

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
September 23, 2021**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Planning Commission and virtually via GoToMeeting, on Thursday, September 23, 2021.

Chair Mike Simone called the meeting to order at 6:06 p.m. and gave the following advisement:

Tonight's meeting shall have the option of virtual appearances so as to ensure the health and safety of the general public and the City of Fort Lupton Planning Commission and staff.

The intent and purpose of the virtual appearance option is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic. Therefore, members of the general public will be offered the opportunity to be electronically present for meetings at the City, subject to existing health conditions.

An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Planning Commission and staff may choose to participate electronically via the internet or on the phone.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, Vice Chair Bush White and Commission Members Carlos Barron, Kathy Kvasnicka, Thomas Holton and Thomas Meyers. Also in attendance were Planning Director Todd Hodges, Planner Alyssa Knutson and Administrative Assistant Magaly Morales-Tejada.

APPROVAL OF AGENDA

A motion to approve the agenda was moved by Bush White and seconded by Thomas Meyers.

CONSENT AGENDA

A motion to approve the consent agenda was moved by Bush White and seconded by Kathy Kvasnicka.

PUBLIC COMMENT

Chair Simone asked if there was anyone who would like to comment on an item not on the agenda tonight. There was no public comment. Chair Simone took this time to present former commissioner Lynne Derby with a plaque in honor of her many years of service with the Planning Commission.

ACTION ITEMS

P2021-021 Lupton Village Townhomes Lot 2 Block 7 Preliminary Plat

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Planning Director Todd Hodges presented this item. He stated that this property is located on the Southwest corner of S. Rollie Ave. and CR 12. This is an additional piece to the Lupton Village PUD development and consists of 61 units. The final plat is being reviewed concurrently and will be presented to City Council along with this preliminary plat. All referrals have been addressed and all notification requirements have been met.

Applicant, Zach Cesar, provided a brief presentation. He stated that this development is within the Lupton Village Metro District on the corner of County Road 12 and S. Rollie Ave. The proposed plat consists of 13 buildings with four & five-plex townhomes for a total 61 units with 2 car attached garages on each unit and 65 additional off-street parking spaces. The landscape coverage of the community will be 39% of the overall space. The community will be maintained by the metro district. This project will include improvements to County Road 12 and will include trails throughout the development. There have been updates to the lighting fixtures on the included materials as a new lighting fixture became available that better meets the design criteria.

Chair Simone opened up the public comment portion of the Hearing for the action item. Hearing none, he closed the public comment.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Meyers asked for clarification on condition of approval "B" on Resolution P2021-021.

Public Works Director, Roy Vestal, stated that he requested that the meters line up against the curb rather than being staggered.

Member Holton asked if there would be improvements to the railroad crossing on County Road 12 as part of this project to handle increased traffic.

Mr. Vestal stated that the lanes will be tapered in the interim but that the process with Union Pacific has begun to widen that section to four lanes.

Chair Simone requested that the applicant present rear-elevations to City Council, this was added as a condition of approval.

Member Carlos Barron moved to approve P2021-021 as amended and Bush White seconded. This motion passed unanimously.

P2021-022 Pearson Park Change of Zone

Planner Alyssa Knutson presented this item. She stated that this change of zone is for Pearson Park located on the corner of Highway 85 and Highway 52 proposes a change from I-1 to Parks & Open Space zoning. This zoning better aligns with the current use and with the City's comprehensive plan. The WWTP change of zone proposes a change from I-1 to Agricultural zoning. All notification requirements have been met.

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Chair Simone opened up the public comment portion of the Hearing for the action item. Hearing none, he closed the public comment.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Barron asked if there would be any change to the public use allowed at Pearson Park as a result of this zoning change.

Knutson stated that the zoning does not change anything that is currently occurring at the site.

Member Bush White moved to approve P2021-022 as amended and Thomas Holton seconded. This motion passed unanimously.

P2021-023 WWTP Change of Zone

Planner Alyssa Knutson presented this item. This property is located on the north lot of the Pearson Park subdivision and is currently zoned I-1. The proposed zoning change is to Agricultural, this is the only zoning that allows gravel mining as a special use permit, which is the item being reviewed next. The comprehensive plan stated that parks should consist of open space and water storage, which directly aligns with the future proposed use. All notification requirements have been met and staff recommends approval.

Chair Simone opened up the public comment portion of the Hearing for the action item. Hearing none, he closed the public comment.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Holton asked for clarification on the rezoning of this lot before and after the proposed use is in place.

Planner Knutson stated that this would stay as agricultural if approved.

Member Bush White moved to approve P2021-023 and Kathy Kvasnicka seconded. This motion passed unanimously.

P2021-024 Inouye Gravel Mine Amended Special Use Permit

Planner Alyssa Knutson presented this item. She stated that this application is for a property located approximately 0.37 mile north of State Highway 52 and west of U.S. Highway 85 and includes the parcel that was just approved for a change of zone. Gravel mining for this piece has been previously approved and this application is an amendment to include City property. All notification requirements have been met and staff recommends approval.

Chair Simone addressed the applicant's representative, Andy Rodriguez, and asked if he understood that some members of this hearing may be appearing tonight via virtual connection and will not be appearing in-

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person. He asked if they consented to the applicable members voting on the submittal and if they voluntarily signed and submitted the written waiver and consent to proceed electronically tonight in the hybrid planning commission meeting.

Mr. Rodriguez stated yes to all questions.

Mr. Rodriguez provided a brief presentation. He stated that the property is located north of State Highway 52 and directly west and adjacent to the South Platte River. The intent is to amend the Inouye Gravel Mine special use permit and include city property into the gravel mine. The project will be a slurry wall line, about 6,000 linear feet and the intent is to extract 1.5 to 2 million tons of aggregate, move it to the existing Inouye site and reclaim the site to a water storage reservoir. This use aligns with the adjacent land uses that include gravel mining, oil & gas and agricultural use. It is expected to mine 350,000 to 500,000 tons per year in 200-25 acre sections to minimize disturbance. Truck and material will access the site through WCR 14.5. Several permits have been acquired for this project, including permits from DRMS, State Engineer, CDPHE, WQCD, EPA and Fort Lupton. The site is below grade and should have no floodplain issues; there will be no on site fuel storage. This site will be buffered and is conducive to heavy machinery operations. The miner will be regulated and will maintain site conditions with no expected disturbance to wildlife. Surrounding groundwater will not be affected, there is potential for some mounding, however the river is a natural drainage, which will facilitate keeping the groundwater level. There is potential for recreational use on the trail corridor along this project.

Chair Simone addressed the applicant, Andy Rodriguez. He asked if he felt he had a full and fair opportunity to participate in tonight's public hearing

Mr. Rodriguez stated yes

Chair Simone asked if there was anything he would have liked to present that he felt he was prevented from doing.

Mr. Rodriguez stated no.

Chair Simone opened up the public comment portion of the Hearing for the action item. Hearing none, he closed the public comment.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Holton asked for clarification on the current ownership of the Inouye Mine and the WWTP site, plans for long-term private usage and whether the mineral lease includes a liner for the pit.

Applicant Robb VanderSchaaff stated that the Inouye Mine is owned by Tricycle Lane Ranches, which is a sister company of BURNO, the WWTP site is owned by the City.

Public Works Director stated that the lease does include the slurry wall liner.

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Member Holton asked for clarification on the distance of the pit from the river.

Director Vestal stated that the existing lagoons, which are about 10 feet deep, are about 50 feet from the river bottom and mining will not get any closer.

Member Meyers asked for clarification on what will drain into the river.

Director Vestal stated that the drainage that will occur into the river would be excess irrigation water due to the natural drainage path and the mining permit prevents anything else from being drained into the river.

Member Thomas Holton moved to approve P2021-024 and Carlos Barron seconded. This motion passed unanimously.

DISCUSSION ITEMS

Review of Meeting Discussion

A review of meeting discussions took place.

Development Code Update

A discussion of the Development Code Update took place.

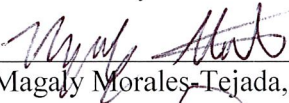
FUTURE BUSINESS

The next meeting of the Planning Commission will be on October 14, 2021 at 6:00pm

ADJOURNMENT

Chair Simone adjourned the meeting at 7:04 PM.

Submitted by



Magaly Morales-Tejada, Administrative Assistant

Approved by Planning Commission



Mike Simone, Chair