



**TOWN OF WELLINGTON
PLANNING COMMISSION
April 5, 2021**

MINUTES

1. CALL TO ORDER

The Planning Commission for the Town of Wellington, Colorado, met on April 5, 2021, in an online web conference at 6:30 p.m.

2. ROLL CALL

Commissioners Present: Bert McCaffrey, Chairperson
Tim Whitehouse
Rebekka Kinney
Eric Sartor
Linda Knaack
Troy Hamman

Absent: Berry Friedrichs

Town Staff Present: Cody Bird, Planning Director
Liz Young Winne, Planner II
Patty Lundy, Development Coordinator

3. ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

4. PUBLIC FORUM

None

5. CONSIDERATION OF MINUTES

A. Meeting Minutes of March 1, 2021.

Moved by Commissioner Whitehouse, seconded by Commissioner Knaack to approve the minutes as presented. Motion passed 6-0.

6. NEW BUSINESS

A. Minor Subdivision – Lot 4, Coal Creek Center

Liz Young-Winne, Planner II presented the staff report. She explained that there are number of minor changes needed on the plat and are detailed in the staff report. She also identified the requirement for the developer to submit a traffic impact study at the time the site is proposed to be developed. The applicant will also need to confirm that a joint access agreement with the adjacent property owner is in place. Staff's recommendation is to approve the minor subdivision subject to staff's comments.

Nathan Abbott, Galloway, representing the applicant, said it was a great overview and that they will work with staff to address the staff report comments and make the changes.

Kim Sims, Alvarado Development, LLC, said she would work on the joint access agreement with the adjacent property owners.

Chairman McCaffrey asked why the minor subdivision was proposed now without identifying a business that would occupy the space. Young-Winne said that one of the main reasons to do a minor subdivision now is it would take a little bit of the weight off the current owners to do some of the work on the front end instead of the back end. Cody Bird, Planning Director said it is an advantage from a marketing standpoint to make this an attractive property for a buyer to know that it is ready for development except for the site plan for the specific development.

Commissioner Hamman asked about the purpose of the conceptual drawing in the packet. Bird said it is a pretty small lot so we asked the applicant to show that the site could actually be a viable functioning site when developed.

Commissioner Sartor mentioned that the access having to do with Kum & Go seems to go back quite a while and was wondering if there could be an overview on that. Bird said many years ago when Kum & Go was approved it was noted that the driveway was a little bit closer to the intersection with Cleveland Avenue than is typically preferred. There is an agreement with Kum & Go that once a certain traffic threshold is met, they may be required to actually change the design or location of that driveway.

Chairman McCaffrey opened the floor for public comments.

Chairman McCaffrey seeing no public comments, closed the public comment section of the meeting.

Commissioner Whitehouse moved to approve the Minor Subdivision – Lot 4, Coal Creek Center pending review and approval through the Planning Department. Commissioner Hamman seconded. Motion passed 6-0.

B. Minor Subdivision – Lot 2, Block 1, Boxelder Commons

Liz Young-Winne, Planner II presented the staff report and highlighted that the minor subdivision procedure was proposed for this site because of the simple nature of the request. A couple of minor changes are need on the plat for labeling and joint access easements. The applicant also needs to submit a closure report. Staff is recommending approval of the minor subdivision request.

Commissioner Whitehouse asked for clarification about the eligibility for a minor subdivision. Young-Winne said that there are only two options for subdivisions in the land use code. There is a major subdivision and a minor subdivision. The applicant falls in the gray zone where it is not quite eligible for either and so it was decided it would be a good candidate for a minor subdivision. Bird reminded the Commission that the Town's land use codes are in need of an update and that update is underway following the Comprehensive Plan. The major subdivision request has a two-part process – preliminary plat and final plat. The preliminary and the final both go to the Planning Commission and the Board of Trustees. The preliminary and final step is intended to provide an opportunity to contemplate large subdivisions with multiple lots with multiple access points to identify there is adequate street connectivity, drainage is satisfied, and utilities are laid out appropriately. Once that is moved through the process, then the final

step is where all the cleanup takes place for lot sizes and more details making sure all the details are satisfied for the final legal document, the final subdivision plat. The minor subdivision option is intended to simplify the process where the request is straight forward. In this circumstance, it is one large lot that is proposed to be divided into two lots. Dollar General would like to own the lot they are on, and that is why the request was submitted

Commission Hamman asked what businesses are on each of the lots proposed. Bird said that Dollar General will be located on 1.76 acres on the north end and the remaining 5.5 acres currently has Ziggi's Coffee on it and would accommodate further commercial development.

Chairman McCaffrey opened the floor for public comments.

Chairman McCaffrey seeing no public comments, closed the public comment section of the meeting.

Commissioner Sartor moved to approve the Minor Subdivision – Lot 2, Block 1, Boxelder Commons subject to the staff report and including attaining the access agreement with the adjacent property owners. Commissioner Whitehouse seconded. Motion passed 6-0.

C. Site Plan approval – Drive Thru ATM at Lot 1, Block 1, Boxelder Commons

Liz Young-Winne, Planner II presented the staff report. The request is to allow a stand alone ATM in the parking lot of Ridley's Market. Staff supports approval of the ATM location and plans. There is a concern that the access onto Jefferson Avenue is open but was originally intended to be limited. 2006 Site and Horizontal Control Plan notes a gate should be in place to limit access. The gate is noted on the current plans to be replaced by the owner.

Philip Cangilla, Blue Federal Credit Union, commented on a couple of the comments from the staff report, including that they would submit a separate sign permit when the time came. He explained that the sign is proposed to be illuminated as is the canopy.

Lee Martin, Palma Land Planning, identified that the question about the gate access was a remaining matter to address. Blue Federal Credit Union does not own the property, but they are the tenants proposing the new ATM use. Customers to the ATM would be accessing the property from Fifth Street. If a customer entered from the Jefferson Ave. driveway, that would be a much more difficult way of getting around to the right side of the ATM. Because of this, they think most customers would be using the other access point from Fifth Street. They are requesting that the gate question not be a condition of approval because they feel the gate and the ATM are effectively unrelated matters.

Chairman McCaffrey and Commissioner Whitehouse agreed that there is a distinction and would like to consider the gate question separate from the site plan if this is possible and asked what steps should be taken next.

Mark Ridley owner of Ridley's Family Market said that when he purchased the business he had never seen or heard about the gate required to be closed. He is willing to work with the Town and do a traffic impact study to see what can be done about that area and a gate being needed. He said he is also willing to do a right-in/right-out driveway only or see what other options to consider if there is an access issue. He is requesting to let Blue Federal Credit Union go forward with their ATM plans and keep the gate issue separate.

Bird said that staff is in agreement with Mr. Ridley's thinking. If they would like to pursue a traffic impact study to evaluate the appropriate design for modifying that driveway entrance, staff would be happy to take a look at options. He said staff was comfortable with separating the gate request from the site plan if we know that we can accomplish the traffic impact study to resolve the access questions at the Jefferson Ave. entrance.

Mark Ridley said that sounded great and makes the most sense to him.

Chairman McCaffrey asked if there were any public comments. There were no public comments.

Commissioner Kinney moved to approve the site plan for a Drive Thru ATM on Lot 1, Block 1, Boxelder Commons, Filing One, subject to the staff report comments but excluding the gate installation. Commissioner Whitehouse seconded. Motion passed 6-0.

D. Draft Comprehensive Plan Discussion

Bird shared an update on the comprehensive plan, a process that was started a little over a year ago. Staff and the steering committee have worked to prepare the draft that has been out for public comments since March. There have been quite a few written public comments. There was also an in-person Town Hall meeting to hear comments at the Board of Trustees request. We wanted to get the draft plan and those public comments in front of the Planning Commission for consideration. The Planning commission is the ultimate approval authority for the comprehensive plan and any amendments to the comprehensive plan.

In the agenda packet is included the draft plan and behind each page is a report of the public comments that were received. Staff would like the Planning Commission to give staff some feedback and direction on what comments you are seeing and hearing and let us know what we can do to help make sure that the revisions are addressing the Town's concerns.

Chairman McCaffrey would like to see the Planning Commission be in person at least once before the entire comp plan is brought before the Planning Commission. If the plan needs to be pushed back to allow the in-person format, he felt that would be appropriate. He also asked about the rural residential zoning and making sure the public comments that were provided in the plan were incorporated.

Commissioner Kinney agreed it should be at an in-person meeting but would not like to push it back if it can be helped.

Commissioner Sartor asked if someone could explain the differences between the 2014 plan and the new draft plan. Chairman McCaffrey said that the 2014 plan was more of an update, or even just a copy and paste of the 2008 plan. Not much had changed. Bird added that the 2014 plan was oriented towards meeting the minimum statutorily required components. The current draft plan is focused more on addressing the changes that the community has seen over the last decade. Commissioner Sartor said he likes some of the goals and the outline from the 2014 plan and thinks that the length of the new plan could be a challenge.

Commissioner Hamman asked if the R-1 Rural Residential district designation would be within the new plan. He also suggested that it be a density range in the low residential of two to six dwelling units per acre. The downtown commercial area between McKinley Ave. and Harrison Ave. is currently zoned TR Transitional and those properties should be classified or identified differently for a clearer understanding of what is allowed. He asked how much of the

demographic information needed to be included and how important it is to reference one ethnicity group or another. The last item he mentioned from the public comments is how to consider zoning for future marijuana dispensaries. He does not think that needs to be an important consideration at this time.

Commissioner Kinney responded that the demographics are required and expected in comprehensive plans. She also suggested that when residents are responding to the draft plan, to please post the comments in the correct sections even though they are talked about in different areas of the comprehensive plan. Some of the comments that were posted may need to be addressed in other section for them to make sense. As far as the marijuana item, she feels that the state and county might be going that way but the Town board has not heard the voter's perspective yet. She also added that this comprehensive plan should be used as a reference for many Town decisions in the future and that is why it is long. It addresses many items for the future.

Jon Gaiter, Trustee in attendance at the Planning Commission meeting, asked Chairman McCaffrey if public comments would be allowed. Chairman McCaffrey agreed to allow comments.

Jon Gaiter shared that he had a couple of concerns specific to the racial and demographics portion in the draft plan. I don't understand what is statutorily required in this portion. As I understand it, what is statutorily required is the portion that speaks directly to the percentages and the numbers and I think that's fully appropriate. The concern that I have, and I say this as a minority, is when we start to branch beyond that and we start to go into things where we say in the public infrastructure portion where we start to say that we, as a government are going to require certain minorities to be represented on town boards, that's where it gets into problems because we start to infer that those minority groups are not capable of doing that on their own, and I don't see that we, as a town have situations where there are town policies or things that are keeping minorities from serving on our boards or commissions and I think what is more appropriate is we can find better ways to communicate, but to me that's a different document that's not something in our strategic plan that we should be putting in there. Say what our population is and not get into creating here's how we're going to address things that may or may not be issues.

7. ANNOUNCEMENTS

A. Director Report on Administrative Approvals

Bird explained that the new vet clinic office on Wellington Boulevard had a fence that was administratively approved. The height was approved to increase to a maximum 6-foot high instead of 42 inches that was shown on the approved site plan. The vet clinic would not be able to be accredited without having the 6-foot high fence around the controlled pet exercise area. The proposal made sense for the location and wouldn't impede any sight triangles.

Staff had considered the Blue Federal Credit Union ATM as possibly being an administrative approval, but with the questions about the gate, access and proximity to the highway being very visible, it was decided that it should be a Planning Commission review.

8. ADJOURNMENT

Chairman McCaffrey adjourned the meeting at 8:21 pm.

Approved this 3 day of May, 2021

PATTY LUNDY

Recording Secretary