEM DESCRIPTION:

The City seeks approval of a zoning amendment to rezone the property located south of and adjacent to 37th Street and west of and adjacent to Arrowhead Drive/ 47th Avenue. The property is outlined on the map below. The 16 +/- acre parcel outlined in red/yellow on the map has not been annexed into the City however, the Planning Commission can hear the application for consideration and forward a recommendation onto City Council. The City Council will hear the Annexation and Zoning requests at their August 3 and August 18, 2020 meetings.



The City is requesting a zoning classification of Agriculture, AG. This property has not previously held a zone classification within the City of Evans. The intended land use for this property is that of a public park. The City of Evans does not currently have a zone district separate for the classification for Parks. The zone requested by the City best supports the future final land use of Recreational, Outdoor Extensive. Within the Agricultural zone district, the desired land use, Recreation *Facilities, Outdoor Extensive* is permitted by a Special Use Permit. The City is requesting to exclude all other uses.

Planning Commission and City Council will evaluate if the zoning change request is appropriate. Future land uses within the site will be processed according to the Special Use Permit process. The Special Use Permit application is a separate agenda item for your consideration.

Title 18.06.030 of the Land Use Code provides the intent for processing annexation and zoning concurrently for this parcel. This Title states, “In all proceedings for the annexation of territory to the City, the Council shall require concurrent zoning of the same, and no territory shall be annexed unless zoning is established immediately thereafter.” Further, Section 18.08.030.C.2 states, “The Planning Commission shall not accept for review any zoning proposal or applications for real property located outside of the City boundaries until the City Council has determined that annexation petitions describing the property substantially comply with the requires of Subsection 31-12-107(1)(1), C.R.S., or the City Council has tabled any action on the annexation petitions for a period of time not to exceed 180 days.” The City is the applicant and an Annexation Petition or Agreement is not required, further, C.R.S. Section 31-12-106(3) states, “Annexation of unincorporated municipally owned land. When the municipality is the sole owner of the area that it desires to annex, which area is eligible for annexation in accordance with section 30(1)(c) of article II of the state constitution and sections 31-12-104(1)(a) and 31-12-105, the governing body may by ordinance annex said area to the municipality without notice and hearing as provided in sections 31-12-108 and 31-12-109. The annexing ordinance shall state that the area proposed to be annexed is owned by the annexing municipality and is not solely a public street or right-of-way.”

The City has provided notice through sign-posting on the property as well as notifying surrounding property owners within 500’ of the property.

Application, Processing and Review Procedures

Title 18.06.040.B of the Evans Municipal Code identifies the application requirements for a Change of Zone. Application requirements were met.

Title 18.06.030.C provides a clear outline of the procedures to be followed when processing an application for a Change of Zone. Staff followed these procedures which included internal Design/Development Review Team meetings and a review of referral agency responses. Staff has followed the review criteria as well as the publication, posting and notification criteria found in Sections 18.10.10 and 18.10.20.

- The land use hearings were published in the *Greeley Tribune* starting on June 26 and will be published for four weeks leading up to the August 3 hearing before City Council.
- Notice was sent to all property owners within a 500’ radius of the project on July 1, 2020. Notice was sent via Certified and First- Class mail in accordance with the City Code Sections 18.10.010 and 18.10.020.
- A sign was posted at the corner of 37th Street and 47th Avenue/Arrowhead Drive on July 1, 2020. A photo of the sign is found on the following page.



Criteria for a Change of Zone

Title 18.06.030.D provides a clear outline of nine Criteria to be met for the Planning Commission and City Council to approve an application request for a Change of Zone. These Criteria are listed below along with narrative detailing how staff has found each criteria to be met or can be met with the attached Conditions of Approval.

1. That a need exists for the proposal

Annexation and Zoning occur concurrently in the City of Evans. The zone district selected is Agricultural which best supports the intended final land use of Open Space/Park. The City currently does not have a Park zone district, this zoning classification best fits the land use.

2. The particular parcel is indeed the correct site for the proposed development

The project site is a vacant lot previously in unincorporated Weld County however, the site was permitted for a mini storage facility through Weld County Planning. The use of the property for a park is more compatible with the neighborhood and an entry point into the City than a mini storage facility. The request is to change the zone of the property to allow one use, Recreational, Outdoor, Extensive.

3. There has been an error in the original zoning OR

4. There have been significant changes in the area to warrant a change of zone

The purchase by the City was done to develop this property as a public park. The Future Land Use Map of the Comprehensive Plan (2014), designated this parcel as Parks/Open Space.

5. Adequate circulation exists and traffic movement would not be impeded by development

A parking lot is planned south of the water quality feature and is planned to hold 10 to 12 cars. In addition, right-of-way for the roundabout and future road expansion can be accommodated by the City-owned property.

A detached sidewalk is planned to run along 37th Street, which will double as both the concrete trail and a length of sidewalk on the south side of 37th Street. Future trail plans identify this area as being ideal for connectivity to other regional trails.

6. Additional municipal service costs will not be incurred which the City cannot meet

Connection to future non-potable water is desired and the costs will be evaluated at a later date. Native, drought-tolerant landscaping will cover most of the site, making irrigation and maintenance needs minimal. A water quality pond is designed for this site, draining additional water into Arrowhead Lake.

7. There are minimal environmental impacts or impacts can be mitigated

There are minimal environmental impacts effecting the property due to the change of zone.

8. The proposal is consistent with the Evans Comprehensive Plan maps, goals and policies

The Future Land Use Map dated 2014 found in the Comprehensive Plan identifies this site as planned Park/Open Space area. This is consistent with the proposed use.

9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

While not a part of the Change of Zone application, sanitary sewage disposal will be managed with an on-site port-a-let. Potable water is not planned. The City is investigating alternatives to provide non-potable water to the site. The Design Review Team did not find any negative impacts that would be created by this project.

Conditions of Approval

The Change of Zone plat map shall be prepared by a surveyor licensed in the State of Colorado.

1. Prior to construction:
 - a. A Special Use Permit is required to construct the park.
 - b. Sign Permits will be needed prior to installation of signs.
 - c. A Grading Permit and Access Permit(s) are required.

ATTACHMENTS:

- Attachment 1: Application Narrative
- Attachment 2: Application Map/Property ALTA Survey

RECOMMENDATION:

Staff finds the application proposal to be consistent with the Comprehensive Plan and the Land Use Code.

SUGGESTED MOTIONS:

The suggested motion is listed below.

“I move to forward a recommendation of approval of the Rezoning request as found in case file 20-ZA-02, for the Arrowhead Park/Open Space as proposed with Conditions of Approval and Development Standards to City Council.”

“I move to forward a recommendation of denial of the Rezoning request as found in case file 20-ZA-02, for the Arrowhead Park/Open Space to City Council for the following reasons _____.”

Arrowhead Open Space Project Narrative

Introduction

The Arrowhead property is located on the Southwest Corner of 37th Street and 47th Avenue. The 10.07+/- acre Arrowhead Property was purchased by the City of Evans in 2019. The property is currently vacant. The property is outlined in the aerial image below.



The City of Evans intends to use this property as a public open space. The intended uses will be more passive than a traditional City Park. The intention is to provide space for watching wildlife and enjoying the open field.

Public Engagement

The City is applying for a Great Outdoors Colorado (GOCO) Grant to help fund site improvements. The grant program encourages applicants to engage in public outreach to gain resident input. Several engagement opportunities will take place to acquire this input. Residents will choose potential amenities to be included in the Open Space. Outside of the GOCO Grant process, the City is interested in hearing from residents regarding amenities requested in future public spaces.

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Site Amenities

Several amenities are planned for the site such as a parking lot, a port-a-let, trash cans, a 10-foot-wide concrete trail with a 3-foot-wide crusher fine shoulder, and benches. The City is working with the public through engagement campaigns and the additional amenities voted on by participants include raptor posts and bird boxes, hammock stands, a grassy area for play, a kite-flying field, or fitness stations. Final and formal inclusion of amenities relies upon the City receiving the GOCO grant or a phased installation approach as budget allows. The Special Use Permit process requires public notice and hearings before both Planning Commission and City Council.

Contiguity

This property satisfies the requirement to have 1/6 contiguity with the City. The northern boundary runs parallel to 37th Street and has a shared boundary line of approximately 1,663 feet. The eastern boundary runs perpendicular to 37th Street and has a shared boundary line of approximately 379 feet. The property itself is estimated to have a perimeter of over 4,000 feet. With approximately 2,000 feet of contiguity, this property exceeds the 1/6 contiguity requirement.

Relationship to the Comprehensive Plan 2010

The proposed 10-foot-wide concrete trail with 3-foot-wide crusher fine shoulder would function as a detached sidewalk on the side running parallel with 37th Street. The offset of the proposed trail is 85-feet from the road centerline. This offset places the future trail within the safety requirements for detached sidewalks. The proposed trail will add to the City's desired connected trail system. As mentioned in the Comprehensive Plan 2010 Goals, Policies and Actions, Goal 2 names policies that encourage the implementation of parks, trails, and open space. This project complies with goals set forth by the Comprehensive Plan 2010.

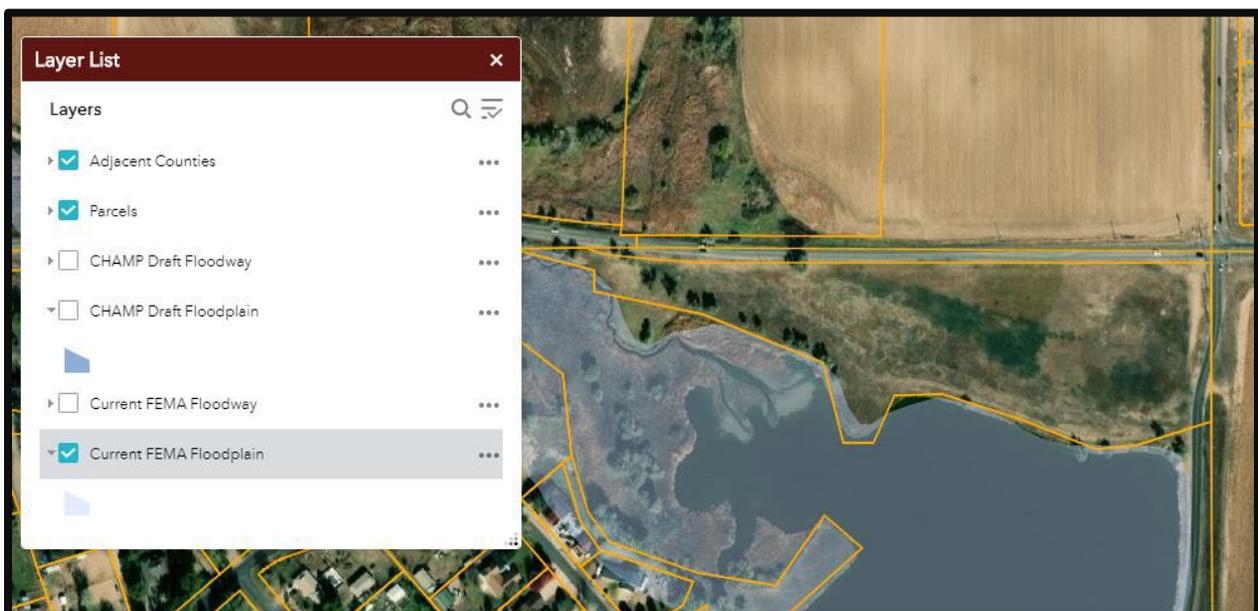
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Water Information

The Arrowhead Open Space will have access to non-potable water after the 47th Street Expansion project is complete. The non-potable water will be connected to a landscaping irrigation system. Potable water is not contemplated at this time.

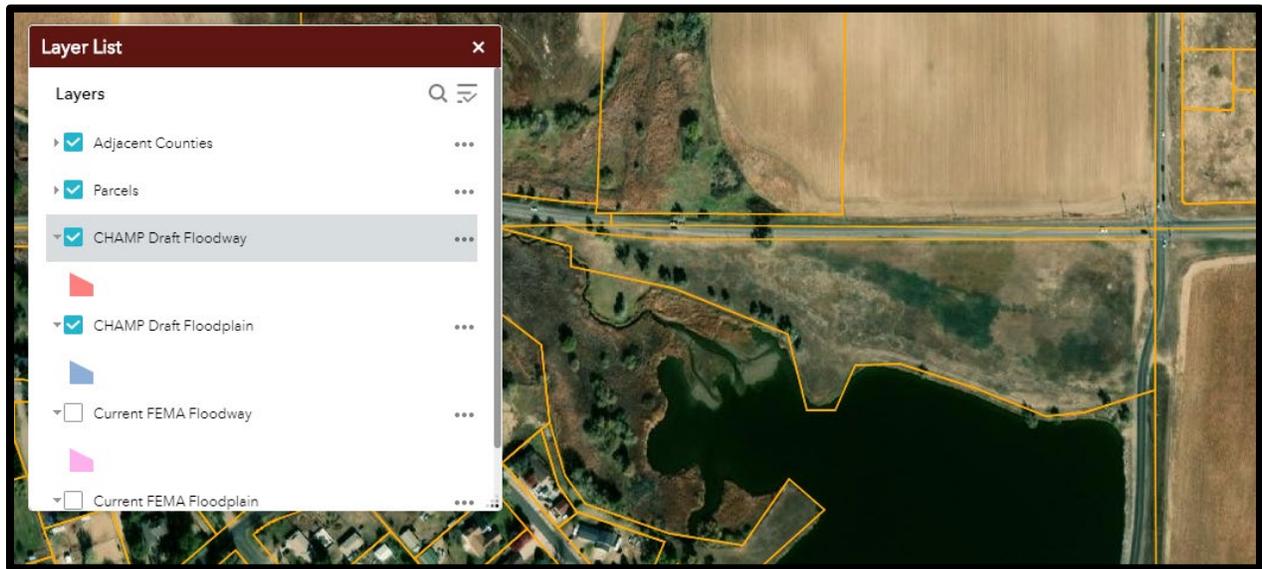
A water quality pond is part of a new drainage system extending north along 47th Avenue to reduce the flooding at the intersection with 37th Street. The intent of the water quality feature (pond) is to clean the stormwater before it reaches Arrowhead Lake. There is no detention included in the pond design, only water quality. This water quality feature has been designed for the eastern portion of the property providing stormwater management for the new road improvements on 47th Avenue and 37th Street. There will be a small parking area located on the site, but initially, it will not be paved. The preliminary parking lot will be made of porous, crusher fine material. In the future, it could be paved.

The site in relation to the current 2019 FEMA floodplain maps show minor overlap between this parcel and the floodplain and floodway. A current map captured from the Weld County Floodplain Review illustrates below:



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An updated floodplain and floodway map, to be released in August 2020, does not categorize any land or water near the Arrowhead Open Space as having overlap into either the floodplain or the floodway. An updated map captured from the Weld County Floodplain Review illustrates below:



The City did not purchase the lake and access to the lake will be posted as prohibited. A fence offset by 25” from the north shoreline will be installed in 2020. This distance was agreed to by the [Arrowhead Lake Owners Association](#) and the City to allow the Association adequate room for maintenance.

Wildlife Habitat

The western tip of the property contains wetlands as well as the bank of the lake. These areas will be protected and will not be disturbed. The proximity to wetland areas accounts for the many species of wildlife that are found here. This site sits within a region of Bald Eagle Wintering Range and other raptors also have been seen feeding in the area. Ducks and geese are frequent visitors of the lake, along with several snapping turtles. Many residents of the neighboring Arrowhead subdivision consider conservation of the existing wildlife habitat of top priority. Raptor posts and bird boxes are planned to allow for wildlife viewing.

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Collaborative Process

In addition to public engagement, interdepartmental teamwork has played a large role in the conception of this site. During this process of this application and project, many City Departments, such as Finance, Engineering, Operations, Planning, Neighborhood Services, Public Works and Recreation have collaborated on concepts and plans for the site.

Zoning

The Arrowhead Open Space will be zoned Agricultural with specified land uses. This is due to the absence of an Open Space zone district or other Park zone district in the City's Municipal Code. The only allowed land use on this site will be Recreation Facilities, outdoor, intensive. This ensures the site remains an open space for the foreseeable future.

Landscaping

Once non-potable water becomes available to the site, native landscaping will be installed including grasses and trees, as well as, drought-tolerant shrubs. There will be taller grasses planted between the trail and the fencing to be installed in 2020 along the north shore of the lake. The full landscape design will be submitted at a later date for approval by City Engineering and Operations Staff.

ALTA/ACSM LAND TITLE SURVEY

PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO

LEGAL DESCRIPTION OF RECORD

(A DEED DESCRIBING THE SUBJECT PARCEL HAS NOT BEEN FOUND IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER. THE LEGAL DESCRIPTION OF RECORD HAS BEEN DERIVED FROM A QUIT CLAIM DEED RECORDED AS RECEPTION NUMBER 2890428 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER.)

A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, BEING A TRACT OF LAND 15 (FIFTEEN) FEET BEYOND THE HIGH WATER LINE OF LAKE ARROWHEAD, BUT IN NO EVENT TO ENCRUCH ON SURVEYED AND PLATTED LOTS ALREADY EXISTING AROUND THE LAKE.

LEGAL DESCRIPTION AS SURVEYED

BEGINNING AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 TO BEAR SOUTH 00°00'00" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 00°00'00" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 409.16 FEET;

THENCE ALONG THE FOLLOWING 12 COURSES BEING TO POINTS 15.00 FEET BEYOND THE HIGH WATER LINE OF ARROWHEAD LAKE, BUT IN NO EVENT TO ENCRUCH ON SURVEYED AND PLATTED LOTS ALREADY EXISTING AROUND THE LAKE;

1. THENCE SOUTH 72°51'00" WEST A DISTANCE OF 189.98 FEET;
2. THENCE SOUTH 85°28'00" WEST A DISTANCE OF 96.12 FEET;
3. THENCE NORTH 88°40'00" WEST A DISTANCE OF 195.49 FEET;
4. THENCE NORTH 71°36'00" WEST A DISTANCE OF 195.25 FEET;
5. THENCE SOUTH 88°52'00" WEST A DISTANCE OF 112.48 FEET;
6. THENCE SOUTH 24°27'00" WEST A DISTANCE OF 125.09 FEET;
7. THENCE SOUTH 89°47'30" WEST A DISTANCE OF 71.23 FEET;
8. THENCE NORTH 14°09'00" WEST A DISTANCE OF 195.77 FEET;
9. THENCE NORTH 67°56'00" WEST A DISTANCE OF 311.25 FEET;
10. THENCE NORTH 77°57'50" WEST A DISTANCE OF 263.81 FEET;
11. THENCE NORTH 00°02'37" WEST A DISTANCE OF 51.49 FEET;
12. THENCE NORTH 75°50'00" WEST A DISTANCE OF 202.46 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE SOUTH 89°46'49" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1,670.85 FEET TO THE POINT OF BEGINNING.

COUNTY OF WELD, STATE OF COLORADO.

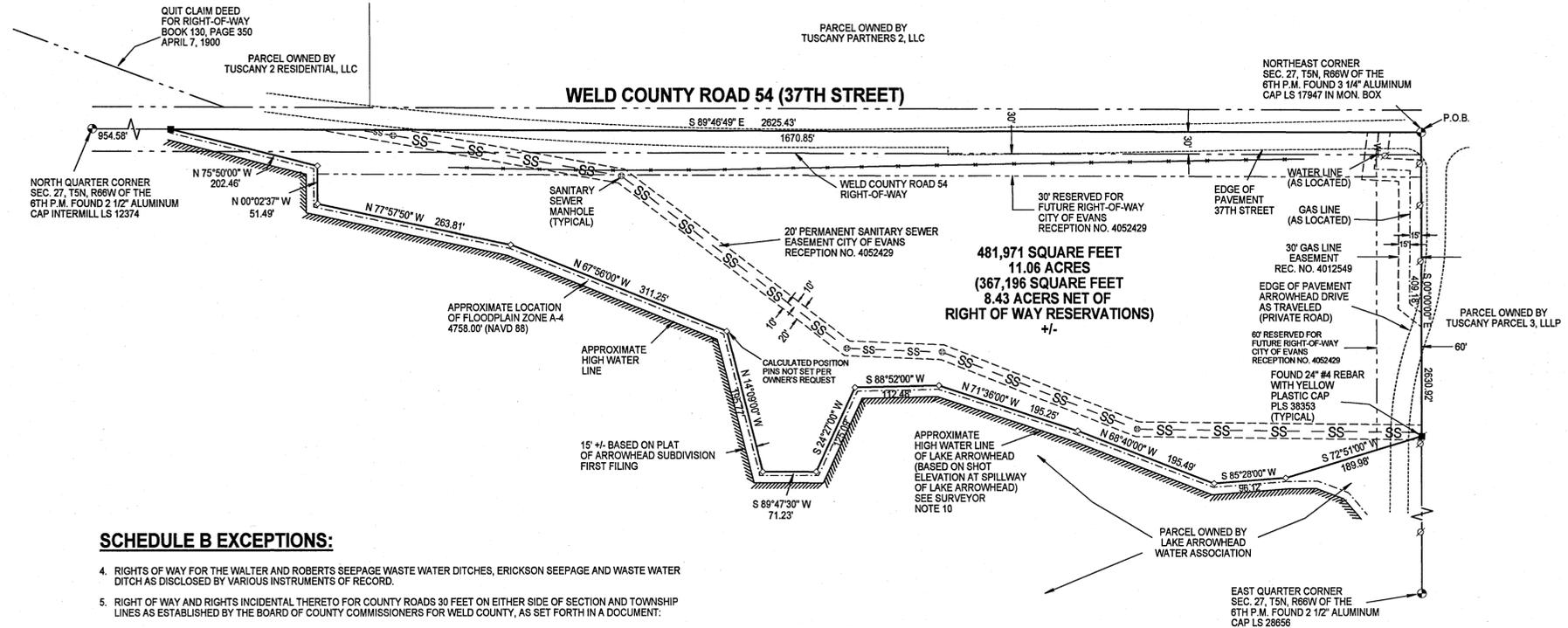
TITLE POLICY NOTE:

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE RECORDS, THOMAS LAND SURVEYING, LLC, RELIED UPON TITLE POLICY NUMBER CO-FFAH-IMP-81306-1-14-H0406746, DATED 10/13/2014, 6:00 P.M. AS PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY AND HERITAGE TITLE COMPANY TO DELINEATE THE AFORESAID INFORMATION.

SURVEYOR NOTES:

1. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. THIS LAND SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF JEFFERY ENGELMAN, DIANNE ENGELMAN, HERITAGE TITLE COMPANY, AND COMMONWEALTH LAND TITLE INSURANCE COMPANY, NAMED IN THE SURVEYOR'S CERTIFICATE HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
3. THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
4. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18-4-508, WHOEVER WILLFULLY DESTROYS, DEFACTS, CHANGES, OR REMOVES TO ANOTHER PLACE ANY SECTION CORNER, QUARTER CORNER, OR MEANDER POST, ON ANY GOVERNMENT LINE OF SURVEY, OR WILLFULLY CUTS DOWN ANY WITNESS TREE OR ANY TREE BLAZED TO MARK THE LINE OF A BENCH MARK OF ANY GOVERNMENT SURVEY, SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN SIX MONTHS, OR BOTH. 18 U.S.C. 1859 (2009).
5. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
6. DATES OF FIELD WORK: 09/04/2014
7. THE TOTAL AREA OF THE SUBJECT PROPERTY IS 481,971 SQ. FT. OR 11.06 ACRES, MORE OR LESS. AREA AS SHOWN HEREON IS A RESULTANT FACTOR, NOT A DETERMINATIVE FACTOR. IT MAY CHANGE SIGNIFICANTLY WITH MINOR VARIATIONS IN FIELD MEASUREMENTS OR THE SOFTWARE USED TO PERFORM THE CALCULATIONS. FOR THIS REASON, THE AREA IS SHOWN AS A "MORE OR LESS" FIGURE, AND IS NOT TO BE RELIED UPON AS AN ACCURATE FACTOR FOR REAL ESTATE SALES PURPOSES.
8. ARROWHEAD DRIVE WAS ESTABLISHED FOR ACCESS TO THE ARROWHEAD SUBDIVISION ON THE ASSUMPTION THAT WELD COUNTY HAD OPENED THE ROAD 30 FEET ON EACH SIDE OF THE SECTION LINE. THIS PER ELMER LUNDVALL ON 09/04/2014. AFTER RESEARCHING THE ROAD HISTORY AND AFTER SPEAKING WITH JACKIE BARROW AT THE WELD COUNTY OFFICE OF PUBLIC WORKS, IT WAS DETERMINED THAT THE RIGHT OF WAY WAS RESERVED PER THE RESOLUTION OF 1889 BUT THE ROAD WAS NEVER OPENED BY THE COUNTY COMMISSIONERS. HOWEVER, IT WAS DETERMINED THAT WELD COUNTY HAS BEEN MAINTAINING THE ROAD FOR SOME TIME. ON THE NORTH END, THE ROAD LIES ON LAND IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P.M. SAID PARCEL OF LAND BEING OWNED BY TUSCANY PARCEL 3, L.L.P. ATTEMPTS TO CONTACT TUSCANY PARCEL 3, L.L.P. FOR PURPOSES OF GATHERING ADDITIONAL PARCEL EVIDENCE WERE UNSUCCESSFUL. THE ROAD THEN TRAVELS SOUTHWEST CROSSING ONTO THE SUBJECT PROPERTY. AFTER RESEARCHING EASEMENTS, PLATS AND THE TUSCANY ANNEXATION TO THE CITY OF EVANS, IT APPEARS THAT THERE ARE NO EASEMENTS OR DEDICATIONS ALLOWING ACCESS TO THE ARROWHEAD SUBDIVISION. ARROWHEAD DRIVE IS AN APPARENT SERVITUDE OF ACCESS TO THE ARROWHEAD SUBDIVISION THAT MAY BURDEN THE SUBJECT PROPERTY AS A POTENTIAL PRESCRIPTIVE ACCESS EASEMENT. A RESERVATION OF 60 FEET OF RIGHT OF WAY BY THE CITY OF EVANS IS EVIDENCED BY A DOCUMENT RECORDED IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 4052429.
9. THERE ARE POWER POLES RUNNING NORTH TO SOUTH ALONG THE EAST LINE OF THE SUBJECT PROPERTY. THE SURVEYOR WAS UNABLE TO LOCATE ANY RELATED EASEMENTS IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER.
10. THE SUBJECT PROPERTY IS BOUNDED ON THE SOUTH BY A WATER BOUNDARY BEING LAKE ARROWHEAD. THE HIGH WATER LEVEL OF THE LAKE WAS DETERMINED BY THE SURVEYOR USING THE FLOWLINE OF THE EXISTING SPILLWAY LOCATED ON THE EASTERLY SHORE OF SAID LAKE. THE SURVEYOR THEN DETERMINED THE SOUTHERLY BOUNDARY OF THE SUBJECT PROPERTY BY MEASURING 15 FEET NORTHERLY FROM THE DETERMINED HIGH WATER LINE. THE DATE OF FIELD WORK OF THESE MEASUREMENTS WAS FEBRUARY 18, 2014. THE WATER BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND SAID BOUNDARY MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.
11. NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY.
12. NONE OF THE SUBJECT PROPERTY APPEARS TO BE A DESIGNATED WETLAND AS DELINEATED BY THE ARMY CORPS OF ENGINEERS AS OF SEPTEMBER 12, 2014.

PREPARED BY:
THOMAS LAND SURVEYING, LLC
2619 WEST 11TH STREET, SUITE 24
GREELEY, COLORADO 80634
(970)304-0984



SCHEDULE B EXCEPTIONS:

4. RIGHTS OF WAY FOR THE WALTER AND ROBERTS SEEPAGE WASTE WATER DITCHES, ERICKSON SEEPAGE AND WASTE WATER DITCH AS DISCLOSED BY VARIOUS INSTRUMENTS OF RECORD.
5. RIGHT OF WAY AND RIGHTS INCIDENTAL THERETO FOR COUNTY ROADS 30 FEET ON EITHER SIDE OF SECTION AND TOWNSHIP LINES AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS FOR WELD COUNTY, AS SET FORTH IN A DOCUMENT.

RECORDING DATE: OCTOBER 14, 1889
RECORDING NO.: BOOK 88 AT PAGE 273.

6. RIGHT OF WAY FOR EAST 37TH STREET AS CURRENTLY ESTABLISHED AND USED.

7. RESERVATIONS MADE BY THE UNION PACIFIC RAILROAD COMPANY IN THE DEED SET FORTH BELOW, PROVIDING SUBSTANTIALLY AS FOLLOWS: RESERVING UNTO THE COMPANY AND ITS ASSIGNS ALL COAL THAT MAY BE FOUND UNDERNEATH SURFACE OF THE LAND AND THE EXCLUSIVE RIGHT TO PROSPECT AND MINE FOR SAME, ALSO SUCH RIGHT OF WAY AND OTHER GROUNDS AS MAY APPEAR NECESSARY FOR PROPER WORKING OF ANY COAL MINES THAT MAY BE DEVELOPED UPON THE LAND, AND FOR TRANSPORTATION OF COAL FROM SAME, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN;

RECORDING DATE: SEPTEMBER 28, 1908
RECORDING NO.: BOOK 233 AT PAGE 167

8. UNDIVIDED FULL INTEREST IN ALL OIL, GAS AND OTHER MINERAL RIGHTS RESERVED IN THE INSTRUMENT SET FORTH AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN;

RESERVED BY: COUNTY OF WELD
RECORDING DATE: JANUARY 3, 1944
RECORDING AT: BOOK 1124 AT PAGE 214

9. ALL MATTERS DISCLOSED BY LAND TRUST AGREEMENT AND DECLARATION OF TRUST RECORDED MARCH 7, 1963 IN BOOK 1640 AT PAGE 232 AND QUIT CLAIM DEED RECORDED AUGUST 19, 1992 AT RECEPTION NUMBER 2300593.
10. RIGHTS OF OTHERS IN AND TO THE IRRIGATION PUMP LOCATED ON THE EAST BANK OF LAKE ARROWHEAD AS DISCLOSED BY DEED RECORDED APRIL 4, 1978 AT RECEPTION NUMBER 1749415.

RECORDING DATE: JULY 13, 1995
RECORDING NO.: 2446322

12. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: DCP MIDSTREAM, LP
PURPOSE: PIPELINE
RECORDING DATE: APRIL 29, 2014
RECORDING NO.: 4012549

13. ANY RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS DISCLOSED BY SURVEY,

JOB NO.: 1409.001
PREPARED BY: THOMAS LAND SURVEYING, LLC
MATTERS SHOWN: A. POSSIBLE RIGHT OF WAY FOR ARROWHEAD DRIVE ALONG THE EASTERLY LINE.
B. ALL MATTERS DISCLOSED IN NOTE NOS. 8 AND 10
C. FENCE LINES DO NOT COINCIDE WITH PROPERTY LINES.
D. WATER LINE, GAS LINES AND POWER POLES.

14. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL, AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF LAND.

15. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE AGREEMENT AND DEED FOR EASEMENT AND RIGHT-OF-WAY AS SET FORTH BELOW.

RECORDING DATE: OCTOBER 8, 2014
RECORDING NO.: 4052428.

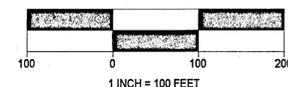
SURVEYOR'S CERTIFICATE

TO JEFFERY ENGELMAN, DIANNE ENGELMAN, HERITAGE TITLE COMPANY, AND COMMONWEALTH LAND TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, 11(b), 17, 18, 19, 20(a), 20(b) OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 4, 2014.

DATE OF PLAT: 11/13/2014

ROBERT D THOMAS
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR #38353
PLS 38353



BASIS OF BEARING:

THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO IS ASSUMED TO BEAR SOUTH 00°00'00" EAST AND IS MONUMENTED AS INDICATED.

PREPARED BY: THOMAS LAND SURVEYING, LLC
2619 WEST 11TH STREET, SUITE 24
GREELEY, COLORADO, 80634
TELEPHONE: (970) 304-0984
PROJECT NO: 1409.001
DRAWING: ENGELMAN NORTH LAKE ARROWHEAD ALTA

PLANNING COMMISSION AGENDA REPORT

DATE: July 28, 2020

AGENDA ITEM: 6.B

SUBJECT: Consideration of Case File #20-USR-02 Approving the Arrowhead Park/Open Space Special Use Permit request

PRESENTED BY: Lauren Richardson, City Planner

AGENDA ITEM DESCRIPTION:

The applicant seeks approval of Special Use Permit for the property located south of and adjacent to 37th Street and west of and adjacent to Arrowhead Drive/ 47th Avenue. The property is outlined on the map below. The 16 +/- acre parcel outlined in red/yellow on the map has not been annexed into the City; however, the Planning Commission can hear the application for consideration and forward a recommendation onto City Council. The City Council will hear the Annexation and Zoning requests at their August 3 and August 18, 2020 meetings.



The applicant is requesting a Special Use Permit to allow *Recreational, Outdoor, Extensive* land use. Currently, the Evans Municipal Code does not include a distinct proposed use category called Parks. The proposed use category with the closest fit for Parks/Open Space is Recreational Facilities, Outdoor, Extensive. The intended land use for this property is that of a public park.

Application, Processing and Review Procedures

Title 18.06.060.C of the Evans Municipal Code identifies the application requirements for a Special Use Permit. Application requirements were met.

Title 18.06.060.C.2 provides a clear outline of the procedures to be followed when processing an application for a Special Use Permit. Staff followed these procedures also included internal Design/Development Review Team meetings and a review of referral agency responses. Staff has followed the review criteria as well as the publication, posting, and notification criteria found in Sections 18.10.10 and 18.10.20.

- The land use hearings were published in the Greeley Tribune starting on June 26 and will be published for four weeks leading up to the August 3 hearing before City Council.
- Notice was sent to all property owners within a 500' radius of the project on July 1, 2020. Notice was sent via Certified and First- Class mail per the City Code Sections 18.10.010 and 18.10.020.
- A sign was posted at the corner of 37th Street and 47th Avenue/Arrowhead Drive on July 1, 2020.



Criteria for a Special Use Permit

Title 18.06.060.C.2 provides a clear outline of eleven Criteria to be met for the Planning Commission and City Council to approve an application request for a Special Use Permit. These criteria are listed below, along with narrative detailing how staff has found each criterion to be met or can be met with the attached Conditions of Approval.

1. The proposed use is found to be unlikely to harm the health, safety and welfare of the City or its residents.

Recreational Facilities, Outdoor, Extensive is a land use that best fits a public park/open space.

The site will not drastically increase traffic flows or increase safety hazards. The Park/Open Space will not harm the health of the City of Evans. Within the Park, the proposed 1-mile concrete trail will be an addition to the trail system that ultimately can improve the health of the residents.

2. The proposed use would benefit the City in terms of employment, tax revenue or other similar effects, as compared to the absence of the proposed use.

The proposed use does not negatively impact the City from a financial perspective.

3. The proposed use shall be consistent with the Comprehensive Plan and shall be compatible with the surrounding area.

The proposed use is consistent with the Comprehensive Plan 2010 and the Future Land Use Map, designating this location as a future Park/Open Space.

4. The location, size, design and operating characteristics of the proposed use shall be compatible with the existing and proposed future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity. Reasonable conditions may be placed on uses by special review to protect the public health, safety and welfare by mitigating impacts.

The Park/Open Space is consistent with the Future Land Use Map found in the Comprehensive Plan designates the future use of this property as Parks/Open Space. The site will not create traffic flow problems. As a Park/Open Space, the majority of the site will remain landscape, primarily of native and drought-tolerant plant varieties.

Input from surrounding property owners has been gathered through public engagement activities. The residents in Arrowhead and Tuscany are supportive of the City's efforts to create a public Park/Open Space on this lot. Coordination between the City and the Arrowhead Water Association has shaped an overall plan for the lot.

The surrounding land uses include rural residential in unincorporated Weld County to the south, land zoned R-1, Single-Family Residential, to the east and north. The parcel directly north is the Extraction T-Bone oil/gas pad site. The property to the west is rural residential and open space in unincorporated Weld County.

5. The site shall be physically suitable for the type and intensity of the proposed land use.

The site is suitable for the use, areas not suitable for the use, such as the wetlands to the west, will not be disturbed. It is a fairly flat area that is suitable for a concrete trail. The water quality pond planned on the east side of the property will be beneficial for the improvements planned for 37th Street and 47th Avenue.

6. The proposed land use shall not adversely affect traffic flow and parking in the neighborhood.

The Park/Open Space land use will not drastically increase traffic flow and parking in the neighborhood. The small 10 to 12 car parking lot planned for the site will be sufficient to hold anticipated visitors to the site. The goal is to connect this space through an expanded trail network in the City to encourage access through all modes of transportation.

7. *The location of other approved special uses in the neighborhood shall be determined, in order to avoid an over-concentration of such uses.*

This Park/Open Space will provide residents of the area a local public park for recreational use. The site has an approved Site Plan for a mini-storage facility through Weld County. Upon Annexation this permit is no longer valid. An Open Space area will be a much more attractive entry for the City located at this major intersection.

8. *Not applicable, only for mini-storage facilities.*

9. *Not applicable, only for car-wash facilities.*

10. *Not applicable, only for oil and gas facilities.*

11. *Not applicable, only for outdoor storage.*

Conditions of Approval. The following Conditions shall be addressed by the applicant.

1. Prior to construction:

- a. Sign Permits will be needed prior to the installation of signs.
- b. A Grading Permit and Access Permit(s) are required.

ATTACHMENTS:

Attachment 1: Application Narrative

Attachment 2: Application Map/Property ALTA Survey

Attachment 3: Amenity Site Plan Map

RECOMMENDATION:

Staff finds the application proposal to be consistent with the Comprehensive Plan and the Land Use Code. Staff is requesting that Planning Commission forward their recommendation of approval to City Council.

SUGGESTED MOTIONS:

“I move to forward a recommendation of approval of the Special Use Permit request as found in case file 20-USR-02, for the Arrowhead Park/Open Space as proposed with Conditions of Approval to City Council.”

“I move to forward a recommendation of denial of the Special Use Permit request as found in case file 20-USR-02, for the Arrowhead Park/Open Space to City Council for the following reasons _____.”

Arrowhead Open Space Project Narrative

Introduction

The Arrowhead property is located on the Southwest Corner of 37th Street and 47th Avenue. The 10.07+/- acre Arrowhead Property was purchased by the City of Evans in 2019. The property is currently vacant. The property is outlined in the aerial image below.



The City of Evans intends to use this property as a public open space. The intended uses will be more passive than a traditional City Park. The intention is to provide space for watching wildlife and enjoying the open field.

Public Engagement

The City is applying for a Great Outdoors Colorado (GOCO) Grant to help fund site improvements. The grant program encourages applicants to engage in public outreach to gain resident input. Several engagement opportunities will take place to acquire this input. Residents will choose potential amenities to be included in the Open Space. Outside of the GOCO Grant process, the City is interested in hearing from residents regarding amenities requested in future public spaces.

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Site Amenities

Several amenities are planned for the site such as a parking lot, a port-a-let, trash cans, a 10-foot-wide concrete trail with a 3-foot-wide crusher fine shoulder, and benches. The City is working with the public through engagement campaigns and the additional amenities voted on by participants include raptor posts and bird boxes, hammock stands, a grassy area for play, a kite-flying field, or fitness stations. Final and formal inclusion of amenities relies upon the City receiving the GOCO grant or a phased installation approach as budget allows. The Special Use Permit process requires public notice and hearings before both Planning Commission and City Council.

Contiguity

This property satisfies the requirement to have 1/6 contiguity with the City. The northern boundary runs parallel to 37th Street and has a shared boundary line of approximately 1,663 feet. The eastern boundary runs perpendicular to 37th Street and has a shared boundary line of approximately 379 feet. The property itself is estimated to have a perimeter of over 4,000 feet. With approximately 2,000 feet of contiguity, this property exceeds the 1/6 contiguity requirement.

Relationship to the Comprehensive Plan 2010

The proposed 10-foot-wide concrete trail with 3-foot-wide crusher fine shoulder would function as a detached sidewalk on the side running parallel with 37th Street. The offset of the proposed trail is 85-feet from the road centerline. This offset places the future trail within the safety requirements for detached sidewalks. The proposed trail will add to the City's desired connected trail system. As mentioned in the Comprehensive Plan 2010 Goals, Policies and Actions, Goal 2 names policies that encourage the implementation of parks, trails, and open space. This project complies with goals set forth by the Comprehensive Plan 2010.

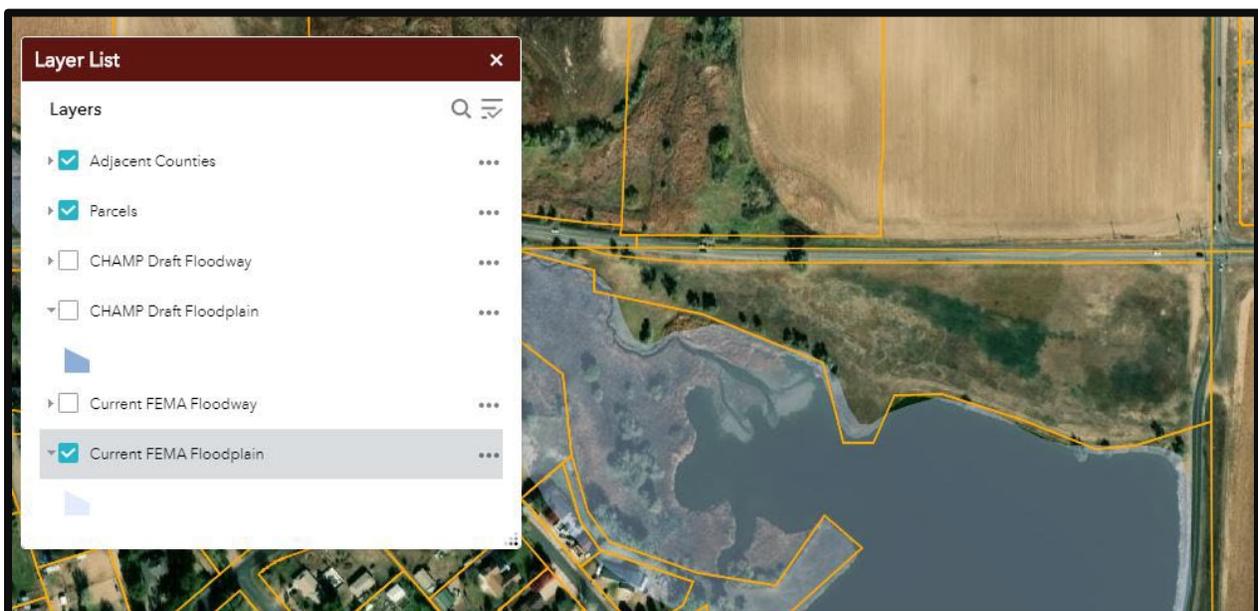
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Water Information

The Arrowhead Open Space will have access to non-potable water after the 47th Street Expansion project is complete. The non-potable water will be connected to a landscaping irrigation system. Potable water is not contemplated at this time.

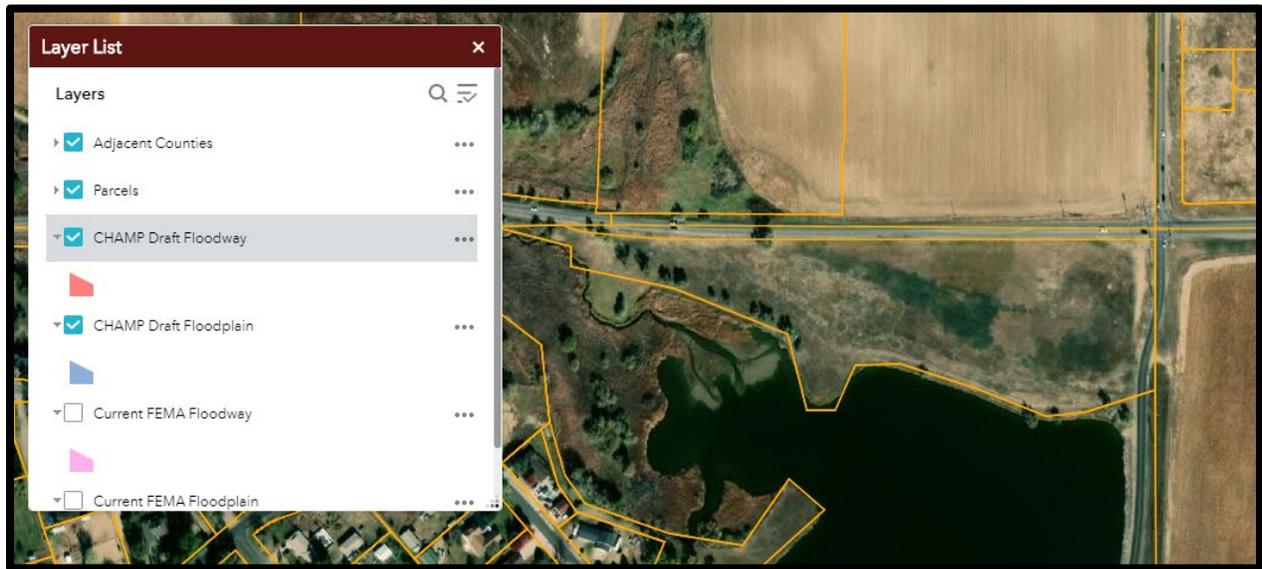
A water quality pond is part of a new drainage system extending north along 47th Avenue to reduce the flooding at the intersection with 37th Street. The intent of the water quality feature (pond) is to clean the stormwater before it reaches Arrowhead Lake. There is no detention included in the pond design, only water quality. This water quality feature has been designed for the eastern portion of the property providing stormwater management for the new road improvements on 47th Avenue and 37th Street. There will be a small parking area located on the site, but initially, it will not be paved. The preliminary parking lot will be made of porous, crusher fine material. In the future, it could be paved.

The site in relation to the current 2019 FEMA floodplain maps show minor overlap between this parcel and the floodplain and floodway. A current map captured from the Weld County Floodplain Review illustrates below:



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An updated floodplain and floodway map, to be released in August 2020, does not categorize any land or water near the Arrowhead Open Space as having overlap into either the floodplain or the floodway. An updated map captured from the Weld County Floodplain Review illustrates below:



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Once non-potable water becomes available to the site, native landscaping will be installed including grasses and trees, as well as, drought-tolerant shrubs. There will be taller grasses planted between the trail and the fencing to be installed in 2020 along the north shore of the lake. The full landscape design will be submitted at a later date for approval by City Engineering and Operations Staff.

ALTA/ACSM LAND TITLE SURVEY

PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO

LEGAL DESCRIPTION OF RECORD

(A DEED DESCRIBING THE SUBJECT PARCEL HAS NOT BEEN FOUND IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER. THE LEGAL DESCRIPTION OF RECORD HAS BEEN DERIVED FROM A QUIT CLAIM DEED RECORDED AS RECEPTION NUMBER 2890428 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER.)

A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, BEING A TRACT OF LAND 15 (FIFTEEN) FEET BEYOND THE HIGH WATER LINE OF LAKE ARROWHEAD, BUT IN NO EVENT TO ENCRUCH ON SURVEYED AND PLATTED LOTS ALREADY EXISTING AROUND THE LAKE.

LEGAL DESCRIPTION AS SURVEYED

BEGINNING AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 TO BEAR SOUTH 00°00'00" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 00°00'00" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 409.16 FEET;

THENCE ALONG THE FOLLOWING 12 COURSES BEING TO POINTS 15.00 FEET BEYOND THE HIGH WATER LINE OF ARROWHEAD LAKE, BUT IN NO EVENT TO ENCRUCH ON SURVEYED AND PLATTED LOTS ALREADY EXISTING AROUND THE LAKE;

1. THENCE SOUTH 72°51'00" WEST A DISTANCE OF 189.98 FEET;
2. THENCE SOUTH 85°28'00" WEST A DISTANCE OF 96.12 FEET;
3. THENCE NORTH 88°40'00" WEST A DISTANCE OF 195.49 FEET;
4. THENCE NORTH 71°36'00" WEST A DISTANCE OF 195.25 FEET;
5. THENCE SOUTH 88°52'00" WEST A DISTANCE OF 112.48 FEET;
6. THENCE SOUTH 24°27'00" WEST A DISTANCE OF 125.09 FEET;
7. THENCE SOUTH 89°47'30" WEST A DISTANCE OF 71.23 FEET;
8. THENCE NORTH 14°09'00" WEST A DISTANCE OF 195.77 FEET;
9. THENCE NORTH 67°56'00" WEST A DISTANCE OF 311.25 FEET;
10. THENCE NORTH 77°57'50" WEST A DISTANCE OF 263.81 FEET;
11. THENCE NORTH 00°02'37" WEST A DISTANCE OF 51.49 FEET;
12. THENCE NORTH 75°50'00" WEST A DISTANCE OF 202.46 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE SOUTH 89°46'49" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 1,670.85 FEET TO THE POINT OF BEGINNING.

COUNTY OF WELD, STATE OF COLORADO.

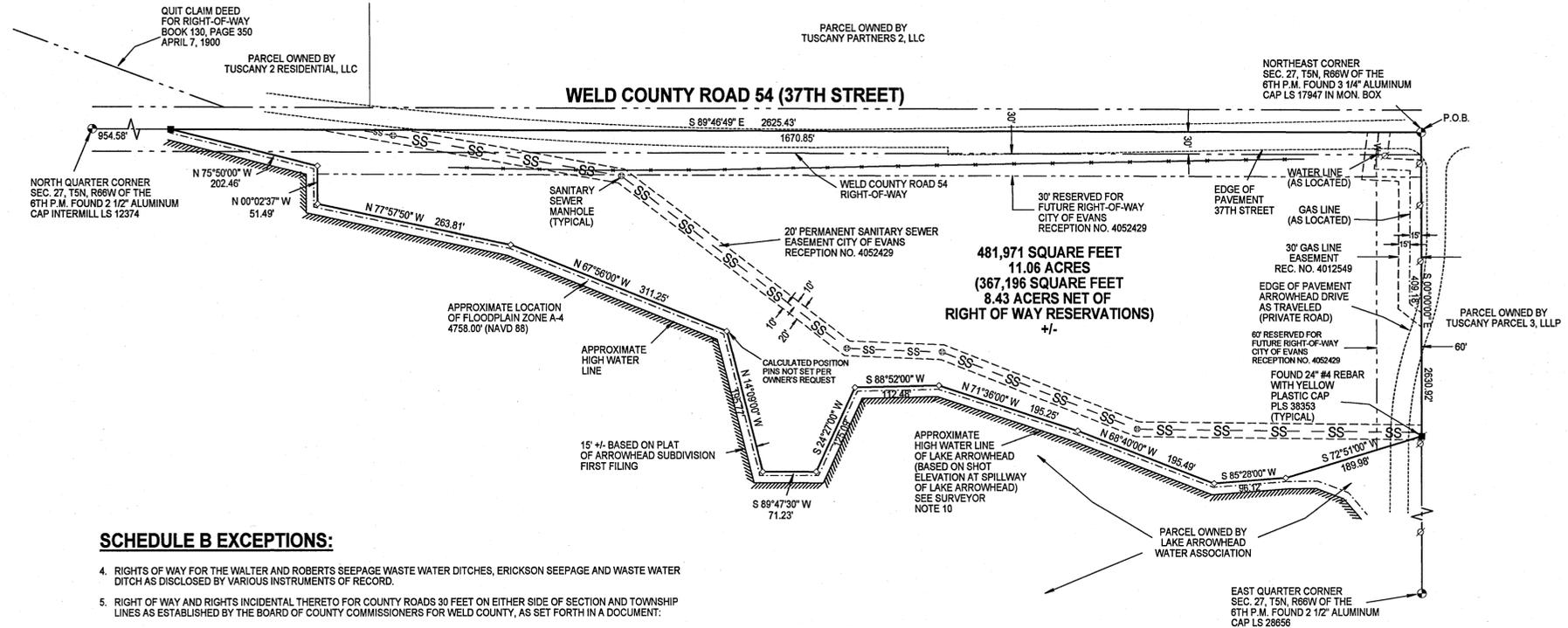
TITLE POLICY NOTE:

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE RECORDS, THOMAS LAND SURVEYING, LLC, RELIED UPON TITLE POLICY NUMBER CO-FFAH-IMP-81306-1-14-H0406746, DATED 10/13/2014, 6:00 P.M. AS PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY AND HERITAGE TITLE COMPANY TO DELINEATE THE AFORESAID INFORMATION.

SURVEYOR NOTES:

1. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. THIS LAND SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF JEFFERY ENGELMAN, DIANNE ENGELMAN, HERITAGE TITLE COMPANY, AND COMMONWEALTH LAND TITLE INSURANCE COMPANY, NAMED IN THE SURVEYOR'S CERTIFICATE HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
3. THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
4. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18-4-508, WHOEVER WILLFULLY DESTROYS, DEFACTS, CHANGES, OR REMOVES TO ANOTHER PLACE ANY SECTION CORNER, QUARTER CORNER, OR MEANDER POST, ON ANY GOVERNMENT LINE OF SURVEY, OR WILLFULLY CUTS DOWN ANY WITNESS TREE OR ANY TREE BLAZED TO MARK THE LINE OF A BENCH MARK OF ANY GOVERNMENT SURVEY, SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN SIX MONTHS, OR BOTH. 18 U.S.C. 1859 (2009).
5. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
6. DATES OF FIELD WORK: 09/04/2014
7. THE TOTAL AREA OF THE SUBJECT PROPERTY IS 481,971 SQ. FT. OR 11.06 ACRES, MORE OR LESS. AREA AS SHOWN HEREON IS A RESULTANT FACTOR, NOT A DETERMINATIVE FACTOR. IT MAY CHANGE SIGNIFICANTLY WITH MINOR VARIATIONS IN FIELD MEASUREMENTS OR THE SOFTWARE USED TO PERFORM THE CALCULATIONS. FOR THIS REASON, THE AREA IS SHOWN AS A "MORE OR LESS" FIGURE, AND IS NOT TO BE RELIED UPON AS AN ACCURATE FACTOR FOR REAL ESTATE SALES PURPOSES.
8. ARROWHEAD DRIVE WAS ESTABLISHED FOR ACCESS TO THE ARROWHEAD SUBDIVISION ON THE ASSUMPTION THAT WELD COUNTY HAD OPENED THE ROAD 30 FEET ON EACH SIDE OF THE SECTION LINE; THIS PER ELMER LUNDVALL ON 09/04/2014. AFTER RESEARCHING THE ROAD HISTORY AND AFTER SPEAKING WITH JACKIE BARROW AT THE WELD COUNTY OFFICE OF PUBLIC WORKS, IT WAS DETERMINED THAT THE RIGHT OF WAY WAS RESERVED PER THE RESOLUTION OF 1889 BUT THE ROAD WAS NEVER OPENED BY THE COUNTY COMMISSIONERS. HOWEVER, IT WAS DETERMINED THAT WELD COUNTY HAS BEEN MAINTAINING THE ROAD FOR SOME TIME. ON THE NORTH END, THE ROAD LIES ON LAND IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P.M. SAID PARCEL OF LAND BEING OWNED BY TUSCANY PARCEL 3, L.L.P. ATTEMPTS TO CONTACT TUSCANY PARCEL 3, L.L.P. FOR PURPOSES OF GATHERING ADDITIONAL PARCEL EVIDENCE WERE UNSUCCESSFUL. THE ROAD THEN TRAVELS SOUTHWEST CROSSING ONTO THE SUBJECT PROPERTY. AFTER RESEARCHING EASEMENTS, PLATS AND THE TUSCANY ANNEXATION TO THE CITY OF EVANS, IT APPEARS THAT THERE ARE NO EASEMENTS OR DEDICATIONS ALLOWING ACCESS TO THE ARROWHEAD SUBDIVISION. ARROWHEAD DRIVE IS AN APPARENT SERVITUDE OF ACCESS TO THE ARROWHEAD SUBDIVISION THAT MAY BURDEN THE SUBJECT PROPERTY AS A POTENTIAL PRESCRIPTIVE ACCESS EASEMENT. A RESERVATION OF 60 FEET OF RIGHT OF WAY BY THE CITY OF EVANS IS EVIDENCED BY A DOCUMENT RECORDED IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 4052429.
9. THERE ARE POWER POLES RUNNING NORTH TO SOUTH ALONG THE EAST LINE OF THE SUBJECT PROPERTY. THE SURVEYOR WAS UNABLE TO LOCATE ANY RELATED EASEMENTS IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER.
10. THE SUBJECT PROPERTY IS BOUNDED ON THE SOUTH BY A WATER BOUNDARY BEING LAKE ARROWHEAD. THE HIGH WATER LEVEL OF THE LAKE WAS DETERMINED BY THE SURVEYOR USING THE FLOWLINE OF THE EXISTING SPILLWAY LOCATED ON THE EASTERLY SHORE OF SAID LAKE. THE SURVEYOR THEN DETERMINED THE SOUTHERLY BOUNDARY OF THE SUBJECT PROPERTY BY MEASURING 15 FEET NORTHERLY FROM THE DETERMINED HIGH WATER LINE. THE DATE OF FIELD WORK OF THESE MEASUREMENTS WAS FEBRUARY 18, 2014. THE WATER BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND SAID BOUNDARY MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.
11. NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY.
12. NONE OF THE SUBJECT PROPERTY APPEARS TO BE A DESIGNATED WETLAND AS DELINEATED BY THE ARMY CORPS OF ENGINEERS AS OF SEPTEMBER 12, 2014.

PREPARED BY:
THOMAS LAND SURVEYING, LLC
2619 WEST 11TH STREET, SUITE 24
GREELEY, COLORADO 80634
(970)304-0984



SCHEDULE B EXCEPTIONS:

4. RIGHTS OF WAY FOR THE WALTER AND ROBERTS SEEPAGE WASTE WATER DITCHES, ERICKSON SEEPAGE AND WASTE WATER DITCH AS DISCLOSED BY VARIOUS INSTRUMENTS OF RECORD.
5. RIGHT OF WAY AND RIGHTS INCIDENTAL THERETO FOR COUNTY ROADS 30 FEET ON EITHER SIDE OF SECTION AND TOWNSHIP LINES AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS FOR WELD COUNTY, AS SET FORTH IN A DOCUMENT.

RECORDING DATE: OCTOBER 14, 1889
RECORDING NO.: BOOK 88 AT PAGE 273.

6. RIGHT OF WAY FOR EAST 37TH STREET AS CURRENTLY ESTABLISHED AND USED.

7. RESERVATIONS MADE BY THE UNION PACIFIC RAILROAD COMPANY IN THE DEED SET FORTH BELOW, PROVIDING SUBSTANTIALLY AS FOLLOWS: RESERVING UNTO THE COMPANY AND ITS ASSIGNS ALL COAL THAT MAY BE FOUND UNDERNEATH SURFACE OF THE LAND AND THE EXCLUSIVE RIGHT TO PROSPECT AND MINE FOR SAME, ALSO SUCH RIGHT OF WAY AND OTHER GROUNDS AS MAY APPEAR NECESSARY FOR PROPER WORKING OF ANY COAL MINES THAT MAY BE DEVELOPED UPON THE LAND, AND FOR TRANSPORTATION OF COAL FROM SAME, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN;

RECORDING DATE: SEPTEMBER 28, 1908
RECORDING NO.: BOOK 233 AT PAGE 167

8. UNDIVIDED FULL INTEREST IN ALL OIL, GAS AND OTHER MINERAL RIGHTS RESERVED IN THE INSTRUMENT SET FORTH AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN;

RESERVED BY: COUNTY OF WELD
RECORDING DATE: JANUARY 3, 1944
RECORDING AT: BOOK 1124 AT PAGE 214

9. ALL MATTERS DISCLOSED BY LAND TRUST AGREEMENT AND DECLARATION OF TRUST RECORDED MARCH 7, 1963 IN BOOK 1640 AT PAGE 232 AND QUIT CLAIM DEED RECORDED AUGUST 19, 1992 AT RECEPTION NUMBER 2300593.
10. RIGHTS OF OTHERS IN AND TO THE IRRIGATION PUMP LOCATED ON THE EAST BANK OF LAKE ARROWHEAD AS DISCLOSED BY DEED RECORDED APRIL 4, 1978 AT RECEPTION NUMBER 1749415.

RECORDING DATE: JULY 13, 1995
RECORDING NO.: 2446322

12. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: DCP MIDSTREAM, LP
PIPELINE
RECORDING DATE: APRIL 29, 2014
RECORDING NO.: 4012549

13. ANY RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS DISCLOSED BY SURVEY,

JOB NO.: 1409.001
PREPARED BY: THOMAS LAND SURVEYING, LLC
MATTERS SHOWN: A. POSSIBLE RIGHT OF WAY FOR ARROWHEAD DRIVE ALONG THE EASTERLY LINE.
B. ALL MATTERS DISCLOSED IN NOTE NOS. 8 AND 10
C. FENCE LINES DO NOT COINCIDE WITH PROPERTY LINES.
D. WATER LINE, GAS LINES AND POWER POLES.

14. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL, AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF LAND.

15. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE AGREEMENT AND DEED FOR EASEMENT AND RIGHT-OF-WAY AS SET FORTH BELOW.

RECORDING DATE: OCTOBER 8, 2014
RECORDING NO.: 4052428.

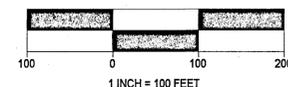
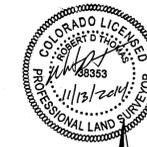
SURVEYOR'S CERTIFICATE

TO JEFFERY ENGELMAN, DIANNE ENGELMAN, HERITAGE TITLE COMPANY, AND COMMONWEALTH LAND TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, 11(b), 17, 18, 19, 20(a), 20(b) OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 4, 2014.

DATE OF PLAT: 11/13/2014

ROBERT D THOMAS
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR #38353
PLS 38353



BASIS OF BEARING:

THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO IS ASSUMED TO BEAR SOUTH 00°00'00" EAST AND IS MONUMENTED AS INDICATED.

PREPARED BY: THOMAS LAND SURVEYING, LLC
2619 WEST 11TH STREET, SUITE 24
GREELEY, COLORADO, 80634
TELEPHONE: (970) 304-0984
PROJECT NO: 1409.001
DRAWING: ENGELMAN NORTH LAKE ARROWHEAD ALTA

LEGEND

- | | | |
|------------------------------------|----------------------------|------------------------------------|
| ① Raptor Post/ Perch | ⑥ Kite Flying Field | ⑪ Water Quality Pond |
| ② Benches | ⑦ In-Ground Hammock Stands | *Bird Boxes in Scattered Locations |
| ③ Picnic Shelter/Table | ⑧ Interpretive Sign | |
| ④ Boulder | ⑨ Screened Restroom | |
| ⑤ Trash Can & Dog Waste Receptical | ⑩ Parking Lot | |

VICINITY MAP

