



## TOWN OF WELLINGTON

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### PLANNING COMMISSION FEBRUARY 1, 2010 MEETING 7:00 P.M.

Leeper Center, 3800 Wilson Ave., Wellington

#### AGENDA

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CALL TO ORDER / ROLL CALL

ADDITIONS OR DELETIONS FROM THE AGENDA

PUBLIC COMMENT

Public invited to be heard on (items not on Agenda)

PRESENTATIONS

CONSENT AGENDA

Planning Commission Meeting Minutes from January 4, 2010

NEW BUSINESS

1. Election of Chairman and Chairman Pro-Tem
2. Discussion – Allowed and Prohibited Uses in Industrial Zone

TOWN ADMINISTRATOR UPDATE

SCHEDULE WORK SESSION

OTHER

ADJOURN

**PLANNING COMMISSION MEETING  
MINUTES  
February 1, 2010**

The Planning Commission for the Town of Wellington, Colorado, met on February 1, 2010 at the Leeper Center, 3800 Wilson Ave., Wellington, Colorado at 7:00 p.m.

COMMISSIONERS PRESENT: BERT MCCAFFREY, LARRY NOEL, DAVID NOE, TRAVIS VIEIRA and WAYNE STERLER

COMMISSIONERS ABSENT: BARRY FRIEDRICHS

PRESIDING: CHUCK MAYHUGH, CHAIRMAN

ALSO PRESENT: LARRY LORENTZEN, TOWN ADMINISTRATOR  
CYNTHIA SULLIVAN, DEPUTY CLERK

Additions or Deletions from the Agenda

None

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Public to be heard on non-agenda items

None

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Presentations

None

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Consent Agenda:

Planning Commission Meeting minutes from January 4, 2009.

COMMISSIONER MCCAFFREY MOVED AND COMMISSIONER NOE SECONDED to approve the consent agenda. Roll call was taken and the motion passed unanimously.

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NEW BUSINESS

1. Election of Chairman and Chairman Pro-Tem

Chairman Mayhugh asked for nominations from the Commission.

COMMISSIONER MCCAFFREY NOMINATED AND COMMISSIONER STERLER SECONDED for Chuck Mayhugh as Chairman. Roll call was taken and the motion passed unanimously.

COMMISSIONER STERLER NOMINATED AND COMMISSIONER NOEL SECONDED for Bert McCaffrey as Chairman Pro-tem. Roll call was taken and the motion passed unanimously.

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2. Discussion – Allowed and Prohibited Uses In Industrial Zone

Mr. Lorentzen said there have been some concerns voice from the public and council members as to what types of use should be allowed in an industrial zone. He checked with several area communities as to how there industrial zone is defined. He said there are three different ways to look at zoning. One is prohibiting specific use within the city limits such as feedlots, animal slaughtering facilities, fat rendering facilities, gas and oil refining facilities, junkyards, and electric power generation for distribution. The second way is for use by right which is what we currently have. The third way is a conditional use for specific use. He said tonight is for

discussion only. He said there were two ways to proceed. One is do nothing and leave the zoning as is. The second is to look at other community ordinances and making changes. He said he could put something together and bring it back at the next meeting.

Chairman Mayhugh wanted to clarify that any change in the zoning at this time would not affect any proposal that had already been approved. Mr. Lorentzen said changes would not be retroactive but the use would become nonconforming and expansion of the use would not be allowed by right.

The Commission did not want regulations to be so strict that a viable use would not be allowed. Example Fort Collins regulation about metal work which kept them from having metal sculptures manufacturing. This would be a viable use in an industrial zone.

Commissioner Noel commented would there have been a problem with the chicken processing plant if the birds had been killed before they reached the facility. Jim Pieper, developer, said the problem would be with the FDA regulations on transportation. He did not feel that any changes needed to be made because the current zoning was sufficient. Mr. Lorentzen explained that this discussion was about looking at the future and clarifies what types of uses we do not want in an industrial area. Chairman Mayhugh explained that there are some uses that are currently available in the industrial zone that should not be allowed within the town limits. Example would be an electrical substation. This type of use would stop all other development on that property. Mr. Pieper said why worry about something that does not currently exist. There was further discussion regarding what or how an existing use could expand if it became a nonconforming use. Mr. Lorentzen explained that an explanation could be submitted to the Board as a special use. He read the language for a nonconforming use is the proposal for enlargement or expansion of a building containing a nonconforming use or a proposal for the expansion of existing facilities and equipment located on the lot associated with the nonconforming use, shall require the approval from the Board of Trustees after review by the Planning Commission. He said it would be more like a conditional use.

There was further discussion about the other uses that should be prohibited in the industrial zoning. Mr. Pieper still did not know why the commission was looking at these issues now. Commissioner Noel said the Planning Commission is looking at more than just this property for industrial. Mr. Lorentzen said future growth of the town could be to the north where we would possibly look at zoning industrial. He said that the responsibility of the Planning Commission is to look at future growth, not to wait for proposals to come in and then try to make restrictions.

After further discussion the commission asked Mr. Lorentzen to put together an ordinance and bring it back to the commission at the next meeting.

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#### Town Administrators Update

Mr. Lorentzen updated the Commission on the following items.

- Miramont – Ready to submit building permit
- Advanced Tank adding a new building – will be submitting a site plan
- Major Subdivision – for Lebsak Annexation #2 at next meeting
- Kinzli – Coffee Trolley –application has been withdrawn
- State Legislators in session – will be discussing dispensaries.

#### Schedule Work Session

No work session was scheduled.

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Planning Commission

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Other

None

COMMISSIONER MCCAFFREY MOVED AND COMMISSIONER VIEIRA SECONDED to adjourn at 7:45pm. Roll call was taken and the motion passed unanimously.

ATTEST:

Cynthia Sullivan, CMC  
Deputy Town Clerk