

TOWN OF MILLIKEN  
PLANNING COMMISSION  
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, APRIL 19, 2023, AT 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 19<sup>th</sup> Day of April 2023 at 7:00 PM. Those present: Chairman Orcutt and Vice Chairman Kayleigh Weickum; and Commissioners Ron Blackmer, Laurel Engelbert, Bruce Gray, and Mitch Portella. Also, present: Community Development Director Pepper McClenahan and Town Clerk Caree Rinebarger.

Absent: Commissioner Stephenson

**Call to Order at 7:00 PM**

Pledge of Allegiance

**Agenda Approval**

Commissioner Blackmer motioned to approve the agenda as published. Commissioner Gray seconded.

All in Favor, None Opposed.

Motion Passed.

**Minutes of Previous Meeting**

Commissioner Blackmer moved to approve the minutes from February 1, 2023, as distributed. Commissioner Portella seconded.

All in Favor, None Opposed.

Motion Passed.

**Citizens Comments**

There were none.

**CONSENT AGENDA**

There were not any items.

**ACTION AGENDA**

a. **Public Hearing to Consider and Make a Recommendation on a Site Plan for Shalestone Milliken Corporate Center**

Chairman Orcutt asked if any of the Commissioners needed to disclose any ex-parte communications or need to recuse themselves from the Public Hearing. None was indicated.

Public Hearing was opened at 7:03 PM

Community Development Director McClenahan asked the Commissioners for their consideration and recommendation on a Site Plan for a 8,950 square foot building for office

space and workshop/maintenance area on a 4.5-acre area of Lot 1, Block 1, Milliken Corporate Center Replat A, located east of WCR 23¾ and north of Center Drive.

The applicant is requesting approval for construction of a building, parking, outdoor storage and landscaping for an industrial use with associated office space. The use will occupy 4.5 acres of an existing 20 acre lot, and will include 6,450 square feet of shop space and 2,500 square feet of office space for a total building footprint of 8,950 square feet. The proposed use of the building is for oil and gas water solutions. The number of employees is estimated to be between 5-10 with a total number of daily visitors estimated to be between 10-20 visitors.

## PROPERTY INFORMATION

Type of Application: Site Plan

Location: East of WCR 23 ¾ and North of c 257

Applicants: H&L Construction (Agent), Cynthia Ramunno Revocable Trust and Beard Family Trust (Owners)

Existing Land Use: Single Family Detached Dwelling

Surrounding Land Use: North: Single Family Dwellings (Town of Milliken) West: Agricultural uses in Unincorporated Weld County South: Single Family Dwellings (Town of Milliken) East: Single Family Dwellings (Town of Milliken)

Zoning: AE (Agricultural Estates)

Comprehensive Plan: Designates the area for Residential

Notice: Notice was mailed to Surrounding Property Owners within 300' of the proposed development and published in the Johnstown Breeze on December 1, 2022. The property was posted with a sign on November 30, 2022, in compliance with requirements of the Milliken Municipal Code.

This staff report is prepared in accordance with Land Use Code Sections 16-6-210 (Submittal Requirements), Chapter 16, Article III, General Standards Applicable to all Districts (Parking and Landscaping), and 16-6-370, Site Plan.

1. Staff finds that the application submittal meets the requirements of Section 16-6-210, and the required documents relevant to the project were received and complete:
  - a. Completed Land Use Application Form
  - b. Completed Fee Agreement and payment of applicable fees and deposits
  - c. Mineral Rights Affidavit
  - d. Written statement or narrative describing how the application is consistent with adopted Town policies and plans including but not limited to the Comprehensive Plan, Community Design and Development Standards, Parks, Open Spaces and Trails Master Plan, Transportation Master Plan, and the Design Criteria and Constructions Specifications.
  - e. Plat, map or graphic of the site or proposed use depicting topography, building locations, parking, traffic circulation, usable open space, landscaping, utilities, drainage features and any other information needed to evaluate the proposal.
  - f. Evidence that the applicant has contacted all mineral rights owners and all lessees of mineral, oil and gas rights associated with the site by certified mail, return receipt requested including the name of the current contact, phone number and mailing address.
  - g. Current proof of ownership in the form of title insurance issued within thirty (30) days of submission of the application.
  - h. Traffic Study
  - i. Certified Drainage Study or Report by a Colorado Licensed Engineer
  - j. Landscape Plan – **The applicant has submitted a request for reduction in landscaping from 15% of the project area to 6% of the project area, and a reduction in the number of shrubs required from 76 to 59 in order to reduce water demand.**
  - k. Open Space and Ecological Characterization Plan

## I. Elevations of Proposed Structures and Buildings

2. Staff finds that submittal requirements for the Site Plan map as required by Section 16-6-370 have been met.
3. Staff finds that Parking and Loading for the facility meets the requirements in Section 16-3-220.

Staff recommends approval of the site plan and landscape reduction requested subject to the following conditions of approval:

1. Proof of purchase of two (2) units of Colorado-Big Thompson water, and commencement of raw water dedication process with the Northern Colorado Water Conservancy District prior to issuance of the building permit. Raw water dedication must be completed prior to the issuance of the Certificate of Occupancy.
2. Prior to the issuance of the building permit, payment of the Recovery Fee for Center Drive for lineal footage of frontage of Lot 1, Block 1, Milliken Corporate Center Replat A must be received.
3. A mailbox shall be installed on the property and outside of the Right-of-Way of Center Drive to the specifications of the United States Postal Service.
4. The following requirements from the Front Range Fire and Rescue District shall be met:
  - All hydrants shall be in place and operational prior to any combustible material being brought on site or commencement of combustible construction.
  - Hydrants shall be as specified by the Town of Johnstown and FRFR.
  - Hydrants shall have five-sided operating nuts on bonnet and caps, with counterclockwise rotating operation to open the hydrant.
  - The main outlet shall be facing the street with a minimum 18-inch clearance from the finished grade to the center of the main outlet connection.
  - Hydrants shall be set back at least three (3) feet from the curb face and shall be at least three (3) feet from vegetation at full maturity (with the exception of grass and ground cover), as well as fences, bushes, trees, walls or any other fixed or moveable object. Minimum six (6) feet overhead clearance shall be provided for each hydrant.
  - Curbs adjacent to fire hydrants shall be painted red 15 feet in length, centered on the hydrant, or have approved "NO PARKING – FIRE LANE" signs posted.
  - Hydrants not protected by approved curbs shall have vehicle impact protection installed per Chapter 3 of the adopted International Fire Code, as well as required signs.
5. Sign and Fence Permits are required by the Town of Milliken.
6. The Owner shall submit mylar copies of the site plan and landscaping sheets in an acceptable format for recordation with the Weld County Clerk and Records Office. Mylars shall be recorded prior to the issuance of building permits.
7. This site plan is approved for the use as submitted and described in the application. A change of use may be required per Section 16-6-320 to evaluate changes in water demand or other Municipal Code, Building or Fire Code requirements specific to a change in use.

Community Development Director McClenahan submitted her staff report into record.

The applicant representative was in attendance for questions.

Dave Bernhardt of Bernhardt Dairy spoke to the Commission about his ditch lateral that runs on this property. He stated that this project does not affect his ditch and that he would be happy to meet with the Developers prior to any future development and the possibility of undergrounding his lateral.

Hearing not further testimony, Chairman Orcutt closed the hearing at 7:29 PM.

Commissioner Portella moved that the Planning & Zoning Commission recommends that the Board of Trustees Approve the Site Plan and Landscaping reduction for a 8,950 square foot

building on a 4.5-acre area of Lot 1, Block 1, Milliken Corporate Center Replat A, subject to the conditions as outlined by staff. Commissioner Blackmer seconded the motion.

Roll Call Vote: Commissioner Blackmer - Yes, Commissioner Englebert – Yes, Commissioner Gray - Yes, Commissioner Portella – Yes, Vice Chairman Weickum - Yes and Chairman Orcutt - Yes.

Motion Carries.

**DISCUSSION AGENDA**

There were no items.

**INFORMATION AGENDA**

There were no items.

**Other Business**

There were no items.

**Adjournment**

There being no further business, the Commission adjourned at 7:33 P.M.

Prepared by:

  
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Caree Rinebarger, Town Clerk

Approved by:

  
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Michael Orcutt, Chairman