

TOWN OF MILLIKEN  
PLANNING COMMISSION  
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, August 6, 2014 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 6th Day of August 2014. Those present were: Vice-Chair Tim Woodcock, Commissioners: Dave Bernhardt, Ron Blackmer, Shellie Satterfield, and Richard Hillier. Also present: Community Development Director Anne Johnson, Town Clerk Cheryl Powell, Community Engagement Specialist/Planner Seth Hyberger, and Administrative Assistant Ashley Cummins. Absent: Commissioner: Dave Watson and Town Attorney Bruce Fickel.

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

**Agenda Approval**

Vice-Chair Woodcock added an Action item 2 for election and appointment of Chair and Vice Chair, Johnson also added a 5<sup>th</sup> Discussion item regarding Beef n Bean day.

**Citizens Comments**

None.

**Minutes of Previous Meeting**

July 16, 2014 Minutes approved with corrections.

**CONSENT AGENDA**

There were not any items.

**ACTION AGENDA**

**1. Public Hearing to Consider Ordinance 699, to Allow for an Administrative Review for a Minor Subdivision When Used to Vacate Internal Lot Lines**

Community Development Director Johnson explained to the Commission that adding a 3<sup>rd</sup> option to the minor subdivision process will allow someone to combine their lots and vacate internal lot lines through an administrative approval. Utility companies are notified when a utility easement is impacted. The plat will be recorded with Weld County. We will follow same process of a minor subdivision but without a public hearing process, the criteria will stay the same. If a person wants to combine lots, vacate internal lot lines, they can use the

proposed administrative process to avoid a hearing. The planning director can bring an application to the Planning Commission if he/she has concerns or referral agency has a lot of concerns.

Public hearing opened at 7:05 p.m.

Commissioner Hillier asked if application process requires an applicant to still come to the commission. Community Development Director Johnson indicated only option 3 will be processed administratively.

Public hearing closed at 7:18 p.m.

Commissioner Blackmer motioned "I find the recommended amendment to the Milliken Land Use Code Sections 16-3-130 and 16-4-410 are consistent with the Comprehensive Plan and the Municipal Code and forward to the Town Trustees for approval and incorporation into the Land Use Code."  
Commissioner Bernhardt seconded.

Vote: All in favor.

## **2. Election for Chair and Vice Chair of Planning Commission**

Commissioner Blackmer motioned "I make a motion that we unanimously select Tim Woodcock as Chair and Dave Bernhardt as Vice Chair." Commissioner Satterfield second.

Vote: All in favor.

## **DISCUSSION AGENDA**

### **1. To Review Requirements for Land Use Permits in Existing Buildings**

Community Development Director Johnson asked Planning Commission for clarification regarding the requirement for either a Site Plan application for the following scenario:

- Use allowed by right in a particular zone district; AND,
- In existing structures; AND,
- No changes to the footprint of the existing structure will occur.

Johnson reminded Planning Commission that a Site plan approval is needed for a building permit for all multi-family, commercial and industrial developments as well as parks, open space and trails. The only development a site plan is not needed for is a new single-family or duplex development. The site plan shows how the lot will be developed so that the Town can make sure that the site design will be in compliance with all Town regulations per section 16-4-430(a).

Of the sample businesses listed in the Agenda Memo, the Town of Milliken has been consistent in interpreting the need for a land use permit when the following conditions are present:

- New construction;
- Expanding footprint/existing building;
- The property configuration, traffic circulation, etc. substantially changes from the existing use/preciously-approved Site Plan.

With two exceptions – Kilgore Family Diner and Young People’s Learning Center. Files are not complete and minutes are not specific to indicate why these applications were required.

Discussion was had regarding why these two scenarios were different. No conclusion was met. Johnson indicated the proposed interpretation follows the comp plan principals:

Principle D-2: Promote policies and financial incentives that assist downtown redevelopment efforts.

ED-1.4: Local Business Support. The Town recognizes the significant contribution of existing businesses in the local economy. The Town will support the retention, expansion and entrepreneurial activities of existing local businesses and maintain a positive business climate.

ED-1.5: Reinvestment in Existing Commercial and Industrial Areas. The Town will cooperate with the private sector to foster the revitalization of the Downtown and industrial areas in order to create greater vitality.

After discussion, Planning Commission agreed to maintain a consistent interpretation of the Land Use Code, Section 16-4-430(a) to indicate a Site Plan Review permit is required when a ‘use allowed by right’ is:

- The requested use is listed as a “use allowed by right” in the particular zone district; AND/OR
- Requested on vacant property; AND/OR,
- When additions to existing structures are proposed; AND/OR,
- When new structures are proposed; AND/OR,
- When the use of the property configuration, traffic circulation, etc. substantially changes from the existing use/previously-approved Site Plan.

2. **Oil and Gas Setbacks**

Commissioner Bernhardt and Community Development Director Johnson had many different discussions about the setbacks. Commissioner Bernhardt is going to coordinate with a company to come to a work session and compare what’s happening around us and take a look at our existing code to see if anything needs to be changed. Commissioner Hillier added when we invite someone to work session, we need to make sure they know what we’re looking for as a Commission so they use their time wisely.

3. **Comprehensive Plan Amendment**

Community Engagement Specialist/Planner Hyberger informed the Commission about a grant we received to hire a consultant to update the Town’s comprehensive plan. Commissioners Bernhardt and Satterfield agreed to help with the hiring process of the consultant.

4. **Stormwater Management Plan Update**

Community Engagement Specialist/Planner Hyberger updated the Commission on ICON engineering who has been selected to update the stormwater master drainage plan. They will analyze and assess drainage improvements for all areas in Milliken.

5. **Beef n Bean Day**

Community Development Director Johnson gave a brief update on the activities happening for Beef n Bean Day. There will be a grand opening for the Skate Park. People now know Milliken for the skate park. The Planning

Commissioners are invited to ride on the Town float.

**Unfinished Business**

None.

**Adjournment**

There being no further business, the meeting adjourned at 7:42 p.m.

Prepared by:

  
\_\_\_\_\_  
Ashley Cummins, Administrative Assistant

Approved by:

  
\_\_\_\_\_  
Tim Woodcock, Vice Chair