



## PLANNING COMMISSION

Lynne Derby  
Bruce Fitzgerald  
Bob McWilliams, Alternate

Mike Simone, Chairperson

Paul Weber  
Bushrod White, Vice-Chairperson

**Planning Commission Agenda  
Regular Meeting  
Fort Lupton City Hall – 130 S. McKinley Ave.  
Thursday, January 9, 2020  
6:00 P.M.**

*(Order & Contents Subject to Change by Action of the Commission)*

### **Call to Order – Roll Call**

### **Approval of Agenda**

**Consent Agenda** – Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Commission member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- a. Approval of the Minutes of the December 3, 2019 Meeting

**Public Comment** – This portion of the Agenda is provided to allow members of the audience to present comments to the Planning Commission related to items not otherwise listed on the Agenda.

### **Action Items**

- b. Election of Officers
- c. P2020-001: Colorado Transmission and Diesel Special Use Permit
- d. P2020-002: Ten Eyck & Campbell – Lot 2 Special Use Permit

### **Discussion Items**

- e. Review of Meeting Discussion
- f. Development Code Update

### **Future Business**

- g. Planning Commission Meeting on Thursday, January 23, 2020 at 6:00 PM
- h. Planning Commission Meeting on Thursday, February 13, 2020 at 6:00 PM

### **Adjourn**

# MINUTES

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Planning Commission, on Tuesday, December 3, 2019. Chair Mike Simone called the meeting to order at 6:01 p.m.

**ROLL CALL**

Roll was taken and those present were Chair Mike Simone, and Commission Members Lynne Derby, Bruce Fitzgerald, and Paul Weber. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, and Planning Technician Stephanie Darnell. Vice-Chair Bushrod White arrived at 6:02 p.m.

**APPROVAL OF AGENDA**

Chair Simone called for a motion to approve the agenda. Member Bruce Fitzgerald moved to approve the agenda, it was seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

**CONSENT AGENDA**

Chair Simone called for a motion to approve the consent agenda. It was moved by Member Lynne Derby and it was seconded by Member Paul Weber.

Motion carried unanimously by voice vote.

**PUBLIC COMMENT**

The Chair asked if anyone from the audience was present to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:01 p.m.

**ACTION ITEMS**

**7-Eleven at Vincent Village Site Plan**

City Planner II Alyssa Knutson introduced the project. She stated that the project is located north of Highway 52 and just east of Rollie Avenue and is for a 7-Eleven gas station. The site is approximately one acre and the current zoning is C-1 General Commercial making the use comply with the zoning. She concluded by stating that all notification requirements had been met and that the representative would like to give a presentation.

Kay Stallworthy, 2568 S. Columbine St., Denver, CO 80210, is the developer with Cadence Development, which will ultimately be the land owner of the 7-Eleven site. She stated that the site plan mirrors some features of the Dale's Pharmacy, such as architecture and placement. She indicated to a map for placement and landscaping. She stated that she

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

believed all codes for setbacks and landscaping were met. She stated that the site includes over twenty-five percent (25%) for landscaping, pedestrian connectivity, and the site is in conformance with the overall Vincent Village development. She stated that there was a focus on safe vehicle and pedestrian access and connectivity. She indicated to site elevations to point out areas where the building mirrored the architecture of Dale's Pharmacy, adding that the intention is to keep the feel and design of the entire development. She briefly provided the mission of 7-Eleven and the involvement in the community. She then provided examples of other 7-Eleven projects within Colorado that have been completed. She concluded by stating that the elevations, landscaping, and site plan are consistent with the overall development, that staff recommends approval, the project is a permitted use, and they have met or exceeded all requirements.

Chair Simone opened the Public Hearing to public comments at 6:06 p.m.; seeing no one he closed the public comments portion at 6:07 p.m.

Chair Simone asked if the lights on the building were facing out or downcast.

Tanner Kinde, 5753 N. Chester Way, Denver, CO 80238, Director of the West Region at The Dimension Group stated that a photometric study was included in their submittal. He stated that there are exterior lights on the building that are LED focused so there will not be light that surpasses the property line.

Chair Simone asked staff if they were okay with the lighting.

Ms. Knutson stated that there is an easement for a shared drive and there are foot-candles on the future adjacent commercial site, but there are no concerns from staff.

Planning Director Todd Hodges stated that there is a note on the drawing that specifically indicates that the lighting shall be shielded and downcast.

Chair Simone asked about the notification requirements and why neighboring residential properties would not be notified.

Mr. Hodges stated that neighboring properties were notified for the development pursuant to code requirements. He stated that the code only requires notification to properties within one-hundred feet (100 ft.) of a site plan.

A brief discussion about changing the notification requirements so that the notification buffer is larger took place.

Ms. Knutson stated that the applicant requested a small language change under item "H 4". She stated that staff was okay with the change and that the resolutions in front of them reflect that language change.

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

Chair Simone commented that he appreciated that the applicant was taking the Dale's Pharmacy into consideration for their design.

Chair Simone asked the Commission Members if they had any questions; seeing none, he requested a motion to approve Resolution P2019-034. It was moved by Member Bruce Fitzgerald and seconded by Vice-Chair Bushrod White.

Motion carried unanimously by voice vote.

**South Rollie Avenue Industrial Site Plan**

Ms. Knutson introduced the project and stated that the submittal was from the Wheat Ridge Group, LLC. She added that Villano Brothers Properties, Inc. is still the owner and have signed off on the application. She stated that the site is closer to Halliburton; just east and adjacent to South Rollie Avenue and north of County Road 8. She stated that the current zoning is I-2 Heavy Industrial and the site is 5.76 acres, more or less. She stated that the proposed project is for an industrial building that will house a trucking, oil field services, or similar use. She stated there is no particular user at this time. She concluded by stating all notification requirements have been met and the applicant is present for any questions.

Chair Simone asked if the applicant will be paving South Rollie Avenue up to the site.

Roy Vestal, Public Works Director, stated that the paving will be part of the Public Improvements Agreement, which is in the works. He stated it will include some sort of delayed paving since Basalite is currently paving half of a road section, which consists of two lanes, and a shoulder from County Road 8 to County Road 10. He concluded by stating this will also depend on how the Fire District will treat their site plan and their share of the paving.

Joe Wheeler, 3116 Rugby Dr., Billings, Montana 59102, with Wheat Ridge Group, LLC gave a brief statement of thanks to the staff and board for reviewing the project, and the ideal location of the site in Fort Lupton. He stated that the building is a 30,000 square feet office warehouse with 12 overhead doors, with 6 being on each side, and 3,000 square feet of office space. He stated that the target tenant is oil field services company, and the 6 acre lot is already zoned I-2 Heavy Industrial which is the most favorable industrial zoning a user might need. He concluded by stating his partner will provide a more technical analysis of the project.

Steve More, 7561 S. Grant St., Littleton, CO 80122, with Commercial Building Services stated that the building will be located on Lot 2 of the Villano Minor Subdivision, which is approximately 5.8 acres. He stated that in reference to the paving inquiry, the intention is to have approximately half of the front of the site be paved for heavy traffic. He stated that the extension from their drive out to S. Rollie Avenue will be the paved access point. He stated the rear portion, which will be the storage area of the site will be paved with recycled asphalt

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

to allow for drainage. He stated that the building is a 30,000 square foot pre-engineered steel building and provided specifications. He stated that they will be incorporating insulated fixed store front glazing for the entrance portion as well as glass in the office area. He stated that they added high glass on both the front and rear of the building to allow for natural light into the shop and office area. He stated that there is a steel entry canopy and architectural element over the main entry of the building. He stated that the design of the building allows for flexibility for a single or two tenants. He stated that the building is set up to be equal proportions for two tenants. He stated that site improvements include on-site storm water drainage. He stated that the site will be graded and storm water will be collected and taken back to infiltration ponds, which they are working with staff on the design. He stated that landscape improvements will include street trees along S. Rollie Avenue, landscape islands in the interior, and perimeter landscape buffers. He stated that site lighting will be at a security level lighting. He stated that there will be a combination of pole lights and on-building lights; all of which are LED downcast light fixtures. He stated that there will also be a perimeter security fencing shown on site as well.

Chair Simone opened the Public Hearing to public comments at 6:19 p.m.; seeing no one he closed the public comments portion at 6:20 p.m.

Vice-Chair Bushrod White made a comment that the building should be well designed, and pleasing to the eye like the McAda building. He stated that having the site kept up and maintained would be components to maintaining that pleasing look.

Chair Simone asked that since there are no tenants at this time, will the approval of the tenants come back to Planning Commission for approval.

Mr. Hodges stated that tenants would not come back to Planning Commission for approval unless there is a major change in the land use. He stated that if there is an issue with traffic, it would go back to Public Works, but not Planning Commission. He stated that any proposed aboveground fuel tanks would come back to Planning Commission for approval of a special use permit. He made comments in regards to working with the applicant and landscaping the site. He stated that the additional proposed screening will come back to staff for review and approval on the rear of the site.

Chair Simone made a comment that he agreed with Vice-Chair Bushrod White about what would need to be done in order to keep the site maintained, and that the Code Enforcement Department would need to be keeping track of any issues.

Mr. Hodges stated that he agreed and that Code Enforcement is looking at these properties to ward off any issues early on. He mentioned that Halliburton is another good example of keeping a property well maintained.

Chair Simone asked if the applicant is looking to sell or lease the property.

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

Mr. Wheeler stated that the site is currently marketed for either selling or leasing.

Ms. Knutson stated that she will update a type error on the resolution to start with "A" rather than "B".

Chair Simone asked the Commission Members if they had any questions; seeing none, he requested a motion to approve Resolution P2019-035. It was moved by Vice-Chair Bushrod White and seconded by Member Bruce Fitzgerald.

**Cottonwood Greens Preliminary PUD Plat**

Ms. Knutson introduced the project. She stated that this project is the second stage of the major subdivision process. She stated that the project has been submitted by Arbor Capital Partners, LLC. She stated that the subdivision is located north and adjacent to 9<sup>th</sup> street and west and adjacent to County Road 31. She stated that the zoning is PUD and there are PUD design guidelines that are included with the application that establish specific zoning for this district. She stated that the site is 121 acres, more or less. She stated that the applicant is proposing 286 single-family detached homes with future plans for single-family attached units on a parcel in the subdivision. She stated that all notification requirements have been met and that the next phase is the final plat process which goes straight to City Council.

Kristin Turner, 444 Mountain Avenue, Berthoud, CO 80513, a partner with TB Group reiterated that they are proposing single-family detached homes and the future development could include single-family attached homes. She indicated to an open space buffer surrounding the property and remarked that there is a lot of open green space included in the site which is intentional with the design. She stated that all the lots backup to green spaces, so there will be no back-to-back lots or shared fence lines for this subdivision in order to create a sense of openness. She stated that they will be providing multiple access points off of 9<sup>th</sup> street and there is a connection to County Road 31 and 14<sup>th</sup> street. She stated that in addition to the development, they are proposing the Fulton Ditch Trail extension along the northern portion of the property and a Community Trail proposed along the southern portion of the property which will connect to the Fort Lupton Trail, which also provides a connection to the Fulton Ditch Trail. She gave a brief recap of the connectivity and access points. She stated that they are also proposing a neighborhood park and a few pocket parks. She stated that they are proposing large turf areas, trails that come through, detached walks, a play area with high quality play equipment, covered structure for shade with picnic tables, and enhanced planting areas.

Chair Simone asked if the neighborhood park area was three acres.

Ms. Turner stated that the area was just under three acres.

Ms. Turner referred to a map that had one of the proposed parks and indicated the features they were proposing to include in the park. She then indicated to another map that indicated

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

the covered structure. She then went to another map that referred to a proposed trail head. She stated that the trail head is meant to provide access to the Fulton Trail and Community Trail. She referred to a chart which shows the development guidelines that is included with the application. She concluded by stating that they anticipate that the site will develop in five phases.

Chair Simone opened the Public Hearing to public comments at 6:31 p.m.; seeing no one he closed the public comments portion at 6:31 p.m.

Vice-Chair Bushrod White asked if there were any elevations provided of residential buildings provided for the site.

Ms. Turner stated that there are no planned elevations for the buildings at this point as it is not a required component in the preliminary plat. She asked Mr. Hodges if the elevations are required at the final plat.

Mr. Hodges stated that it is highly recommended.

Ms. Turner stated that they will work with the team to see if that is something that could be available at the final plat.

Vice-Chair Bushrod White asked Ms. Turner if she knew the size of the buildings.

Ms. Turner stated that the lots range from 5,500 square feet and significantly larger for cul-de-sac homes. She stated that she estimates that homes will be 2,000 square feet to 3,500 square feet. She stated that the homes will meet the land use requirements for height and elevations.

Member Bruce Fitzgerald asked staff if they saw any challenges with addressing.

Mr. Hodges stated they didn't see any challenges at this point, but it will be finalized at the next stage.

Ms. Knutson asked Member Bruce Fitzgerald if he saw any challenges with addressing.

Member Bruce Fitzgerald stated that some of the streets go southwest and southeast so there might be an issue, but he volunteered to help overcome that.

Member Paul Weber asked about the distance along the rear of the property.

Ms. Turner stated that the distance would be between 20 and 30 feet.

Member Paul Weber asked Ms. Turner to speak a little more on why there would be a significant distance.

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

Ms. Turner stated that lots will feel significantly larger than they actually are when they are backed up to green belts, despite green belts not being part of the yard. She stated that generally with green belts, they prefer to have a lower fence such as a split rail fence.

Member Paul Weber asked if there would be a gate to access the green belts from the backyard.

Ms. Turner stated that would be include in the design guidelines, but often times there would not be an issue having access to the green belt. She stated that it's about creating the feel of openness and greenness within the development.

Chair Simone commented that he also has open space behind his home and likes the look of the open space. He asked Ms. Turner if this development was a metro district.

Ms. Turner stated that it was.

A brief discussion on what a metro district was and examples of metro districts took place.

Chair Simone commented that he liked that the trails were included in the phasing of the development. He then asked how wide the concrete trails were.

Ms. Turner stated that the trails were ten feet wide.

Mr. Hodges stated that you typically get long term maintenance with a metro district as opposed to a Home Owner's Association (HOA), which can go away. He stated that the metro district is tax deductible where an HOA is not. He commented on the wonderful job done by the applicant to meet the desire for homes, trails, and open space.

Comments on standards for future development were made.

Chair Simone requested a motion to approve Resolution P2019-036. It was moved by Member Paul Weber and seconded by Member Lynne Derby.

Motion carried unanimously by voice vote.

**DISCUSSION ITEMS**

**Review of Meeting Discussion**

Discussion of the Courtyards at Lupton Village project, the Highway 160 Annexation continuance, and the finalization of the contract with the consultant for the zoning and subdivision code update took place.

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

A brief discussion about the mailing notification requirements took place.

A brief discussion about lighting on a site took place.

Ms. Knutson informed the Planning Commission that a resolution may need to be made for the change of the meeting dates, but this would be the last meeting of the year and the ordinance to change the City Council meeting dates would not go into effect until January.

A brief discussion regarding the change took place.

Vice-Chair Bushrod White made a motion for Chair Mike Simone to have the authority to sign a resolution changing the day of the Planning Commission meetings to the second and fourth Thursday of the month at 6:00 p.m. and it was seconded by Member Bruce Fitzgerald.

Motion passed unanimously.

**Design Guidelines Photographs**

This item was not discussed.

**Planning Commissioner Training**

Chair Mike Simone made a comment that there is a Planning Refresher Workshop in Greeley on Saturday, December 7<sup>th</sup> from 9:00 a.m. to 4:00 p.m. if anyone could attend.

**FUTURE BUSINESS**

**Next Meeting of the Planning Commission**

The next meeting will be held January 9, 2020 at 6:00 p.m.

**ADJOURNMENT**

It was moved by Member Bruce Fitzgerald and seconded Member Lynne Derby to adjourn the December 3, 2019 Planning Commission meeting at 6:54 p.m.

Motion carried unanimously by voice vote.

---

Stephanie Darnell, Planning Technician

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
December 3, 2019**

Approved by Planning Commission

---

Mike Simone, Chair

**COLORADO TRANSMISSION AND DIESEL  
SPECIAL USE PERMIT**

# **RESOLUTION P2020-001**

**RESOLUTION NO. P2020-001**

**A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF A SPECIAL USE PERMIT TO COLORADO TRANSMISSION & DIESEL SPECIALISTS TO CONDUCT AUTO SALES AND MINOR AUTO REPAIRS AT 1021 DENVER AVENUE.**

**WHEREAS**, the Planning Commission held a public hearing on January 9, 2020 for the purpose of reviewing the Special Use Permit for Colorado Transmission & Diesel Specialists; and

**WHEREAS**, after review of the application and supporting documentation, find the request to conduct a vehicle transmission, diesel and repair business at 1021 Denver Avenue; and

**WHEREAS**, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission has taken into consideration the supporting documentation and staff comments, all referral comments and any citizen testimony in response to this application. Based on the facts presented on this date, the Planning Commission recommends approval of Colorado Transmission & Diesel Specialists Special Use Permit to conduct a vehicle transmission, diesel and repair business at 1021 Denver Avenue to City Council, with the following conditions:

- I. Prior to Recording the Special Use Permit Map:
  - A. The title of the special use permit map shall include Project No. LUP2019-0034 & Plan No. SUP2019-0006.
  - B. Any redline comments provided by staff shall be made to the special use permit map.
  - C. The fence along the alley shall be labeled on the special use permit map.
  - D. The following notes shall be added:
    - 1. The property shall be maintained to the curb, or roadway if no curb exists.
    - 2. Proposed parking encroaches into the existing right of way. The City retains the right and authority to require vacating those areas in the future if needed for street improvements or utility construction.
    - 3. The City reserves the right to reevaluate traffic impacts in the future if there is an increase or change from what was represented to the City in evaluating this special use permit.

- II. Prior to Certificate of Occupancy:
- A. Applicant shall submit written evidence that the comments from the Colorado Department of Transportation have been adequately addressed.
  - B. Applicant shall submit written evidence that the comments from the Fort Lupton Fire Protection District have been adequately addressed.
  - C. Applicant shall submit written acknowledgement of the comments from United Power.
  - D. Applicant shall submit written acknowledgement of the comments from Xcel Energy (Public Service Company).
  - E. Identify a location of a trash enclosure on the site, and provide a building permit to the Building Permit for approval.
  - F. The bollard signs identified on Sheet 3 of the special use permit map have not been permitted, and applicant must submit a sign permit application for review and approval by the Building Department. Any other signs (including a change of the existing Denver Avenue sign) must be permitted with the Building Department as well.
  - G. One set of Mylars of the special use permit map shall be submitted for recording with the Weld County Clerk & Recorder. The special use permit map must include certification blocks in the form required by the Fort Lupton Municipal Code.

**DONE THIS 9<sup>th</sup> DAY OF JANUARY, 2020 BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.**

\_\_\_\_\_  
**Vice-Chairman**

**ATTEST:**

\_\_\_\_\_  
**Planning Director**

# STAFF REPORT

**COLORADO TRANSMISSION & DIESEL SPECIALISTS SPECIAL USE PERMIT  
STAFF REPORT  
Project No. LUP2019-0034 & Plan No. SUP2019-0006**

**PROJECT DESCRIPTION**

Project No.: LUP2019-0034 / Plan No.: SUP2019-0006

Project Name: Colorado Transmission & Diesel Specialists Special Use Permit

Owner's Name: Armando Escarcega

Applicant Name: Colorado Transmission & Diesel Specialists ("Applicant")

Location of Request:

1021 Denver Avenue, Fort Lupton, Colorado ("Property"). The Property is located north and adjacent to 10<sup>th</sup> Street and west and adjacent to Denver Avenue.



Nature of Request:

The Applicant has submitted a request for a special use permit for a vehicle transmission, diesel and repair business at 1021 Denver Avenue. There is an approximately 3,205 square foot building on the site that the Applicant will use for this business. There will be no other buildings constructed at this time. The business is currently in Brighton and will be relocating to Fort Lupton.

Site Size: 0.487 acres, more or less.

Zone District: C-1 General Commercial.

Proposed Use: Vehicle transmission, diesel and repair business.

Existing Use: Vacant. Automotive sales lot and light automotive maintenance.

Hearing Dates: Planning Commission – January 9, 2020 at 6:00 PM; and  
City Council – January 21, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

**APPLICATION PROCESS**

The Applicant is requesting approval of a special use permit to conduct vehicle repairs, including for transmission and diesel.

Special use permits are processed under Section 16-7 of the Code.

After required public notice of the special use permit, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions, or deny the special use permit. The Planning Commission’s comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City’s standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the special use permit, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City’s standards, regulations and policies and other guidelines.

**NOTIFICATION REQUIREMENTS**

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on December 25, 2020.

Notice of the public hearings were posted on the Property on December 24, 2019, pursuant to the Zoning Regulations, which require the Applicant post the Property with notice of the hearings at least fifteen (15) days prior to the hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the Property December 20, 2019.

## CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The Property is located within the C-1 General Commercial Zone District. The intent of the C-1 General Commercial Zone District is to provide a zone for concentrated commercial activities normally found in central business districts. Such concentrated business activities develop economic strength and, with proper development standards, create a convenient, compatible pattern of land use.

The C-1 General Commercial Zone District permits auto and truck sales lots, services and repairs subject to the special use review and approval procedures set forth under Section 16-7 of the Fort Lupton Municipal Code (the "Code"). A special use review requires a public hearing before Planning Commission and City Council.

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.

Staff Comment: The use meets the provisions of the Code, specifically it meets the intent of the C-1 General Commercial Zone District by concentrating commercial activities within the District and creating jobs and developing economic strength by utilizing an otherwise vacant Property. It is also consistent with the Comprehensive Plan, which is explained in further detail in the next section of this Staff Report. In addition, all required documents have been submitted and notification requirements met.

2. The special use shall not substantially alter the character of the district or the neighborhood.

Staff Comment: The Property is surrounded by a plumbing and heating business to the north, a gas station to the east, a mobile home park to the south, and residential uses to the west. Additionally, the Property was formerly an automotive sales lot, and prior to that an oil change repair shop, and due to the surrounding uses to the north and east, staff finds that the use does not substantially alter the character of the area.

3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.

Staff Comment: There will be approximately six employees at this location and customer traffic is anticipated to be minimal. Conditions of approval listed in the proposed resolution address other potential traffic circulation or other potential adverse impacts related to traffic.

4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

Staff Comment: The proposed resolution outlines recommended conditions of approval to ensure that performance issues have a minimal effect on the surrounding area.

5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN**

The Fort Lupton Comprehensive Plan designates this area as the Downtown Mixed Use land use type. This designation includes properties along Denver Avenue and constitute Fort Lupton’s Downtown and city center. Largely defined within the Downtown Subarea Plan, this area is intended for higher density mixed-use development that will establish an urban, pedestrian-oriented district at the heart of the community.

The proposed use is a special use within the C-1 General Commercial zone district, and it is likely that in the future the Property will transition into a more high density, mixed-use development as envisioned by the Comprehensive Plan. Until then, staff believes the proposed use generally conforms with the intention of Comprehensive Plan for the time being.

**REFERRALS**

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

|                           |                                      |                          |
|---------------------------|--------------------------------------|--------------------------|
| Buildings/Grounds Manager | Building Inspector                   | Wastewater Plant Manager |
| City Attorney             | GIS Specialist                       | Police Chief             |
| Public Works Director     | Fort Lupton Fire Protection District | CDOT                     |
| United Power              | Comcast                              | CenturyLink              |
| Xcel Energy               | Postmaster                           |                          |

***For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.***

# **LAND USE APPLICATION & PROJECT DESCRIPTION**



### Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694  
 Fort Lupton, CO 80621 Fax: 303.857.0351  
[www.fortlupton.org](http://www.fortlupton.org)

Project No. \_\_\_\_\_

### Land Use Application Form

#### A. CONTACT INFORMATION

- 1) Property Owner Name: ARMANDO ESCARCEGA  
 Company: N/A  
 Phone: 303-506-2507 Email: armandosauto@comcast.net  
 Address: 3401 Watada Street, Brighton, CO 80601  
 Preferred method of contact? Email:  Phone:  Mail:
- 2) Representative Name: CHADWIN F. COX  
 Company: WESTERN ENGINEERING CONSULTANTS inc. LLC  
 Phone: 720-685-9951 Email: chadwin.cox@westerneci.com  
 Address: 127 South Denver Ave., Fort Lupton, CO 80621  
 Preferred method of contact? Email:  Phone:  Mail:
- 3) Billing Contact (where invoices should be directed to): \_\_\_\_\_  
 Billing Company: COLORADO TRANSMISSION AND DIESEL SPEC.  
 Phone: 303-594-3976 Email: douglas@comcast.net  
 Address: 120 Harrison Ave, Fort Lupton CO 80621

#### B. SITE DESCRIPTION

Site Address: 1021 Denver Ave, Fort Lupton CO, 80621  
 Parcel Number: 130931408007  
 Existing Zone Classification: C-1 Proposed Zone Classification: C-1  
 Water Type: Municipal Name: City of Fort Lupton  
 Sewage Type: Municipal District Name or Location Hauled to: City of Fort upton

#### C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Sketch Plat       | <input type="checkbox"/> Administrative Site Plan      | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat  | <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance                       |
| <input type="checkbox"/> Final Plat        | <input type="checkbox"/> Oil & Gas Permit              | <input type="checkbox"/> Administrative Variance        |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone     | <input type="checkbox"/> Appeal                         |
| <input type="checkbox"/> Amended Plat      | <input type="checkbox"/> Change of Zone                | <input type="checkbox"/> Other: _____                   |
| <input type="checkbox"/> Site Plan         | <input type="checkbox"/> Comp Plan Amendment           |   |

**D. PROJECT DESCRIPTION**

Project Name: COLORADO TRANSMISSION & DIESEL SPECIALIST

Please provide a short description of the proposed project in the space provided below:

Transmission, Diesel and Auto repair, business hours 7:00 am to 6:pm. 6 employees, 5  
visitors /day

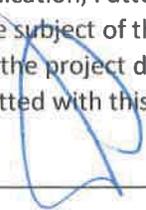
**E. REQUIRED DOCUMENTS**

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

**F. CERTIFICATIONS**

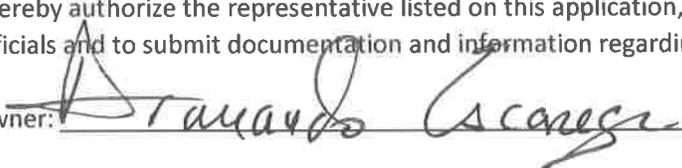
**Representative Certification**

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 10/31/19

**Owner Certification**

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner:  Date: 10-30-19

---

**For Office Use Only**

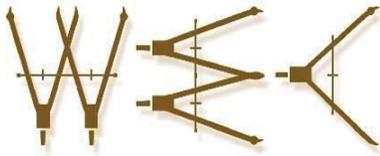
Received Date: \_\_\_\_\_

If the application is not complete, state reasons why it is incomplete:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deemed Complete Date: \_\_\_\_\_

Fees Submitted: \_\_\_\_\_ Escrow Submitted: \_\_\_\_\_



**WESTERN ENGINEERING CONSULTANTS,**  
127 S Denver Ave. Fort Lupton, CO 80621  
2501 Mill Street, Brush, CO 80723  
Office: 720-685-9951  
Cell. 303-913-7341, Fax 720-294-1330  
Email: chadwin.cox@westerneci.com  
*Inc LLC*

**Item 8 - WRITTEN EXPLANATION OF THE PROJECT**

This project is proposed at 1021 Denver Avenue, Fort Lupton CO, 80621, identified as Weld County Parcel No.130931408007. The property is Zoned C-1 and is approximately 21,206 sq.ft.

The property is bound on the west by residences fronting Park Avenue, to the North a commercial property, to the east Denver Avenue, commercial and residence properties, and to the South is 10<sup>th</sup> Street and residences.

**PURPOSE:**

It is the applicant's desire to get the Special Land Use approved for their transmission, diesel and repair business.

**LOT DATA TABLE:**

| DESCRIPTION     | AREA (sq.ft.) | %      |
|-----------------|---------------|--------|
| LOT             | 21,206        | 100.00 |
| BUILDING        | 3,205         | 15.12  |
| ASPHALT PAVING  | 13,282        | 62.64  |
| CONCRETE PAVING | 4,717         | 22.24  |

**PARKING DATA TABLE:**

| PARKING DATA TABLE          |           |
|-----------------------------|-----------|
| DESCRIPTION                 | QTY       |
| VISITORS                    | 5         |
| EMPLOYEES                   | 6         |
| CUSTOMER VEHICLES           | 21        |
| HANDICAP PARKING            | 1         |
| <b>TOTAL PARKING STALLS</b> | <b>33</b> |

**HOURS of OPERATION:**

Operation hours will be from 7:00 am to 6:00 pm

**NUMBER OF EMPLOYEES:**

Six (6) employees total

**CUSTOMERS / VISITORS:**

On average 5 – 6 customers visit the established business daily.

**BUILDING:**

No interior or exterior modifications are proposed.

**TRAFFIC STUDY:**

Per the Pre-Application meeting held on October 31, 2019, no updated Traffic Analysis is required.

**DRAINAGE:**

Per the Pre-App meeting held on October 31, 2019, no Drainage Analysis is required.

**UTILITIES:**

No modifications are proposed.

**SCREENING:**

Existing building is at zero lot line along the west property line. An 8' tall screening fence exists along the remaining west property line to screen the business from the west residences.

**APPLICATION:**

We believe this proposal is agreeable with the adjacent uses and those expected on the surrounding properties.

Enclosures include:

- |   |               |
|---|---------------|
| 1. Complete Land Use Application            | Enclosed      |
| 2. Checks for the Fees, total of \$2,650.00 | Enclosed      |
| 3. Complete fee deposit (escrow) agreement  | Enclosed      |
| 4. Proof of ownership                       | Enclosed      |
| 5. Electronic copy (USB)                    | Enclosed      |
| 6. Application for Special Use Permit       | Enclosed      |
| 7. Site Plan Showing Proposed Development   | Enclosed      |
| 8. Written Explanation of the Project       | This document |
| 9. Legal Description                        | Enclosed      |
| 10. Stamped envelopes                       | Enclosed      |

**CLOSING**

Douglas and Heather Friedlan are the Owners of Colorado Transmission and Diesel Specialists. As existing residents of the City of Fort Lupton they are very excited to relocate their business from Brighton to Fort Lupton.

We as Western Engineering Consultants are the Owner's Technical Representatives.

WEC appreciates the City's review of this Special Use Permit.

Please contact me with any questions or comments you may have.

Sincerely,



Western Engineering Consultants inc., LLC  
Chadwin F. Cox, P.E.  
Senior Project Manager

# **SPECIAL USE PERMIT APPLICATION**



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

APPLICATION FOR SPECIAL USE PERMIT

A preapplication conference and site visit may be required prior to submitting the Special Use Permit Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 720-466-6128.

Applicant should provide the following:

- 1. Plat of area with proposed zoning with vicinity map identifying site and surrounding area. If you are constructing a new building or adding to an existing building as part of this application, you must also submit a plot plan, construction plans, and a drainage plan. Approval of the special use permit will be based upon the drawings submitted unless changes are recommended by the engineer, planning commission, or city council.
2. Information as requested.

The applicant is responsible for the following:

- 1. Posting a hearing notice on the property 15 days prior to the hearing.

Name of Property Owner: ARMANDO ESCARCEGA Phone: 303-506-2507

Address: 3401 Watada Street , Brighton, CO 80601

Applicant (if different from owner): DOUGLAS & HEATHER FRIEDLAN

Address: 120 Harrison Ave. Fort Lupton, CO 80621

Home Phone: 303-594-3976 Cell Phone: 303-625-3792

Address or location of Property for which Special Use Permit is being requested:
1021 Denver Avenue. Fort Lupton CO 80621

Legal Description SEE ATTACHED SHEET

Current Zoning: COMMERCIAL C-1

Reason for Request:

Be able to use the property to establish a Transmission, diesel and repair business

---

---

---

Please answer the following questions in detail.

1. What is the proposed use?

Transmission, diesel and repair

2. How will the proposed use impact the surrounding properties as it relates to the following areas:

Noise  
Indoor activities

Dust  
Not expeted, lot developed

Odor  
NONE

Safety  
NO ISSUES

Traffic  
Minimal

Light  
No new systems are to be installed

3. What are the proposed hours of operation?

7:00 am to 6:30 pm

4. Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?

N/A

5. If this application is for a daycare, how many children will you be caring for?

N/A

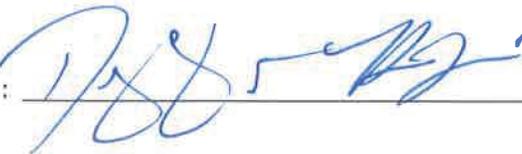
6. If this application is for an assisted living facility, how many units will you have in the facility?

N/A

7. How many employees will work at the proposed facility?

6 employees

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signatures:  \_\_\_\_\_

Date: 10/31/19

# MAPS



VICINITY MAP  
S37, T2N, R66W, 6th P.M.  
SHOWN VICINITY MAP TAKEN FROM USGS QUAD MAP - FORT LUPTON 40104-47  
SCALE 1" = 2,000'

**REVISIONS**

| NO. | DATE | DESCRIPTION  |
|-----|------|--------------|
| 0   |      | COVER SHEET  |
| 0   |      | SITE PLAN    |
| 0   |      | SIGN DETAILS |

**INITIAL RELEASE:**

**OCTOBER 31, 2019**

**MAYOR'S CERTIFICATE**

THIS IS TO CERTIFY THAT A PLAT OF THE ABOVE-DERIVED PROPERTY WAS APPROVED BY RESOLUTION NO. \_\_\_\_\_ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ AND THAT THE MAYOR OF THE CITY OF FORT LUPTON, AS AUTHORIZED BY SAID ORDINANCE/RESOLUTION ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID PLAT UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

ATTEST:

\_\_\_\_\_  
MAYOR

CITY CLERK  
(SEAL)

**LEGAL DESCRIPTION:**  
LEGAL DESCRIPTION ISSUED BY STEWART TITLE GUARANTEE COMPANY FILE NO. 49874, DATED JULY 23, 2019, LOTS 1, 2, AND 3, BLOCK 1, PHILPOTTS ADDITION TO FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO

**BASIS OF BEARING & BENCHMARK:**  
PROJECT BENCHMARK: METEORICAL DATUM, ADJACENT SURVEY WAS NOT PERFORMED  
BASIS OF BEARINGS: HORIZONTAL DATUM

**SPECIAL USE PERMIT - ADMINISTRATIVE CERTIFICATIONS**

**PROPERTY DESCRIPTION**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SE1/4 OF SECTION 31, T2N, R66W OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
LOTS 1, 2, AND 3, BLOCK 1, PHILPOTTS ADDITION TO FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

**PROPERTY OWNERS' APPROVAL**

KNOW ALL MEN BY THESE PRESENTS, THAT DOUGLAS FRIEDLAN AND HEATHER FRIEDLAN, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, AND \_\_\_\_\_ ARE ALL OF THE MORTGAGES AND HOLDERS OF LIENS UPON THE PROPERTY, AND EACH AND ALL HEREBY CONSENT TO THIS PLAT AND JOIN THE CONVEYANCE AND DEDICATION OF ALL STREETS, ROADS, ALLEYS, EASEMENTS, PUBLIC WAYS AND PLACES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREINTO SET OUR HANDS AND SEALS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

STATE OF COLORADO, \_\_\_\_\_ OWNER SIGNATURE \_\_\_\_\_ OWNER SIGNATURE \_\_\_\_\_

COUNTY OF WELD \_\_\_\_\_ ) SS \_\_\_\_\_ )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY \_\_\_\_\_ ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, IN MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

**CITY WATER AND SEWER DEPARTMENT APPROVAL**

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

**CITY ADMINISTRATORS' APPROVAL**

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

**PLANNING COMMISSION RECOMMENDATION**

RECOMMENDED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017, BY RESOLUTION NO. P2017-008.



1-800-922-1987  
Utility Notification  
Center of Colorado  
1500 North Lincoln Avenue  
Denver, Colorado 80202  
www.unicc.org  
FOR THE UTILITY INDUSTRY

**PREPARED BY:**

CHARPERSON, FORT LUPTON  
PLANNING COMMISSION



**WESTERN ENGINEERING CONSULTANTS, inc. LLC**  
127 SOUTH DENVER AVENUE, FORT LUPTON, CO 80621  
303-913-7341 PH, 720-294-1330 FAX, email@westerneci.com

PROJECT NO: 100302.001.00  
INITIAL PLAN RELEASE: October 31, 2019  
PAGE: 1 of 3  
SHEET: 01

PROJECT NO. LUP2019-00XX  
PLAN NO. SUP2019-00XX

**SPECIAL USE PERMIT FOR:  
COLORADO TRANSMISSION &  
DIESEL SPECIALISTS**

1021 DENVER AVE  
FORT LUPTON, CO 80621  
WELD COUNTY, COLORADO

**PREPARED FOR:**

**DOUGLAS & HEATHER FRIEDLAN**  
120 HARRISON AVE.  
FORT LUPTON, CO 80621  
303-594-3976

**APPROVED BY:**

PROPERTY OWNER  
**DOUGLAS FRIEDLAN**

DATE

WESTERN ENGINEERING CONSULTANTS, INC.  
**CHADWIN F. COX, P.E.**

DATE



COLORADO TRANSMISSION AND DIESEL SPECIALISTS LOGO

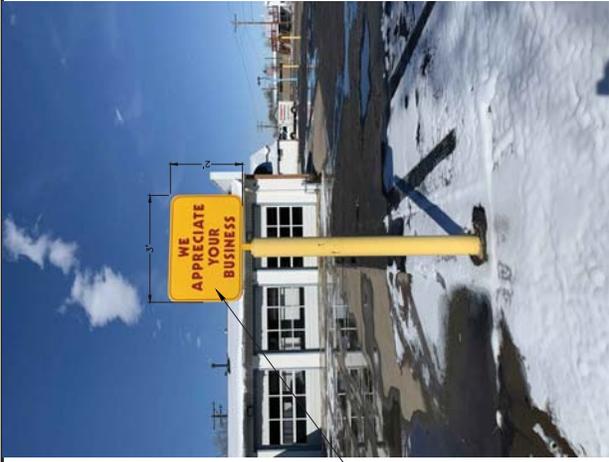


EX SIGN ON BOLLARD



HEIGHT = 8'

EX SIGN ON BOLLARD



HEIGHT = 18'

EX SIGN ALONG DENVER AVE



FOR REVIEW

DATE: 10/31/2019

PROJECT: 01-0352.001.00

DESIGNED BY: GEC

DRAWN BY: GEC

CHECKED BY: GEC

DATE: 10/31/2019

PROJECT: 01-0352.001.00

DOC CON: 0000

APP: 0000

SHEET: 3 OF 3

SIGN DETAILS

CO. TRANSMISSION & DIESEL

1021 DENVER AVE, FORT LUPTON, 80621

WELD COUNTY, COLORADO

COL. TRANSMISSION & DIESEL SPECIALISTS

8 PIECEL SPECIALISTS

129 HARRISON AVE

FORT LUPTON, 80621

(303)94-2976

Western Engineering Consultants, Inc. LLC

127 S. DENVER AVE

FORT LUPTON, CO 80621

WWW.WESTERNED.COM

EMAIL: INFO@WESTERNED.COM

(303) 913-7241

FAX: 294-1330



# REFERRAL RESPONSES

## Alyssa Knutson

---

**From:** Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us>  
**Sent:** Tuesday, December 31, 2019 1:23 PM  
**To:** Todd Hodges; Alyssa Knutson; Allyson Mattson - CDOT; Bilobran, Timothy  
**Subject:** Colorado Transmission and Diesel/Town of Fort Lupton/US 85 Business

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I couldn't find where traffic had been discussed. CDOT will want to know if this proposal will increase traffic at the access by more than 20% than historical. If it does, it provides CDOT with the warrant necessary to re-evaluate access and request a new access permit. The applicant needs to be aware that the warrant allows CDOT to possibly modify the access width to bring it into conformance. If not, then CDOT would have no comment.

The applicant will need to work with Ally Mattson at (970) 350-2148 to determine if a new access permit is required.

Gloria Hice-Idler  
Rocksol Consulting

(970) 381-8629



10601 W. 10th Street, Greeley, CO 80634

[gloria.hice-idler@state.co.us](mailto:gloria.hice-idler@state.co.us) | [www.codot.gov](http://www.codot.gov) | [www.cotrip.org](http://www.cotrip.org)



## Alyssa Knutson

---

**From:** John Fryar  
**Sent:** Monday, December 9, 2019 2:32 PM  
**To:** Alyssa Knutson  
**Subject:** RE: Request for Referral Response: Colorado Transmission and Diesel (1021 Denver Ave.); Project No. LUP2019-0034 & Plan No. SUP2019-0006

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

There are no LE concerns with this permit.



Commitment rather than Compliance  
Remember "Find a Way to Help"

John Fryar, Chief of Police  
130 S. McKinley Ave  
Fort Lupton, CO 80621

Work (303) 857-4011  
Cell (303) 210-0100

---

**From:** Alyssa Knutson  
**Sent:** Monday, December 9, 2019 2:23 PM  
**Subject:** Request for Referral Response: Colorado Transmission and Diesel (1021 Denver Ave.); Project No. LUP2019-0034 & Plan No. SUP2019-0006

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a special use permit being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortluptonco.gov/DocumentCenter/Index/436>.

Any comments you consider relevant to this request would be appreciated. Please reply by **December 30, 2019**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, January 9, 2020 at 6:00 PM**
- **City Council on Tuesday, January 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to [thodges@fortlupton.org](mailto:thodges@fortlupton.org) and [aknutson@fortlupton.org](mailto:aknutson@fortlupton.org).

Your time in this matter is greatly appreciated!

Alyssa Knutson, AICP

Planner II

130 S. McKinley Ave.

Fort Lupton, CO 80621

Office: 303.857.6694

Direct: 720.466.6128

Mobile: 303.304.4498



*This institution is an equal opportunity provider and employer.*



Public Works

130 S. McKinley Avenue Phone: 303-857-6694  
Fort Lupton, CO 80621 Fax: 303.857.0351  
[www.fortlupton.org](http://www.fortlupton.org)

MEMO

To: Todd Hodges  
Alyssa Knutson  
CC: Armando Escarcega (Colorado Transmission and Diesel Spec.)  
From: Roy Vestal  
Date: December 18, 2019  
Subject: Colorado Transmission & Diesel Specialists Special Use Permit;  
LUP2019-0034; SUP2019-0006 Public Works Review

---

Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

Plans indicate parking that extends past the existing Right-of-Way boundary on the southern end of the property (10<sup>th</sup> St), and if this street is to widen in the future, the parking lot will need to be reconfigured to adapt to the change in road width.

The Site Plan is approvable as submitted

**1. Drainage**

- a. There is no noted change to the drainage for the site

**2. Transportation**

- a. If 10<sup>th</sup> St. is to widen, the existing parking lot that encroaches on the public Right-of-Way will need to be reconfigured to allow for the widening of the street.
- b. No noted changes to site access are proposed.

**3. Landscape / Grading - Chapter 2 Design Standards**

- a. There is no noted change to the landscaping/grading of the site.

**4. Utilities**

- a. There is no noted change to the utilities for this property.

**From:** [United Power Plat Referral](#)  
**To:** [Todd Hodges](#); [Alyssa Knutson](#)  
**Subject:** FW: Request for Referral Response: Colorado Transmission and Diesel (1021 Denver Ave.); Project No. LUP2019-0034 & Plan No. SUP2019-0006  
**Date:** Thursday, December 19, 2019 11:43:44 AM  
**Attachments:** [image001.png](#)

---

Hello,

Thank you for inviting United Power, Inc. to review and comment on Colorado Transmission and Diesel (1021 Denver Ave.); Project No. LUP2019-0034 & Plan No. SUP2019-0006. After review, existing electrical services are at the location. United Power has no concern or comments at this time. Please have the owner/developer work early in the project if they determine additional or upgraded service is needed. They can visit <https://www.unitedpower.com/construction> for information and the application.

Thank you,

*Samantha*

Right of Way Administrative Assistant  
303-637-1324

**UNITEDPOWER**

500 Cooperative Way | Brighton, CO 80603

Powering Lives, Powering Change, Powering the Future – The Cooperative Way

[www.unitedpower.com](http://www.unitedpower.com)

---

**From:** Alyssa Knutson <AKnutson@Fortluptonco.gov>  
**Sent:** Monday, December 9, 2019 2:23 PM  
**Subject:** Request for Referral Response: Colorado Transmission and Diesel (1021 Denver Ave.); Project No. LUP2019-0034 & Plan No. SUP2019-0006

**CAUTION: This email originated from outside of United Power. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

---

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a special use permit being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link:

<https://www.fortluptonco.gov/DocumentCenter/Index/436>.

Any comments you consider relevant to this request would be appreciated. Please reply by **December 30, 2019**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, January 9, 2020 at 6:00 PM**
- **City Council on Tuesday, January 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to [thodges@fortlupton.org](mailto:thodges@fortlupton.org) and [aknutson@fortlupton.org](mailto:aknutson@fortlupton.org).

Your time in this matter is greatly appreciated!

Alyssa Knutson, AICP

Planner II

130 S. McKinley Ave.  
Fort Lupton, CO 80621  
Office: 303.857.6694  
Direct: 720.466.6128  
Mobile: 303.304.4498



*This institution is an equal opportunity provider and employer.*

#### **Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you received this message in error, please contact the sender and delete the message. Any disclosure, copying, review reproduction, or distribution in relation to any of the contents of this information is strictly prohibited.



**Right of Way & Permits**  
1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3284  
donna.l.george@xcelenergy.com

December 24, 2019

City of Fort Lupton Planning Department  
130 South McKinley Avenue  
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Tod Hodges

**Re: Colorado Transmission and Diesel  
Case #s LUR2019-0034 and SUP2019-0006**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the special use permit plans for **Colorado Transmission and Diesel** and has **no apparent conflict**.

Should the project require any new natural gas service or modification to the existing gas service facilities, the property owner/developer/contractor must complete the application process via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect).

Donna George  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-571-3306 – Email: [donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com)

**Date:** 12/18/2019

**Project Name:** Colorado Transmission and Diesel

**Project address:** 1005 Denver Ave., Fort Lupton, CO

**FLFPD Project #** 2019-0139

**Plan reviewer:** Taw Tamlin, Fire Marshal

The Fire District has reviewed the submitted plans for the new **Colorado Transmission and Diesel** located at **1005 Denver Ave**, Fort Lupton, CO. The submittal was reviewed for compliance with *2012 International Fire Code (IFC)* and National Fire Protection Association (*NFPA*) standards as adopted by the Fort Lupton Fire Protection District, the City Council of Fort Lupton and the Weld County Commissioners. The plans are approved with the following specific requirements and conditions.

### **Specific Requirements**

1. Portable fire extinguishers shall be provided in accordance with Section 906 and NFPA 10. *2012 IFC 906.2*
  - a. 10lb A-B-C fire extinguisher shall be mounted a maximum at each exit.
2. Portable fire extinguishers having a gross weight not exceeding 40 pounds (18 kg) shall be installed so that their tops are not more than 5 feet (1524 mm) above the floor. *2012 IFC, 906.9.1*
3. The storage and use of flammable and combustible liquids in repair garages shall comply with Chapter 57 and Sections 2311.2.1 through 2311.2.4. *2012 IFC, 2311.2*
4. Cleaning of parts shall be conducted in listed and approved parts-cleaning machines in accordance with Chapter 57. *2012 IFC, 2311.2.1*
5. Tanks storing Class IIIB liquids in repair garages are allowed to be located at, below or above grade, provided that adequate drainage or containment is provided. *2012 IFC, 2311.2.2.1*
6. Crankcase draining's shall be classified as Class IIIB liquids unless otherwise determined by testing. *2012 IFC, 2311.2.2.2*
7. Self-closing metal cans shall be used for oily waste. *2012 IFC, 2311.2.3.2*
8. Appliances and equipment installed in a repair garage shall comply with the provisions of the International Building Code, the International Mechanical Code and NFPA 70. *2012 IFC, 2311.3.1*

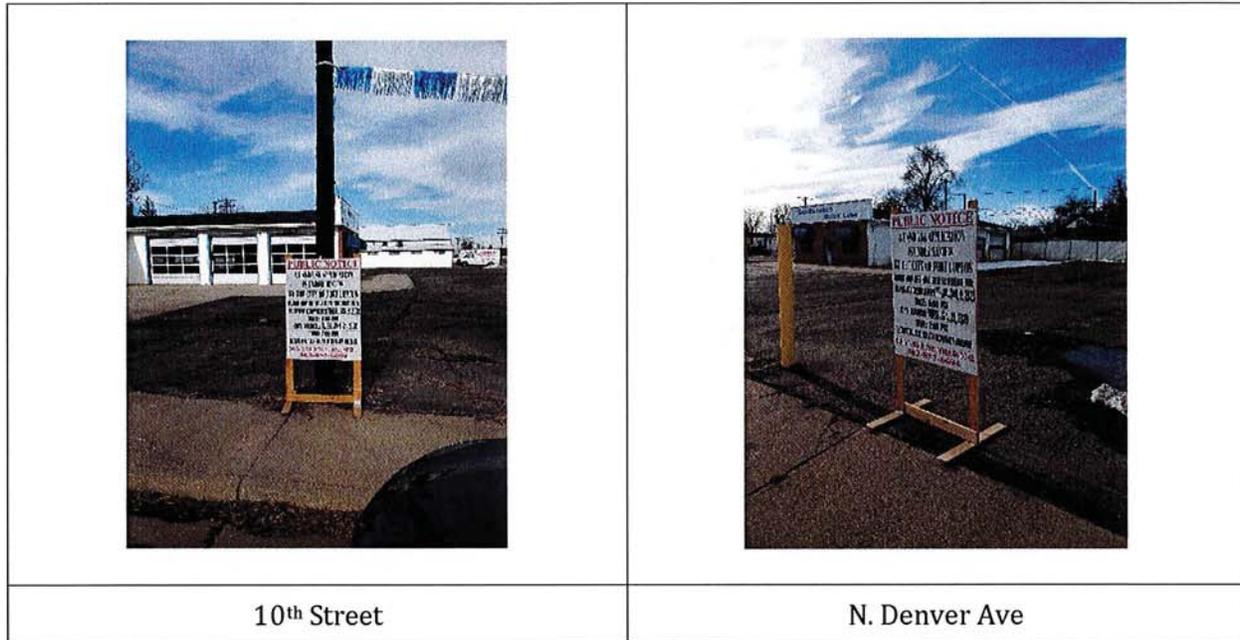
Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.



# LEGAL NOTIFICATIONS

**Sign Posting Affidavit**

Colorado Transmission and Diesel (1021 Denver Ave) Special Use Permit  
 Project No. LUP2019-0034 / Plan No. SUP2019-0006



I, Ben Mickey hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 24 day of December, 2019.

Ben Mickey  
 Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Ben Mickey, this 2nd day of January, 2020. Witness my hand and seal.

My commission expires 05/30/2023.

CARMEN L. MALDONADO CEDILLO  
 Notary Public  
 State of Colorado  
 Notary ID # 20194020252  
 My Commission Expires 05-30-2023

(SEAL)

[Signature]  
 Notary Public

**PROOF OF PUBLICATION  
FORT LUPTON PRESS  
WELD COUNTY  
STATE OF COLORADO**

I, Steve Smith do solemnly swear that I am the Publisher of the **Fort Lupton Press** the same is a weekly newspaper printed and published in the County of Weld, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Weld for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of **ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **25th day of December, 2019** the last on the **25th day of December, 2019**.



Publisher, Subscribed and sworn before me,  
this **25th day of December, 2019**



Notary Public.

---

**Bobi Lopez  
Notary Public  
State of Colorado  
Notary ID 20024002511  
My Commission Expires  
March 26, 2023**

---

**CITY OF FORT LUPTON  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for special use permit application known as the Colorado Transmission and Diesel Specialists Special Use Permit for a transmission, diesel and repair facility located at 1021 Denver Avenue in Fort Lupton, Colorado in the C-1 General Commercial Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

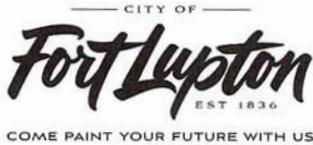
The public hearings are to be held before the Planning Commission on Thursday, January 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, January 21, 2020, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

**LEGAL DESCRIPTION**

LOTS 1, 2, AND 3, BLOCK 1, PHILPOTT'S ADDITION TO FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

Published in the Fort Lupton Press  
December 25, 2019  
000XN38



---

**CERTIFICATE OF MAILING**

I, the undersigned, hereby certify that on the 20<sup>th</sup> day of December, 2019 a true and correct copy of the foregoing Notice of Public Hearings, and special use permit map for the Colorado Transmission and Diesel Repair Facility was sent via U.S. Mail, postage pre-paid, to the following addresses:

Goss T J  
1020 Park Avenue  
Fort Lupton, CO 80621-2630

Napier Annabell E  
PO Box 204  
Erie, CO 80516-0204

Garcia Damacio Jr  
1012 Park Avenue  
Fort Lupton, CO 80621-2630

Napier Russell L  
PO Box 204  
Erie, CO 80516-0204

Garcia Fermin  
1012 Park Avenue  
Fort Lupton, CO 80621-2630

Escacega Sadie  
205 Denver Avenue  
Fort Lupton, CO 80621-1819

Escacega Armando  
205 Denver Avenue  
Fort Lupton, CO 80621-1819

Stinnett Nancy J  
15193 Arrowhead Drive  
Brighton, CO 80603-5743

Stinnett John R  
15193 Arrowhead Drive  
Brighton, CO 80603-5743

St James Cole  
1014 Park Avenue  
Fort Lupton, CO 80621-2630

Iverson Arla Rae  
1014 Park Avenue  
Fort Lupton, CO 80621-2630

Sorrentino Christa L  
1016 Park Avenue  
Fort Lupton, CO 80621-2630

Sorrentino Gregory A  
1016 Park Avenue  
Fort Lupton, CO 80621-2630

Mudd Mindy L  
980 Park Avenue  
Fort Lupton, CO 80621-2628

931 Denver Ave LLC  
C/O Basel Ibegbu  
21045 E 49<sup>th</sup> Avenue  
Denver, CO 80249-7487

Zjh LLC  
3153 W 62<sup>nd</sup> Ave  
Denver, CO 80221-1907

---

Dominguez Michelle  
PO Box 684  
Fort Lupton, CO 80621

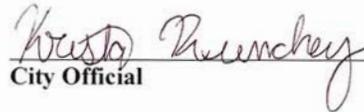
1042 Denver Ave LLC  
1042 Denver Ave  
Fort Lupton, CO 80621-2635

Vasquez, Maria G  
390 N 14<sup>th</sup> Ave  
Brighton, CO 80601-1536

Dominguez, Jimmy  
PO Box 684  
Fort Lupton, CO 80621

Fort Lupton Post No. 102  
American Legion  
942 Denver Ave  
Fort Lupton, CO 80621-2633

Vasquez, Rodolfo  
390 N 14<sup>th</sup> Ave  
Brighton, CO 80601-1536

  
\_\_\_\_\_  
City Official



---

**CITY OF FORT LUPTON  
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Tuesday, January 21, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Thursday, January 9, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearings is to consider a special use permit application submitted by Colorado Transmission and Diesel for transmission, diesel and auto repair facility. The repair facility will be located at 1021 Denver Avenue in Fort Lupton, Colorado in the C-1 Commercial Zone District. The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303-867-6694.

**LEGAL DESCRIPTION**

LOTS 1, 2, AND 3, BLOCK 1, PHILPOTT'S ADDITION TO FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

**ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/fldevelopment) AND SCROLLING DOWN TO THE ROW TITLED: COLORADO TRANSMISSION AND DIESEL SPECIAL USE PERMIT**



**TEN EYCK & CAMPBELL - LOT 2  
SPECIAL USE PERMIT**

# **RESOLUTION P2020-002**

**RESOLUTION NO. P2020-002**

**A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF A SPECIAL USE PERMIT FOR A VEHICLE STORAGE FACILITY, KNOWN AS THE TEN EYCK-CAMPBELL LOT 2 SPECIAL USE PERMIT, ON A PROPERTY LOCATED IN THE NORTH HALF OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.**

**WHEREAS**, the Planning Commission held a public hearing on January 9, 2020, for the purpose of reviewing the application known as the Ten Eyck-Campbell Lot 2 Special Use Permit for a vehicle storage facility, to include a proposed office and covered parking; and

**WHEREAS**, after review of the application and supporting information, the Planning Commission finds that the special use permit conforms to Colorado Revised Statutes and City codes and policies therein, and

**WHEREAS**, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site.

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the Ten Eyck-Campbell Lot 2 Special Use Permit for a vehicle storage facility, to include a proposed office and covered parking, conditional upon the following:

- I. Prior to recording the special use permit map:
  - A. The title of the special use permit may shall include the Project No.: LUP2019-0031 & Plan No. SUP2019-0005.
  - B. Show an additional 25-foot right of way along County Road 24, pursuant to the comments provided by the Public Works Director.
  - C. Any redline comments provided by City staff shall be made to the special use permit map.
  - D. Applicant shall provide proposed plant species for review and approval by the Planning Department. Approved plant species shall be noted on the special use permit map.
  - E. The following notes shall be added to the special use permit map:
    1. The property shall be maintained to the curb, or roadway if no curb exists.

2. Dead and dying landscape material shall be replaced at the earliest reasonable date.
3. Lighting on the site shall be maintained so that light is directed downward and shall not spill onto adjacent properties.
4. Any change of use, or continued use if there is a change of ownership, shall be submitted to the City for review prior to the start of operations.
5. The City reserves the right to reevaluate traffic impacts in the future if there is an increase from what was represented to the City in evaluating this special use permit.
6. Proposed fencing encroaches into the right of way. The City retains the right and authority to require removal of any fencing in the future, at the property owner(s) expense, in the future if needed for street expansion, improvements or utility construction.
7. Any future structures or signage must be submitted to the City for a separate review and any required permits.

II. Prior to release of building permits:

- A. One set of Mylars of the special use permit map shall be submitted for recording with the Weld County Clerk & Recorder.
- B. An application for an access permit shall be submitted to the Public Works Department for review and approval.
- C. Applicant shall submit a copy of its stormwater permit approved by the State to the City for its records, if applicable.
- D. Applicant shall submit written evidence that the comments from Xcel Energy (Public Service Company) have been adequately addressed.
- E. Applicant shall submit plans for construction to the Fort Lupton Fire Protection District.
- F. Applicant shall submit evidence that the comments from the Public Works Director related to drainage, landscape/grading, and traffic control have been adequately addressed.

III. Prior to certificate of occupancy:

- A. Applicant shall submit evidence that they submitted a petition for inclusion into the Northern Colorado Water Conservation District.

- B. Applicant shall submit written evidence that the comments from the Fort Lupton Fire Protection District have been adequately addressed.
- C. Applicant shall submit evidence that the comments from the Central Weld County Water District have been adequately addressed.

**DONE THIS 9<sup>th</sup> DAY OF JANUARY 2020, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.**

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Planning Director

# STAFF REPORT

**TEN EYCK-CAMPBELL LOT 2 SPECIAL USE PERMIT STAFF REPORT  
PROJECT NO. LUP2019-0031 & PLAN NO. SUP2019-0005**

**PROJECT DESCRIPTION**

Project No.: LUP2019-0031 / Plan No.: SUP2019-0005

Project name: Ten Eyck-Campbell Lot 2 Special Use Permit

Owner: Gregg Ten Eyck & Corrin Campbell (Collectively, the “Applicants”)

Representative: Shannon Toomey with AGPROfessionals

Location of Request:

The site consists of a parcel of land located approximately 0.5 miles east of County Road 19 and south and adjacent to County Road 24 in Weld County, Colorado (Parcel No. 131110100027) (the “Property”). The Property is located in the Northeast Quarter of Section 10, Township 2 North, Range 67 West of the 6<sup>th</sup> P.M., County of Weld, State of Colorado.



Nature of Request:

The Applicant has submitted a request for a Special Use Permit for a vehicle storage facility for parking of personal vehicles such as cars, trucks, boats, snowmobiles, trailer, etc. and for commercial storage of boats and RVS. The application also includes a proposed office and covered parking. More information on the proposed use is included in the application materials enclosed with this staff report.

Site Size: The Property is 2.75 acres, more or less.

Zone District: Proposed 'A' Agricultural Zone District.

Proposed Use: The Property will be used for a vehicle storage facility.

Existing Use: Agricultural

Hearing Dates: Planning Commission – Thursday, January 9, 2020 at 6:00 PM; and  
City Council – Tuesday, January 21, 2020 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as listed in the proposed resolution.

**SUMMARY OF PREVIOUS APPLICATIONS**

On July 23, 2019, the Planning Commission reviewed, and recommended approval of, the County Road 24 Annexation Nos. 1 – 7. This annexation included the annexation of the Property that is the subject of this special use permit. The annexation map has not been recorded yet, but will be recorded prior to recording the special use permit resolution and map.

On November 18, 2019, after Planning Commission review and recommendation of approval, the Fort Lupton City Council approved the Ten Eyck-Campbell Minor Subdivision, and the Property is Lot 2 of that Minor Subdivision. A special use permit for Lot 1 of the Ten Eyck-Campbell Minor Subdivision was reviewed and approved concurrently for a vehicle repair business. Both Lot 1 and Lot 2 are owned, and will be operated by, the Applicants.

**APPLICATION PROCESS**

The Applicant is requesting approval of a special use permit. A special use permit application is processed under [Section 16-7](#) of the Code.

After required public notice of the special use permit application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve,

conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

### **NOTIFICATION REQUIREMENTS**

The Subdivision and Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on Wednesday, December 25, 2019.

Notice of the public hearings were posted on the Property on December 20, 2019, pursuant to the Subdivision and Zoning Regulations, which require the Applicant post the Property with notice of hearings at least fifteen (15) days prior to the hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on December 20, 2019.

### **CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES**

A vehicle storage business is not a listed use by right in the 'A' Agricultural Zone District. Section 16-7 of the Fort Lupton Municipal Code (the "Code") states that similar or compatible uses may be permitted as special uses, subject to such conditions and limitations as the City may prescribe to ensure that the location and operation of the special uses will comply with special use criteria. Pursuant to Section 16-7(a), special uses are granted to individuals or entities, and not to the property itself. Therefore, this proposed use requires a special use permit review prior to beginning business operations. A special use review requires a public hearing before Planning Commission and City Council. The intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district.

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.

*Staff Comment: The Applicant has been working with City staff to comply with applicable provisions of the Code, and has submitted all required special use permit application materials as required.*

2. The special use shall not substantially alter the character of the district or the neighborhood.

*Staff Comment: The Property is surrounded by agricultural, rural residential, and oil and gas operation land uses. There are also small commercial operations in the vicinity of the property as well, including Terra Constructors, and also Lot 2 of the Ten Eyck-Campbell Minor Subdivision, both of which were recently granted a special use permit by the Fort Lupton City Council. The proposed use is consistent with these surrounding uses. In addition, there will be a wood panel eight-foot fence built to screen the use from surrounding properties.*

3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.

*Staff Comment: There are anticipated to be 1-2 owner/employee vehicle trips per day, and 1-5 customer vehicle trips per day, with approximately five employees. This amount of traffic will have minimal impacts to the area; however there is a condition of approval added to the resolution that will require a not be added to the special use permit map to allow traffic to be reevaluated if traffic increased beyond this amount. In addition, a condition of approval has been added to require a traffic study be submitted.*

4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

*Staff Comment: These items are addressed in the code, as well as addressed as conditions of approval on the proposed resolution, including addressing traffic and screening.*

5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.

*Staff Comment: A special use permit in non-transferable, and therefore if a new owner were to occupy the Property the storage of construction materials and equipment will no longer be permitted unless a new application was submitted and approved. The Planning Department staff will ensure compliance with other conditions of approval, either as listed on the proposed Resolution or as added by City Council.*

**CONFORMANCE WITH THE COMPREHENSIVE PLAN**

The Fort Lupton Comprehensive Plan designates this area for the Agriculture and Rural Residential land use type. This designation allows for agricultural and related uses as well as low density residential on the periphery of the planning area, intended to preserve a generally rural character. This also includes a variety of miscellaneous uses, such as isolated industrial businesses and semi-rural properties located under Estate Zoning. Given the availability of viable land for development in more appropriate districts, commercial or residential investment within agricultural areas should be discouraged. This will help limit unnecessary loss of agricultural lands and reduce the potential of suburban sprawl.

The property is surrounded by agricultural and rural residential land uses on all sides. The proposed use substantively conforms to the designated land use type and zoning, and specifically meets the intent of the Comprehensive Plan for the Agricultural and Rural Residential land use type by allowing miscellaneous uses.

**REFERRALS**

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

|                             |                                      |                              |
|-----------------------------|--------------------------------------|------------------------------|
| Buildings & Grounds Manager | City Attorney                        | Police Chief                 |
| Public Works Director       | Building Inspector                   | Wastewater Treatment Manager |
| GIS Specialist              | Fort Lupton Fire Protection District | Colorado Parks & Wildlife    |
| United Power                | Comcast                              | CenturyLink                  |

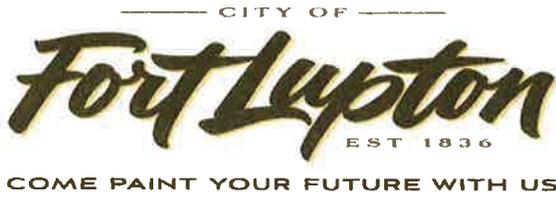
|   |                                    |                                      |
|---|------------------------------------|--------------------------------------|
| Xcel  | Postmaster                         | Weld County Department of Planning   |
| Weld County Department of Public Health & Environment | Weld County Public Works           | Town of Frederick                    |
| Town of Firestone                                     | Central Weld County Water District | Platteville Fire Protection District |
| Northern Colorado Water Conservation District         | Weld County School District RE-8   | Town of Platteville                  |

**RECOMMENDATION**

Staff recommends conditional approval of the Ten Eyck-Campbell Lot 2 Special Use Permit. Conditions are listed on the proposed Resolution provided to Planning Commission.

***For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.***

# **LAND USE APPLICATION & PROJECT DESCRIPTION**



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694  
 Fort Lupton, CO 80621 Fax: 303.857.0351  
[www.fortlupton.org](http://www.fortlupton.org)

Project No. \_\_\_\_\_

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: Gregg Ten Eyck & Corrin Campbell  
 Company: \_\_\_\_\_  
 Phone: (303) 358-0529 Email: gteneck@comcast.net  
 Address: 14741 CR 3, Longmont, CO 80504

Preferred method of contact? Email:  Phone:  Mail:

2) Representative Name: Shannon Toomey  
 Company: Agprofessionals  
 Phone: (970) 535-9318 Email: stoomey@agpros.com  
 Address: 3050 67th Avenue, Greeley, CO 80634

Preferred method of contact? Email:  Phone:  Mail:

3) Billing Contact (where invoices should be directed to): Gregg Ten Eyck  
 Billing Company: \_\_\_\_\_  
 Phone: (303) 358-0529 Email: gteneck@comcast.net  
 Address: 14741 CR 3, Longmont, CO 80504

B. SITE DESCRIPTION

Site Address: Not assigned

Parcel Number: 131110100027

Existing Zone Classification: Agriculture Proposed Zone Classification: Agriculture

Water Type: District Name: CWCWD

Sewage Type: Septic Tank District Name or Location Hauled to: N/A

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Sketch Plat       | <input type="checkbox"/> Administrative Site Plan      | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat  | <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Variance                       |
| <input type="checkbox"/> Final Plat        | <input type="checkbox"/> Oil & Gas Permit              | <input type="checkbox"/> Administrative Variance        |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone     | <input type="checkbox"/> Appeal                         |
| <input type="checkbox"/> Amended Plat      | <input type="checkbox"/> Change of Zone                | <input type="checkbox"/> Other: _____                   |
| <input type="checkbox"/> Site Plan         | <input type="checkbox"/> Comp Plan Amendment           |   |

**D. PROJECT DESCRIPTION**

Project Name: SUP for Vehicle Storage

Please provide a short description of the proposed project in the space provided below:

The owner is proposing to develop Lot 2 of the Ten Eyck-Campbell Minor Subdivision (currently in process) for vehicle storage. Parking will be for personal vehicles such as cars, trucks, boats, snowmobiles, trailers, etc. and for commercial storage of boats, RVs, and similar vehicles. Parking will occur on gravel surfaces and will be screened by wood fencing. An 1,800 SF office with covered parking is proposed.

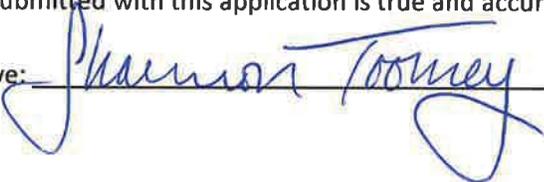
**E. REQUIRED DOCUMENTS**

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

**F. CERTIFICATIONS**

**Representative Certification**

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 10/4/19

**Owner Certification**

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner:  ,  Date: 10/1

---

**For Office Use Only**

Received Date: \_\_\_\_\_

If the application is not complete, state reasons why it is incomplete:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deemed Complete Date: \_\_\_\_\_

Fees Submitted: \_\_\_\_\_ Escrow Submitted: \_\_\_\_\_

## Special Use Permit Narrative

Prepared for Gregg Ten Eyck and Corrin Campbell

### Introduction

Gregg Ten Eyck and Corrin Campbell are requesting a Special Use Permit (SUP) for their property located in part of the North Half of Section 10, Township 2 North, Range 67 West of the 6<sup>th</sup> P.M., Weld County, Colorado, being part of Lot B RECX18-0071, containing 4.58 acres more or less. The subject property was split through the Recorded Exemption process in 2018 from an historic Butterball Turkey facility not currently in operation. The property, part of the County Road 24 Annexation approved by City Council in August 2019, is currently undergoing a Minor Subdivision through the City of Fort Lupton to split the property into two parcels, creating a 1.45-acre Lot 1 and a 2.75-acre Lot 2. A SUP application for Lot 1 was submitted in conjunction with the Minor Subdivision application. This new SUP application will apply to Lot 2 of the pending Minor Subdivision. The proposed zoning for the site is A (Agricultural).

The proposed SUP will allow for the operation of a vehicle storage facility. Parking will be for personal vehicles such as cars, trucks, boats, snowmobiles, trailers, etc. and for commercial storage of boats and RVs. The outdoor gravel parking area will contain approximately 50 spaces of varying lengths. Parking spaces will not be striped to allow for flexibility in the use of the space. A proposed detention pond in the northeast corner of the site will capture storm water from both Lots 1 and 2 of the Ten Eyck-Campbell Minor Subdivision. An 1,800 sq. ft. office with covered parking is also proposed. The office will contain restroom facilities served by a proposed septic system.

The site will be operational Monday through Sunday, twenty-four hours per day, however most operations will take place during normal business hours. The site is expected to be managed by the owner/operator of the vehicle repair business proposed for Lot 1 of the Ten Eyck-Campbell Minor Subdivision. The manager will be on-site as needed. One additional part-time employee may be hired depending on business conditions. Employees are expected to be on-site for less than two hours at a time. One to five customers are expected on the average day, however, it is expected that some days there will be no visitors. The number of people visiting the site will vary depending on market conditions and time of year.

Screening will be provided by wood slat fencing up to 8 ft. in height on all sides of the property. Landscaping along CR 24 is also proposed to provide additional screening. One site access is proposed to be aligned with the access across CR 24, located approximately 2,650 ft. east of CR 19. The gated access will have a lock or keypad that would allow customers to visit the site at any time to pick up or drop off vehicles stored on-site. The gate will also have a Knox Box to allow access for emergency vehicles. A concrete apron is proposed at the entrance. The gate will be set back from the property line to provide enough distance for the longest vehicle to pull completely off the right of way while the gate is being opened.

A 50 ft. access easement, recorded on April 4, 2019 at reception no. 4478785, is located along the western boundary of the site. This easement area will serve as a drive isle for the subject property and will be fenced and gated. This easement overlaps two existing 50 ft. pipeline easements, recorded on March 23, 1995 at reception no. 2431367 and on July 29, 2016 at reception no. 4223420. Holders of these existing easements will have the rights available to them under the original terms of those easements, including rights of ingress and egress to the access easement parcel. The drive isle, a permanent all-weather emergency access road capable of supporting fire apparatus over and across the easement, will be constructed and maintained in good repair and will remain unobstructed at all times.

Adjacent developed land uses are shown below:

North: County Road 24.

Weld County USR-1310 for an equine facility

Agriculture and rural residential.

Oil and gas operations.

East: Agriculture and rural residential.

Oil and gas and gravel mining operations.

South: Historic Butterball Turkey (Longmont Foods) site, currently containing calf-ranch operations.

West: Durben parcel, residence and RV storage.

Terra Constructors, Inc., a portion of the County Road 24 Annexation and Zoning, project no. LUP2019-0016 and SUP – Plan No. SUP2019-0003 for storage of construction equipment.

County Road 19 business, commercial & industrial corridor.

### **Project Impact and Benefits**

The site is within Quadrant II of Fort Lupton's Three Mile Plan, an area designated for a variety of future land uses including agriculture, rural residential, commercial transition, light industrial and office, oil and gas facilities, gravel mining, parks and open space, and public / semi-public. The proposed commercial/light industrial use complements the existing and future surrounding land uses. This proposal is consistent with the Fort Lupton Comprehensive Plan, specifically sections regarding business development and employment. The Regional Presence chapter of the Comprehensive Plan emphasizes Fort Lupton's business-friendly community and identifies goals to attract new business owners and employers.

As designated in the Comprehensive Plan, the site is in a portion of the Fort Lupton Planning Area designated for agricultural and related uses as well as low density residential and isolated industrial businesses. This site is located near the County Road 19 corridor, an area expected to develop with business, commercial, and industrial uses. Situated between the municipalities of Fort Lupton and Firestone, with Mead, Frederick and Platteville nearby, the site is in an area that can support businesses serving these communities.

Few to no negative impacts are anticipated from the SUP on adjacent properties after construction has been completed. The proposed screening, wood slat fencing up to 8 ft. in height, will exceed the minimum requirements for screening commercial uses from residential areas. Landscaping is proposed along CR 24 to further buffer the site from surrounding uses. As the main use of the property will be storage, nuisance noise levels are not anticipated. Any lighting will be down directional and screened by the proposed fencing.

### **Access and Traffic Impacts**

CR 24 is classified as a paved collector and CR 19 is classified as a paved arterial by Weld County. The site access is proposed to be located across from an existing access on the north side of CR 24, approximately 2,650 ft. east of CR 19.

Typical vehicles accessing the site include employee and owner vehicles and customer vehicles. As the site will be used for storage of vehicles such as boats and RVs, customer vehicles accessing the site will typically be trucks towing these items to and from the site. Employee and owner vehicles accessing the site will be passenger vehicles. The following numbers are anticipated for this site:

*Owner/employee vehicles: 1-2 trips per day*

*Customer vehicles: 1-5 trips per day, on average*

Traffic is expected to be distributed throughout the day and will depend on market conditions and the time of year.

### **Districts and Services: Drainage, Sanitary Service, Water Supply**

A new Central Weld County Water District tap is proposed to provide water service to the property. A septic system is proposed to provide sewage disposal on the property. The septic system is proposed to serve the subject property until a wastewater main is extended to the subject property, sanitary tap(s) are purchased, and appropriate infrastructure installed.

A Preliminary Drainage Report (Phase I) was submitted as part of the Minor Subdivision application and SUP application for Lot 1. The report includes a proposed detention pond in the northeast corner of Lot 2. This pond will capture stormwater from both Lots 1 and 2 and was designed assuming a conservative percentage of imperviousness of 95% for Lot 2. An easement is proposed to allow drainage from Lot 1 onto Lot 2 where the detention pond will be located. As the site layouts for both Lots 1 and 2 become finalized, a Phase II Drainage Report will be prepared based on the more accurate percent imperviousness for both Lot 1 and Lot 2.

### **Fire Protection**

Fire protection will be provided by the Fort Lupton Fire District. A Knox Box will be installed at the gated access to allow emergency vehicles access to the site. The internal drive aisles have been designed to be wide enough for use by emergency vehicles, including fire trucks, and will be maintained and unobstructed. A permanent, all-weather emergency access road capable of supporting fire apparatus will be constructed and maintained in good repair and will remain unobstructed at all times.

### **Conclusion**

The proposed use is consistent with the Fort Lupton Comprehensive Plan and is in an area that can support the proposed business. The proposed use is not expected to be detrimental to the public health, safety, or general welfare as potential impacts have been considered and plans for mitigation are in place. The site will conform to applicable City of Fort Lupton zoning regulations and design standards.



---

### Utility Statement

Prepared for Gregg Ten Eyck and Corrin Campbell

The subject property is located in the Central Weld County Water District (CWCWD) and is currently served by tap no. 3311. The property is currently undergoing a Minor Subdivision through the City of Fort Lupton to split the property into two parcels, creating a 1.45-acre Lot 1 and a 2.75-acre Lot 2. If approved, the proposed SUP site, Lot 2, will no longer be served by this tap. A new CWCWD tap is proposed to serve Lot 2.

A septic system is proposed to provide sewage disposal on the property. The system will be designed, constructed, and permitted according to applicable regulations. The septic system is proposed to serve the subject property until a wastewater main is extended to the subject property, sanitary tap(s) are purchased, and appropriate infrastructure installed.

ENGINEERING, PLANNING, CONSULTING & REAL ESTATE  
3050 67<sup>th</sup> Avenue ■ Greeley, CO 80634  
970.535.9318 / office ■ 970.535.9854 / fax ■ [www.agprocos.com](http://www.agprocos.com)



## **Special Use Permit**

### **Architectural and Landscaping Guidelines**

Prepared for Gregg Ten Eyck and Corrin Campbell

#### **Introduction**

Gregg Ten Eyck and Corrin Campbell are requesting a Special Use Permit (SUP) for their property located in part of the North Half of Section 10, Township 2 North, Range 67 West of the 6<sup>th</sup> P.M., Weld County, Colorado, being Lot B of Recorded Exemption RECX18-0071, containing 4.58 acres more or less. The subject property is a portion of the County Road 24 Annexation, approved by City Council in August 2019, along with the Flores - Terra Constructors Inc. parcel, Lot B of Recorded Exemption RECX18-0070, located approximately a quarter mile to the west. A Minor Subdivision application has been submitted in conjunction with the SUP request. The proposed Minor Subdivision will split the subject property, creating a 1.45-acre Lot 1, and a 2.75-acre Lot 2. The SUP will apply to Lot 2.

The proposed SUP will allow for the operation of a vehicle storage facility. Parking will be for personal vehicles such as cars, trucks, boats, snowmobiles, trailers, etc. and for commercial storage of boats and RVs. The outdoor gravel parking area will contain approximately 50 spaces of varying lengths. Parking spaces will not be striped to allow for flexibility in the use of the space. A proposed detention pond in the northeast corner of the site will capture storm water from both Lots 1 and 2 of the Ten Eyck-Campbell Minor Subdivision. An office with covered parking is also proposed. The office will contain restroom facilities served by a proposed septic system.

#### **Architectural Guidelines**

The proposed office located near the site entrance will be approximately 1,800 square feet. It will be a metal-clad building consistent with the area and will adhere to Fort Lupton's Commercial and Industrial Standards.

The surrounding properties contain a variety of commercial, industrial, oil and gas, residential and agricultural uses. Properties along CR 24 near the site contain historic turkey barns and shops associated with historic turkey operations, rural single-family residences, utility buildings/detached garages and agricultural outbuildings such as pole-barns, silos and livestock sheds/lean-tos. The proposed office will be similar in construction and character to the industrial/commercial buildings and the agricultural/residential outbuildings found in the area.

The following guidelines are provided to create a unified design theme for the site. To maintain overall compatibility between the office and the surrounding area, the following techniques should be employed:

**ENGINEERING, PLANNING, CONSULTING & REAL ESTATE**

3050 67<sup>th</sup> Avenue, Suite 200 □ Greeley, CO 80634

970.535.9318 / office □ 970.535.9854 / fax □ [www.agpros.com](http://www.agpros.com)

- Primary building colors should be muted natural colors or otherwise cohesive with the surrounding area.
- Accent and trim colors should complement and enhance the effect of the primary color.
- Roof colors should be compatible with the dominant building color.
- Architectural style should relate to local architectural character.
- Incorporate architectural features/treatments to diminish apparent building mass such as:
  - Variations in façade color and/or texture
  - Variations in roof forms and heights of roof elements
  - Use of materials relatable to human proportions
- Building height should be of compatible scale with the site and surrounding development.
- Employ the use of heavier, larger or darker building materials at the base of the building to visually anchor the building.
- Building mounted lighting:
  - Lighting should be shielded and down directional.
  - Primary building entrances should be externally lit to promote a more secure environment at the door and to emphasize the primary point of entry into the building.
  - Entry lighting should complement the building’s architecture.

**Landscaping & Screening**

Screening will be provided by fencing and landscaping, as shown on the SUP Site Plan. A variance request for a wood panel fence up to 8 ft. in height is included in the SUP application materials to allow additional screening from surrounding properties. Proposed landscaping includes trees along County Road 24. Landscape materials selected by owner are expected to be drought tolerant species suited the front range / eastern plains region in which the site is located. Additional landscaping may be planted by owner as desired. No invasive species should be planted. Below is an estimate of costs for the landscaping shown on the SUP Site Plan.

| <b>SUP Landscaping Estimate</b> |              |            |                          |              |
|---------------------------------|--------------|------------|--------------------------|--------------|
| <b>Item</b>                     | <b>Units</b> | <b>U/M</b> | <b>Unit Price (Typ.)</b> | <b>Total</b> |
| 1-1/2" cal. Ornamental Tree     | 1            | EA         | \$ 450.00                | \$ 450.00    |
| 2" cal. Shade Tree              | 1            | EA         | \$ 500.00                | \$ 500.00    |
| 6'-8' Evergreen Tree            | 2            | EA         | \$ 500.00                | \$ 1,000.00  |
| Total Est.:                     |              |            |                          | \$ 1,950.00  |

October 8, 2019

City of Fort Lupton  
Planning & Building Department  
130 S. McKinley Avenue  
Fort Lupton, CO 80621

RE: Variance Request  
AGPRO Project #2828-04

To Whom It May Concern,

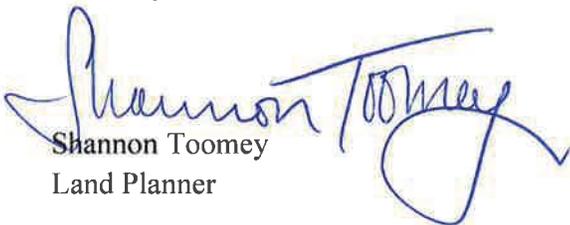
AGPROfessionals is in the process of preparing a Special Use Permit (SUP) application on behalf of Gregg Ten Eyck and Corrin Campbell, owners of a property described as Lot B RECX18-0071, being part of the North ½ of Section 10, Township 2 North, Range 67 West, of the 6<sup>th</sup> P.M., Weld County, Colorado. The SUP, proposed for Lot 2 of the pending Ten Eyck & Campbell Minor Subdivision, would allow for the operation of an outdoor vehicle storage yard in the agricultural zone district.

The applicants are requesting a variance to Article V, Section 16-108, which states:

“The maximum height of any fence within an agricultural zone district is six (6) feet. Fencing consisting only of barbed wire and/or including low voltage electrical strands is also permitted in this zone district for the confinement of livestock only. In the event that the Planning Department deems is necessary for the general health, safety and property enjoyment of citizens, it may grant a permit for an eight-foot fence to separate agricultural zones from abutting commercial, industrial or other conflicting uses.”

The use proposed in the SUP application is commercial in nature. The properties surrounding the site to the north, east, and south are residential and agricultural in nature. The property directly west of the SUP site is Lot 1 of the pending Minor Subdivision and is owned by the applicants. The applicants would like to construct a wood panel fence up to 8 ft. in height around Lot 2 of the pending Minor Subdivision to screen their commercial business from surrounding uses. Per the Fort Lupton municipal code, the Planning Department can allow an 8 ft. fence under these circumstances.

Sincerely,



Shannon Toomey  
Land Planner



COME PAINT YOUR FUTURE WITH US

Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621
www.fortlupton.org

Phone: 303.857.6694
Greeley: 970.346.0326
Fax: 303.857.0351

Variance Application

A preapplication conference and site visit may be required prior to submitting the Variance Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the criteria for issuance of a variance, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 720-466-6107.

Section A: Owner Information

Applicant Name: Shannon Toomey (AGPROfessionals) Phone: (970) 535-9318

Address: 3050 67th Avenue
Greeley, CO 80634

Owner Name: Gregg Ten Eyck & Corrin Campbell Phone: (303) 358-0529

Address: 14741 CR 3
Longmont, CO 80504

Legal Description: PT Lot B RECX18-0071 Lying in the N2E2 10-2-67

Parcel Size: 3.04 AC

Section B: Proposed Project Information

Description of proposed project (check all that apply)

- Radio button options: New structure, Addition, Change of use, Remodel, Redevelopment, Accessory structure, Mobile home, Attached garage, Detached garage, Other (describe) Special Use Permit

Existing Use (circle one): residential, non-residential, mixed use, vacant ground

Proposed Use (circle one): residential, non-residential, mixed use

Other:

If non-residential or mixed use, describe in detail:

SUP for an outdoor vehicle storage facility. Parking will be for personal vehicles such as cars, trucks, boats, trailers, etc., and for commercial storage of boats, RVs, and similar vehicles. Site will be gated with a wood fence up to 8 ft. tall around the site.

Section(s) of City Code for which variance is being requested:

Article V, Section 16-108 - max. 6 ft. fence in the agricultural zone district

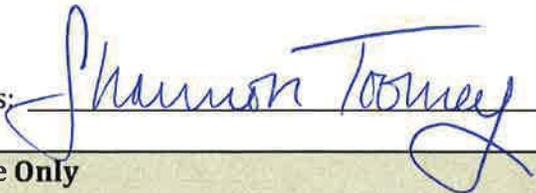
What is the variance request?

We are requesting a variance to allow for a fence up to 8 ft. tall, rather than a fence up to 6 ft. tall as allowed per the Fort Lupton municipal code.

What circumstances justify the proposed variance?

The proposed commercial/light industrial use is adjacent to residential and agricultural uses. Taller privacy fence will help to mitigate impacts to surrounding properties with potentially conflicting uses.

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signatures: 

Date: 10/8/19

|                                  |   |
|----------------------------------|---|
| <b>Office Use Only</b>           |   |
| Date application fee paid: _____ | Date complete application submitted _____ |
| Date of variance hearing: _____  | Variance: approved denied                 |
| Notes/conditions: _____          |   |

# **SPECIAL USE PERMIT APPLICATION**



Planning & Building

130 S. McKinley Avenue Phone: 303-857-6694
Fort Lupton, CO 80621 Fax: 303.857.0351
www.fortlupton.org

APPLICATION FOR SPECIAL USE PERMIT

A preapplication conference and site visit may be required prior to submitting the Special Use Permit Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 720-466-6128.

Applicant should provide the following:

- 1. Plat of area with proposed zoning with vicinity map identifying site and surrounding area. If you are constructing a new building or adding to an existing building as part of this application, you must also submit a plot plan, construction plans, and a drainage plan. Approval of the special use permit will be based upon the drawings submitted unless changes are recommended by the engineer, planning commission, or city council.
2. Information as requested.

The applicant is responsible for the following:

- 1. Posting a hearing notice on the property 15 days prior to the hearing.

Name of Property Owner: Gregg Ten Eyck & Corrin Campbell Phone: (303) 358-0529

Address: 14743 CR 3, Longmont, CO 80504

Applicant (if different from owner): Shannon Toomey (AGPROfessionals)

Address: 3050 67th Avenue, Greeley, CO 80634

Home Phone: (970) 535-9318 Cell Phone:

Address or location of Property for which Special Use Permit is being requested:

address not yet assigned, parcel no. 131110100027

Legal Description PT Lot B RECX18-0071 Lying in the N2E2 10-2-67

Current Zoning: Agricultural

Reason for Request:

The owner is proposing to develop Lot 2 of the Ten Eyck-Campbell Minor Subdivision (currently in process) for vehicle storage. Parking will be for personal vehicles such as cars, trucks, boats, snowmobiles, trailers, etc. and for commercial storage of boats, RVs, and similar vehicles. Parking will occur on gravel surfaces and will be screened by wood fencing. An 1,800 SF office with covered parking is proposed.

---

Please answer the following questions in detail.

1. What is the proposed use?

Vehicle storage. Parking will be for personal vehicles and commercial storage of vehicles, including RVs, boats, trucks, trailers, etc. An 1,800 SF office with covered parking is proposed.

2. How will the proposed use impact the surrounding properties as it relates to the following areas:

**Noise** Site will be used for storage so nuisance noise is not anticipated. Site will be screened by 8' wood fence.

**Dust** Parking and driving surfaces will be gravel. CR 24 is paved. Any dust produced on-site is not anticipated to impact surrounding properties.

**Odor** Business is not anticipated to produce nuisance odors.

**Safety** Drive aisles on site are wide enough to accommodate emergency vehicles. Knox Box on gate will allow emergency vehicles to access the site. Drive aisles provide enough width for safe movement of vehicles throughout site. Site will remain locked at all times.

**Traffic** Up to 2 employees are proposed. Average of 1-5 customers expected per day but will depend on time of year and market conditions. Access to be located across from existing access on CR 24.

**Light** Lighting will be shielded and down directional.

3. What are the proposed hours of operation?

Site will be operational Monday through Sunday, 24 hours a day, however, most operations will take place during normal business hours.

4. Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?

N/A

5. If this application is for a daycare, how many children will you be caring for?

N/A

6. If this application is for an assisted living facility, how many units will you have in the facility?

N/A

7. How many employees will work at the proposed facility?

Up to 2 employees.

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signatures: Shannon Toomey

Date: 9/17/19

# MAPS



# REPORTS

## Traffic Narrative

Prepared for Gregg Ten Eyck and Corrin Campbell

### Introduction

This traffic narrative has been prepared to accompany the Special Use Permit (SUP) application for an outdoor vehicle storage business proposed by Gregg Ten Eyck and Corrin Campbell, owners of a property located in part of the North Half of Section 10, Township 2 North, Range 67 West of the 6<sup>th</sup> P.M., Weld County, Colorado, being Lot B RECX18-0071, containing 4.58 acres more or less. The subject property was split through the Recorded Exemption process in 2018 from an historic Butterball Turkey facility not currently in operation. The property, part of the County Road 24 Annexation approved by City Council in August 2019, is currently undergoing a Minor Subdivision through the City of Fort Lupton to split the property into two parcels, creating a 1.45-acre Lot 1 and a 2.75-acre Lot 2. A SUP application for Lot 1 was submitted in conjunction with the Minor Subdivision application. This new SUP application will apply to Lot 2 of the pending Minor Subdivision.

The purpose of this narrative is to document projected traffic generation relative to the existing street system. Off-site roadway warrants are not provided with this memorandum, nor are existing traffic counts documented.

### Existing Conditions and Roadway Network

The proposed SUP site is located on the south side of Weld County Road (WCR) 24 and east of WCR 19. WCR 24 was recently annexed into the Town of Fort Lupton as part of the County Road 24 Annexation, approved by City Council in August 2019. The subject property is zoned Agricultural. Adjacent land uses include agricultural and rural residential properties to the north, including an equine facility, agricultural uses to the south, agricultural and rural residential uses to the east, and agricultural, rural residential, and commercial uses to the west. A SUP for a vehicle repair business is in review for the adjacent property to the west of the site. Further west on WCR 24 are two commercial shops currently being permitted for use as a vehicle repair business and a storage site for construction equipment.

Access to the SUP site is proposed to be located across from an existing access on WCR 24 approximately 2,650 ft. east of WCR 19. WCR 24, classified by Weld County as a collector, is an existing east/west paved road with one lane in each direction. WCR 19, classified by Weld County as an arterial, is an existing north/south paved road with one lane in each direction. Both roads currently have 60 ft. of right-of-way.

## **Proposed Development**

The proposed SUP will allow for the operation of a vehicle storage yard for storage of personal vehicles including cars, trucks, boats, RVs, snowmobiles, trailers, etc. and for commercial storage of similar items. An 1,800 sq. ft. office with covered parking is also proposed. No residences are proposed on site.

The anticipated users of the site are employees and customers. One to two employees will operate the site. Hours of operation will be Monday through Sunday, twenty-four hours per day, however most operations will take place during normal business hours. Customers using the site for storage will have access to the site at any time, using a key or keypad to open the locked gate to pick up or drop off their vehicles.

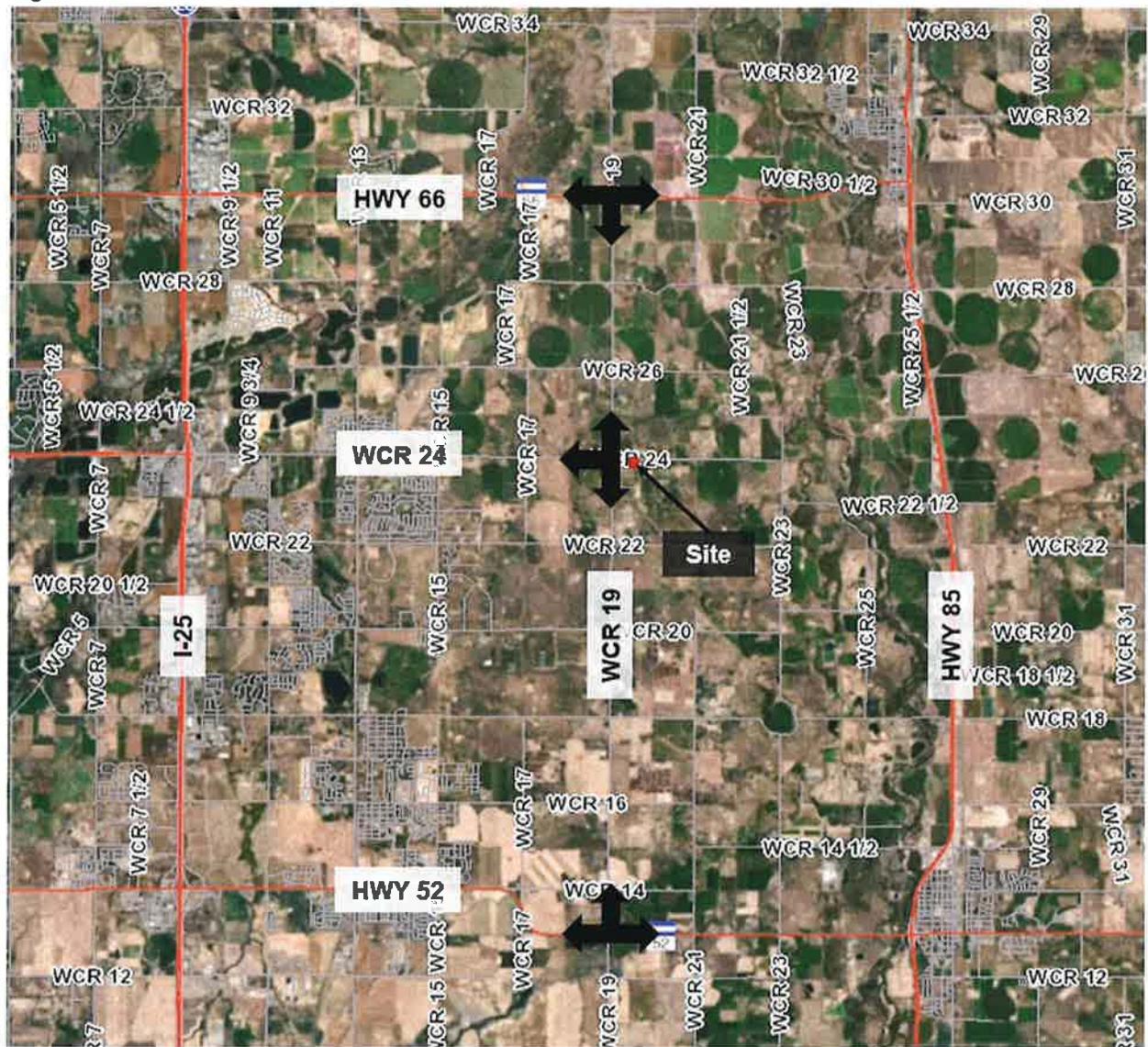
## **Trip Generation**

Up to five customers are expected to visit the site each day, however this number will vary depending on market conditions and time of year. An average of 2-3 vehicle trips are anticipated each day. Traffic will be dispersed throughout the day. Typical vehicles accessing the site include employee and owner vehicles, customer vehicles, flat-bed trucks and panel vans/vendor vehicles. Most vehicles stored on-site are delivered and picked-up via flat-bed trucks or are towed to and from the site by pickup trucks.

## **Traffic Routes**

The most direct travel routes to/from the subject property are via County Road 24 west to Interstate Highway I-25 and County Road 24 west to County Road 19 then north to Highway 66 or south to Highway 52. There is potential for traffic to access the site from County Road 23 to the east. For traffic entering the site, it is assumed that less than 5% will use County Road 23, 45% will use County Road 24 from Interstate Highway I-25 and 50% or more will use County Road 19 as travel routes. It is assumed that 45% of traffic exiting the site will use County Road 24 to travel west and 55% will use County Road 19 for north-south travel. Figure 1 shows expected travel routes.

Figure 1



September 10, 2019

Mr. Roy L. Vestal, P.E.  
City Engineer  
City of Fort Lupton  
130 S. McKinley Avenue  
Fort Lupton, Colorado 80621

RE: Gregg Ten Eyck Drainage Letter for Lot 2  
AGPRO Project # 2828-04

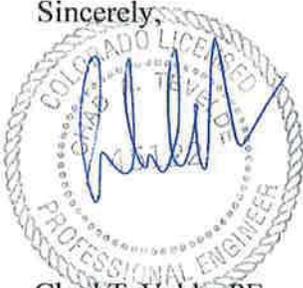
Dear Mr. Vestal,

AGPROfessionals (AGPRO) prepared the Preliminary Drainage Report (Phase 1) for the minor subdivision for Mr. Greg Ten Eyck dated June 19, 2019. The Preliminary Drainage Report was submitted with the minor subdivision application and special use permit for Lot 1. The Preliminary Drainage Report included a detention pond that included future development on Lot 2 with a conservative percentage of imperviousness of 95% (Commercial Business). There is a proposed drainage easement that includes the detention pond north of Lot 2.

As the site layouts become finalized, the Phase II Drainage Report will include the proposed layout percent imperviousness for both Lot 1 and Lot 2.

Should you have any additional questions, please contact me at 970-535-9318 or electronically at [ctevelde@agpros.com](mailto:ctevelde@agpros.com).

Sincerely,



Chad TeVelde, PE  
AGPROfessionals

Valene Lickley, EIT  
AGPROfessionals

# REFERRAL RESPONSES

## Alyssa Knutson

---

**From:** Kathy Naibauer <kathy@cwccd.com>  
**Sent:** Wednesday, December 18, 2019 10:56 AM  
**To:** Alyssa Knutson  
**Cc:** Darin Naibauer; Cory Mesloh  
**Subject:** Ten Eyck and Campbell SUP Lot 2

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Alyssa,

Thank you for the opportunity to review the Ten Eyck and Campbell SUP Lot 2 application. A second water tap has been purchased for use at Lot B RECX18-0071 and installation is pending. Due to the commercial nature of the planned activity on the property, the applicant will be required to install an RP device after the meter and before any tee offs on the customer's side to provide backflow protection of the public water supply prior to the tap being activated. Our office can be contacted by the customer for additional information regarding installation and annual testing requirements for the device.

Prior to reviewing the application, our office was not aware a building would be part of the project as it moves forward. Please be aware that a line extension will be necessary if fire flow is needed from CWCWD, as existing infrastructure in the area will not support fire flow. Please contact our office if additional information is required.

Regards,

***Kathy Naibauer***

Central Weld County Water District  
2235 2<sup>nd</sup> Ave  
Greeley, CO 80631

Phone 970 352 1284

## Alyssa Knutson

---

**From:** John Fryar  
**Sent:** Monday, December 9, 2019 2:34 PM  
**To:** Alyssa Knutson  
**Subject:** RE: Ten Eyck and Campbell Special Use Permit Lot 2; Project No. LUP2019-0031 & Plan No. SUP2019-0005

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Boy you're busy. No LE concerns.



Commitment rather than Compliance  
Remember "Find a Way to Help"

John Fryar, Chief of Police  
130 S. McKinley Ave  
Fort Lupton, CO 80621

Work (303) 857-4011  
Cell (303) 210-0100

---

**From:** Alyssa Knutson  
**Sent:** Monday, December 9, 2019 2:32 PM  
**Cc:** Todd Hodges <thodges@Fortluptonco.gov>  
**Subject:** Ten Eyck and Campbell Special Use Permit Lot 2; Project No. LUP2019-0031 & Plan No. SUP2019-0005

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a special use permit being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortluptonco.gov/DocumentCenter/Index/427>.

Any comments you consider relevant to this request would be appreciated. Please reply by **December 30, 2019**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, January 9, 2020 at 6:00 PM**
- **City Council on Tuesday, January 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to [thodges@fortlupton.org](mailto:thodges@fortlupton.org) and [aknutson@fortlupton.org](mailto:aknutson@fortlupton.org).

Your time in this matter is greatly appreciated!

Alyssa Knutson, AICP  
Planner II & FLURA Staff Liaison  
130 S. McKinley Ave.  
Fort Lupton, CO 80621  
Office: 303.857.6694  
Direct: 720.466.6128  
Mobile: 303.304.4498



*This institution is an equal opportunity provider and employer.*

MEMO

To: Todd Hodges  
Alyssa Knutson  
CC: Shannon Toomey (AGPROfessionals)  
From: Roy Vestal  
Date: December 19, 2019  
Subject: Ten Eyck and Campbell Special Use Permit; LUP2019-0031; SUP2019-0005  
Public Works Review

---

Public Works has reviewed the submitted documents for the above referenced development project with the following comments:

The water service for the site is through the Central Weld Water District. Sanitary disposal is proposed for septic tank. Septic tanks are permitted through the County.

**1. Drainage**

- a. We will need the calculations for the Proposed Detention Pond to determine the amount of volume required to hold the drainage for the site.
- b. An analysis on the historic flow to/off the site needs to be conducted to determine the passage of existing/future flows.
- c. Will need to identify emergency overflow paths and maximum ponding potential elevation at sump locations. Finish floor elevations will be required to prevent potential property damage.
- d. Need CD for grading proposed through the site for detention overflow outfall.

**2. Transportation**

- a. The existing Right-of-Way is only 60 feet in width, however the future Right-of-Way will be 110 feet in width, thus an additional 25' of Right-of-Way will need to be dedicated at this time for future improvements.
- b. At the time of the needed expansion of the Right-of-Way, the proposed fence will be encroaching on the 110' width, and will need to be moved to the edge of Right-of-Way at the expense of the property owner.

**3. Landscape / Grading - Chapter 2 Design Standards**

- a. Erosion and Sediment Control plans are required (2.11.00).

- b. A SWMP and Stormwater Discharge permit must be acquired from CDPH&E. Please submit proof of prior to receiving construction permits. Please provide copy of permit from CDPH&E.
- c. Frontage trees proposed may create sight issues at the drive when the road is widened in the future. We will want to review proposed landscape plans.
- d. Traffic Control - Chapter 8**
  - i. *Section 8.10.01* A Traffic Study is required for this project
  - ii. Traffic analysis if required and compare to existing traffic study.
  - iii. *Section 8.11.03* A ROW Access permit shall be obtained from the Public Works Director for any public or private access constructed on an arterial.

Be advised, this is not a thorough review of complete plan set. Additional comments may result in further reviews.

## Alyssa Knutson

---

**From:** United Power Plat Referral <platreferral@UnitedPower.com>  
**Sent:** Thursday, December 19, 2019 11:50 AM  
**To:** Todd Hodges; Alyssa Knutson  
**Subject:** FW: Ten Eyck and Campbell Special Use Permit Lot 2; Project No. LUP2019-0031 & Plan No. SUP2019-0005

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello,

Thank you for inviting United Power, Inc. to review and comment on the Ten Eyck and Campbell Special Use Permit Lot 2; Project No. LUP2019-0031 & Plan No. SUP2019-0005. After review, we have no concern or comments.

Thank you,

*Samantha*

Right of Way Administrative Assistant  
303-637-1324



500 Cooperative Way | Brighton, CO 80603  
Powering Lives, Powering Change, Powering the Future – The Cooperative Way  
[www.unitedpower.com](http://www.unitedpower.com)

---

**From:** Alyssa Knutson <AKnutson@FortLuptonco.gov>  
**Sent:** Monday, December 9, 2019 2:32 PM  
**Cc:** Todd Hodges <thodges@FortLuptonco.gov>  
**Subject:** Ten Eyck and Campbell Special Use Permit Lot 2; Project No. LUP2019-0031 & Plan No. SUP2019-0005

**CAUTION: This email originated from outside of United Power. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

---

Good Afternoon,

The documentation located at the following link is submitted to you for review and recommendation for a special use permit being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortluptonco.gov/DocumentCenter/Index/427>.

Any comments you consider relevant to this request would be appreciated. Please reply by **December 30, 2019**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The public hearings for this matter will be held at Fort Lupton City Hall – 130 S. McKinley Avenue and are scheduled for the following dates:

- **Planning Commission on Thursday, January 9, 2020 at 6:00 PM**

- **City Council on Tuesday, January 21, 2020 at 7:00 PM**

Comments may be sent via mail, faxed to 303.857.0351 or emailed to [thodges@fortlupton.org](mailto:thodges@fortlupton.org) and [aknutson@fortlupton.org](mailto:aknutson@fortlupton.org).

Your time in this matter is greatly appreciated!

Alyssa Knutson, AICP  
Planner II & FLURA Staff Liaison  
130 S. McKinley Ave.  
Fort Lupton, CO 80621  
Office: 303.857.6694  
Direct: 720.466.6128  
Mobile: 303.304.4498



*This institution is an equal opportunity provider and employer.*

#### **Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you received this message in error, please contact the sender and delete the message. Any disclosure, copying, review reproduction, or distribution in relation to any of the contents of this information is strictly prohibited.



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571. 3284  
donna.l.george@xcelenergy.com

December 24, 2019

City of Fort Lupton Planning Department  
130 South McKinley Avenue  
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

**Re: Ten Eyck and Campbell Lot 2, Case #s LUP2019-0031 and SUP2019-0005**

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has determined that an **engineering review** is necessary for the above captioned project. Public Service Company has an existing high pressure natural gas transmission pipeline and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across PSCo's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the special use permit plan, it is the responsibility of the property owner/developer/contractor to contact PSCo's Encroachment Team for development plan review and execution of a License Agreement (upload all files in PDF format) at:

[https://www.xcelenergy.com/working\\_with\\_us/builders/encroachment\\_requests](https://www.xcelenergy.com/working_with_us/builders/encroachment_requests) and click on Colorado if necessary. An engineer will then be in contact to request specific plan sheets. Please see the attached Exhibit B for more information.

The property owner/developer/contractor must complete the application process for any new gas service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](https://www.xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 to have all utilities located prior to any construction.

Donna George  
Right of Way and Permits  
Public Service Company of Colorado / Xcel Energy  
Office: 303-571-3306 – Email: [donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com)

## **Exhibit B**

### **Minimum Requirements for Grading and Excavation near Public Service Company of Colorado Transmission Pipeline(s)**

#### **1) General**

- a. Colorado State Law Requires notification before excavation around utilities occurs. Requestor or Requestor's Contractor must call the Utility Notification Center of Colorado (UNCC) 1-800-922-1987 (811 when calling within Colorado) 48 hours prior to excavation, including the grading of the right of way, begins. Public Service Company of Colorado (PSCo) representatives provide these construction locates at its' cost as a participant in the one call system.
- b. All costs for labor, equipment and materials required to repair any damage to the pipeline(s) caused by Requestor or its' Contractors will be the responsibility of the Requestor and/or its Contractors for reimbursement to PSCo.
- c. Requestor's Contractor shall provide access to PSCo facilities on the project site for inspection by PSCo Personnel. Open excavations that need to be entered by PSCo Personnel shall conform to all federal, state and local jurisdictional codes and regulations governing safe entry and exit from open excavations.
- d. A fully executed agreement, applicable to the type of right being requested, between the Requestor and PSCo must be completed prior to construction activity within the PSCo ROW.
- e. Requests for installation of improvements by Requestor within the PSCo ROW must be reviewed and approved by PSCo High Pressure (HP) Gas Engineering and Operations. Installation of, and all costs associated with any improvements, are the responsibility of the Requestor. All costs associated with repairs or relocation of these improvements to accommodate PSCo Operations and Maintenance work on the existing pipeline(s) or installation of a new pipeline will be the responsibility of the Owner of record of the property at the time the work is performed.
- f. In the mutual interest of project coordination and scheduling of PSCo resources for your project, PSCo requests invitation to the Pre-Construction Meeting to obtain actual schedules and construction plans, make introductions and address any site specific conditions or project changes that have occurred between Final Design Review and Construction.
- g. Any exceptions to the Minimum Requirements stated in this document must be requested in writing and reviewed by PSCo HP Gas Engineering and Operations before approval for construction activity on the PSCo pipeline(s) permitted ROW is given.
- h. Any change in Requestor's construction plan and or scope of work that was agreed to between the Requestor and PSCo prior to, or during, construction must be presented to PSCo HP Gas Engineering and Operations for additional review and modification of requirements.
- i. Additional requirements may apply to address issues not foreseen during review of Requestor's proposal.

## 2) Engineering

- a. Specifications of weight and type of any heavy equipment or trucks planned to be run over or along the pipeline(s) are required to be submitted to PSCo HP Gas Engineering for analysis of excessive live load stresses induced on the pipeline(s) prior to approval for crossing is given.
  - i. Should calculated allowable stresses induced by Requestor equipment traveling over the PSCo pipeline(s) be exceeded, Requestor will be required to install additional temporary fill over the pipeline(s).
  - ii. If calculated allowable combined stress on the pipeline(s) can not be reduced below limits by adding additional protective fill over the pipeline(s) or the depth of additional fill is deemed impractical, a temporary bridging structure installed over the pipeline(s) will be required to mitigate the excess stress on the pipeline(s).
    1. This bridging structure must be constructed of timbers, plates or other material that does not allow the driving surface to come in contact with the ground surface. The supports for the driving surface of the bridging structure may be of dirt or other material with the inside edges of the supports placed a minimum of 5 feet from the center line of the PSCo pipeline(s).
- b. Requestor's Plans must contain surveyed horizontal location of the PSCo pipeline(s) throughout the project area based on current field locates. Surveyed vertical location of the PSCo pipeline(s) based on pothole information must be presented on the Proposed Construction Drawings Profile Sheets at all Requestor facility crossing locations of the pipeline(s) prior to final comment and approval of the plans.
- c. Locates and or potholing for the purpose of Requestor's engineering, design and construction drawings to establish the horizontal and vertical locations of PSCo facilities and all associated costs will be the responsibility of Requestor. A PSCo representative will be required to be on site during any pothole operations.
  - i. Potholing with excavation equipment during frost conditions will not be allowed unless contractor thaws ground prior to excavation. Potholing with vac-truck will be allowed under any conditions
- d. **Any excavator acting in a reckless manner while working in the area of Xcel Energy pipelines shall be asked to stop their work in that area. Work will not be allowed to continue until Xcel Energy personnel deem the situation has returned to a safe situation.**

e. Blasting Near PSCo Facilities

i. Notification

1. In accordance with Article 7 of Title 9 of CRS “Explosive Act”, Section 6.1.7, Utilities must be notified at least 24 hours prior to commencement of blasting activity. If Blasting is anticipated for this project an “Explosive Use Application and Notification” and the associated Agreement Document must be processed before blasting activities may commence near the PSCo pipeline(s). It is recommended that this notification be made at least one month in advance of actual blasting activities to allow for processing of these documents and any studies that may need to be performed to access the applicants blasting plan.

ii. Limits

1. Buried Pipe - Total Combined (Effective) Stresses on the pipe must not exceed **50%** of the specified minimum yield strength of the pipe.
  2. Above Ground Pipe –Blasting operations must not generate Peak Particle Velocity (PPV) greater than 1 in/sec.
- f. Vibrations from dynamic compaction equipment or other sources must be maintained at a peak particle velocity of not greater than 1 in /sec as measured in any one of the three components of a seismographic reading.

3) Inspection

- a. PSCo will require that one of its Field Operators be on site during the potholing, excavation, site grading, backfill operations, compaction, and installation of your facilities when working within the pipeline(s) easement and/or a minimum of fifteen (15) Ft from the outer limits of the locate marks for the PSCo pipeline(s). This standby expense is covered by PSCo during a normal 8 hour day Monday - Friday. Any time required in excess of 8 hours per day or weekend and holidays will be billed to the Third Party of the facilities under construction at the applicable PSCo Labor Overtime Rates and Equipment/Vehicle Rates.
- b. Requests for standby will be filled on a first-come, first-served basis, consistent with the number of personnel available for standby and Xcel Energy workload at that time. It is not our intent to unnecessarily impede the work schedule of the installation contractor, and we will strive to be as available as possible.
- c. Appointments for standby excavations shall be scheduled to minimize the amount of time Xcel Energy personnel are waiting during contractor setup. Contractors will be charged at the applicable straight time or overtime PSCo labor rate and Equipment/Vehicle per hour for time between appointment time and actual start time (i.e. a call for an 8:00 A.M. standby and actual construction start time of 10:00 A.M. will result in 2 hours of the applicable straight time or overtime PSCo labor and Equipment/vehicle charges)
- d. Frequency and duration of Field Operator Standby will be determined during the initial site visit with the Requestor’s Construction Contractor based on construction schedule and phasing of construction activities as they relate to work near the PSCo pipeline(s).

- e. Potholing frequency during construction will be at the discretion of the PSCo Inspector on site on an as needed basis based on field conditions and proximity of the excavation to the pipe.
- f. Potholing with excavation equipment during frost conditions will not be allowed unless contractor thaws ground prior to excavation. Potholing with vac-truck will be allowed under any conditions.

#### 4) Construction

##### a. Grading, Excavation, Installation, Backfill

- i. A “Method of Construction Plan” shall be provided to PSCo HP Gas Engineering and Operations for review and approval prior to the beginning of construction.
- ii. For Parallel Encroachments, the recommended method of construction is to place the trench spoils between the Requestor line and the PSCo line and set the working side on the opposite side of the trench from the spoil pile.
  - 1. Alternate Method of Construction
    - a. Install a layer of straw or some other method of identifying the top of the existing ground elevation then place trench spoils on top of the line. During backfill operations, removal of the spoil shall stop at the level of the warning material.
    - b. Requests to work above existing PSCo pipeline(s), either on top of existing ground elevation or top of spoil pile, will be reviewed on a case by case basis. Requestor must provide specs for all equipment that will be traveling on top of the line for calculation of combined stresses for determination if allowable combined stress levels are exceeded prior to approval of this method
- iii. The maximum unsupported length of PSCo's 2” and larger diameter High Pressure Natural Gas pipeline(s) is **15** feet.
  - 1. Specific calculations can be made for pipe diameter’s greater than 2” in outside diameter to determine greater free span lengths.
  - 2. Should Requestor excavation require a greater length of the pipe be exposed than allowable stress limits dictate, plans for providing support will be required to be submitted to PSCo HP Gas Engineering for review and approval. This support system can be provided by the third party’s contractor and installed under the supervision of the on-site PSCo Energy Employee. A list of qualified pipeline contractors to perform this work, if needed, can be supplied to you if so requested.
- iv. If site re-grading leaves less than 36" of cover over the PSCo pipeline(s), the pipe will have to be lowered or additional protection measures installed over the pipe such as concrete capping or steel plating. Any mitigation measures, including engineering of such structures, will be at the expense of the Third Party of the facilities being constructed.
- v. Backfill operations around exposed sections of PSCo’s pipeline(s) shall be inspected by a PSCo representative.

- vi. Any sections of the PSCo pipeline(s) that are exposed during construction must be padded with material passing ¾" minus screens that is non-angular in shape to a depth of one (1) foot above the top of pipe before native material passing 6" minus screens or two (2) feet above the top of pipe before native material passing greater than 6" plus screens can be used for the remaining backfill. Bedding material of an angular nature and/or passing 2" minus screens may be used if rock shield, epoxy coating applied to a thickness of 30 mils or greater, or other abrasion resistant coating, is installed around the pipe over the entire exposed length. Installation of any such additional protective coating installation shall be inspected by a PSCo representative.
- vii. Utilization of flowable fill with cement or fly ash binder material may be utilized once one (1) foot of cover is established over the PSCo pipeline(s) with consolidated, non-abrasive, bedding material. The flowable fill must be able to be excavated with a shovel. The flowable fill shall extend ten feet on either side of the PSCo pipe and extend to the trench walls. The use of flowable fills is subject to approval of the local government authorities.
- viii. Other backfill material not requiring additional compactive effort to obtain required dry densities of the project specifications may be utilized around the pipe. Submittal of a backfill plan and material specifications shall be presented to PSCo HP Gas Engineering and local government authorities for review before approval is granted.
- ix. Permanently added fill over PSCo pipeline(s) shall not exceed a typical depth of cover of four (4) feet over the top of PSCo's pipeline(s) at final grade. Exceptions due to terrain, grading requirements and re-establishment of slopes must be reviewed with PSCo HP Gas Engineering but shall not exceed eight (8) feet of cover over the top of the PSCo pipeline(s).

b. Compaction over PSCo Pipelines

- i. No heavy vibratory compaction equipment (driver operated) will be allowed over or along the length of the PSCo pipeline(s) in the area requiring compaction and for a distance of ten (10) feet on either side of the outside wall of the pipe and ten (10) feet from the ends of the pipe length at the compaction area limits if less than three (3) feet of cover is left over the pipe after sub excavation work is completed.
- ii. Light vibratory compaction equipment (jumping jacks, walk behind or remote control rollers) may be utilized once the minimum one (1) foot of bedding material cover over the top of the PSCo pipeline(s) is established.

c. Facility Crossings

- i. Buried Facility Crossings of the PSCo pipeline(s) will be required to go under or over the PSCo pipeline(s) with a minimum clearance of two (2) feet to the bottom or top respectively of the PSCo pipeline(s).
- ii. Buried facilities installed parallel to the PSCo pipeline(s) must maintain a minimum horizontal separation of ten (10) feet from the pipeline(s). If this minimum horizontal separation cannot be maintained, the top of the facility being installed will be required to be one (1) feet below the bottom of the PSCo pipeline(s) for every foot closer than ten (10) feet to the pipeline(s).

d. Improvements/Structure/Facility Placement

- i. No surface or sub-grade structures or utility facilities will be allowed within the PSCo ROW limits without plan review approval from PSCo HP Gas Engineering and Operations. Potential ignition source facilities shall be a minimum of fifteen (15) feet from the outside wall of the pipe

e. Landscape Installation

- i. No planting of vegetation will be allowed within the PSCo ROW limits without plan review approval from PSCo HP Gas Engineering and Operations. Under no circumstances will trees be allowed to be planted over the pipeline(s) within the PSCo ROW limits and shall be no closer than fifteen (15) feet from the outside wall of the pipe.

f. Cathodic Protection

- i. A copy of the Requestor Cathodic Protection (CP) System design shall be provided to PSCo for review prior to construction. .
- ii. At crossing locations, Stray Current Mitigation will be required if either pipeline is cathodically protected from a rectified ground bed system. At a minimum this shall consist of a run of two # 8 wires from Public Service Company (PSCo) pipe and 2 # 8 wires up from the third party facility pipe into a common or separate test station for bonding of the two systems together if necessary. The wires could either run to the test station in a common conduit or separate conduits. In addition, four 17# or larger anodes are to be placed in each quadrant of the crossing pipes and placed vertically equidistant between the two pipelines. PSCo will provide the material for its CP test station and assist **Requestor's** contractor with installation of the test station.
- iii. For parallel encroachments, at locations where third party is installing a CP Test Station, the third party will be required to expose the PSCo pipeline(s) for installation of a CP test station for monitoring of interference. PSCo will provide the material for its CP test station and assist the third party's contractor with installation of the test station.

## 5) Post Construction

### a. Permanent Private Road Crossings

- i. Permanent private access roads intended for use by vehicles with a loaded single axle rating of less than or equal to CDOT load limits, must provide and maintain a minimum of **4** feet of cover over the PSCo pipeline(s). Any party needing to cross the PSCo pipeline(s) with vehicles in excess of the CDOT Load Limits per single axel must contact PSCo for additional requirements or place bridging structures over the located pipeline(s).
  - ii. Permanent private access roads intended for use by vehicles with a loaded single axle rating of less than or equal to 20,000 lb per axle, must provide and maintain a minimum of **4 (four)** feet of cover over the PSCo pipeline(s).
  - iii. Tracked equipment crossings of the PSCo pipeline(s) must be made via tractor/lowboy transport adhering to the restrictions of section 5.a.i. and 5.a.ii. If it is desired to track the equipment over the PSCo pipeline(s), PSCo must be contacted to calculate the limits for the specific piece of equipment or provide a bridging structure over the pipeline(s) in accordance with Section 2.a.ii.1.
- b. Four wheel all terrain sport and utility vehicles and dirt bikes are exempt from this section's restrictions. A minimum cover of twelve (12") inches of dirt over the pipe must be present before these vehicles can cross over the pipe.
  - c. It is recommended that Requestor install and maintain load limit signage at all road crossings of the PSCo pipeline(s).
  - d. PSCo will place pipeline markers at all permanent road crossings that are to remain at the conclusion of the installation of the Requestor pipeline.



## **Fort Lupton Fire Protection District**

1121 Denver Avenue • Fort Lupton, Colorado 80621

Office: (303)857-4603 • Fax: (303)857-6619 • Website: [www.fortluptonfire.org](http://www.fortluptonfire.org)

---

**Date:** 1/3/2020

**Project name:** Ten Eyck and Campbell Special Use Permit Lot 2

**Project address:** Parcel #131110100027, Fort Lupton, Co 80621

**FLFPD Project #** 2019-0140

**Plan reviewer:** Taw Tamlin, Fire Marshal

The Fire District has reviewed the submittal for **Ten Eyck and Campbell Special Use Permit Lot 2** located at **Parcel #131110100027**, Fort Lupton, CO 80621. The submittal was reviewed for compliance with *2012 International Fire Code (IFC)* and National Fire Protection Association (*NFPA*) standards as adopted by the Fort Lupton Fire Protection District, City Council of Fort Lupton, and Weld County Commissioners. The plans are approved with the following specific and general requirements and conditions.

### **Specific Requirements:**

1. New and existing businesses shall have approved address numbers, building/Site numbers or approved building/Site identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. *2012 IFC, 505.1*
2. New and existing fire apparatus access roads (driveway) for one or two-family dwellings shall have an unobstructed width of not less than 16 feet (6096 mm), exclusive of shoulders, except for security gates approved by the fire chief, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). *2012 IFC Section 503.2.1*
3. Fire apparatus access road (driveway) shall be designed and maintained to support the imposed loads of fire apparatus (56,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities (e.g. gravel, road base or recycled asphalt). *2012 IFC Section 503.2.3*

4. Plans for Construction shall be approved by the Fire District prior to construction. Click on <https://fortluptonfire.org/contractors/> for directions on submitting plans.

Please contact Fire Marshal, Taw Tamlin at 303-857-4603 if you have questions or need further assistance.

# **LEGAL NOTIFICATIONS**

**PROOF OF PUBLICATION  
FORT LUPTON PRESS  
WELD COUNTY  
STATE OF COLORADO**

I, Steve Smith do solemnly swear that I am the Publisher of the **Fort Lupton Press** the same is a weekly newspaper printed and published in the County of Weld, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Weld for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of **ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **25th day of December, 2019** the last on the **25th day of December, 2019**.



Publisher, Subscribed and sworn before me,  
this **25th day of December, 2019**



Notary Public.

---

**Bobi Lopez  
Notary Public  
State of Colorado  
Notary ID 20024002511  
My Commission Expires  
March 26, 2023**

---

**CITY OF FORT LUPTON  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a special use permit known as the Ten Eyck and Campbell Special Use Permit Lot 2 for a vehicle storage facility located south and adjacent to County Road 24 and approximately a half mile east of County Road 19 in Fort Lupton, Colorado in the Agriculture Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, January 9, 2020, at 6:00 P.M., and before the City Council on Tuesday, January 21, 2020 at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Planning & Building Department at (303) 857-6694.

**LEGAL DESCRIPTION**

LOT B, RECORDED EXEMPTION NO. 1311-10-01 RECX18-0071, ACCORDING TO THE MAP RECORDED SEPTEMBER 27, 2018 AT RECEPTION NO. 4434367, BEING PART OF THE N ½ OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

Published in the Fort Lupton Press  
December 25, 2019  
000XN36

**Sign Posting Affidavit**

Ten Eyck & Campbell Special Use Permit  
Project No. LUP2019-0032



County Road 24

PT of Lot B RECX18-0071, lying in the N2E2 Section 10, Township 2N, Range 67W

I, Shannon Toomey hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 20<sup>th</sup> day of December, 2019.

Shannon Toomey  
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Shannon Toomey, this 23<sup>rd</sup> day of December, 2019. Witness my hand and seal.

My commission expires 8-1-2021.

  
Notary Public

(SEAL)

KARILYN BAUGHMAN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20174032330  
MY COMMISSION EXPIRES AUGUST 1, 2021



**CERTIFICATE OF MAILING**

I, the undersigned, hereby certify that on the 20<sup>th</sup> day of December, 2019 a true and correct copy of the foregoing Notice of Public Hearings, and special use permit map for the Colorado Transmission and Diesel Repair Facility was sent via U.S. Mail, postage pre-paid, to the following addresses:

Duane Book  
9575 County Road 24  
Fort Lupton, CO 80621

Lois Book  
9575 County Road 24  
Fort Lupton, CO 80621

Rachael Mueller  
9467 County Road 24  
Fort Lupton, CO 80621

Adam Mueller  
9467 County Road 24  
Fort Lupton, CO 80621

Edward Viner  
300 Kalamath Street  
Denver, CO 80223

Shaw Investments LLC  
300 Kalamath Street  
Denver, CO 80223

Firestone Cattle Ranch, LP  
PO Box 517  
Erie, CO 80615

Shane Durben  
9348 County Road 24  
Fort Lupton, CO 80621

Corrin Campbell  
1410 Cherryvale Road  
Boulder, CO 80303

Gregg Ten Eyck  
1410 Cherryvale Road  
Boulder, CO 80303

Jared King  
9503 County Road 24  
Fort Lupton, CO 80621

Wendy King  
9503 County Road 24  
Fort Lupton, CO 80621

Kirk Bokowski  
9535 County Road 24  
Fort Lupton, CO 80621

Isidro Fernandez  
9576 County Road 24  
Fort Lupton, CO 80621

Carrie Bokowski  
9535 County Road 24  
Fort Lupton, CO 80621

Reva Jean Barrett  
C/O Gibbs Performance Horses, LLC  
6045 E 76<sup>th</sup> Ave., Ste 12  
Commerce City, CO 80022

\_\_\_\_\_  
City Official





---

**CITY OF FORT LUPTON  
NOTICE OF PUBLIC HEARING**

A public hearing has been scheduled for Tuesday, January 21, 2020 at 6:00 PM with the Fort Lupton Planning Commission and Thursday, January 9, 2020 at 7:00 PM with the Fort Lupton City Council. The purpose of the public hearing is to consider a special use permit application submitted by Ten Eyck and Campbell for a vehicle storage, repair and welding facility located south and adjacent to County Road 24 and approximately a half mile east of County Road 19 in Fort Lupton, Colorado in the Agriculture Zone District. The public hearings will be held at the Fort Lupton City Hall, 130 S. McKinley Ave. in Fort Lupton, Colorado. For additional information on this application, please contact the Fort Lupton Planning Department at 303-867-6694.

**LEGAL DESCRIPTION**

LOT B, RECORDED EXEMPTION NO. 1311-10-01 RECX18-0071, ACCORDING TO THE MAP RECORDED SEPTEMBER 27, 2018 AT RECEPTION NO. 4434367, BEING PART OF THE N ½ OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO.

**ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT [BIT.LY/FLDEVELOPMENT](https://bit.ly/fldevelopment) AND SCROLLING DOWN TO THE ROW TITLED: TEN EYCK AND CAMPBELL LOT 2 SPECIAL USE PERMIT.**