

TOWN OF MILLIKEN  
PLANNING COMMISSION  
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, FEBRUARY 5, 2014, 2014 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 5th Day of February 2014. Those present were: Vice-Chair Tim Woodcock, Commissioners: Dave Bernhardt, Jim Anthony and Dave Watson. Also present: Community Development Director Anne Johnson, Town Clerk Cheryl Powell and Assistant Town Attorney Sunita Sharma. Absent: Janet Lundquist and Richard Hillier.

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

### **Agenda Approval**

Director Johnson advised the Commission that the Work Session that was scheduled to follow the regular meeting has been cancelled, that staff will hold an open house later in the month in regard to the floodplain mapping. Director Johnson also indicated that she would like to add an announcement under the Other Business area of the agenda.

### **Citizens Comments**

Jeri Solomon, who owns the Mobile Home Park located at 103 N. Josephine, Milliken, with her husband Tim, wondered why the ordinances for and the legal interpretations regarding the Mobile Home Parks have not been placed on the regular meeting agenda for this evening. She has four (4) new homes ordered and tenants for these homes and she is requesting to be placed on the agenda for February 19, 2014. Director Johnson responded that it was never the intent to bring an ordinance change to the Planning Commission at this time, but to discuss the current Mobile Home Park Article and that current ordinances regarding the Mobile Home Parks are being discussed at the Work Sessions, tonight's Work Session was regarding the 2003 Mobile Home Ordinance History and Legal Interpretation. The Work Session on February 19<sup>th</sup> will discuss the definitions of the various types of "homes", but staff can redo the discussion from tonight's Work Session on February 19<sup>th</sup> also.

Assistant Town Attorney Sharma stated that there seems to be a few different things happening; one being the history of the ordinances from 1967 to current, which was covered at tonight's Work Session and can be discussed again at the Work Session on February 19<sup>th</sup>. The rules and regulations on what is required to set a mobile home, is in the current code. Mr. Solomon had a meeting with staff and she doesn't understand why the current regulations are holding the Solomon's up in setting mobile homes on their property. Mr. Solomon realizes that in setting a mobile home, there are state regulations, as well as the home manufacturer's regulations on what they recommend.

There could be special circumstances due to the flood. The as built site survey that is being requested is not 100% definite on how that is going to happen, who is going to pay for it and how many was being done. The proposed area of where it was being done has 10 points of elevation and 10 points of survey per lot. That will make it cost-prohibited for people to place a house on the lot, it will add almost a \$1,000 per house.

Vice Chair Woodcock suggested to Mr. Solomon that he needs to speak to staff and the Town Attorney before there is a quasi-judicial issue if he continues speaking tonight. Vice Chair Woodcock suggested that Mr. Solomon schedule a meeting with Assistant Attorney Sharma and Director Johnson to try to work through the details and if an agreement can't be made, then he can either appeal to the Planning Commission or the Town Board.

Commissioner Anthony asked if there will be a review of the definitions regarding the Mobile Home Parks coming to the Planning Commission. Director Johnson explained the definitions will be discussed at the February 19, 2014 Work Session and experts have been invited to attend. At a later date there will be discussion regarding any potential changes to the code.

Mr. Ken Kidd, 2280 Birdie Way, Milliken addressed the Commission and stated that someone needs to help Mr. Solomon with his Mobile Home Park. Mr. Kidd stated that this process is not working with SAFEbuilt and Town staff since they keep changing the regulations. Mr. Solomon needs to have each lot surveyed, special fill brought in and have it inspected and tested by an engineer. Mr. Solomon then needs to mark all the elevations. Mr. Solomon does not want to disgruntle the Town Board, Planning Commission and Town staff and that is why Mr. Kidd is involved. Mr. Kidd said that there is a 13 page application packet to set a mobile home. Everyone who has done repairs on their mobile homes that were damaged from the flood had to sign an affidavit, that it may come to fruition that they may have to relocate their mobile home at their cost. Mr. Solomon is reluctant and does not know where to begin. Mr. Kidd reviewed what the process had been in the past in order to set a mobile home in Evergreen Mobile Home Park. Director Johnson explained to Mr. Kidd that the building permit application process has not changed. Director Johnson explained the process the Town has established to help expedite the process for those whose mobile homes were damaged during the flood. Director Johnson asked to see Mr. Kidd's packet and Mr. Kidd refused.

Director Johnson will meet with Mr. Solomon when he is available.

Discussion included why Mr. Solomon needed to add fill and elevate the property. Mr. Solomon explained that Mr. Fickel handed him a paper that indicated that he may need to elevate the property. Assistant Attorney Sharma indicated that the key element is "may".

## **Minutes of Previous Meeting**

January 15, 2014 Minutes were approved as distributed.

### **CONSENT AGENDA**

There were not any items.

### **ACTION AGENDA**

#### **1. Public Hearing to Consider for Approval a Site Plan Review for the Revitalization and Landscaping at the Milliken/Hillsboro Skate Park**

Community Development Director Anne Johnson asked the Commission to consider a request from the Town of Milliken for a Site Plan Review application for the rehabilitation of the Milliken/Hillsboro Skate Park as funded by the Board of the Great Outdoors Colorado (GOCO). The location of the proposed use is at the northeast corner of Harriet Avenue and Elm Street. Resolution 13-13 was also provided in the Commissioners packet along with the Grant application which was approved and then funded by GOCO. The Weld County Youth Corp will be removing the current pad at the area to prepare it for the revitalization.

Director Johnson explained the review criteria for this Site Plan Review. The application has been reviewed and is consistent with all criteria.

Public Hearing Opened at: 7:29 p.m.

Public Hearing Closed at: 7:30 p.m.

Commissioner Bernhardt moved to approve the Applicant's request for a Site Plan Review to allow the rehabilitation and expansion of the Milliken/Hillsboro Skate Park is consistent with the Approval Criteria for a Site Plan Review as found in Section 16-4-430 of the Town's Land Use Code and move to approve the Site Plan Commissioner Watson seconded.

Discussion: Commissioner Anthony asked if the Town is held liable if someone is hurt at the skate park. Assistant Attorney Sharma explained that the Town is not liable. Town Clerk Powell explained the process that is required by the Town's insurance company, CIRSA, regarding maintenance of all park areas within the Town.

Vote: All in favor, none opposed. Motion carried

### **DISCUSSION AGENDA**

**1. Support for a Great Outdoors Colorado (GOCO) Mini Grant for a Playground at the Heritage House Property**

Director Johnson explained that the Town will be applying for a \$45,000 mini grant from GOCO. The Town would like to include the Planning Commission's support of the grant request. By signing the attached Resolution, you are showing your support for the application. This Resolution is being provided to Planning Commission prior to being submitted for a Town Trustee hearing on February 12, 2014.

Town Clerk Powell explained that the property north of the Heritage house that is also known as the Serrano property was donated to the Town with the understanding that a park for children be placed on the property.

Dave Bernhardt recommended that Vice Chair Tim Woodcock sign the resolution in support of the GOCO mini grant.

**Other**

**1. DOLA Grant**

Director Johnson explained that the Town received a \$100,000 grant from DOLA to conduct a storm water management plan update.

**Unfinished Business**

**Adjournment**

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

Prepared by:

Approved by:

  
Cheryl Powell, Town Clerk

  
Tim Woodcock, Vice Chair