TOWN OF MILLIKEN
PLANNING COMMISSION
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, APRIL 15, 2015 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 15th Day of April 2015. Those present were: Chair Tim Woodcock, Vice-Chair Dave Bernhardt Commissioners: Ron Blackmer, Richard Hiller, Mitchell Portella, Shellie Satterfield and Dave Watson. Also present: Community Development Director Martha Perkins, Community Engagement Specialist/Planner Seth Hyberger, Town Administrator Kent Brown and Town Clerk Cheryl Powell.
Absent:

Chair Woodcock called the meeting to order and led the audience in the Pledge of Allegiance.

Call to Order Pledge of Allegiance

Agenda Approval Additions/Deletions to Agenda

Director Perkins indicated there were no changes from staff.

Citizens Comments

None.

Minutes of Previous Meeting

Minutes for the April 1, 2015 meeting approved.

Commissioner Watson motioned and Commissioner Satterfield seconded.

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 Planning Commission member or citizen so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Action Agenda.

There were not any items.

ACTION AGENDA

1. **Public Hearing/Meeting for the Purpose to Review and Recommend Ordinance 706, Disconnecting/De-Annexing 6.78 Acres Owned by Robert D Fields and Doris Ann Fields to the Milliken Town Board of Trustees**

Community Development Director Martha Perkins asked the Commission to review and recommend to the Milliken Board of Trustees, Ordinance 706, Disconnecting a Long, Thin, Trapezoidal Piece of Land consisting of Approximately 6.78 Acres Located in the East One-Half Northwest One Quarter (E ½ NW ¼) of Section 34, Township 5 North, Range 67 West of the 6th Principal Meridian, Weld County Colorado from the Town of Milliken. The property owners are Robert David Fields and Doris Ann Fields and own 100% of the subject property. Their agent is their son Robert David Fields, as Power of Attorney. The Town Board, through resolution 15-08 on March 11, 2015, accepted the initiation of disconnection proceedings.

Commissioner Blackmer recused himself from the discussion and vote and left the room.

Ronald Roberts and David Fields were sworn in by the Town Clerk

Public Hearing opened at 7:04 P.M.

Mr. David Fields spoke on behalf of the Fields in regard to the request for disconnecting from the Town of Milliken. Mr. Fields explained how the property was acquired from James McDowell in 2007. He also explained that the family will continue to farm the property as they have in the past. The Fields family became aware that the property was in the Town's jurisdiction when they pulled a building permit in Weld County to build a house for David Fields and his family. Mr. Fields explained that the majority of their farm is located in Weld County and he would like this piece of land in the County.

Mr. Fields explained to the Commission and audience that they have been and will continue to be good neighbors. He explained the various tasks the family has done in the past, such as clearing the roads of snow when the Town was not able. Payment has never been requested for the services his family has performed.

Ronald Roberts, who resides at 3009 Branding Iron Circle, Milliken, CO who has a farming background through his family spoke to the Commission. Mr. Roberts was surprised about the easement through the cul de sac. Mill Iron does not have a problem with the de-annexation, but was wondering if the granting of the access easement through the cul-de-sac would go away? He explained that the residents of Mill Iron wouldn't deny access through this easement to anyone through hardship.

David Fields replied they do access the easement on occasion. When the original development went through they were given the access by prior administration. This is not a typical path that they would use, but it would be used on certain occasions, such as a heavy snow where accessibility to their main access is difficult.

Public Hearing closed at 7:28 P.M.

Commissioner Satterfield moved that after hearing testimony, examination of the documents presented and the findings of fact the application meets the provisions of the Colorado Revised Statutes Section 31-12-501 et. Seq. and approves and recommends the Town Board of Trustees review and approve Ordinance 706 to disconnect approximately 6.78 acres immediately west of the Mill Iron Subdivision. Commissioner Watson seconded.

Discussion: Commissioner Hillier asked staff if there are any provisions of the statute that this does not meet. Community Development Director Perkins indicated that all provisions have been met.

Roll Call Vote: Commissioners: Bernhardt, Watson, Hillier, Woodcock, Portella and Satterfield in favor, none opposed. Motion passed. Commissioner Blackmer was recused.

2. **Public Hearing/Meeting for the Purpose to Review and Recommend Ordinance 707, Amending the Town of Milliken's Official Zoning Map For Fossil Park or Lot 2, Block 1 of the Settlers Village Subdivision 2nd Filing**

Community Development Director Perkins asked the Commission to review and consider Ordinance 707, amending the Town of Milliken's Official Zoning District Map for Fossil Park or Lot 2 Block 1 of Settlers Village Subdivision Plat 2nd Filing, from a PUD "Planned Unit Development" – Industrial Zoning District to R-1 "Residential Single Family" Zoning District. The area is approximately 50 acres in size and is currently vacant as requested by Lot Holding Investments, LLC.

Mr. Russell Lee who is doing the design for the Fossil Creek subdivision was sworn in by the Town Clerk.

Public Hearing Opened at 7:37 p.m.

Mr. Lee provided an overview of the subdivision using maps that he displayed for the Commission and audience. He spoke of the proposed different types of housing and trail system. He spoke about the future Field House, the existing lake and the plan to provide open space areas through the subdivision.

Commissioner Blackmer asked the average size of the lots. Mr. Lee responded 10,000 to 12,000 square feet. Housing sizes would be approximately 1800 sq. ft. for 3-4 bedrooms and 3 bathroom homes.

Chair Woodcock asked about the ditch that runs along the property and will that be a green space. Mr. Lee responded yes.

Director Perkins indicated that this property was originally zoned industrial and the developer has altered their view of this property which is why they are requesting to change it to residential. The developer felt there would be a big conflict if it were left

industrial, given that the future Field House and other amenities are located in that area.

Doris Fields asked if there is enough water to develop these homes. Mr. Lee explained that the development will bring their own potable water. Commissioner Blackmer asked where the water source is coming from. Mr. Bret Hall explained that the water has already been brought to the Town for this development.

Commissioner Hillier asked if there could be a commercial area within this development. Director Perkins responded that the applicant is coming with a PUD with an underlying zone of Commercial/Industrial and they are requesting a zone change to R-1. She explained that there cannot be commercial business in an R-1 zone.

Public Hearing closed at 7:53 p.m.

Commissioner Satterfield motioned that after hearing testimony, examination of the documents presented and the findings of fact finds the application meets the provisions of Town's Municipal Code Chapter 16 Sections et. Seq. of the Town of Milliken's Land Use Development Code (LUDC) and approves the request to amend the Town of Milliken's Official Zoning District Map for Fossil Park or Lot 2 Block 1 of Settlers Village Subdivision Plat 2nd Filing, from a PUD "Planned Unit Development" – Industrial Zoning District to R-1 "Residential Single Family" Zoning District in Milliken, Colorado consisting of approximately 50 acres as a recommendation to the Town Board of Trustees. Commissioner Watson seconded.

Discussion: Commissioner Blackmer indicated that a few weeks ago there had been discussion regarding different types of housing and what types of housing are needed, especially higher level housing and said that this type of development would fulfill that need. Commissioner Hillier said that this development does meet the housing need, but the Town also needs commercial zoned areas since the Town is in need of commercial development to diversify its source of revenue. Commissioner Bernhardt replied that the reason the Town doesn't have more commercial or industrial business is due to the lack of rooftops. This development may benefit the Town in regard to this.

Commissioner Watson indicated that the larger homes will help attract larger families to move into Town.

Commissioner Hillier asked if the Town should look at mixed use zoning areas instead of one or the other.

Roll Call Vote: Commissioners: Bernhardt, Watson, Blackmer, Woodcock, Portella and Satterfield yes. Commissioner Hillier no. Motion passed.

3. **Public Hearing/Meeting for the Purpose to Review and Recommend The Sketch Plan and Preliminary Plat For Fossil Park or Lot 2, Block 1 of the Settlers Village Subdivision 2nd Filing**

Community Development Director Perkins asked the Commission to review and consider a request from Lot Holding Investments, LLC, to approve the Sketch Plan and Preliminary Plat for the purpose of developing the Fossil Park Subdivision on Lot 2, Block 1 (Parcel ID#105912441002) of the Settlers Village Plat Second Filing and Lot 1, Block 5 of the Settlers Village Final Plat (Parcel ID#105912019001) in Milliken, Colorado. The area is approximately 50 acres in size and currently sits vacant.

Public Hearing Opened at 8:05 p.m.

Commissioner Blackmer spoke about water, noting that there is a lot of green space in the development. Mr. Lee responded that the type of turf used would be a low water turf and would be serviced by a non-potable water system.

Director Perkins would like her staff report as a part of the record.

Mr. Roberts asked about the trees and if it is following the Town's guideline. Director Perkins informed Mr. Roberts that staff has looked at the landscape plan and as a recommendation by the Parks Director that other types of trees were suggested.

Public Hearing closed at 8:11 p.m.

Commissioner Portella motioned that after hearing testimony, examination of the documents presented and the findings of fact finds the application meets the provisions of Town's Municipal Code Chapter 16 Sections et. seq. of the Town of Milliken's Land Use Development Code (LUDC) and approves the request for the approval of the Sketch Plan and Preliminary Plat for the purpose of developing the Fossil Park Subdivision on Lot 2, Block 1 (Parcel ID#105912441002) of the Settlers Village Final Plat Second Filing and Lot 1, Block 5 of the Settlers Village Final Plat (Parcel ID#105912019001) in Milliken, Colorado with a recommendation for approval to the Town Board of Trustees. Commissioner Blackmer seconded.

Discussion: Commissioner Hillier asked whether as part of the review criteria, whether the utility and transportation line were found to be adequate. Director Perkins responded that the Town's engineer and the Public Works Director have reviewed these and determined that they are. Commissioner Blackmer asked what the width of the streets are. Staff determined that the streets are approximately 33 feet in width.

Roll Call Vote: Commissioners: Bernhardt, Watson, Blackmer, Hillier, Woodcock, Portella and Satterfield in favor, none opposed. Motion passed.

Hahn – Martinez Annexation Continuation until May 20, 2015

Commissioner Bernhardt motioned to continue. Commissioner Watson seconded. All in favor, none opposed.

DISCUSSION AGENDA

1. **Weld County Referral for RECX15-0030**

Robert D. and Doris A. Fields, applicants, have submitted an application for a lot lines adjustment between two parcels for a site specific development plan increasing Lot B from 66 acres to 69 acres and creating a new lot of 4.3 acres for the purpose of building a home for their son. The property is located west of the Mill Iron V Subdivision to the South of County Road 52.

Commissioner Blackmer recused himself from this discussion.
No conflict with the Milliken Planning Commission.

2. **Proposed Shooting Range for Milliken Update**

Community Engagement Specialist/Planner provided the Commission with an update on information he obtained regarding the proposed shooting range. Hyberger indicated that there is currently not a shooting range designated zoning area. There would need to be a PUD that allowed a shooting range. The shooting range would be open to the public. Lot Holding Investments would donate the land. A grant would need to be applied for through the Colorado Division of Wildlife (DOW). Hours of operation will be discussed at a later date. The Colorado Division of Wildlife would hire a person to operate the concession stand.

Chair Woodcock suggested contacting people within that area. Commissioner Hillier would make the radius logical to the location. He suggested contacting other firing ranges and their impact for noise, perhaps the zone of noise is much larger than the area that would normally be notified. Hillier asked if the range needs to be outdoors. Hyberger commented that this amenity would draw people from other locations. Chairman Woodcock asked if there would be an opportunity for archery range within this area. Hyberger replied yes.

Hyberger commented that a new zoning designation would need to be created for this type of use.

Town Administrator Brown commented that a buffer would need to be created.

Bret Hall remarked that he was contacted by the Division of Wildlife to use the property, but he has not heard from the DOW since January so this discussion maybe a moot point.

Other Business

Unfinished Business

Adjournment

There being no further business, the meeting adjourned at approximately 8:44 p.m.

Prepared by: Approved by:

Cheryl Powell, Town Clerk Tim Woodcock, Chair