



**TOWN OF WELLINGTON
PLANNING COMMISSION**

**August 1, 2022
6:30 PM**

Regular Meeting

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to birdca@wellingtoncolorado.gov. The email must be received by 4:00 p.m. Monday, August 1, 2022. The comments will be provided to the Commissioners and added as an addendum to the packet. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83024669181?pwd=bFBocXp5N2NkcHdzWHQ4RDJkOUJYUT09>

Passcode: 956222

Webinar ID: 830 2466 9181

Or One tap mobile:

US: +17207072699,,87576162114# or +12532158782,,87576162114# Or Telephone: US: +1
720 707 2699 or +1 253 215 8782 or +1 346 248 7799

-
1. CALL TO ORDER
 2. ROLL CALL
 3. ADDITIONS TO OR DELETIONS FROM THE AGENDA
 4. PUBLIC FORUM
 5. CONSIDERATION OF MINUTES
 - A. Meeting Minutes
 6. NEW BUSINESS
 - A. Public Hearing: Rezone Lot 7, Wellington Business Center from LI - Light Industrial District to C-3 - Mixed Use Commercial District
 7. ANNOUNCEMENTS
 8. ADJOURNMENT



Planning Commission Meeting

Date: August 1, 2022
Submitted By: Patty Lundy, Development Coordinator
Subject: Meeting Minutes

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

Approve the regular meeting minutes of June 6, 2022, the work session minutes of June 6, 2022 and the work session minutes of July 11, 2022.

ATTACHMENTS

1. Minutes of June 6, 2022 Regular Meeting
2. Work Session Minutes of June 6, 2022
3. Work Session Minutes of July 11, 2022



**TOWN OF WELLINGTON
PLANNING COMMISSION
June 6, 2022**

**MINUTES
REGULAR MEETING – 6:30 PM**

1. CALL REGULAR MEETING TO ORDER – 6:30 p.m.

The Planning Commission for the Town of Wellington, Colorado, met on June 6, 2022, at the Wilson Leeper Center, 3800 Wilson Avenue, Wellington, Colorado at 6:30 p.m.

2. ROLL CALL

Commissioners Present:

Eric Sartor, Chairperson
Linda Knaack
Lisa Chollet
Lowrey Moyer
Gary Dicenta
Tim Whitehouse

Absent:

Bert McCaffrey

Town Staff Present:

Cody Bird, Planning Director
Patty Lundy, Development Coordinator

3. ADDITIONS TO OR DELECTIONS FROM THE AGENDA

None

4. PUBLIC FORUM

None

5. CONSIDERATION OF MINUTES

A. Meeting Minutes of April 4, 2022

B. Meeting Minutes of May 2, 2022

C. Work Session Minutes of May 2, 2022

Commissioner Moyer motioned to approve the meeting minutes of April 4, 2022, meeting minutes of May 2, 2022, and the work session minutes of May 2, 2022. Commissioner Whitehouse seconded.

Yeas – Dicenta, Whitehouse, Moyer, Chollet, Knaack, Sartor

Nays – None

Motion carried.

6. NEW BUSINESS

None

7. ANNOUNCEMENTS

Cody Bird, the Planning Director mentioned that there are currently no action items for the July 11th, 2022, meeting at 6:30pm. There is a possibility of a site plan that could be submitted for possible action at that meeting.

8. ADJOURNMENT

Chairman Sartor adjourned the regular meeting at 6:35 PM.

Approved this _____ day of _____, 2022

Recording Secretary



**TOWN OF WELLINGTON
PLANNING COMMISSION
June 6, 2022**

WORK SESSION MINUTES

6:35pm

1. WORK SESSION – STARTED 6:35pm

The Planning Commission for the Town of Wellington, Colorado, met on June 6, 2022, at the Wilson Leeper Center, 3800 Wilson Avenue, Wellington, Colorado at 6:30 p.m. in a work session to consider possible updates to the Official Zoning Map of the Town. The work session began immediately following adjournment of the regular meeting.

Following recent adoption of changes to the Town's Land Use Code, the Official Zoning Map is in need of updating to align with the updated Land Use Codes.

The Planning Commission discussed possible updates to the zoning map to include re-labeling existing developed multifamily neighborhoods and townhome developments to the R-3 zone district identified in the new code. Re-assigning existing TR – Transitional zoned properties was also discussed. Some TR properties along commercial corridors were identified for possible changes to C-1 or C-3 zone districts. Other TR properties within residential areas were identified for possible changes to R-2 or R-4 zoning in accordance with the new land use code descriptions. Other comments were also discussed that included updating parcel boundaries for consistency, incorporating recently annexed properties onto the map, and general clean-up and consistency updates.

The Commission choose to continue the discussion of TR – Transitional zoned properties near Cleveland Ave. and the downtown area at the July meeting to allow adequate time to consider the unique aspects of the downtown neighborhoods in relationship to existing land use patterns.

Public hearings are required before making any changes to the Official Zoning Map. The Planning Commission will conduct a public hearing in the future, date to be determined. Following the public hearing, the Commission will make a recommendation to the Board of Trustees.

No action was taken during the work session. The work session adjourned at 8:17pm.



**TOWN OF WELLINGTON
PLANNING COMMISSION
July 11, 2022**

WORK SESSION MINUTES

6:30pm

1. WORK SESSION – STARTED 6:30pm

The Planning Commission for the Town of Wellington, Colorado, met on July 11, 2022, at the Wilson Leeper Center, 3800 Wilson Avenue, Wellington, Colorado at 6:30 p.m. in a work session.

Town staff presented an update on residential construction trends, including a report on the number of residential building permits issued by the Town from January to end of June. The year-to-date permit numbers were compared and contrasted to the historical annual permit data of the Town. Staff also provided an update on the number of permit-ready lots within the Town and subdivisions.

Following recent adoption of changes to the Town's Land Use Code, the Official Zoning Map is in need of updating to align with the updated Land Use Codes. The Planning Commission discussed possible updates to zoning of areas around the downtown and downtown neighborhoods as well as areas along First Street and Sixth Street near the downtown. Public hearings are required before making any changes to the Official Zoning Map. The Planning Commission will conduct a public hearing in the future, date to be determined. Following the public hearing, the Commission will make a recommendation to the Board of Trustees.

No action was taken during the work session. The work session adjourned at 7:38pm.



Planning Commission Meeting

Date: August 1, 2022
Submitted By: Cody Bird, Planning Director
Subject: Public Hearing: Rezone Lot 7, Wellington Business Center from LI - Light Industrial District to C-3 - Mixed Use Commercial District

EXECUTIVE SUMMARY

General Location:

- West of I-25 Frontage Road, South of Water Lily Dr.

Applicant/Agent:

- Applicant: FRS Properties, LLC

Reason for request:

- Allow for more business uses allowed in C-3 zoning to accommodate tenant spaces

Background Information:

- The applicant is requesting to change the zoning district classification of the property from LI – Light Industrial District to C-3 – Mixed Use Commercial District.
- The property proposed to be rezoned is one platted lot approximately 6.9 acres in size (location map attached).
- The owner desires to rezone the property to C-3 – Mixed Use Commercial to allow a broader range of business uses for a multi-tenant commercial development.
- The property (Lot 7, Wellington Business Center) was approved for a replat and rezone in 2015. Ordinance No. 3-2015 was approved by the Board of Trustees to establish the plat of Wellington Business Center, and zoned only Lot 7 of the plat for LI – Light Industrial.
 1. The LI – Light Industrial zoning was approved for a specific manufacturing use proposed at the time of the rezone. Since that time, the specific manufacturing use has not been completed.
 2. The Official Zoning Map of the Town identifies the property as C-3 zoning. The Zoning Map was not updated after the 2015 ordinance approval; however, the ordinance is in force and effect for the LI – Light Industrial zoning.
 3. The Official Zoning Map will need to be updated no matter the outcome of this particular rezone request.
- Zone change requests require public hearings by the Planning Commission and Board of Trustees:
 1. Notice of the public hearings was published in the Coloradoan as prescribed by State law and the Town's Land Use Code.
 2. Two signs advertising the public hearings have been continuously displayed on the property.

3. Notices were mailed to surrounding property owners as prescribed by State law and the Town's Land Use Code.
- At the time of this writing, Town staff has not received any written or verbal comments concerning this rezone request.

BACKGROUND / DISCUSSION

The below findings for approval are intended to provide a guideline for matters which may be considered when approving or disapproving a rezoning request. The Planning Commission may find that not all factors will be relevant to this rezone request. Matters that are determined by the Planning Commission to be important will be the basis for the Planning Commission's recommendation to the Board of Trustees. In order to properly make a recommendation to the Town Board of Trustees, the Planning Commission should make specific and substantiated findings supporting its recommendation.

FINDINGS FOR APPROVAL:

Below are the findings the Planning Commission should consider when considering a rezone and staff's opinion of each finding follows (*in italics*).

A. The rezone is consistent with the Comprehensive Plan and the intent stated in the Land Use Code.

- *The Future Land Use Map component of the Comprehensive Plan identifies Lot 7, Wellington Business Center as "Commercial."*
 1. *The "Commercial" designation is identified as being located in concentrated areas and along I-25 and SH 1. Areas are intended to include a variety of businesses that provide employment opportunities and support the retail and service needs of the community.*
 2. *Potential uses identified in the "Commercial" areas include various retail and services ranging from shopping areas, to gyms, hospitality, lodging, entertainment, medical and social services.*
 3. *Rezoning the property to C-3 – Mixed Use Commercial would allow a broader range of retail and service uses than the current LI – Light Industrial zoning allows.*
- *The following Goals and Strategies identified in the Comprehensive Plan support the approval of the rezone to C-3 Mixed Use Commercial.*
 1. *Thriving Economy Goal #1: Diversify the Town's Economic Base*
 - *TE 1.1. Ensure land uses and supporting infrastructure and utilities are available to provide opportunities for needed services and home businesses to establish their businesses in Wellington.*
 2. *Thriving Economic Goal #2: Balance Commercial, Industrial, and Residential Land Uses to Ensure a Variety of Convenient Amenities and Appropriate Infrastructure.*
 - *TE 2.2. Ensure land use standards accommodate a variety of businesses so small local businesses, big box, and chain stores have available options.*
 3. *Thriving Economy Goal #4: Develop a Supportive Business Environment that Aids in Creating a Thriving Economy.*
 - *TE 4.1. Balance residential with commercial land uses to promote local job opportunities and needed services for residents.*
- *The intent of a rezone as stated in the Land Use Code is to make adjustments to the official zoning map that are necessary as a result of a change in conditions or public policy, or to advance the general health, safety, welfare and morals of the Town. A rezone is not intended to relieve particular hardships, nor confer special privileges or rights to any person or party.*

B. The rezone is consistent with the stated intent of the proposed zoning district.

- *The intent of the proposed C-3 – Mixed Use Commercial District is as follows:*
 1. *The Mixed-Use Commercial District is intended to be a setting for development of a wide range of community and regional retail uses, offices and personal and business services, and it is intended to accommodate a wide range of other uses, including multi-family housing and mixed-use dwelling units. The C-3 District should integrate various commercial and multi-family uses while transitioning from the highway to adjacent lower density neighborhoods. The intent of mixed-use areas is to cluster residential and non-residential uses in a compact, walkable setting. These areas provide ease of movement through both motorized and non-motorized transportation options offering convenient access for locals and visitors alike.*
 2. *While some Mixed-Use Commercial District areas may continue to meet the need for auto-related and other auto-oriented uses, it is the Town's intent that the C-3 District emphasize safe and convenient personal mobility in many forms, with planning and design that accommodate pedestrians. Further, the C-3 District is intended to function with, rather than compete with, the Downtown District.*
 3. *The highway corridor is a visible commercial area of the community. Attention to the architectural standards outlined in Section 5.09 is required for approval.*
- *The property is adjacent to the I-25 frontage road, an arterial roadway that provides adequate vehicular access to the site with some improvements anticipated. The site has visibility from I-25.*
- *Properties immediately surrounding the subject property are zoned C-3 – Mixed Use Commercial. Developed C-3 – Mixed Use Commercial properties provide space for a variety of retail and service needs (gym, chiropractor office, contractor offices, retail and warehousing, and others).*
- *The C-3 – Mixed Use Commercial District provides a transition from the highway to the lower density R-2 Residential Low-Density subdivision to the west.*
- *Development of the property will require site plan review and approval by the Planning Commission. Architecture, pedestrian and vehicular access, landscape standards and other standards will all be evaluated.*

C. The rezone will not result in adverse impacts to the natural environment (including air, water, noise, stormwater management, wildlife, and vegetation) or such impacts will be mitigated.

- *The requested rezone is not anticipated to result in adverse impacts to the natural environment that cannot be appropriately mitigated.*
 1. *Uses allowed in the requested C-3 – Mixed Use Commercial District are not generally uses that generate a high degree of noise, dust, odors, pollution or other factors that impact the environment.*
 2. *Development of the site will require site plan review approval and will evaluate factors including vehicle and pedestrian access, stormwater and drainage, landscaping requirements, light and photometric plans and other criteria. Any adverse impacts anticipated from development must be mitigated and demonstrated on the site plans before development approval.*
 3. *Certain uses have the potential to generate air quality concerns. Businesses are required to demonstrate compliance with Colorado Air Quality standards at the time of building permit application and at the time a business license is requested from the Town.*
 4. *Impacts to wildlife is not anticipated to be a significant concern at this location.*

D. The rezone of the subject property will not result in material adverse impacts to the surrounding properties.

- *Existing zoning and land uses adjacent to the proposed rezoning area are as follows:*

Surrounding Zoning and Land Uses

Direction	Zoning	Land Use
North	C-3 – Mixed Use Commercial District	Retail, service, office and warehouse uses
East	N/A	Interstate 25
South	P – Public District	Stormwater detention facility (12.5 acres in size)
West	C-3 – Mixed Use Commercial District R-2 – Residential Low Density	Temporary stormwater detention facility Temporary fenced contractor storage yard Single-family detached residential subdivision

- *The requested rezone to C-3 – Mixed Use Commercial would be consistent with existing adjacent commercial uses.*
- *The LI – Light Industrial zoning existing allows for some uses that could be found to be incompatible with the adjacent existing uses.*
 1. *Motor vehicle storage, auction, dry cleaning facility, contractor and contractor storage, light industrial and manufacturing, mini-storage facility, and wholesale distribution/warehousing and storage are allowed or conditional uses in the LI – Light Industrial District.*
- *The requested C-3 – Mixed Use Commercial District allows a wide range of business uses that are intended to attract and/or be conveniently accessed by vehicles from the interstate and highways. The property is located with access to the I-25 frontage road where vehicular traffic is expected. Access to local and residential streets is limited to reduce the volume of commercial traffic driving through residential neighborhoods.*

E. Facilities and services (roads, transportation, water, gas, electricity, police, fire protection, and sewage and waste disposal) are available to serve the subject property while maintaining adequate levels of service to existing development.

- *Municipal water and sewer infrastructure are currently available near the site and are capable of being extended to accommodate uses permitted within the C-3 – Mixed Use Commercial District.*
- *Frontage road improvements, turn lanes, and pedestrian sidewalk connections are anticipated to be needed and can be evaluated as part of the site development plan and approval process.*
- *Natural gas, electric, telecommunications and waste disposal services are private service providers that will be extended or services arranged as part of the site development and construction process.*

- *Police and fire protection are already provided to serve the site. Rezoning to C-3 – Mixed Use Commercial is not anticipated to create any additional burden that cannot be accommodated with existing resources.*
- *Parks, library and senior services are not expected to experience a significant increase in use as a result of the rezoning.*
- *Changing the zoning to allow a wider range of retail and service uses could increase opportunities for expanding the town’s commercial tax base which can in turn support overall town fiscal health.*

F. The rezone is consistent with any other prior approvals and official plans and policies created under the guidance of that plan for those areas (e.g., the Comprehensive Plan, specific area plans like a Downtown Corridor Study, etc.).

- *Prior Town approval of Ordinance No. 3-2015 to allow LI – Light Industrial District zoning for Lot 7, Wellington Business Center may be found to be inconsistent with the surrounding C-3 zoning and close proximity to the R-2 Residential Low-Density District.*
- *Other prior Town approvals for C-3 zoning have considered vehicular traffic impacts closely and found that increased traffic impacts on residential streets to be a significant consideration. The proposed rezone on Lot 7, Wellington Business Center would have limited expected impacts of increasing vehicular traffic on residential streets.*
- *There are not currently any specific area plans or corridor plans for the commercial areas surrounding Lot 7, Wellington Business Center.*
- *The 2015 Parks and Trails Master Plan identifies Tract F, Columbine Estates as an undeveloped open space.*
 1. *There no current plans to make changes to Tract F (a 12.5-acre stormwater detention facility that provides required stormwater needs for the surrounding developments).*
 2. *An update of the Parks and Trails Master Plan is contemplated to be undertaken in fiscal years 2022-2023.*
 3. *Public access to Tract F is currently limited. Public trail or sidewalk access along Tract F is a future consideration that will need to be evaluated with future development proposals.*
- *The proposed rezone to C-3 – Mixed Use Commercial is consistent with the Future Land Use component of the Comprehensive Plan and goals and strategies of the “Thriving Economy” recommendations of the Comprehensive Plan more closely identified in Finding A above.*

STAFF RECOMMENDATION

- *Town staff suggests that the C-3 – Mixed Use Commercial District is an appropriate zoning for Lot 7, Wellington Business Center based on the preceding findings.*
- *Below are possible motion options for the Planning Commission to consider:*
 1. *Move to forward a recommendation to the Board of Trustees to approve the change of zoning district classification for Lot 7, Wellington Business Center from LI – Light Industrial District to C-3 – Mixed Use Commercial District based on the findings for approval.*
 2. *Move to forward a recommendation to the Board of Trustees to retain the LI – Light Industrial District for Lot 7, Wellington Business Center based on the findings for approval.*



3. Move to continue the public hearing for the request to change the zoning district classification for Lot 7, Wellington Business Center from LI – Light Industrial District to C-3 – Mixed Use Commercial District to the next regular meeting of the Planning Commission to be held September 12, 2022 at 6:30pm at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Ordinance No. 3-2015

LOCATION MAP
Lot 7, Wellington Business Center



Zoning Map

Lot 7, Wellington Business Center



ORDINANCE 3-2015

AN ORDINANCE RELATING TO PLAT APPROVAL AND ZONING FOR WELLINGTON BUSINESS CENTER, BEING A REPLAT OF OUTLOTS D, E1 & E2, COLUMBINE ESTATES MINOR SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF WELLINGTON, COUNTY OF LARIMER, STATE OF COLORADO

WHEREAS, Integrity Land Group LLC, is requesting final plat approval to replat Outlots D, E-1 and E-2 of Columbine Estates into 8 lots.

WHEREAS, the property is currently zoned C-3 Highway Commercial. Lots 1-6 to be office/warehouse/ business condo spaces as uses by right in the Highway Commercial District, Lot 7 at the southeast corner to be rezoned to Light Industrial for manufactured home fabrication; and

WHEREAS, the notices have been given and the public hearings required by the Wellington Municipal Code have been held; and

WHEREAS, the Planning Commission by motion on February 2, 2015 recommended conditional approval of the plat; and,

WHEREAS, the Board of Trustees of the Town of Wellington has found the application to be in substantial compliance with the requirements of the Wellington Municipal Code

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO:

SECTION 1: The replat of Outlots D, E1 and E2 Columbine Estates Minor Subdivision, Town of Wellington, County of Larimer, State of Colorado, is hereby approved as a Minor Subdivision in accordance with the Wellington Municipal Code, except as may be specifically modified by this ordinance.

SECTION 2: Lots 1 through 6 and Lot 8 are zoned C-3 Highway Commercial and Lot 7 is zoned Light Industrial.

SECTION 3: Prior to recording the plat:

- 1) Amending Street Names on Plat to comply with Larimer County naming criteria.
- 2) Submittal of business owners association covenants, in a form acceptable to the Town Attorney, covering maintenance for common areas and privately maintained streets.
- 3) Amend Plat easement and dedication language as required by Town Attorney

SECTION 3: Prior to building permits or any ground breaking for this property, the following items shall be accomplished:

- 2
- 1) A Memorandum of Agreement for Public Improvements signed by the Town and Developer along with Security for all public infrastructure

SECTION 3: Repealer. The Board of Trustees hereby declares that should any section, paragraph, sentence, word or other portion of this Ordinance or the rules and regulations adopted herein be declared invalid for any reason, such invalidity shall not affect any other portion of this Ordinance or said rules and regulations, and the Board of Trustees hereby declares that it would have passed all other portions of this Ordinance and adopted all other portions of said rules and regulations, independent of the elimination here from of any such portion which may be declared invalid.

SECTION 4: Necessity. In the opinion of the Board of Trustees of the Town of Wellington, this ordinance is necessary for the preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Wellington.

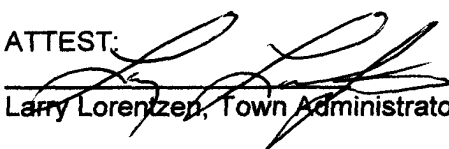
SECTION 5: Penalty. Any persons, firm or corporation violating this Ordinance or any provisions of applicable state law, is guilty of a violation of this ordinance and, upon conviction thereof, shall be punished by a fine of not more than ONE THOUSAND (\$1,000) DOLLARS, or by imprisonment for not more than ONE (1) YEAR, or both such fine and imprisonment. Each day during which such violation continues, shall be deemed a separate offense.

SECTION 6: Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours. Furthermore, the Mayor's signature shall be affixed to the plat and attested by the Town Clerk.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON AND ORDERED TO BECOME PUBLISHED THIS 24TH DAY OF FEBRUARY, 2015 AND ORDERED TO BECOME EFFECTIVE 30 DAYS FROM THE DATE OF PUBLICATION.

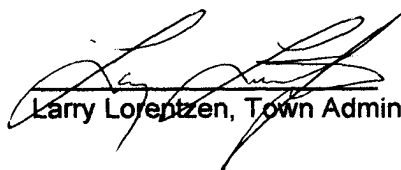


Jack Brinkhoff, Mayor

ATTEST:


Larry Lorentzen, Town Administrator/Clerk

PUBLISHED BY TITLE THE 2nd DAY OF March, 2015 IN "THE COLORADOAN".



Larry Lorentzen, Town Administrator/Clerk