

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
May 28, 2020**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Ave, the regular meeting place of the Planning Commission, and virtually via GoToMeeting, on Thursday, May 28, 2020. Chair Mike Simone called the meeting to order at 6:00 p.m.

Chair Simone gave the following statement:

The President of the United States, the Governor of the State of Colorado, and the Mayor of the City of Fort Lupton have collectively declared federal, state, and local emergencies due to the outbreak of the COVID-19 virus. As such, a portion of tonight's meeting shall be held virtually so as to ensure the health and safety of the general public, and the City of Fort Lupton Planning Commission, and staff. The intent and purpose of the Fort Lupton emergency policy and procedures is to ensure that the City is innovative in providing the general public the most meaningful access possible in light of the current emergency challenges present as a result of the COVID-19 pandemic. Therefore, subject to social distancing and public health orders, members of the general public will be offered both the opportunity to be physically and or electronically present for meetings at the City, subject to existing health conditions. An electronic link has been made available for tonight's meeting on the City's website, and social media platforms, and as posted at the City Hall so that the general public, and Planning Commission, and staff may participate electronically via the internet, on the phone, or in limited circumstances in person.

**ROLL CALL**

Roll was taken and those present were Chair Mike Simone, and Commission Members Lynne Derby, David Hushbeck, and Kathy Kvasnicka,. Also in attendance was Planning Director Todd Hodges, City Planner II Alyssa Knutson, Planner I Maria Lancto and Planning Technician Stephanie Darnell.

**APPROVAL OF AGENDA**

Chair Simone called for a motion to approve the agenda. It was moved by Member Paul Weber and seconded by Member Kathy Kvasnicka.

Motion carried unanimously by voice vote.

**CONSENT AGENDA**

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

Motion carried unanimously by voice vote.

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**PUBLIC COMMENT**

Planner II Alyssa Knutson greeted everyone that was attending virtually and briefly explained how to submit comments through the chat box feature when the time for public comment became available. She stated that the virtual public can also speak up during the public comment portion.

The Chair asked if anyone wished to make comments not otherwise related to the agenda. Seeing none, the public comment portion was closed at 6:04 p.m.

**ACTION ITEMS**

**Complete Energy Services Special Use Permit**

Chair Simone addressed the applicant, Jason Henderson. He asked Mr. Henderson if he had submitted a waiver to attend the meeting virtually.

Mr. Henderson stated that he did sign and submit a waiver.

City Planner I Maria Lancto introduced the project. She stated that the project is a proposal submitted for a special use permit. She stated that the site is located east and adjacent to Highway 85 and approximately .08 miles from County Road

submitted by Andrew and Kamber Morrison to annex land located west and adjacent to County Road 29 right-of-way and is about a quarter-mile north of County Road 8. She stated that the property is adjacent to City limits to the west and is 37.58, acres more or less. She stated that the project also includes a proposal to the initially zone the property to the 'A' Agricultural District. She stated that the land is currently zoned Agricultural in Weld County. She concluded by stating all notification requirements have been met, and the applicant is present to answer any questions.

Terry Epstein, 1800 Glenarm Place, Suite 500, Denver, CO 80202, a representative for Andrew and Kamber Morrison addressed the Planning Commission. She added that the proposed project, with regards to the property, will not entail any new or additional development. She stated that the use of the property is not expected to change. She stated that the primary purpose for the annexation is for inclusion into the Northern Colorado Water Conservancy District, and the municipal sub-district in order to supply water to the property. She concluded by reiterating that there are no changes to the property expected at this time.

Chair Simone addressed the applicants Mr. and Mrs. Morrison. He asked if they have had a full and fair opportunity to present all facts, submittals, documents, testimony, and presentations and support of their application before the Planning Commission tonight.

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Mr. Morrison stated that he did.

Chair Simone asked them if there has been anything that they or anyone else presenting for them, would have liked to have presented in support of their application that they were prevented from doing.

Mr. Morrison stated no, there is not.

Chair Simone opened the Public Hearing to public comments at 6:13 p.m.

Chair Simone directed the public to use the chat box for comments. He asked City staff if there was anyone in the office to speak on the application.

City Planner Maria Lancto stated that no one was in chambers.

Ms. Knutson stated that she has not received any emails or phone calls.

Chair Simone closed the public comments portion at 6:13 p.m.

Chair Simone asked Member Thomas Meyers if he was present to hear Ms. Knutson's and the applicant's presentation.

Member Thomas Meyers stated that he was.

Chair Simone asked the Commissioners if they had any questions; seeing none, he requested a motion to approve Resolution P2020-013. It was moved by Vice-Chair Bushrod White and seconded by Member David Hushbeck.

Motion carried by unanimous voice vote.

**SB Weakland Investments Site Plan**

Chair Simone addressed the applicants, Scott and Barbara Weakland. He asked if they understand that they have the right to continue this public hearing to such a date to allow a full in-person public hearing.

Mr. Weakland stated that he did.

Chair Simone asked if they have agreed to voluntarily waive that right on their behalf, and any other applicants by proceeding tonight electronically.

Mr. and Mrs. Weakland stated yes.

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Chair Simone asked if they have voluntarily signed and submitted a written waiver and consent to proceed electronically tonight.

The applicant confirmed yes.

Chair Simone asked Ms. Knutson if she had a copy of the written waiver.

Ms. Knutson stated that she did have a copy of the waiver.

Chair Simone asked if they have waived their right to proceed in an in-person public hearing, and have consented to proceed forward voluntarily tonight in this virtual Planning Commission meeting.

Mr. and Mrs. Weakland confirmed yes.

Ms. Lancto introduced the project. She stated that the site is located approximately 0.05 miles south of Barley Avenue and 0.53 miles east of County Road 31, and the site is approximately 22.96 acres in size, more or less. She stated that the site plan shows three distinct sections: Yard "A", Yard "B", and Yard "C". She stated that Yard "A" is current used for outside storage and equipment by Wellhead Services. She stated Yard "B" is used as a semi-tractor trailer parking yard by G&Z Trucking. She stated Yard "C" is proposed for storage of storage containers used by SB Weakland. She stated Yards "A" and "B" are already being utilized, however, a site plan does not exist with the City, therefore the submittal is encompassing all uses, existing and proposed. She stated the zoning is I-2 Heavy Industrial, and all uses are uses by right. She stated that all notification requirements have been met. She stated that there is a proposed additional condition for the resolution that staff is recommending be added. She stated that the condition would be Condition "G" on the resolution, and would read as follows: The following note shall be placed on the site plan map: "The City reserves the right to reevaluate traffic impacts in the future if there is an increase in traffic from what was represented to the City in evaluating the site plan." She concluded by stating the applicant is present to answer any questions.

Chair Simone addressed the applicants Mr. and Mrs. Weakland. He asked if they have had a full and fair opportunity to present all facts, submittals, documents, testimony, and presentations and support of their application before the Planning Commission tonight.

Mr. Weakland stated that he did.

Chair Simone asked them if there has been anything that they or anyone else presenting for them, would have liked to have presented in support of their application that they feel they were prevented from doing so.

Mr. and Mrs. Weakland stated no.

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Chair Simone opened the Public Hearing to public comments at 6:19 p.m.

Chair Simone asked Ms. Knutson and Ms. Lancto if there is anyone on the phone or in the office that wanted to speak.

Ms. Lancto stated that no one was in the office.

Ms. Knutson stated that she had not received any emails or calls on the application.

Chair Simone did not see any comments in the chat box so he closed the public comments portion at 6:20 p.m.

Member Thomas Meyers confirmed that condition "G", if added, was going to be added to allow reassessment of traffic impacts in the future.

Chair Simone, confirmed yes, if it is added.

Member David Hushbeck asked the applicants if there was going to be anything specific stored in the storage containers that will be on the site.

Mr. Weakland stated that the containers will be empty; they'll just be stored there.

Chair Simone asked the Commissioners if they had any additional questions; seeing none, he requested a motion to approve Resolution P2020-014 with the additional condition of "G". It was moved by Member David Hushbeck and seconded by Member Kathy Kvasnicka.

Motion carried by unanimous voice vote

**DISCUSSION ITEMS**

**Review of Meeting Discussion**

Ms. Knutson stated that all items reviewed at the first virtual meeting went to City Council, and passed, however, not unanimously.

Member David Hushbeck asked if there was anything specific that people were concerned about.

Planning Director, Todd Hodges, stated that the annexation that was occurring along Highway 85 to the north had a lot of discussion. He stated that it was dealing with what was being stored, and two individuals came in for that hearing.

Chair Simone asked Mr. Hodges if City Council had changed anything that Planning Commission had passed.

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Mr. Hodges stated that there were no changes to the resolution.

**Development Code Update**

Ms. Knutson stated that the consultant broke down every section of the chapters that are being looked at. She stated that it analyzes the priorities for changes needed in the Development Codes and what staff should be thinking about. She stated that there have been weekly Monday afternoon calls with the consultant and they are talking about getting a meeting set with the steering committee now that virtual meetings are getting more common. She stated that steering committee members should plan on hearing something on that soon.

**FUTURE BUSINESS**

**Next Meeting of the Planning Commission**

The next meeting will be held Thursday, May 28, 2020 at 6:00 p.m.

Chair Simone asked if the next meeting would be in person.

Ms. Knutson stated that she was not sure. She stated that they haven't sent out how that is going to be notified. She stated that she will most likely send notices that state to check the web page and the agenda links since everything is changing so quickly.

Vice-Chair Bushrod White stated he is interested in looking at the design standards.

Ms. Knutson stated that she doesn't believe it will be at that stage quite yet; it's going to be pretty preliminary. She stated that the process is pretty long and tedious, and everyone's patience is appreciated. She stated that they will get to the design standards, but she doesn't believe the consultant is that deep into it at this point.

**ADJOURNMENT**

It was moved by Vice-Chair Bushrod White and seconded by Member Paul Weber to adjourn the April 23, 2020 Planning Commission meeting at 6:26 p.m.

Motion carried unanimously by voice vote.

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Stephanie Darnell, Planning Technician

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Approved by Planning Commission

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Mike Simone, Chair