

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
December 9, 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, December 9, 2021.

Chair Mike Simone called the meeting to order at 6:05 p.m.

ROLL CALL

Board Members Present: Chair Mike Simone and Kathy Kvasnicka. Members Thomas Meyers and Bush White participated remotely via GoToMeeting.

City Staff Present: Planning Director Todd Hodges, Planner Maria Lancto and Administrative Assistant Magaly Morales-Tejada.

Chair Simone gave the following advisement:

Tonight's meeting shall be a hybrid meeting so as to ensure the health and safety of the general public and the City of Fort Lupton City Council, 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.

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 participate electronically via the internet or on the phone.

APPROVAL OF AGENDA

Kathy Kvasnicka moved to approve the agenda and Thomas Meyers seconded.

CONSENT AGENDA

Kathy Kvasnicka moved to approve the consent agenda and Bush White seconded.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

P2021-026 Equipmentsshare.com, Inc. Fort Lupton, CO Site Plan and Special Use Permit

Planner Maria Lancto presented this item. She stated that this site is located approximately 0.50 miles east of County Road 31 and north and adjacent to Highway 52. The applicants have submitted a request for a site plan to operate an equipment rental company, with operations to include renting, delivering and servicing of rental equipment. There are three phases planned. Phase one includes occupation of the existing buildings and addition of an above ground fuel island and wash bay. The above ground fuel island requires a special use permit. Phase two will include upgrades to some of the site surface treatments. Phase three will include the addition of an

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equipment storage building and interior work on one of the existing buildings. All notification requirements have been met.

Chair Simone asked applicant, Ashley Wolfe, if she understood that some members of the Planning Commission are appearing tonight via virtual connection and are not appearing in-person, if she consented to said members voting on her submittal, even though said members are not present in person, if she understood that she has the right to continue this public hearing to such a date to allow a full in-person public hearing, if she has agreed to voluntarily waive that right on behalf of the applicant or themselves by proceeding tonight electronically and if she voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Ms. Wolfe stated yes to all questions.

Ms. Wolfe stated that she had no additional presentation as Ms. Lancto covered the project very well. She did however have some clarifying questions about the conditions of approval, specifically Public Works comments. She asked for clarification on comments pertaining to Sanitary Sewer – Chapter 4 and Traffic Control – Chapter 8.

Public Works director, Roy Vestal, clarified that these comments were meant to give the applicants a heads up that these comments will apply eventually to their property, however nothing needs to be changed at this point.

Ms. Wolfe asked for clarification on the condition of approval pertaining to the privacy fence requirements.

Planner Lancto stated that the site plan shows a privacy fence and staff just needs details on the material and height of the fence.

Chair Simone asked Ms. Wolfe if she felt she had a full opportunity to participate in the public meeting.

Ms. Wolfe stated yes.

Chair Simone opened up the public comment portion. Hearing none, public comment was closed.

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

Member Meyers asked if there was a way to verify that hazardous chemicals would be properly stored per condition number 9 on the resolution.

Ms. Wolfe stated that no hazardous chemicals would be on site, however other chemicals are stored under the standards of SDS. The Colorado Health Department did conduct an inspection and no hazardous chemicals were identified.

Chair Simone asked if hazardous chemicals were to be on site, if there is a governing agency responsible for overseeing the proper storage of them

Ms. Wolfe stated yes.

Director Hodges clarified that these conditions of approval are directly from the Colorado Health Department and are meant to be a "Catch-all" for developments such as this one.

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With no further questions, Member Kvasnicka made a motion to approve P2021-0026. It was seconded by Member Meyers. Motion passed unanimously.

P2021-027 The Flats at Lupton Village Sketch Plat

Planner Lancto presented this item. She stated that this site is located north and adjacent to County Road 12 and between Denver Ave and the railroad tracks. The applicants are proposing 125 attached single family residential town home units as well as a commercial area in the southern portion of the site. An amenity area is also proposed as well as a trail connection to the Fort Lupton Trail. The property is currently zoned C-1 general commercial, if this sketch plat is approved the applicants would come back with a preliminary plat and a change of zone would be proposed at that time, likely to PUD. All notification requirements have been met.

Chair Simone asked applicant, Andrew Gerk, if he understood that some members of the Planning Commission are appearing tonight via virtual connection and are not appearing in-person, if he consented to said members voting on her submittal, even though said members are not present in person, if he understood that he has the right to continue this public hearing to such a date to allow a full in-person public hearing, if he has agreed to voluntarily waive that right on behalf of the applicant or themselves by proceeding tonight electronically and if he voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Mr. Gerk stated yes to all questions.

Mr. Gerk provided a brief presentation. He stated that this property is located on the southwest corner of County Road 12 and Denver Ave, just west of the existing Lupton Village community. They are proposing 125 single-family units constructed as 5-plex buildings with a 2 car garage in each unit. There is an existing Metro District in Lupton Village which would apply to this development and would help achieve consistency throughout the developments. The 2 acres on the south end of the property are expected to be a commercial businesses. There are 5 different building designs proposed throughout the development. If this sketch plat is approved, further details will be discussed with planning and public works staff.

Chair Simone asked Mr. Gerk if he felt that he had a full and fair opportunity to present all application materials to the commission tonight.

Mr. Gerk Stated yes.

Chair Simone opened up the public comment portion. Hearing none, public comment was closed.

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

Member Meyers asked for clarification on the access points.

Mr. Gerk stated that there are currently two access points proposed and they will be modified based on comments from public works and the fire department as the project progresses.

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Member White expressed concerns with the amount of parking as he feels that there is not sufficient parking proposed for the amount of the units. He also expressed concerns with the access on the North end of the development and the number of units proposed.

Chair Simone asked for clarification on the amount of parking spaces proposed.

Mr. Gerk stated that he does not have the exact number of parking spaces, however there are 2 garage spaces in each unit and the amount of spaces proposed is actually more than the city requires.

Director Hodges stated that staff actually feels that the amount of parking proposed is a bit excessive.

Member White stated that the garage spaces may not provide enough space for 2 full sized vehicles as is the case in the homes near the high school. He suggested that they look at reducing the number of units by one or two buildings. He also expressed concern over the north entrance as there are garages there and that may be an issue as people back out of their garage onto the entrance.

Mr. Gerk stated that this sketch plan is still very open-ended and he does believe that they will be looking at reducing the number of units. He will take these comments back to their team for consideration as they work on the preliminary plat.

Chair Simone asked if there would be any sound mitigation from the railroad tracks.

Mr. Gerk stated that there is not currently any sound mitigation, but they will look at it.

With no further comments, Member Kvasnicka moved to approve P2021-0027. It was seconded by Member White. Motion passed unanimously.

Continuance of the SB Weakland Investments Amended Site Plan

Staff provided the board with a memo prior to tonight's hearing requesting a continuance of the SB Weakland Investments Amended Site Plan to January 13, 2021.

Chair Simone opened the public comment portion, hearing none he closed public comment.

Member Kvasnicka motioned to approve a continuance to January 13, 2021. It was seconded by Member White. 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.

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FUTURE BUSINESS

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

ADJOURNMENT

Chair Simone adjourned the meeting at 6:47 PM.

Submitted by



Magaly Morales-Tejada, Administrative Assistant

Approved by Planning Commission



Mike Simone, Chair