



**TOWN OF WELLINGTON
PLANNING COMMISSION**

**September 12, 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, September 12, 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/86375704545?pwd=VUhvaXVrTTVrdHVMYmFwVml2UitNUT09>

Passcode: 375891

Webinar ID: 863 7570 4545

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US: +17207072699,,87576162114# or +12532158782,,87576162114# Or Telephone: US: +1
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-
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 of August 1, 2022
 6. NEW BUSINESS
 - A. Public Hearing: Rezone Lot 1 and the North 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision from LI - Light Industrial District to C-2 - Downtown Core Commercial District
 7. ANNOUNCEMENTS
 8. ADJOURNMENT



Planning Commission Meeting

Date: September 12, 2022
Submitted By: Patty Lundy, Development Coordinator
Subject: Meeting Minutes of August 1, 2022

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

Move to approve the regular meeting minutes of August 1, 2022 as presented.

ATTACHMENTS

1. Meeting Minutes of August 1, 2022



**TOWN OF WELLINGTON
PLANNING COMMISSION
August 1, 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 August 1, 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
Bert McCaffrey
Gary Dicenta
Tim Whitehouse

Absent:

Lowrey Moyer

Town Staff Present:

Cody Bird, Planning Director
Hallie Sheldon, Senior Management Analyst

3. ADDITIONS TO OR DELECTIONS FROM THE AGENDA

None

4. PUBLIC FORUM

None

5. CONSIDERATION OF MINUTES

A. Work Session Minutes of June 6,2022

Commissioner Knaack moved to approve the work session minutes of June 6, 2022.
Commissioner Whitehouse seconded.

Yeas – Sartor, Knaack, Chollet, Dicenta

Nays – None

Abstained - McCaffrey, Whitehouse

Motion carried.

B. Meeting Minutes of June 6, 2022

Commissioner Dicenta moved to approve the regular meeting minutes of June 6, 2022.
Commissioner Chollet seconded.

Yeas – Sartor, Knaack, Chollet, Dicenta

Nays – None

Abstained - McCaffrey, Whitehouse

Motion carried.

C. Work Session Minutes of July 11, 2022

Commissioner Chollet moved to approve the work session minutes of July 11, 2022.
Commissioner McCaffrey seconded.

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

Nays – None

Motion carried.

6. NEW BUSINESS

A. Public Hearing: Rezone Lot 7, Wellington Business Center from LI – Light Industrial District to C-3 – Mixed Use Commercial District

Cody Bird, Planning Director introduced the staff report. The property is currently zoned LI – Light Industrial and the property owner is asking for the property to be rezoned to C-3 – Mixed Use Commercial District to have zoning consistent with the other properties around it. The C-3 zoning is requested to allow more opportunities for a variety of business uses that could be accommodated in a proposed multi-tenant commercial development. The recommended findings for approval are included in the agenda packet in sections A thru F.

Matthew Mullett, owner of Wellington Business Center, Lot 7. The original development plan in 2015 was that the north 6 lots would be commercial like it is now and that Lot 7 would be for a complex that would be for light industrial. Some of those plans have changed over the years and Mullett now believes Lot 7 is now a better fit to be commercial that is consistent with the other commercial building on the north end of the development. The proposal Mullett is working on now includes a multi-tenant building with many units that will help many smaller businesses find locations in Wellington.

Commissioner McCaffrey asked if there was a preliminary site plan available. Mullett provided copies to the Commissioners to review and the site plan was displayed on the TV monitors. Mullett explained that this was still a preliminary site plan and more details are still being worked out. He explained that the store fronts would be oriented to face the east and west sides and that the middle would be for trucks to deliver.

Commissioner Knaack asked about the current zoning map for this lot. Bird replied that the official Town zoning map did not get updated in 2015 when the Light Industrial zoning was approved for this property. The applicant is now asking for the zoning to be changed back to the C-3 zoning that the Town zoning map currently shows.

Commissioner Chollet asked Mullett if he also owned the other properties to the north within this development. Mullett responded that he had been a co-owner in the development of the north buildings but he now only owns the south end of the development.

Chairman Sartor opened public comment.

Melissa Whitehouse raised a question about the address for the property not being very clear. She also pointed out that an image in the agenda packet is not showing that there is residential development to the west of the proposed property along Globeflower Street. She would like to see that no commercial traffic be allowed on Globeflower Street.

Karen Eifert asked for clarification of the property location. Bird responded to explain where the property was located. Eifert expressed that her concern would be construction traffic in this area and safety for children that play in the neighborhood.

Seeing no more public comments, Chairman Sartor closed the public hearing portion of the meeting at 6:58 pm.

Mullett explained that in his proposed site plan, there would be no commercial traffic accessing Globeflower Street. There is no access to Globeflower from this Lot 7. There would also be less large truck traffic expected for development with C-3 zoning than might be expected if the property developed as Light Industrial. with the zoning being C-3 than the LI.

Bird replied that addressing for the property will be updated and corrected based on a future site plan approval so all commercial units can be correctly identified.

Commissioners addressed the public comment concerns stating they understand the construction traffic concern and children playing and the desire to limit commercial traffic on residential streets. The public comments were recognized and those topics would be further addressed when the Commission reviews site plans for development of the property.

Bird referred to the Findings for Approval included in the staff report. The findings are the basis for the Commission's recommendation. The findings in the report include that the C-3 Mixed Use Commercial zoning is appropriate for Lot 7, Wellington Business Center because it is consistent with the surrounding commercial zoning, C-3 zoning supports the goals of the Comprehensive Plan by providing a balance of residential and commercial opportunities in the neighborhood, C-3 zoning supports the opportunity for small business to locate within Town, and also the length of time that the property has been vacant as currently zoned Light Industrial.

Commissioners also asked to include in the finding for approval that the requested C-3 zoning is consistent with the recommendations of the Comprehensive Plan and that it also meets the Strategic Plan goals as adopted by the Town Board of Trustees.

Commissioner McCaffrey moved 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. Commissioner Chollet seconded.

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

Nays – None

Motion carried.

7. ANNOUNCEMENTS

Cody Bird, the Planning Director said to plan on a public hearing for the September 12th, 2022, meeting. As a reminder our regular meeting is a week later due to Labor Day Weekend holiday.

8. ADJOURNMENT

Chairman Sartor adjourned the regular meeting at 7:11 PM.

Approved this _____ day of _____, 2022

Recording Secretary



Planning Commission Meeting

Date: September 12, 2022
Submitted By: Cody Bird, Planning Director
Subject: Public Hearing: Rezone Lot 1 and the North 15-ft. of Lot 2, Block 9, Wellington Place
1st Subdivision from LI - Light Industrial District to C-2 - Downtown Core
Commercial District

EXECUTIVE SUMMARY

Please see the attached staff report.

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. Staff Report
2. Location Map
3. Zoning Map
4. Plat Map
5. Future Land Use Map

Date September 12, 2022
Submitted By: Cody Bird, Planning Director
Subject: Public Hearing: Rezone Lot 1 & North 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision from LI- Light Industrial District to C-2- Downtown Core Commercial District

EXECUTIVE SUMMARY

General Location:

- Southwest Corner of Cleveland Avenue and First Street (8141 First Street)
- **Applicant/Agent:**
 - Applicant: Wellington Rental & Storage, LLC.
- **Reason for request:**
 - Rezoning to the C-2 Downtown Core Commercial zone district allows for residential living facilities in the Downtown Core Commercial area.
- **Background Information:**
 - Town staff initiated a notice of condemnation on the subject property in June of 2022 based on reports to town staff and observation of the property that determined the existing structure to be an unsafe structure, an unlawful structure and a dangerous structure. The property was found to be out of compliance with life, health, property or safety of the public or occupants requirements of the adopted 2018 International Existing Building Code. Notice was provided and posted on the property siting the correction order and including the requirement to obtain building permits in accordance with Town Planning and Zoning regulations.
 - The applicant has complied with the condemnation correction order to-date, and has informed Town staff of the intent to seek zoning approval for a zone district to allow multi-family residential within the northern-most building on the property. Subsequent to zoning approval, the applicant would also be required to obtain appropriate building permits to make the necessary improvements to the existing structure to support approved uses.
 - The applicant is seeking to change the zoning district classification from LI – Light Industrial District to C-2 – Downtown Core Commercial District for a portion of the property located at 8141 First Street to allow for residential uses.
 - The property proposed for the rezone is one platted lot (Lot-1) and a portion of a second platted lot (the north 15-ft of Lot-2) and is approximately 0.12 acres in size (location map attached).
 - The owner desires to rezone the property to C-2- Downtown Core Commercial to allow a broader range of uses including multi-family residential development.
 - The property proposed for this rezone request (Lot 1, and the north 15-ft of Lot 2, Block 9, Wellington Place 1st Subdivision) was part of the Wellington Place 1st Subdivision recorded in 1903. Adjacent to the Colorado & Southern Rail line and depot area, the property was zoned LI – Light Industrial and has historically been a lumber yard and subsequently an equipment rental business with a single residential dwelling included.
 - The existing LI – Light Industrial zoning is proposed to remain on the remainder (south portion) of Lot 2 and Lots 3-7, Block 9, Wellington Place 1st Subdivision. The request to rezone to C-2 is proposing residential land uses only for the northern portion of the property adjacent to Cleveland Avenue.
 - Zone change requests require public hearings before the Planning Commission and Board of Trustees:

- Notice of the public hearings was published in the Coloradoan as prescribed by State law and the Town's Land Use Code.
 - Two signs advertising the public hearings have been continuously displayed on the property.
 - Notices were mailed to surrounding property owners as prescribed by State law and the Town's Land Use Code.
- The subject site is an existing developed site that has existing constraints. If the requested C-2 zoning is approved, it is possible that not all site requirements of the C-2 zoning district can be satisfied (parking, landscaping, etc.). It is Town staff's understanding that the owner of the property desires to continue to use the existing structures on the property and make improvements necessary to support permitted uses within the C-2 zoning district and to meet other zoning requirements as much as feasibly possible without changing the building footprints, vehicle access and basic existing conditions on the site.
 - If the requested C-2 Downtown Core Commercial zoning is approved, Town staff is of the opinion that basic site elements required for the C-2 zone district can be evaluated as conditions of a building permit and an administrative staff review. If more significant re-development changes are proposed for the site, a site plan review by the Planning Commission may be a required approval.
 - 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 contemplating 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 Lots 1 and 2, Wellington Place 1st Subdivision as "Downtown Core Commercial", (exhibit attached).*
 - *This rezone request is consistent with the Wellington Comprehensive Plan 2021 Future Land Use Map.*
 - *The "Downtown Core " designation extends west on SH 1/Cleveland Avenue from I-25 to the railroad crossing, it is the Town's primary activity center. This area is intended to include a mix of land uses and businesses that provide employment opportunities and support the retail and service needs of the community.*
 - *Potential uses identified in the "Downtown Core Commercial" areas include multi-family residential, various retail and services ranging from shopping areas, to gyms, hospitality, lodging, entertainment, medical and social services.*
 - *Rezoning the property to C-2 – "Downtown Core Commercial" is consistent with the Wellington Comprehensive Plan 2021 and would permit a broader range of retail, service and residential uses common for a vibrant downtown core.*
 - *The following Goals and Strategies identified in the Comprehensive Plan support the approval of the rezone to C-2 Downtown Core Commercial:*
 - *Community Cohesion Goal #2: Ensure that existing & future residential developments contribute to enhancing quality of life.*

- o CC 2.1. Update Land Use Code to allow a greater mix of housing types in Wellington.
 - *Thriving Economy Goal #4: Develop a Supportive Business Environment that Aids in Creating a Thriving Economy.*
 - o TE 4.1. Balance residential with commercial land uses to promote local job opportunities and needed services for residents.
- B. The rezone is consistent with the stated intent of the proposed zoning district.
 - *The intent of the Downtown Core Commercial Zone District is as follows:*
 - o *The Downtown Core Commercial District is intended to be the primary activity center of the town, a setting for a wide range of community, cultural and residential functions and events, including retail sales, restaurants, specialty retail, offices, and personal and business services, etc... The C-2 zone district preserves the character of the original downtown and provides for a mixture of uses that will strengthen and expand the core community. The intent of downtown core commercial use areas is to support and provide for a vibrant downtown core, with residential and non-residential uses in a compact, walkable setting. These areas provide ease of movement for both motorized and non-motorized transportation offering convenient access for locals and visitors alike.*
 - o *The SH-1/Cleveland Avenue corridor that makes up the Downtown Core Commercial District is a highly visible commercial area of the community. 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.*
 - *The property is adjacent to SH 1/Cleveland Avenue, a State-maintained arterial roadway. First Street provides adequate vehicular access to the site.*
 - *Properties immediately surrounding the subject property are zoned C-2 Downtown Core Commercial, Transitional, Light Industrial, and Agricultural. The site is adjacent to and abutting the railroad.*
 - *The C-2- Downtown Core Commercial District provides a transition from the highway to the lower density R-1 Rural Residential subdivision to the west.*
 - *Modifications to the property may require site plan review or may be considered administrative conditions on a building permit. Architecture, pedestrian and vehicular access, landscape standards and other standards will need to be evaluated.*
 - *Alternatives may need to be considered for an existing developed site where existing site constraints prevent meeting typical code requirements.*
- 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.*
 - *Uses allowed in the requested C-2 – Downtown Core Commercial District are not generally uses that generate a high degree of noise, dust, odors, pollution or other factors that impact the environment.*
 - *The site is developed, however redevelopment of the site to convert the former lumber/equipment rental yard into a multi-family residential use will require review to 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 granting building permits.*
 - *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	LI- Light Industrial	Self-Storage Facility
East	TR- Transitional C-2- Downtown Core Commercial	Utility Infrastructure (Century Link building) Automotive Repair Shop
South	LI- Light Industrial	Grain Mill
West	Railroad (not zoned); A- Agricultural tract (beyond);	Active BNSF Rail Line Boxelder Creek Drainage

- *The requested rezone to C-2 – Downtown Core Commercial would be consistent with existing adjacent commercial uses.*
 - *The requested C-2 – Downtown Core Commercial District allows business uses intended to attract and serve the local community, and the I-25 commuter. The property is located on the western-most edge of the downtown core area.*
 - *The LI – Light Industrial zoning allows for some uses that are incompatible with the intent or vision for the Downtown Core Commercial District.*
 - *Motor vehicle and RV 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.*
 - *Residential uses are not allowed in the LI – Light Industrial zoning.*
- 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.
- *The site has an existing commercial building.*
 - *The applicant proposes converting the existing building for residential uses.*
 - *The facilities and services (roads, transportation, water, gas, electricity, police, fire protection, and sewage and waste disposal) currently serve the subject property.*
 - *Municipal water and sewer infrastructure currently serve the site (adequacy for residential uses and number of units will be determined and upgraded as deemed necessary based on approved uses).*
 - *Police and fire protection are already provided to serve the site. Rezoning to C-2 – Downtown Core Commercial for the residential uses is not anticipated to create any additional burden that cannot be accommodated with the existing resources.*
 - *Parks, library and senior services are not expected to experience a significant increase in use as a result of the rezoning (impact fees may be required for additional residential or commercial units, as approved).*
 - *The proposed zone district change to allow for land uses compatible with the C-2 – Downtown Core Commercial District supports the Wellington Comprehensive Plan 2021 vision and could also increase opportunities for expanding the Town's property tax base which can in turn support overall town fiscal health.*
- F. The rezone is consistent with the recently amended Comprehensive Plan and Land Use Code for the Downtown Core area.
- *Town land use standards and guidelines have historically supported Light Industrial and Industrial land uses adjacent to the railroad. However, the Town recognizes flexibility and mixed land uses are critical to the vibrancy of the downtown and identified the subject site as part of the Downtown Core Commercial District during the recent Comprehensive Plan update. The*

property owner has requested a zone change to be consistent with the Downtown Core Commercial District designation.

- o Public access to 8141 First Street is limited to First Street—a north-south local road.*
- o The proposed rezone to C-2- Downtown Core Commercial is consistent with the Future Land Map, (see exhibit).*
- o The proposed C-2 zoning is consistent with the future land use component of the Comprehensive Plan and goals and strategies of the Community Cohesion Goal #2 and the Thriving Economy recommendations of the Comprehensive Plan more closely identified in Finding A.*

STAFF RECOMMENDATION

- o Town staff suggests that the C-2- Downtown Core Commercial District is an appropriate zoning for Lot 1, and the north 15-ft of Lot 2, Block 9, Wellington Place 1st Subdivision based on the preceding findings.*

Below are possible motion options for the Planning Commission to consider:

- I. Move to forward a recommendation to the Board of Trustees to approve the change of zoning district classification for Lot 1, and the north 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision from LI – Light Industrial District to C-2 – Downtown Core 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 1, and the north 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision based on the findings for approval.
3. Move to continue the public hearing for the request to change the zoning district classification for Lot 1, and the north 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision from LI – Light Industrial District to C-2 – Downtown Core Commercial District to the next regular meeting of the Planning Commission to be held October 3, 2022 at 6:30pm at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado.

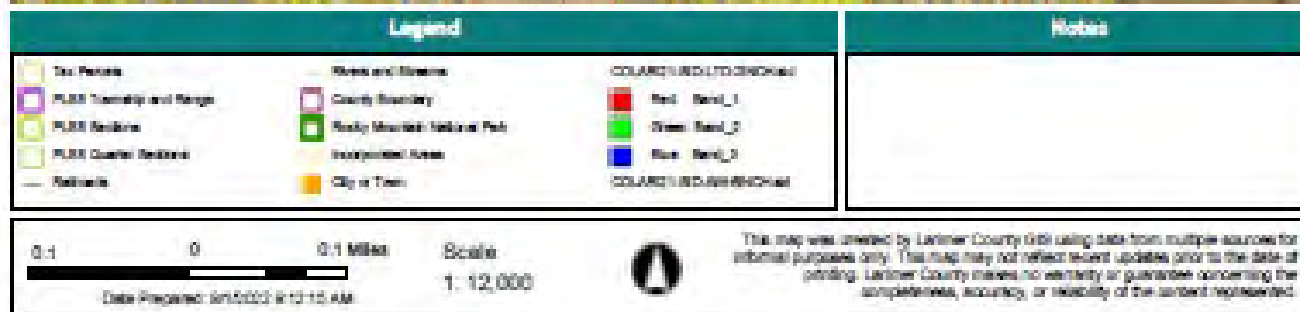
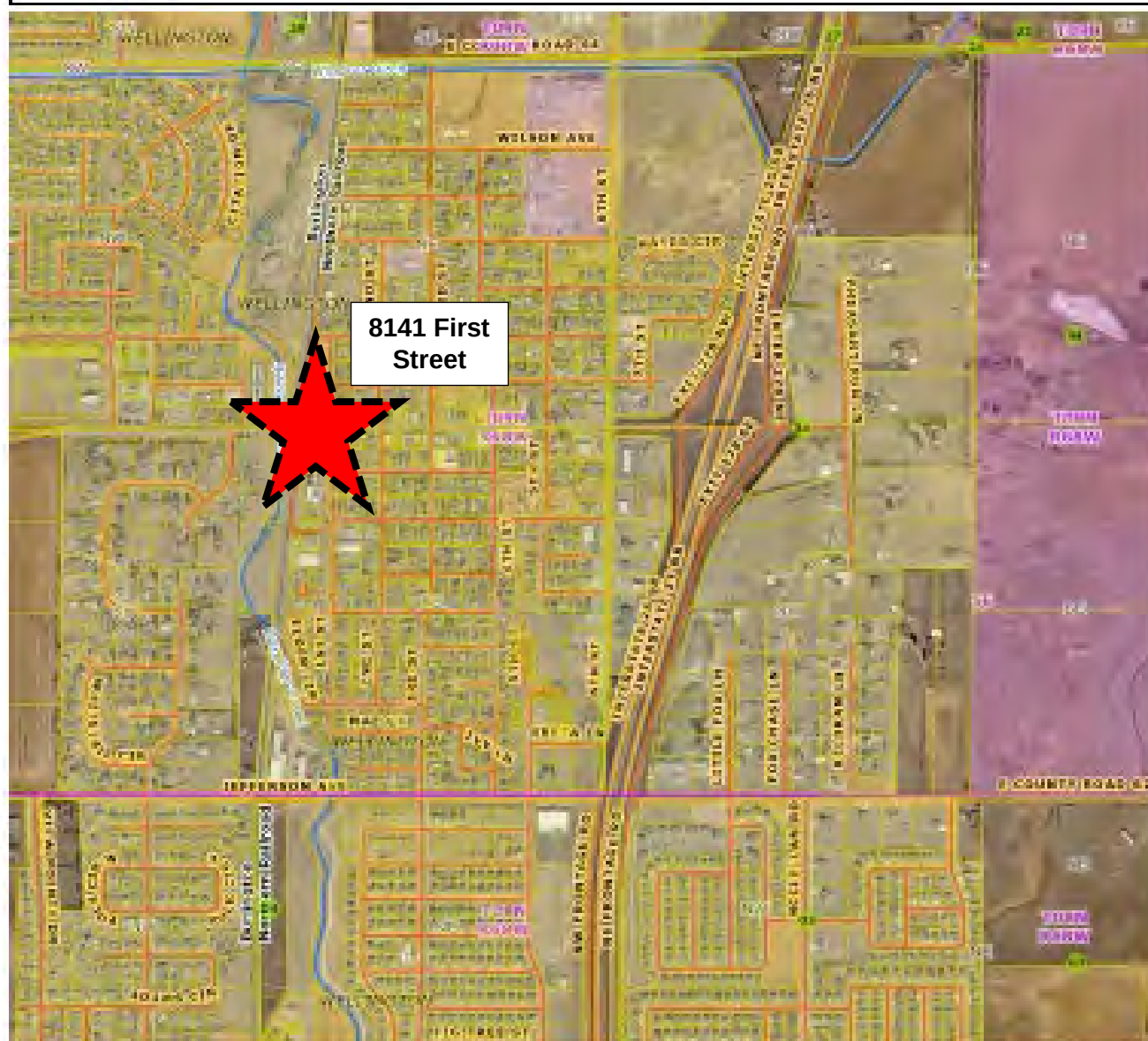
ATTACHMENTS

1. Location Map
2. Zoning Map
3. Original Plat
4. Comprehensive Plan Future Land Use Map

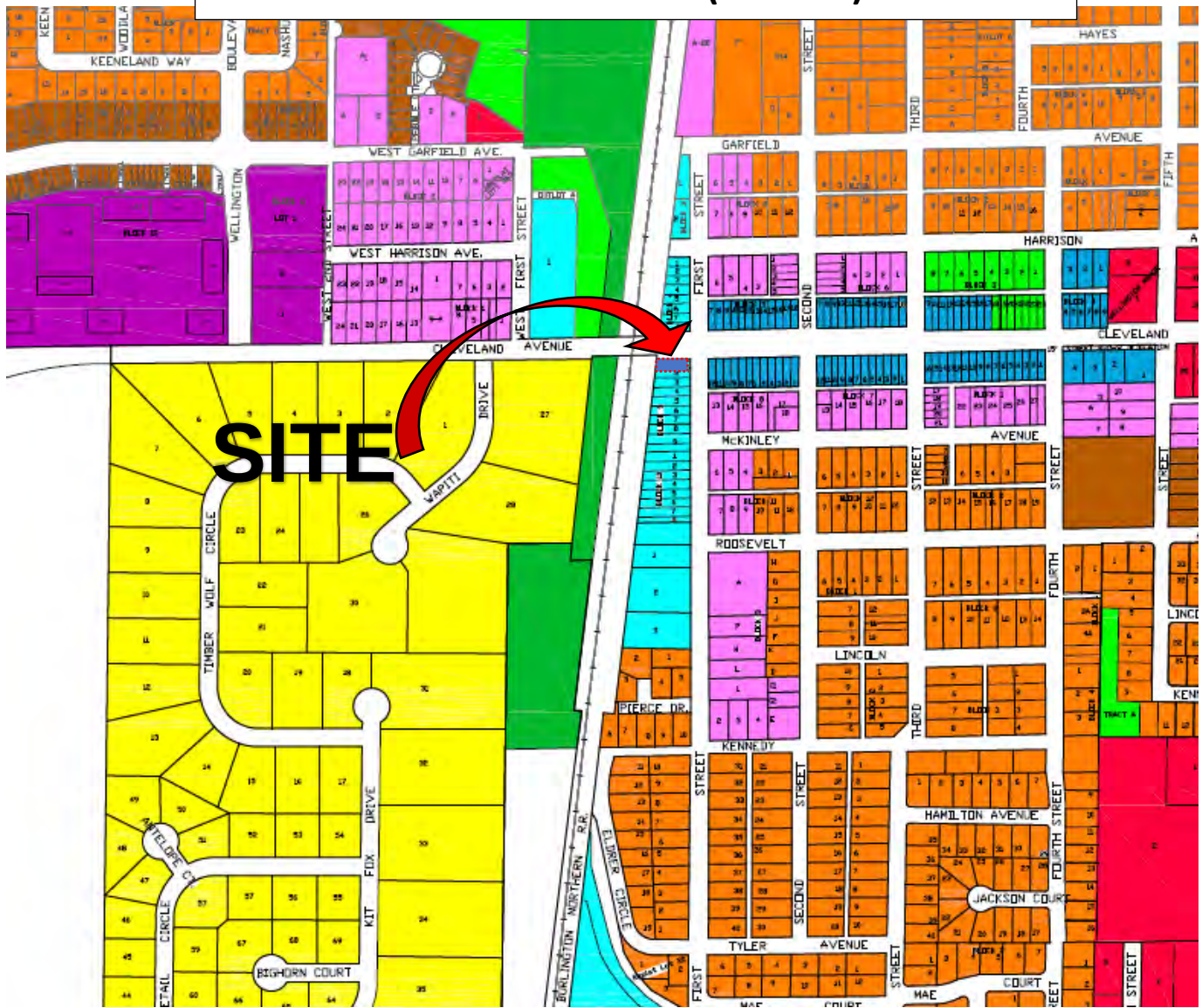
SITE LOCATION MAP



LARIMER COUNTY GIS MAP: 8141 First Street



ZONING MAP (Current)



TOWN OF WELLINGTON ZONING MAP
AMENDED SEPTEMBER 24, 2013

	A	AGRICULTURE
	R-1	RESIDENTIAL RURAL
	R-2	RESIDENTIAL , MEDIUM
	R-4	RESIDENTIAL MULTIFAMILY
	C-1	COMMUNITY COMMERCIAL
	C-2	DOWNTOWN COMMERCIAL
	C-3	HIGHWAY COMMERCIAL
	LI	LIGHT INDUSTRIAL
	TR	TRANSITIONAL (R-3)
	I	INDUSTRIAL
	P	PUBLIC

DOWNTOWN CORE

Potential Uses: Primarily restaurants, specialty retail, offices, housing, urban lodging, and cultural activities, no taller than 3 stories.

Secondary uses may include limited multi-family residential that enhance safety, vibrancy, and retail activity.

Suggested Net Density Range: 8-12 DU/Acre

Suggested Intensity Range: 0.5 – 2.0 FAR

Desired Intent & Character

As the Town's primary activity center, Downtown Wellington is intended to be highly connected to an efficient network of motorized and non-motorized connections. Its character is based on historic and civic buildings, ample and landscaped sidewalks, groomed and activated alleys, public art, and gathering spaces—all designed with a pedestrian scale perspective that gives the Downtown a unique sense of place and contributes to community pride.

As property owners choose to reinvest in the Downtown, Main St. uses should encourage 'select' infill of vacant residential and commercial areas and slightly increase the height of existing buildings (3 stories) to support upper level residential uses. Changes to Harrison Ave. and McKinley Ave. should allow neighborhood-oriented business uses that support and maintain the area's character and do not drastically alter the look of existing buildings.

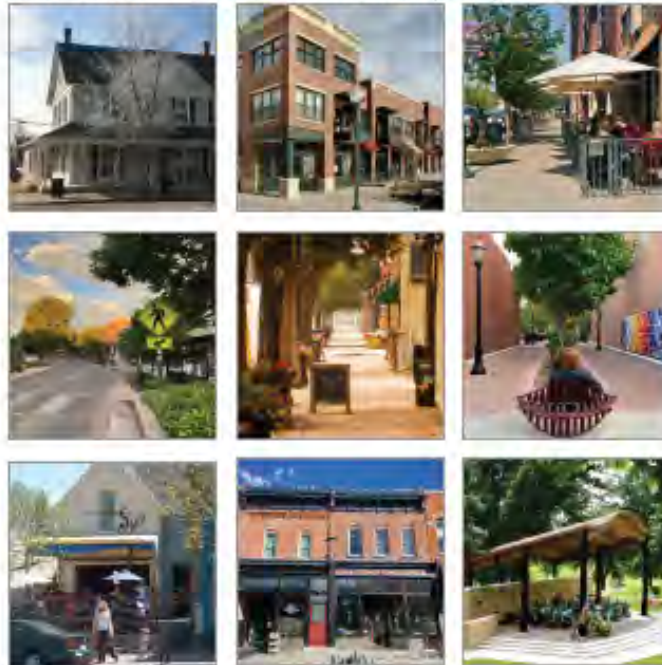
These changes will result in more foot traffic for Downtown businesses, allowing them to stay open longer hours and, overall, contributing to a thriving and vibrant Downtown economy.

COMMUNITY VOICES:

"Promote 2-3 story multi-use buildings in Downtown".

"Address walkability (sidewalks, crosswalks), parking, and streetlights".

REPRESENTATION OF SUGGESTED DENSITY, USES, AND AMENITIES:



LOCATION FOR THIS LAND USE

