

MINUTES  
TOWN OF HUDSON – PLANNING COMMISSION  
REGULAR MEETING – December 12, 2018

**CALL TO ORDER**

The meeting was called to order by Ex-Officio Member Laura Hargis at 6:00 p.m.

**ROLL CALL**

|                            |   |
|----------------------------|---|
| Present<br>Commissioners - | Brandi Bond<br>Tami Botelho<br>Zachary Reyes                        |
| Absent<br>Commissioners -  | Shirley Sellers<br>Kristen McDilda                                  |
| Ex-Officio Members -       | Matt Cole<br>Laura Hargis, Planning Chair                           |
| Staff -                    | Sayre Brennan, Town Planner<br>Heather Meierkort, Deputy Town Clerk |

**ADDITIONS TO AGENDA**

None

**CITIZEN'S COMMENTS**

None

**1) APPROVAL OF MINUTES**

- a. Planning Commission Regular Meeting Minutes – November 14, 2018

Motion was made by Commissioner Botelho and seconded by Ex-Officio Cole "To approve the minutes from the November 14, 2018 meeting as submitted." Motion was carried unanimously.

**2) GENERAL BUSINESS**

- a. Public Hearing Item

- i) **Case No. 18-12 A & Z:** A request for annexation and initial zoning of Industrial two (I-2) for single parcel of land in unincorporated Weld County (Meadow Ridge Holdings/Fehr).

Ex-Officio Hargis opened the public hearing at 6:01 pm.

Sayre Brennan, Town Planner, stated this was an application for annexation and zoning for a single parcel of land located south of County Road 43 next to I76 Frontage Road. The Agent of Meadow Ridge Holdings is Barry Fehr. In August 2018 he submitted the application for a 37.45-acre parcel in unincorporated Weld County. Sayre Brennan reported that Staff accepted the application and made the applicant aware of the information missing in the application. Weld County zoning is Agricultural, and it is used as agricultural now. To the east there is residential. Future land use design is non-residential retail, office, and commercial. Sayre Brennan stated that based on initial request staff does not feel that Industrial zoning is appropriate but does fit in the proposed R-2 for warehousing and small-scale production. The land is pretty far south of Town and no Town water or sewer services are available currently. Sayre Brennan stated that when they are available it is the owner's responsibility to connect to those. There is no parking on site and this may have to happen during site plan review. Based on review staff recommends Planning Commission approval for C-2 zoning. Sayre Brennan reported that they need to submit a permit application, so they conform to our code when they come into town. They would have to do a change of use for the existing structures on the property.

Commissioner Botelho asked why we would not approve the initial request for industrial zoning.

Sayre Brennan stated Industrial use next to Agriculture and Residential is incompatible and does not fit our comprehensive plan. If C-2 zoning is approved they can do light manufacturing with Planning Commission approval.

Patrick Groom, the attorney representing Meadow Ridge Holdings, stated he is working with Barry Fehr who is the applicant. The reason this application was filed is that Meadow Ridge sought to develop property and, as Sayre Brennan stated, it is unincorporated Weld County but pursuant to the agreement between Hudson and Weld County, if the property is within the urban growth of Hudson the applicant must ask to be annexed into Town before the County would consider their permits. Patrick Groom reported that he met with Roy Fronczyk, former Town Planner, and Corey Hoffman, Town Attorney, about this. Two structures were permitted through Weld County and they are agricultural access. There would likely be a change of use in the future, so the structures have been designed anticipating the change to Commercial or Industrial. There would be eight separate lots in the future. Patrick Groom stated they do

not know what those lots will support. The original application for Industrial zoning was well received by Roy Fronczyk and Corey Hoffman but he appreciates Sayre Brennan's concern with the long-term plan of Hudson. Patrick Groom stated that maybe in the future they would want industrial uses but would have to seek that out when it happens, and they anticipate reaching an agreement shortly. They are optimistic about working with Hudson.

Barry Fehr stated that he just wanted to say it's a small group of people that bought this property. There is not a lot of funding, so they will have slow development. The land is currently being farmed where the buildings are not put up yet. Barry Fehr stated they do have a potential tenant for part of one building but that will be addressed later. Reviewing what they have, C-2 is definitely an option for them. They originally went with I-2 so they would not limit their opportunities, but they want to have a nice looking area and do not want an industrial dump site.

Commissioner Reyes asked if they were aware of CDOT's plan with Frontage Road.

Barry Fehr stated he saw preliminary drawings at Town Hall and it showed it intersects with the existing Frontage Road and their property.

Ex-Officio Cole stated they would not be able to get to Highway 52 from the Frontage Road.

Commissioner Reyes said they are moving the on ramp and shutting it down.

Barry Fehr stated that means his only access to the Frontage Road would only go to Lochbuie, and are they still doing a roundabout?

Ex-Officio Cole stated they break ground next year on that.

Ex-Officio Hargis stated that Barry Fehr's access would be from Highway 52 on Road 43 or from Lochbuie on Frontage Road to get to the east of his property.

Barry Fehr stated that he did not know and appreciates that.

Patrick Groom stated right now there is permitted access off of Road 43 from the County. His understanding is the annexation would include part of Road 43.

Sayre Brennan stated that is accurate and it would be the entire 60 feet of the road.

Ex-Officio Hargis stated that if Sayre Brennan could get clarification on that it would be great. Since most of Road 42 belongs to the County if they

are expecting truck traffic it is going to have to be paved. We need to find out exactly what we are annexing.

Sayre Brennan stated it appears from the map it would include Road 43 as it parallels the parcel but he would confirm that.

Ex-Officio Hargis stated it is possible if the Town is annexing that piece we can make a deal with Weld County so that we take care of that whole road if they do something for us.

Ex-Officio Hargis closed the public hearing at 6:22 pm.

Commissioner Reyes made a motion seconded by Commissioner Bond to approve Case No. 18-12 A & Z: A request for annexation and initial zoning of Industrial two (I-2) for single parcel of land in unincorporated Weld County (Meadow Ridge Holdings/Fehr).

The vote was as follows:

Aye - Commissioner Reyes, Commissioner Botelho, Commissioner Bond, and Ex-Officio Members Hargis and Cole

Nay: None

Ex-Officio Hargis declared the motion passed.

- ii) **Case No. 18-18 MS:** A minor subdivision (Replat) of Lots 25-30 of Block 45 of the Hudson Town Subdivision (Hudson Lockers).

Ex-Officio Hargis opened the public hearing at 6:24 pm.

Sayre Brennan stated that this is a replat. There is an existing recorded subdivision and the applicant is requesting they realign some of the lines. The owner is Hudson Lockers on Cedar Street. This request was approved by the Planning Commission in February, unfortunately that site plan did not get passed onto Town Council. Sayre Brennan reported they submitted a permit application and Safebuilt caught that it was going across lines and would require fire life safety improvements. This is costly so if the property lines are moved, they do not have to do that. The surrounded land uses are mixed use and there is a residence to the west that is zoned business. No right of way will be needed for this instance. Sayre Brennan reported that staff recommended approval.

Ex-Officio Hargis stated that the applicant did not come.

Sayre Brennan stated that the applicant did not want to come but that he had spoken with him earlier.

Ex-Officio Hargis closed the public hearing at 6:28 pm.

Ex-Officio Cole made a motion seconded by Commissioner Botelho to approve Case No. 18-18 MS: A minor subdivision (Replat) of Lots 25-30 of Block 45 of the Hudson Town Subdivision (Hudson Lockers).

The vote was as follows:

Aye - Commissioner Reyes, Commissioner Botelho, Commissioner Bond, and Ex-Officio Members Hargis and Cole

Nay: None

Ex-Officio Hargis declared the motion passed.

- iii) **Case No. 18-20 MS:** A minor subdivision (Replat) of Lot 1 of the Hudson Highlands Minor Subdivision (RE-3J).

Ex-Officio Hargis opened the public hearing at 6:28 pm.

Sayre Brennan stated this is a replat. The applicant is looking to develop and administration campus that includes a soccer field and administration offices, public facilities. In order to accommodate that, the lawyers got involved. They need a subdivision so that RE-3J can move forward with their project. The development is compatible with the existing school and adding this service is important. This does align with the Town's Comprehensive plan. R-1 does allow for school facilities. They are not creating any lots just realigning existing ones. Sayre Brennan stated that an engineer reviewed the replat and we are waiting on their comments which we should have in January. Staff recommends approval but to work with the Town Surveyor on some concerns prior to the Town Council Hearing on January 2<sup>nd</sup>.

Megan Hohnholt, NV5, stated she has a print of the revised plat to pass out. She thanked Sayre Brennan for all he has done, and it has been a smooth process getting the documents together. Megan Hohnholt stated the lawyer is presenting this to the school board tonight for approval.

Ex-Officio Cole asked what the plan is for Fourth Avenue where it curves around the school and then stops. It is a 60-foot easement.

Megan Hohnholt stated the road allows for a hammerhead turn for a hydrant. Renaissance Homes will be developing that road to the south and the agreement with them is a 45-degree tangent on that road. The school district is building the turn in that road and there are no plans for development – it will just be native seed.

Ex-Officio Hargis asked if there will still be a walking path on the south border.

Megan Hohnholt stated the easement for the walking path is still there but there are no plans to develop the path.

Ex-Officio Hargis closed the public hearing at 6:38 pm.

Ex-Officio Cole made a motion seconded by Commissioner Reyes to approve Case No. 18-20 MS: A minor subdivision (Replat) of Lot 1 of the Hudson Highlands Minor Subdivision (RE-3J).

The vote was as follows:

Aye - Commissioner Reyes, Commissioner Botelho, Commissioner Bond, and Ex-Officio Members Hargis and Cole

Nay: None

Ex-Officio Hargis declared the motion passed.

b. Public Meeting Item

i) **Case No. 18-19 SP: Site Plan Review for Re-3J**

Sayre Brennan stated this is a separate but concurrent application from RE-3J. In November they made an informal presentation and now they have a real one. It is the same zoning and uses as discussed in the previous case. R-1 allows for school use so it fits that. General site plans are reviewed by Planning Commission but since we are dealing with the school, they are state statute. The Planning Commission can give this a nod or if we do not like it, we can request a public hearing in front of the School Board. Sayre Brennan stated this will be a one-story office building, about 8000 square feet. There is one soccer field and the land is currently vacant. The applicant will have to provide infrastructure to connect to water and sewer. Based on analysis there will be 1.49 trips per day per 1000 square feet, so the Town did not require a traffic impact report. There will be 20 off street parking spots with 2 ADA spots and 18 street parking spots. Sixteen stalls are required so they exceed that code requirement. There will be about 15 people with minimal visitors and there are no wet lands or flood zones. Sayre Brennan reported that the Town Engineer did a review of the plans and submitted comments that will be addressed in the replat process. Based on Colorado statute we could review and comment or take the matter before the Board of Education. Sayre Brennan stated staff recommends approval on condition the applicant works with the Town to make sure the requirements are met.

Scott Nagel, project architect, stated the big dates are November 30<sup>th</sup> and December 17<sup>th</sup>. December 17<sup>th</sup> they can start doing site work. January 11<sup>th</sup> next year they can issue the bid pack. They'll start building in March and end around Thanksgiving. Scott Nagel stated they'll have 26 parking spaces and 19 street parking spots. The building itself is on the northwest corner and parking is on the east side. The soccer field with the pond will be in the southwest corner. The original plan was to have a fence around the pond but now that is an alternate due to budget. We are worried about kids falling in but just seeing how it all shakes out. The building has a larger conference

room and small conference room, and offices to the west side. We wanted the dining room and the work room as part of the corridor space for after hours events. There is storage and more office space on the south side. There are no big public restrooms but there are 3 smaller ones. The technology room is for the whole district. Stuff will be prepared here and then distributed. Scott Nagel stated the basic idea is for it to be like a campus, so it will be the same material as the elementary school.

Eric Nocos, JBA Civil Engineering, stated that they will connect to water on Date St and extend it to the east. Sewer will be the same and they'll connect with the manhole that is already on Fourth Ave. The detention pond will have treated water. Eric Nocos stated Fourth Avenue is planned to have 12-foot lanes and 8-foot strip for parking on either side. There will be a 6-foot attached sidewalk and a 4-way intersection at Date and Fourth.

Ex-Officio Hargis asked if they are putting extra street lights.

Scott Nagel stated there is one in a parking lot but no street lights.

Ex-Officio Cole stated that the area is going to be used for parking at school events.

Scott Nagel stated there is lighting in the parking lot and lighting in the landscape along the building. Each door has lights, there is a district sign with lighting as well.

Ex-Officio Cole stated he recommends having 9-foot parking on the street since this is a small county town with lots of trucks. Cars can't get by the mirrors on big trucks.

Sayre Brennan stated the idea is that the 12-foot lanes allow you more room to move around parking cars. So, if you make it 11-foot lanes and 9-foot parking areas you are just moving the lines.

Ex-Officio Cole stated he would just move the sidewalk back each way to get the parking wider, not take space from the lanes. This will just make it easier than having to do it after the fact.

Ex-Officio Hargis stated to leave the 12-foot lanes because that is perfect. This is a small ag town, and everybody drives a truck.

Commissioner Botelho asked if they will allow for conduit for future development in that area.

Eric Nocos stated he could talk to the Town Engineer to see what we can do about that.

c. Informal Presentation:

- i) **Ally Onsite LLC:** Ally Onsite is an oilfield service company (not production) with a focus on Solids & Pressure Control Equipment. Ally Onsite would like to informal gauge Planning Commission's opinion on their proposed use that would eventually require Planning Commission approval under Sec. 16-48(e)(4). Their future site would be at the Meadow Ridge Holding site (Case No. 18-12 A&Z).

Sayre Brennan stated Barry Fehr is looking to lease part of his building.

Patrick Groom stated that when they spoke about C-2 zoning they said they have a prospective tenant but do not know if its use would be permitted. The company operates skids that are used on drilling operations. The company wants to lease this for office space and to store the skids when they are not in use. Patrick Groom stated that he thinks this use would be permitted and Sayre Brennan suggested to bring it up to Planning Commission to see if you have any concerns with this type of use on the site.

Sayre Brennan stated that C-2 allows light manufacturing use with Planning Commission approval.

Ex-Officio Hargis said they would have to bring in their site plan anyway so does not see any issues at this point.

Barry Fehr stated they are talking with the company about leasing part of the building and did not want to lead them astray if it is not an option. The skids are 40 feet long and 20 feet wide and are brought in on semis. Have 40 total and would lease them out and when they are done with a job they bring them here and update them.

Ex-Officio Hargis stated we will have to look at it with the County to see if Road 43 could handle this traffic.

Ex-Officio Cole stated Road 43 will get worse once CDOT starts.

Barry Fehr reported his understanding is that their truck traffic would just be in and out about once a week.

Ex-Officio Cole asked if a truck repair shop falls in C-2 zoning.

Sayre Brennan stated that it does for light automotive but not heavy truck. The applicant just wants to bring this up now so that they do not lead the prospective tenant down the road if it is a for sure no.

Barry Fehr stated they just wanted to get Planning Commission feedback on this. We are ok with the C-2 zoning as long as we can work with you guys.



Ex-Officio Hargis stated there should not be any issue.

d. Referrals

- i) **Weld County Record No. 1MUSR18-17-0065:** A minor subdivision to usr17-0065 (cryogenic processing plant) to install additional buildings and equipment within the footprint of the existing usr in the a (agricultural) zone district.

Sayre Brennan stated this is northeast of Town and they want to expand their operations.

Commissioner Reyes asked if they'll be taking gas from pipelines and freezing it?

Ex-Officio Hargis stated they will.

Sayre Brennan stated they just want to expand their capacity. They are regulated by the Colorado division for Oil & Gas, EPA and the County, so they have a number of oversights.

Ex-Officio Hargis asked how close this is to Pioneer.

Sayre Brennan reported it is south.

Ex-Officio Cole stated it is just down the road from the truck driving school.

Ex-Officio Cole made a motion, seconded by Commissioner Botelho to recommend no conflict to **Weld County Record No. 1MUSR18-17-0065:** A minor subdivision to usr17-0065 (cryogenic processing plant) to install additional buildings and equipment within the footprint of the existing usr in the a (agricultural) zone district.

The vote was as follows:

Aye: Commissioner Bond, Commissioner Reyes, Commissioner Botelho and Ex-Officio Members Hargis and Cole

Nay – None

Ex-Officio Hargis declared the motion carried

- ii) **Weld County Record No. ZPHO18-0007:** A Class I Home Occupation for a home daycare at 4021 Sunrise Ln., Brighton, CO, 80603-6150.

Sayre Brennan stated this is a single-family home that wants to have a daycare center. The address is southwest of town off of road 37. It is within the 3-mile annexation boundary.

Ex-Officio stated this is closer to Lochbuie than to Hudson.

Ex-Officio Cole stated they are in the development by Road 10.

Commissioner Reyes asked if there is an existing house or are they are making a second house.

Ex-Officio Hargis stated there will just be one house, the applicant just made a mistake.

- iii) Ex-Officio Cole made a motion, seconded by Commissioner Botelho to recommend no conflict to **Weld County Record No. ZPHO18-0007: A Class I Home Occupation** for a home daycare at 4021 Sunrise Ln., Brighton, CO, 80603-6150.

The vote was as follows:

Aye: Commissioner Bond, Commissioner Reyes, Commissioner Botelho and Ex-Officio Members Hargis and Cole

Nay – None

Ex-Officio Hargis declared the motion carried

### 3) STAFF REPORT

Sayre Brennan thanked Ex-Officio Hargis for her guidance as Chair. The Planning Commission will be keeping Matt Cole, but he will not be Ex-Officio anymore. Nobody on Council seems to want to give up another Wednesday to be on Planning Commission. Sayre Brennan stated he did an end of the year analysis that goes back to 2010. There are already about 5000 acres for review in 2019 so it should be a busy year.

Commissioner Bond stated she asked Council Member Maria Chavez and she was considering being on Planning Commission.

Ex-Officio Cole stated that he was going through emails about the Rodriguez trucking lot and they stated they would not be working on trucks. One night they had tires and were doing brakes and doing major stuff other than just checking out the truck before they hit the road.

Sayre Brennan stated he had talked to them specifically about not becoming a junk yard.

Ex-Officio Cole stated he could not tell exactly what they were doing and they are asking for 10 trucks in that spot and they already have four. There are three trucks and four trailers and a couple of sheds full of tires and boxes of oil.

Sayre Brennan stated he will take a ride out there tomorrow and take pictures and document it.

Commissioner Botelho asked what is going on with Safebuilt and Customer service. Her neighbor has been waiting 2.5 months for a final roof inspection. Her contractor called in the inspection and he cannot leave his ladder there if there is not a specified inspection time.

Commissioner Bond asked if we are looking at other companies.

Ex-Officio Cole stated he asked about this a while ago but left it alone while we got one issue done and then we would worry about changing inspection companies.

Ex-Officio Hargis asked if it is Safebuilt policy or Town Code that you have to have a ladder there? If we can get Sayre Brennan that address, he can follow up with the homeowner. Ex-Officio Hargis stated it has been a pleasure working with you guys.

Commissioner Botelho stated she was concerned with the zoning on the Fehr property. Why would it be zoned one way just to make an exception later.

Sayre Brennan stated that I-2 is very heavy, such as power plants and factories.

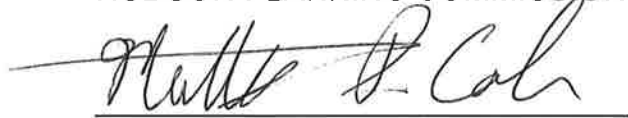
Ex-Officio Cole stated if we allow I-2 zoning now it allows possible future owners of the property doing whatever they want.

Sayre Brennan stated Barry Fehr just wants to do storage right away. We are allowing ag uses for another 2-3 years.

4) **ADJOURNMENT**

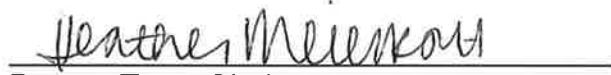
The meeting was adjourned at 7:27 pm.

HUDSON PLANNING COMMISSION



Chairman

ATTEST:



Deputy Town Clerk

