



Date: Wednesday, February 17, 2021
Time: 6:00 PM
Location: Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins - At this time, we highly discourage in-person testimony due to COVID-19. If you wish to have your opinions on this matter voiced at the hearing, please send an email to, beilbykm@larimer.org with your name and phone number or register at larimer.org/planning. You can watch online at larimer.org/broadcast

PLANNING COMMISSION MEETING MINUTES

The Larimer County Planning Commission met in a regular session on Wednesday, February 17, 2021, at 6:00 p.m. in the Hearing Room as well as virtual video. Commissioners Barnett, Pontius, Wallace, Best-Johnson, Dougherty, Miller, and Barrack attended virtually. Commissioners Choate physically attended with Commissioner Choate presiding as Chairman. The Larimer County staff that physically attended were Lesli Ellis, Community Development Director; Steven Rothwell, Civil Engineer II; The Larimer County staff that physically attended were Don Threewitt, Planning Manager; Tawn Hillenbrand, Planner II; and Denise Ruybul, Recording Secretary.

COMMENTS BY THE PUBLIC REGARDING THE COUNTY LAND USE CODE OR REGARDING OTHER RELEVANT LAND USE MATTERS NOT ON THE AGENDA OR FUTURE PROPOSALS

None.

APPROVAL OF THE MINUTES FROM THE BOARD OF COUNTY COMMISSION AND PLANNING COMMISSION JOINT LAND USE HEARING ON DECEMBER 7, 2020 AND JANUARY 20, 2021

MOTION by Commissioner Wallace to approve the minutes.

Commissioner Best-Johnson seconded the motion.

This received unanimous voice approval.

Motion passed 8-0

AMMENDMENTS TO THE AGENDA

None.

CONSENT ITEMS

ITEM #1 – SNOW TOP RENTAL SPECIAL REVIEW, FILE NO. 20-ZONE2767: Ms. Hillenbrand gave a brief presentation regarding the applicants' request for a Special Review approval for a Resort Lodge/Cottage in the O - Open zone district. Approval would allow for the property owners to continue to rent out an existing sleeping area located in the basement of the home to up to two guests at a time on a short-term basis. The request includes appeals to Sections 8.1.4 and 8.6.3.C of the Land Use Code regarding fire protection and paving. The subject property is a 1.85-acre parcel located at 468 Snow Top Drive in Drake, CO, approximately 1.5 miles northeast of the intersection of County Road 43 and Storm Mountain Drive. To approve a Special Review application, the County Commissioners must consider the review criteria section 4.5.3. and 22.2.3. of the Larimer County Land Use Code and find that each criterion has been met or determined to be inapplicable. Ms.

Hillenbrand closed the presentation with additional comments, review criteria, the summary of the Development Review Teams Findings and Development Services Team Recommendations.

PLANNING COMMISSION COMMENTS

Commissioner Dougherty asked to confirm the maximum number of trips generated per day.

Ms. Hillenbrand stated the residential number of trips was 10 per day and with the project being an addition to the current residents, the number of trips per day was doubled in the report.

Commissioner Dougherty asked if the permit that was pulled for a kitchenet area for appliances that are currently in the addition or will appliances be placed in the future?

Ms. Hillenbrand stated the addition does not contain a stove, but it does contain a microwave. The previous owners had converted the sleeping area without applying for a permit causing the current owner to apply for an as-built permit and will have to complete a safety inspection.

Chairman Choate wanted clarification if condition number eight: The maximum number of overnight occupants on-site shall not exceed two, includes the residents.

Ms. Hillenbrand stated clarification for condition number eight will be added regarding the maximum number of overnight occupants on-site. The maximum number of guests applies to only the accessory use.

Commissioner Wallace recommended the motion to approve the review and the appeal.

PUBLIC COMMENT

None

MOTION

Commissioner Best-Johnson moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission approve 20-ZONE2767, Snow Top Rental Special Review. Recommend to the Larimer County Board of County Commissioners to approve the Review and the Appeal based on the Findings and Resolution with the amendment to the recommendation to number eight to specify the maximum number of overnight occupants on-site shall not exceed two for only the accessory unit.

Commissioner Wallace seconded the motion.

VOTE

Commissioner Wallace, Barnett, Pontius, Dougherty, Miller, Barrack, Best-Johnson, and Choate

Motion passed 8-0

DISCUSSION ITEMS

ITEM #1 – CDOT NORTH I-25 DESIGN LOCATION AND EXTENT, FILE NO. 21-ZONE2875: Ms. Hillenbrand gave a brief presentation regarding the applicants' request for a Location and Extent review for the Colorado Department of Transportation (CDOT) to relocate the northbound and southbound Port-of-Entry facilities located on Interstate 25 (I-25) south of Prospect Avenue. The applicant's project description indicates that as part of the I-25 North Express Lanes Design-Build Project, CDOT intends to demolish the existing northbound and southbound POE facilities and to construct new facilities approximately 2,600-feet south of the current location.

The existing frontage roads will all be relocated, and new infrastructure will be installed to support the new facilities. Similar to what exists at the current facilities, the new POE facilities will include an operations building, employee parking, a static truck scale, truck bypass and parking lanes, a truck inspection area, and a storage/operation area that will be accessed from I-25. The southbound POE will include a covered inspection structure, similar to what is currently in place on site. New slip ramps will be installed to facilitate truck access to the POE facilities. The relocation is intended to improve safety and operations along I-25 and the I-25/Prospect Avenue interchange. The purpose of Location and Extent review is to determine if a public use, structure, or utility proposed in unincorporated Larimer County conforms with the adopted Comprehensive Plan. The Location and Extent Review is being conducted because the proposed request includes the Colorado Department of Transportation Port-of-Entry Facility. It should be noted that L&E Review does not include Design Review but during the Technical Review of the project following the Location and Extent approval. Ms. Hillenbrand closed the presentation with additional comments, review criteria, the summary of the Development Review Teams Findings and Development Services Team Recommendations.

Matt Aguirre gave additional information regarding the location, finances, and permits needed for the project.

PLANNING COMMISSION COMMENTS

Commissioner Best-Johnson wanted to confirm the property owner had received the recent comments made by the surrounding properties and if they have question, how will they be resolved?

Corey Stewart stated they received comments and spoke with the member of the public to address their questions and concerns.

Commissioner Miller asked if the surrounding properties would have access to the high-speed internet that will be installed.

Mr. Stewart stated they are looking into the possibility of board band providers having access to the fiber optic cables that are being installed.

Commissioner Miller wanted confirmation that there will be additional fiber optic cable strands installed that will not be used.

Mr. Stewart stated there will be additional fiber optic cable strands installed but CDOT does not have access to the occupied additional strands.

Commissioner Best-Johnson wanted to confirm that concerns regarding, noise, lighting, and fire hydrant location will be discussed during the technical review.

Ms. Hillenbrand stated that the City of Fort Collins and the applicant are in the process of or have completed a Technical Review and CDOT will be annexing the property to the City of Fort Collins.

Chairman Choate asked why the City of Fort Collins is completing a Technical Review when the property has not been annexed?

Ms. Hillenbrand explained that currently half of the property is in the City of Fort Collins and the other half is in the County. If the L&E Review is approved by the County, then CDOT will be required for the County half of the property to be annexed to the City of Fort Collins.

Commissioner Dougherty asked if the project is approved, and it is later discovered the property is in the floodplain and the applicant is unable to remediate their property without causing issues for other properties?

Mr. Rothwell stated that the property is in the flood fringe and not the floodway and that any property that is in

CDOT's right-of-way of the new point of entry is not in the floodplain.

Mr. Aguirre confirmed the project is not in the floodplain.

PUBLIC COMMENT

William Simonds and Janet Breska expressed their concerns regarding traffic, noise, light pollution, trash, the general impact on the surrounding area, the reason for the chosen location population growth in the area, and the floodplain.

Mr. Aguirre stated more in detail the purpose of the facilities and they are to weigh and inspect trucks, creating the reason the point of entry of the facilities to be located on the south of State Highway 14 and South of Prospect. To recognize the operation and safety improvements that are being attempted and implemented with the relocation, needed to be as far south as they are allowed.

PLANNING COMMISSION DISCUSSION:

Commissioner Barnett and Dougherty expressed their concerns but are in favor of the project.

MOTION

Commissioner Dougherty moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission approve the CDOT North I-25 Design Location and Extent, File No. 21-ZONE2875 subject to the conditions with condition number 1 being amended to remove the time frame.

Commissioner Miller seconded the motion.

VOTE

Commissioner Barrack, Pontius, Dougherty, Wallace, Barnett, Miller, Best-Johnson, and Choate

Motion passed 8-0

REPORT FROM STAFF

None

ADJOURN

With there being no further business, the hearing adjourned at 6:55 p.m.

These minutes constitute the Resolution of the Larimer County Planning Commission for the recommendations contained herein which are hereby certified to the Larimer County Board of Commissioners.