



**TOWN OF WELLINGTON
PLANNING COMMISSION
September 12, 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 September 12, 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
Tim Whitehouse
Gary Dicenta

Absent:

Bert McCaffrey

Town Staff Present:

Cody Bird, Planning Director
Paul Whalen, Planner III
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 August 1, 2022

Commissioner Chollet moved to approve the meeting minutes of August 1, 2022.
Commissioner Dicenta seconded.

Yeas – Whitehouse, Dicenta, Chollet, Knaack, Sartor

Nays – None

Abstains – Moyer

Motion carried

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**

Commissioner Dicenta moved to table the item until the next meeting. The motion did not receive a second.

Cody Bird, Planning Director explained the public hearing procedures.

Chairman Sartor asked if there were any conflicts. Commissioner Whitehouse disclosed that he knows the applicant personally. He has not spoken to him about this agenda item before Planning Commission and does not have any conflict of interest.

Commissioner Knaack disclosed that she does not have a conflict of interest with the applicant but she did receive a notice of the public hearing as an adjacent property owner.

Bird presented the staff report. Bird shared that the applicant would like the building to have residential units. The Town became aware that there were residents occupying the existing commercial building and initiated conversations with the owner to take steps to bring the building into compliance for residential purposes as well as to bring the property into compliance with zoning. The applicant is applying for the rezone to address the zoning compliance, and if approved, will take next steps to work on the building compliance.

Bird also explained that the property may not meet all of the zoning requirements due to this being a property developed under prior code regulations and the existing structure is proposed to remain. The footprint of the building won't change and there may not be enough room to satisfy all of the current parking and landscaping provisions.

Robert Lujan, property owner has owned the building since 2018 and says it has been used as residential since the equipment rental moved out.

Commissioner Whitehouse mentioned he has been in the building in 2011 and that there were two residential units and one office space at that time.

Bird added that building permit records show that there was an equipment rental business and one residential unit. There would need to be permits for any other modifications or for additional residential units to be allowed.

Lujan explained that he is invested in this property and is not interested in the building being demolished. He added that he recently paid \$12,000 for the mural on the west end of the building. He wants to bring the property into compliance moving forward.

Chollet asked about having enough room for parking.

Bird replied that the applicant is looking at providing parallel parking in the space between the buildings. Staff can evaluate these options with the applicant as part of a building permit for the modifications that would be needed.

Dicenta was interested to know what will happen if the property is rezoned C-2 and they then cannot meet the requirements.

Bird replied that the applicant could present other alternatives to provide parking and/or could also request a variance.

Dicenta mentioned that it might be better to consider PUD zoning.

Chairman Sartor commented that if the C-2 zoning is approved with the intent of allowing the mixed-use commercial, there would need to be at least one business.

Commissioner Moyer was wondering where the equipment rental was located.

Bird said it was in the north building at the east end.

Commissioner Moyer and Commissioner Whitehouse then asked if there was office space.

Bird and Lujan both said there was not currently an office.

Commissioner Whitehouse said that most of the businesses on Cleveland do not meet the new zoning requirements and wondered if we should be applying the same zoning standards as we would be for a new development site – this is a building that is over 100 years old.

Commissioner Moyer asked if there had been any talk about the lot being rezoned to C-3.

Bird replied that C-3 does not comply with the adopted Comprehensive Plan.

Lujan added that he had looked at the various zoning options and C-2 was the best fit for what he is hoping to do.

Chairman Sartor wanted to make sure that whatever zoning is approved, it does not set the applicant up for failure in the future.

Commissioner Knaack said this building was not built to be residential. Commercial would be better. She would like to see the building consist of at least one business and allow the residential rentals requested.

Lujan replied that he could design the building to have at least one business unit to comply with the mixed-use allowed in the C-2 zone.

Commissioner Chollet said that professional offices would also meet the requirements of the C-2 zoning and suggested the applicant also consider the possibility of multiple office rentals instead of just residential units.

Chairman Sartor asked if there were any public comments at 7:34 PM.

Chairman Sartor, seeing there were no public comments, closed the public comment period at 7:35 PM.

Lujan again confirmed that the mixed-use is possible and would probably make the east end of the building the commercial unit.

Commissioners asked what are the next steps in the rezone process.

Bird explained that the request would go to the Board of Trustees on September 27th, 2022. Bird also explained that a typical next step would include site plan review. Bird would like to consider the site plan review administratively with the building permit process because the footprint of the building is not proposed to change.

The Commissioners had a discussion and came up with the following findings for approval:

- The rezone is consistent with the Comprehensive Plan and the Land Use Code for the C-2 Downtown Core Commercial District.
- The rezone to C-2 Downtown Core Commercial District is supported based on compatibility of surrounding properties and surrounding zone districts.
- Incorporating commercial tenant space into the existing building satisfies the mixed-use commercial designation allowed within the C-2 Downtown Core Commercial District.
- Rezoning the property to C-2 Downtown Core Commercial District will result in fewer negative impacts to surrounding properties as a result of the removal of uses currently allowed within the existing LI – Light Industrial District.
- The rezone to C-2 Downtown Core Commercial District provides more flexible zoning requirements for an area that was platted and developed at a time that current development standards were not needed or required – Flexibility of the C-2 Downtown Core Commercial District requirements allows redevelopment of an existing site within the historic downtown.

Commissioner Whitehouse moved 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.

Motion seconded by Commissioner Moyer.

Yeas – Moyer, Whitehouse, Chollet, Knaack, Sartor

Nays – Dicenta

Motion carried.

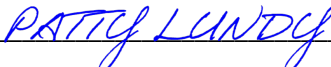
7. ANNOUNCEMENTS

Bird announced the next meeting for October 3rd, 2022 was anticipated to be a hearing for the zoning map updates and will subsequently go to the Board of Trustees.

8. ADJOURNMENT

Chairman Sartor adjourned the regular meeting at 8:12 PM.

Approved this 7th day of November, 2022


Recording Secretary