



## PLANNING COMMISSION

Bruce Davis  
Lynne Derby  
Lucas Marone

Mike Simone, Chairperson

Dan Parrish  
Paul Weber  
Bushrod White, Vice-Chairperson

**Planning Commission Agenda  
Regular Meeting  
Tuesday, November 29, 2016  
6:00 P.M.**

*(Order & Contents Subject to Change by Action of the Commission)*

**Call to Order – Roll Call**

**Approval of Agenda**

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

- a. Approval of the Minutes of the November 8, 2016 meeting

**Discussion Items**

- b. **COZ2016-001** Transwest Change of Zone
- c. Upcoming land use applications and updates

**Future Business**

# MINUTES

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
November 8, 2016**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Planning Commission, on Tuesday, November 8, 2016. Chairperson Mike Simone called the meeting to order at 6:01 p.m.

**ROLL CALL**

Planning Technician Jennifer Cupp called the roll. Those present were Chairperson Mike Simone, Commission Members Bruce Davis, Lucas Marone, and Paul Weber. Also present were Planning Director Todd Hodges, Planner Angela Snyder and Planning Technician Jennifer Cupp. Commission Member Bush White arrived at 6:10 pm.

**APPROVAL OF AGENDA**

It was moved by Bruce Davis and seconded by Lucas Marone to approve the Agenda as submitted.

Motion carried unanimously by voice vote.

**CONSENT AGENDA**

It was moved by Bruce Davis and seconded by Lucas Marone to approve the Consent Agenda as submitted. The following item was part of the Consent Agenda:

Approval of the Minutes of the September 20, 2016 meeting.

Motion carried unanimously by voice vote.

**DISCUSSION ITEMS**

**MSD2016-001 Thomas Minor Subdivision**

The Planning Chair asked for a brief description of the project.

The Planning Director, Todd Hodges, stated that the project site is located south and adjacent to County Road 8 and to the east of Halliburton. The proposal is to split the property into four parcels to ensure that the property to the south has an access. One of the parcels, which will be purchased by Brannan Sand and Gravel, will be turned into a road right of way at a future date. The City's municipal code does not allow for the granting of right of way through the minor subdivision process. The conditions of approval will ensure that the use of Lot four (4) will be a future right of way and the remaining properties to retain access. The project has been reviewed by referral agencies and comments have been addressed in the conditions of approval. The conditions of approval are listed on the Resolution ensuring the owners of the property will be working with the City on road improvements as well as future annexation.

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
November 8, 2016**

The owner of the property, Villano Brothers Family Investment LLC, and his Representative Tim Nalor, are present for the meeting and have a presentation.

Tim Nalor, with AgProfessionals located at 3050 67<sup>th</sup> Ave., Greeley, is representing the Villano Brothers Family Investment LLC and the Thomas Minor Subdivision. Present at the hearing are Ralph Villano, Theron Olsen, and Alex Shatz. Mr. Olsen and Mr. Shatz are the owners of Brannan Sand and Gravel and the property to the south. A four-lot minor subdivision is being requested. This will allow an access to the property to the south. Due to the railroad, access from County Road 27 is not realistic, so an access through parcel four (4) has been created. Mr. Nalor indicated he has been working with staff and staff has been very helpful getting the project to a point where this can happen. This property is located in an I-2 zone district and is already zoned for industrial use. The site location is adjacent to Halliburton, south of County Road 8 and a half mile east of County Road 27. The Brannan site is the area located within the industrial zone and will be mined for gravel. Once the mining operations are completed, the intention of this property is to bring it back into industrial use. It will be reclaimed as an industrial site and annexed into the City. Throughout this process, the Villano property can still be subdivided and still have opportunities to go through the site plan process with the City. The Brannan property, as it is reclaimed, will become an industrial property as well. Lots one (1), two (2), and three (3) will be the industrial sites and lot four (4) will be used to create the road right of way. Brannan will use that for their internal road until such time as it goes into the City and then it will become the right of way through that. This is a tier two (2) growth area and the utilities are already at County Road 8. As this gets developed, those utilities will continue to be brought into the City. Lots one (1), two (2) and three (3) will continue as agricultural and will be farmed until development. Lot four (4) is the future right of way and no other development is proposed at this time. It is also a tier two (2) employment area for heavy industrial jobs. It does have utilities at the edge of it. This is the development stage. We believe that the conditions of approval and requirements from staff have been met. Mr. Shatz is also present, if you have any questions for him.

Alex Shatz, 2500 Brannan Way, Denver, with Brannan Sand and Gravel owns the property to the south. He stated that it is pretty straight forward what they are looking for here, which is to work with the Villano Brothers Family Investment LLC and be a partner on this land and obviously obtain access and also to be an asset to the City in the future. At this time, Brannan Sand and Gravel will not annexing into the City. As it may be known, there is an intergovernmental agreement that muddies the water on that land, so the property will remain with Weld County zoning. In the future, as provided as one of the conditions of approval, Mr. Shatz plans to annex into the City. He was happy to answer any questions that may come up.

The Planning Chair opened the public hearing at 6:10 p.m. however there was no public. The public hearing was closed at 6:10 p.m.

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
November 8, 2016**

Mr. Bruce Davis had a concern about the oil wells, mineral rights and surface agreements on the property. Mr. Ralph Villano agreed that there have been no surface agreements on that land in quite some time. Mr. Davis asked the Planning Director how to proceed.

Mr. Hodges stated that the City received a letter from Kerr-McGee Oil and Gas indicating a request that the Applicant include the Oil and Gas Operations Area and associated setbacks on the plat. As the minor subdivision involves developing lot lines only, any development would still have to go through the site plan process, requiring additional notices and public hearings. The mineral interests would be addressed at that time. Staff recommends that the surface use agreements be left between the applicant and the mineral interests.

Mr. Bush White asked if the industrial area was going to be a mining area.

Mr. Hodges stated that the mining area is actually zoned I-3 in the county and they are operating under a special use permit. He explained that once the mining operation is complete, Brannan Sand and Gravel will back-fill rather than fill with water. The property will be reclaimed as an industrial site. Once annexed into the City, the property will be zoned appropriately.

The Planning Chair asked how they planned to fill everything back in. He stated that this is the first time he has heard of this type of reclamation.

Mr. Nalor stated that an inert material will be used to refill. He indicated that the ponds that are normally created need to be augmented. Mr. Shatz could better speak to that.

Mr. Shatz added that Brannan Sand and Gravel was spending \$750,000.00 a year augmenting individual ponds and has come up with the creative solution to refill the areas. He stated that the total cost of this is around \$2 million. Brannan Sand and Gravel are experienced in this type of reclamation.

The Planning Chair asked if this was a new trend in mining operations to refill instead of making ponds.

Mr. Shatz stated that he believes the market for water storage had decreased over the years.

No further discussion occurred. Mr. Bruce Davis made a motion to approve Resolution P2016-008 and Mr. Bush White seconded the Motion. Motion carried unanimously by voice vote.

**Upcoming land use applications and updates**

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
November 8, 2016**

Planning Technician, Jennifer Cupp, indicated that the next meeting will be on Tuesday, November 29, 2016 for a change of zone.

**ADJOURNMENT**

It was moved by Bruce Davis and seconded by Bush White to adjourn the November 8, 2016 Planning Commission meeting at 6:20 p.m.

Motion carried unanimously by voice vote.

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Jennifer Cupp, Planning Technician

Approved by Planning Commission

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Mike Simone, Chairperson

# **STAFF REPORT**



**TRANSWEST CHANGE OF ZONE REQUEST  
STAFF REPORT  
PROJECT NO. COZ2016-001**

**PROJECT DESCRIPTION**

Project No.: COZ2016-001

Project Name: Transwest Change of Zone

Owner's Name: Regional Transportation District (RTD) ("Applicant")

Location of Request:

North and adjacent to CR 8 and approximately one-half mile east of US Hwy 85, Fort Lupton, Colorado ("Property")

The Property is located directly northeast of an industrial business (Halliburton Energy Services, Inc.) and west of two residential lots. Additional properties with agricultural uses are located around the Property. The properties within City limits and adjacent to the Property are all zoned I-2 Heavy Industrial.



Nature of Request:

The Applicant has submitted a request for a change of zone from the R-O Residential Office Zone District to the I-2 Heavy Industrial Zone District. The Applicant plans to use the Property for the upfitting of commercial and other special use vehicles. A planned future facility will be used as a cabinetry shop to manufacture custom wood components. Additional components installed on vehicles may include lights

and sirens on law enforcement vehicles, HVAC systems, vinyl graphics, and other custom build outs for vehicles like mobile medical clinics and bookmobiles.

Site Size: 40.073 acres, more or less.

Proposed Zone District: I-2 Heavy Industrial.

Proposed Use: Heavy Industrial.

Existing Use: Agricultural and Residential.

Hearing Dates: Planning Commission – November 29, 2016 at 6:00 PM; and  
City Council – December 5, 2016 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

### **SUMMARY OF PREVIOUS APPLICATIONS**

In 2006, this property was annexed (Routzen Annexation) and initially zoned to the R-O Residential Office Zone District by the City of Fort Lupton.

### **APPLICATION PROCESS**

The Applicant is requesting approval of a change of zone.

A change of zone is processed under [Section 16-9](#) of the Fort Lupton Municipal Code (“Code”).

After required public notice of the change of zone, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the change of zone. The Planning Commission’s comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City’s standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the change of zone, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City’s standards, regulations and policies and other guidelines.

### **NOTIFICATION REQUIREMENTS**

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton press on November 9, 2016.

Notice of the public hearings were posted on the Property on November 14, 2016, pursuant to the Zoning Regulations, which require the Applicant post the Property with notice of the hearings at least fifteen (15) days prior to the hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the Property on November 10, 2016.

**CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES**

The Property is located within the R-O Residential Office Zone District, governed by [Section 16-39](#) of the Fort Lupton Municipal Code. The objective of R-O Residential Office District is to act in the capacity of a transitional and supporting zone, which acts as a transition between residential and nonresidential uses while it also acts as a support by providing uses which characteristically complement commercial and industrial activities.

The Applicant wishes to change the zone of the Property to I-2 Heavy Industrial, governed by [Section 16-43](#) of the Fort Lupton Municipal Code. The intent of the I-2 Heavy Industrial District is to permit uses of a heavy nature in a less restrictive environment. The future intended use for the Property as a vehicle upfitting center is better suited to the I-2 Zone District than the R-O Zone District. This change of zone adds consistency to the industrial corridor along County Road 8.

The Applicant has submitted the required documents pursuant to the Code.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN**

The Fort Lupton Comprehensive Plan designates this area as the Employment Area Tier 2 land use type. This land use type is intended to serve as a heavy industrial job center. The proposed change of zone from the R-O Residential Office Zone District to I-2 Heavy Industrial Zone District conforms with the Employment Area Tier 2 land use type. In addition, development of the Property as a vehicle upfitting establishment would bring employment opportunities to the City and stay in line with the heavy industrial classification.

The Property is within Growth Tier Two (secondary growth boundary), as defined in the Comprehensive Plan. Growth Tiers are based on the proximity of infrastructure. Since the adoption of the Comprehensive Plan, infrastructure has been extended to County Road 8, allowing the City to efficiently provide services to this location.

**REFERRALS**

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

City Engineer	City Attorney	Police Chief
Public Works Director	Wastewater Plant Supervisor	Zoning Compliance
GIS Specialist	Fort Lupton Fire Protection District	CDOT
Weld County School District RE-8	United Power	Comcast
CenturyLink	Xcel Energy	Weld County Department of Planning
Northern Colorado Water Conservation District	Fulton Ditch Company	City of Brighton

***For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.***

# **PROPOSED RESOLUTION**

**RESOLUTION NO. P2016-009**

**A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE TRANSWEST CHANGE OF ZONE FROM RO RESIDENTIAL OFFICE ZONE DISTRICT TO I-2 HEAVY INDUSTRIAL ZONE DISTRICT ON A PROPERTY LOCATED NORTH AND ADJACENT TO COUNTY ROAD 8 AND APPROXIMATELY ONE-HALF MILE EAST OF U.S. HIGHWAY 85 AT 13525 COUNTY ROAD 8, CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.**

**WHEREAS**, the Planning Commission held a public hearing November 29, 2016 for the purpose of reviewing the Transwest Change of Zone, and

**WHEREAS**, after review of the application and supporting information, the Planning Commission finds that the Transwest Change of Zone application conforms to Colorado Revised Statutes and City codes and policies therein, and

**WHEREAS**, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and post notice of the public hearings on the site.

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission has taken into consideration all referral comments and citizen testimony in response to this application. Based upon the facts presented on this date the Planning Commission hereby recommends approval of the Transwest Change of Zone from RO Residential Office to I-2 Heavy Industrial conditional upon the following:

- I. Prior to recording of the Change of Zone Map:
  - A. The following notes shall be placed on the plat:
    - 1. Any future development of the site will require the review from the Planning Department to determine if a new land use application is required.
    - 2. The property shall be maintained to the curb or roadway if no curb exists.
  - B. The Change of Zone map shall include the project number: COZ2016-001 in the title.

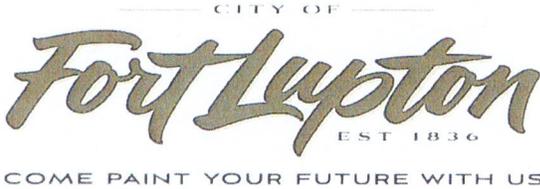
**DONE THIS 29<sup>TH</sup> DAY OF NOVEMBER, 2016, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.**

\_\_\_\_\_  
**Chairman**

**ATTEST:**

\_\_\_\_\_  
**Planning Director**

# **LAND USE APPLICATION & PROJECT DESCRIPTION**



Planning & Building

130 S. McKinley Avenue Phone: 303.857.6694  
 Fort Lupton, CO 80621 Fax: 303.857.0351  
[www.fortlupton.org](http://www.fortlupton.org)

Project No. COZ2016-0001

**Land Use Application Form**

**A. CONTACT INFORMATION**

1) Property Owner Name: The Regional Transportation District  
 Company: \_\_\_\_\_  
 Phone: 303 299-6904 Email: phil.lidov@RTD-Denver.com  
 Address: 1600 Blake Street Denver, CO 80202-1324

Preferred method of contact? Email:  Phone:  Mail:

2) Representative Name: George Eidsness  
 Company: Transwest, Inc.  
 Phone: 303-289-3161 Email: geidsness@transwest.com  
 Address: 20770 E. I-76 Frontage Rd. Brighton, CO 80603

Preferred method of contact? Email:  Phone:  Mail:

3) Billing Contact (where invoices should be directed to): George Eidsness  
 Billing Company: Transwest, Inc.  
 Phone: 303-289-3161 Email: geidsness@transwest.com  
 Address: 20770 E. I-76 Frontage Rd. Brighton, CO 80603

**B. SITE DESCRIPTION**

Site Address: 13525 Weld County Road 8 Fort Lupton, CO 80621

Parcel Number: 147117000048

Existing Zone Classification: R-O Proposed Zone Classification: I-2

Water Type: \_\_\_\_\_ Name: \_\_\_\_\_

Sewage Type: \_\_\_\_\_ District Name or Location Hauled to: \_\_\_\_\_

**C. APPLICATION TYPE (CHECK ALL THAT APPLY)**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Sketch Plat       | <input type="checkbox"/> Administrative Site Plan  | <input type="checkbox"/> PUD Plan (Preliminary & Final) |
| <input type="checkbox"/> Preliminary Plat  | <input type="checkbox"/> Special Use Permit        | <input type="checkbox"/> Variance                       |
| <input type="checkbox"/> Final Plat        | <input type="checkbox"/> Oil & Gas Permit          | <input type="checkbox"/> Administrative Variance        |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Annexation & Initial Zone | <input type="checkbox"/> Appeal                         |
| <input type="checkbox"/> Amended Plat      | <input checked="" type="checkbox"/> Change of Zone | <input type="checkbox"/> Other: _____                   |
| <input type="checkbox"/> Site Plan         | <input type="checkbox"/> Comp Plan Amendment       |   |

**D. PROJECT DESCRIPTION**

Project Name: Transwest Development

Please provide a short description of the proposed project in the space provided below:

The proposed development includes the construction of a building and associated parking areas to be used for truck assembly operations.

**E. REQUIRED DOCUMENTS**

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

**F. CERTIFICATIONS**

**Representative Certification**

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative:  Date: 10-24-16

**Owner Certification**

I hereby certify that I am the ~~authorized~~ representative of the legal owner of record of the property that is the subject of this application. I hereby authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: Jusank. AITO, Senior Manager Date: 10 25 16  
Real Property  
Regional Transportation District

**For Office Use Only**

Received Date: 10/26/16

If the application is not complete, state reasons why it is incomplete:

N/A

Deemed Complete Date: 10/28/16

Fees Submitted: \$1,150 Escrow Submitted: \$1,000



October 18, 2016

Alyssa Knutson, Planner  
City of Fort Lupton  
130 S. McKinley Ave.  
Fort Lupton, CO 80621

RE: Description of Facility Use

Ms. Knutson,

As requested I'm providing a description of our proposed facility use for the Fort Lupton location. We are an upfitter of commercial and other specialty vehicles. We install interior & exterior components in and on a wide variety of vehicle types and sizes. Some of the components we install are fabricated in our facility in a variety of material types, including wood and metal. A portion of the facility will be used as a cabinetry shop to manufacture some of those custom wood components. Some of the items we install include lights and sirens on law enforcement vehicles, HVAC systems and other bolt on components to complete custom interior build outs of mobile medical clinics, bookmobiles, bloodmobiles, among many others.

We also produce and install various types of vinyl graphics on vehicles and other surfaces. Some of the graphics we produce are installed at client locations while others are installed on vehicles at our location.

Our typical facility hours are from 6:00 a.m. – 5:00 p.m. Generally customer visits are minimal other than dropping off or picking up a vehicle but typically our employees are moving the vehicles on and off the property.

If you require additional information please let me know.

Best Regards,

Chris Munson  
General Manager

7740 Dahlia St. Commerce City, CO 80022  
303.301.7550

# **CHANGE OF ZONE MAP**



# **REFERRAL RESPONSES**



FROM: Angela Snyder  
 DATE: October 31, 2016  
 PROJECT: Transwest Change of Zone; Project No. COZ2016-001

**INTERNAL DISTRIBUTION:**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> City Engineer | <input checked="" type="checkbox"/> City Attorney  | <input checked="" type="checkbox"/> Police Chief          |
| <input type="checkbox"/> City Administrator       | <input type="checkbox"/> City Clerk                | <input checked="" type="checkbox"/> Public Works Director |
| <input type="checkbox"/> Building Inspector       | <input type="checkbox"/> Recreation Manager        | <input checked="" type="checkbox"/> Zoning Compliance     |
| <input checked="" type="checkbox"/> OMI           | <input checked="" type="checkbox"/> GIS Specialist | <input type="checkbox"/> Finance Director                 |

**OUTSIDE DISTRIBUTION:**

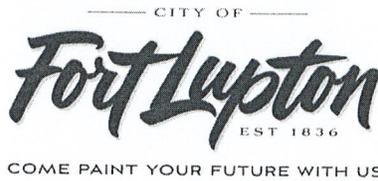
- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Fort Lupton Fire Protection District | <input type="checkbox"/> Weld County Department of Public Health & Environment |
| <input checked="" type="checkbox"/> CDOT                                 | <input checked="" type="checkbox"/> Weld County School District RE-8           |
| <input type="checkbox"/> Colorado DRMS                                   | <input checked="" type="checkbox"/> NCWCD                                      |
| <input type="checkbox"/> Colorado Parks and Wildlife                     | <input checked="" type="checkbox"/> Fulton Ditch Company                       |
| <input type="checkbox"/> Division of Water Resources                     | <input type="checkbox"/> Platteville Ditch Company                             |
| <input type="checkbox"/> Army Corp of Engineers                          | <input checked="" type="checkbox"/> City of Brighton                           |
| <input checked="" type="checkbox"/> United Power                         | <input type="checkbox"/> Town of Frederick                                     |
| <input checked="" type="checkbox"/> Comcast                              | <input type="checkbox"/> Town of Platteville                                   |
| <input checked="" type="checkbox"/> CenturyLink                          | <input type="checkbox"/> City of Dacono  |
| <input checked="" type="checkbox"/> Xcel Energy                          | <input type="checkbox"/> Town of Firestone                                     |
| <input type="checkbox"/> Postmaster                                      | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Weld County Department of Planning   | <input type="checkbox"/> Other:  |

If you have comments, please respond by: November 21, 2016

Comments may be sent via mail, faxed to 303.857.0351 or emailed to [thodges@fortlupton.org](mailto:thodges@fortlupton.org) and [aknutson@fortlupton.org](mailto:aknutson@fortlupton.org). A non-response to this referral may be considered a favorable response.

**COMMENTS:**

*The Fort Lupton Fire Protection District does not have any comments on the rezoning of the above mentioned property from a R-O (Residential Office) to the purposed I-2 (Heavy Industrial) use. Randall S. Weigum, Fire Marshal*



FROM: Angela Snyder  
 DATE: October 31, 2016  
 PROJECT: Transwest Change of Zone; Project No. COZ2016-001

**INTERNAL DISTRIBUTION:**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> City Engineer | <input checked="" type="checkbox"/> City Attorney  | <input checked="" type="checkbox"/> Police Chief          |
| <input type="checkbox"/> City Administrator       | <input type="checkbox"/> City Clerk                | <input checked="" type="checkbox"/> Public Works Director |
| <input type="checkbox"/> Building Inspector       | <input type="checkbox"/> Recreation Manager        | <input checked="" type="checkbox"/> Zoning Compliance     |
| <input checked="" type="checkbox"/> OMI           | <input checked="" type="checkbox"/> GIS Specialist | <input type="checkbox"/> Finance Director                 |

**OUTSIDE DISTRIBUTION:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Fort Lupton Fire Protection District | <input type="checkbox"/> Weld County Department of Public Health & Environment |
| <input checked="" type="checkbox"/> CDOT                                 | <input checked="" type="checkbox"/> Weld County School District RE-8           |
| <input type="checkbox"/> Colorado DRMS                                   | <input checked="" type="checkbox"/> NCWCD                                      |
| <input type="checkbox"/> Colorado Parks and Wildlife                     | <input checked="" type="checkbox"/> Fulton Ditch Company                       |
| <input type="checkbox"/> Division of Water Resources                     | <input type="checkbox"/> Platteville Ditch Company                             |
| <input type="checkbox"/> Army Corp of Engineers                          | <input checked="" type="checkbox"/> City of Brighton                           |
| <input checked="" type="checkbox"/> United Power                         | <input type="checkbox"/> Town of Frederick                                     |
| <input checked="" type="checkbox"/> Comcast                              | <input type="checkbox"/> Town of Platteville                                   |
| <input checked="" type="checkbox"/> CenturyLink                          | <input type="checkbox"/> City of Dacono  |
| <input checked="" type="checkbox"/> Xcel Energy                          | <input type="checkbox"/> Town of Firestone                                     |
| <input type="checkbox"/> Postmaster                                      | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Weld County Department of Planning   | <input type="checkbox"/> Other:  |

If you have comments, please respond by: November 21, 2016

Comments may be sent via mail, faxed to 303.857.0351 or emailed to [thodges@fortlupton.org](mailto:thodges@fortlupton.org) and [aknutson@fortlupton.org](mailto:aknutson@fortlupton.org). A non-response to this referral may be considered a favorable response.

**COMMENTS:**

This parcel is within the boundaries of both the Northern Colorado Water Conservancy District and the Municipal Subdistrict, Northern Colorado Water Conservancy District.

*Michael Conley*



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3284  
donna.l.george@xcelenergy.com

November 21, 2016

City of Fort Lupton Planning Department  
130 South McKinley Avenue  
Fort Lupton, CO 80621

Attn: Todd Hodges and Alyssa Knutson

**Re: Transwest Rezone, Case # COZ2016-001**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Transwest Rezone**. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (*register*, application can then be tracked) and complete the application process for any new natural gas service. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center** at 1-800-922-1987 to have all utilities located prior to any construction.

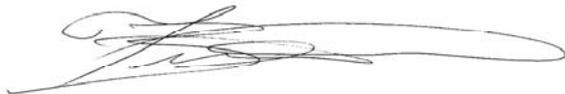
If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George  
Contract Right of Way Referral Processor  
Public Service Company of Colorado

# **LEGAL NOTIFICATIONS**

**PROOF OF PUBLICATION  
FORT LUPTON PRESS  
COUNTY OF WELD SS.  
STATE OF COLORADO**

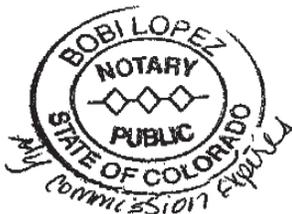
I, Tim Zeman, do solemnly swear that I am the Publisher of the **Fort Lupton Press** is a weekly newspaper printed and published in the County of Weld State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Weld for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the **period of ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **9th day of November 2016** the last on the **9th day of November 2016**



Managing Editor, Subscribed and sworn before me, this **9th day of November, 2016**



Notary Public.  
Notary ID No. 20024002511



My Commission Expires February 2, 2018

**CITY OF FORT LUPTON  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a change of zone from R-O (Residential Office) to I-2 (Heavy Industrial), referred to as the Transwest Change of Zone located north and adjacent to County Road 8 and approximately one-half mile east of U.S. Highway 85, Fort Lupton, Colorado in the R-O Residential Office Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on November 29, 2016, at 6:00 P.M., and before the City Council on December 5, 2016, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the City Planning and Building Department at (303) 857-6694, Extension 128.

**ALL INTERESTED PERSONS MAY  
ATTEND.**

**LEGAL DESCRIPTION**

**A PARCEL OF LAND IN THE CITY OF  
FORT LUPTON, COLORADO,  
DESCRIBED AS FOLLOWS:**

**LOCATED IN THE SOUTHWEST  
QUARTER OF THE SOUTHWEST  
QUARTER OF SECTION 17,  
TOWNSHIP 1 NORTH, RANGE 66  
WEST OF THE SIXTH PRINCIPAL  
MERIDIAN.**

**Published in the Fort Lupton Press  
November 9, 2016**



COME PAINT YOUR FUTURE WITH US

Planning & Building

130 S. McKinley Avenue  
Fort Lupton, CO 80621

Phone: 303.857.6694  
Fax: 303.857.0351  
[www.fortlupton.org](http://www.fortlupton.org)

**Sign Posting Affidavit**  
Transwest Change of Zone  
Project No. COZ2016-001



County Road 8

I, George Eidsness hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 14<sup>th</sup> day of November, 2016.

*George Eidsness*  
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by George Eidsness this 14<sup>th</sup> day of November, 2016. Witness my hand and seal.

My commission expires June 17, 2017.



*Carmine Arellano*  
Notary Public

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**CERTIFICATE OF MAILING**

I, the undersigned, hereby certify that on the 10<sup>th</sup> of November 2016, a true and correct copy of the foregoing Notice of Public Hearings and site plan map for Transwest Change of Zone was sent via United States Mail, postage pre-paid, to the following addresses:

Regional Transportation District  
1600 Blake Street  
Denver, CO 80202-1324

Richard A. & Joyce K. Huett  
RJ Enterprises 1  
13749 County Road 8  
Fort Lupton, CO 80621-8344

Douglas R. George  
13757 County Road 8  
Fort Lupton, CO 80621-8344

Villano Brothers Properties, Inc.  
Villano Brothers Family  
Investments, LLC  
13050 County Road 10  
Fort Lupton, CO 80621-8308

Theodore E. & Katherine A. Dean  
13746 County Road 8  
Fort Lupton, CO 80621-8367

Darrel G. & Karen L. Phillips  
P.O. Box 483  
Platteville, CO 80651-0483

Ken Burough  
13767 County Road 8  
Fort Lupton, CO 80621-8344

Veryl M. Schoen  
13916 County Road 8  
Fort Lupton, CO 80621-8367

Halliburton Energy Services, Inc.  
C/O Property Tax Department  
P.O. Box Drawer 1431  
Duncan, OK 73536-0222

  
\_\_\_\_\_  
City Official



**CITY OF FORT LUPTON  
NOTICE OF PUBLIC HEARING**

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**ALL INTERESTED PERSONS MAY ATTEND.**

**LEGAL DESCRIPTION**

**A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, DESCRIBED AS FOLLOWS:**

**LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17,  
TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN.**

# RTD REZONING MAP

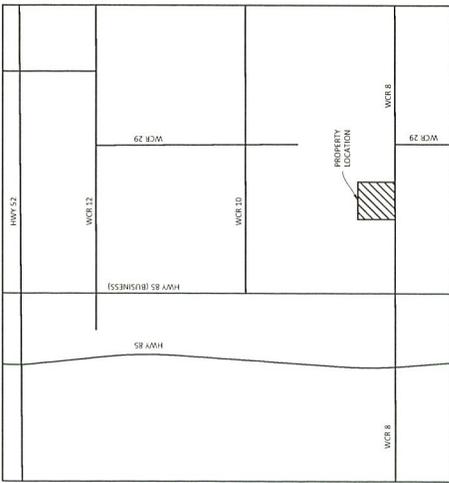
A larger copy may be obtained at City Hall or visit:  
<http://www.fortlupton.org/DocumentCenter/Index/160>

PROJECT NO. COZ2016-001

LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17,  
 TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
 CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO

SHEET 1 OF 1

N.W. 1/4 S.E. 1/4 SEC. 17



**CITY ENGINEER'S APPROVAL:**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

CITY ENGINEER

**CITY WATER AND SEWER DEPARTMENT APPROVAL:**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

DIRECTOR OF PUBLIC WORKS

**CITY ADMINISTRATOR'S APPROVAL:**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

CITY ADMINISTRATOR

**PLANNING COMMISSION RECOMMENDATION:**

RECOMMENDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016 BY RESOLUTION NO. \_\_\_\_\_

CHIEF OF PLANNING

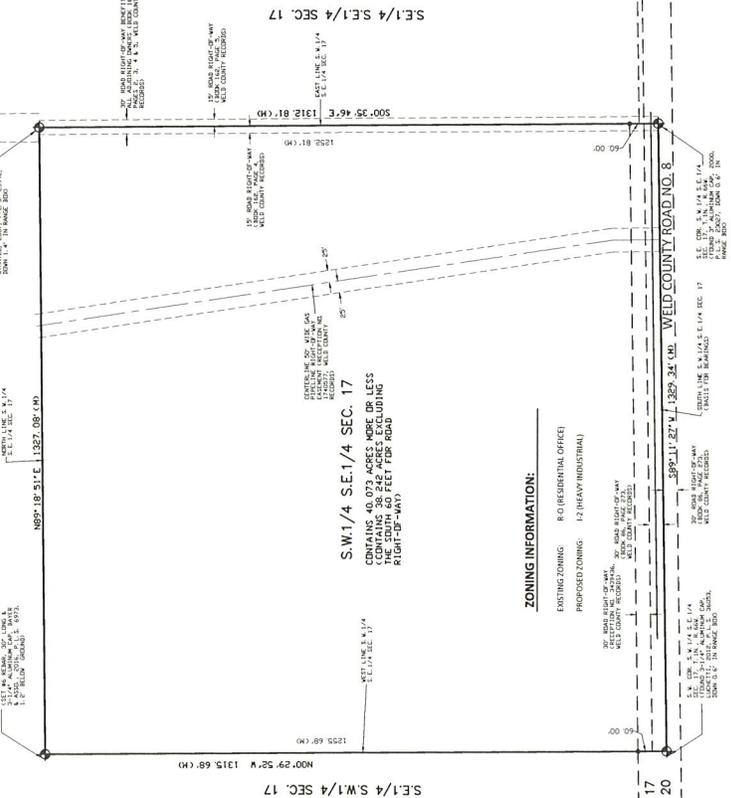
**MAYOR'S CERTIFICATE:**

I, BRIAN J. PFOHL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE PLAT ACCURATELY REPRESENTS SAID REZONING MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP.

MAYOR

ATTY:

CITY CLERK



**PROPERTY DESCRIPTION**

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, DESCRIBED AS FOLLOWS:  
 LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH,  
 RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

**OWNER'S APPROVAL**

KNOW ALL MEN BY THESE PRESENTS, THAT REGIONAL TRANSPORTATION DISTRICT (RTD), BEING THE SOLE  
 OWNER OF THE ABOVE DESCRIBED PROPERTY, HAS HEREBY CONSENTED TO THIS PLAT AND TO THE CONVEYANCE AND  
 DEDICATION OF ALL STREETS, ROADS, ALLEYS, EASEMENTS, PUBLIC WAYS AND PLACES SHOWN HEREON.  
 IN WITNESS WHEREOF, I HAVE HERETO SET OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 2016.

PHIL BERRY  
 STATE OF COLORADO, )  
 COUNTY OF WELD ) 155  
 OF \_\_\_\_\_ 2016, WITNESS MY HAND AND SEAL.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY \_\_\_\_\_ ON THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_ 2016. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

**SURVEYOR'S STATEMENT:**

I, BRIAN J. PFOHL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE  
 PLAT ACCURATELY REPRESENTS SAID REZONING MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY  
 DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP.

BRIAN J. PFOHL, P.L.S. NO. 38445

STATE OF COLORADO

MANHARD CONSULTING

1301 S. UNIVERSITY AVENUE, SUITE 110

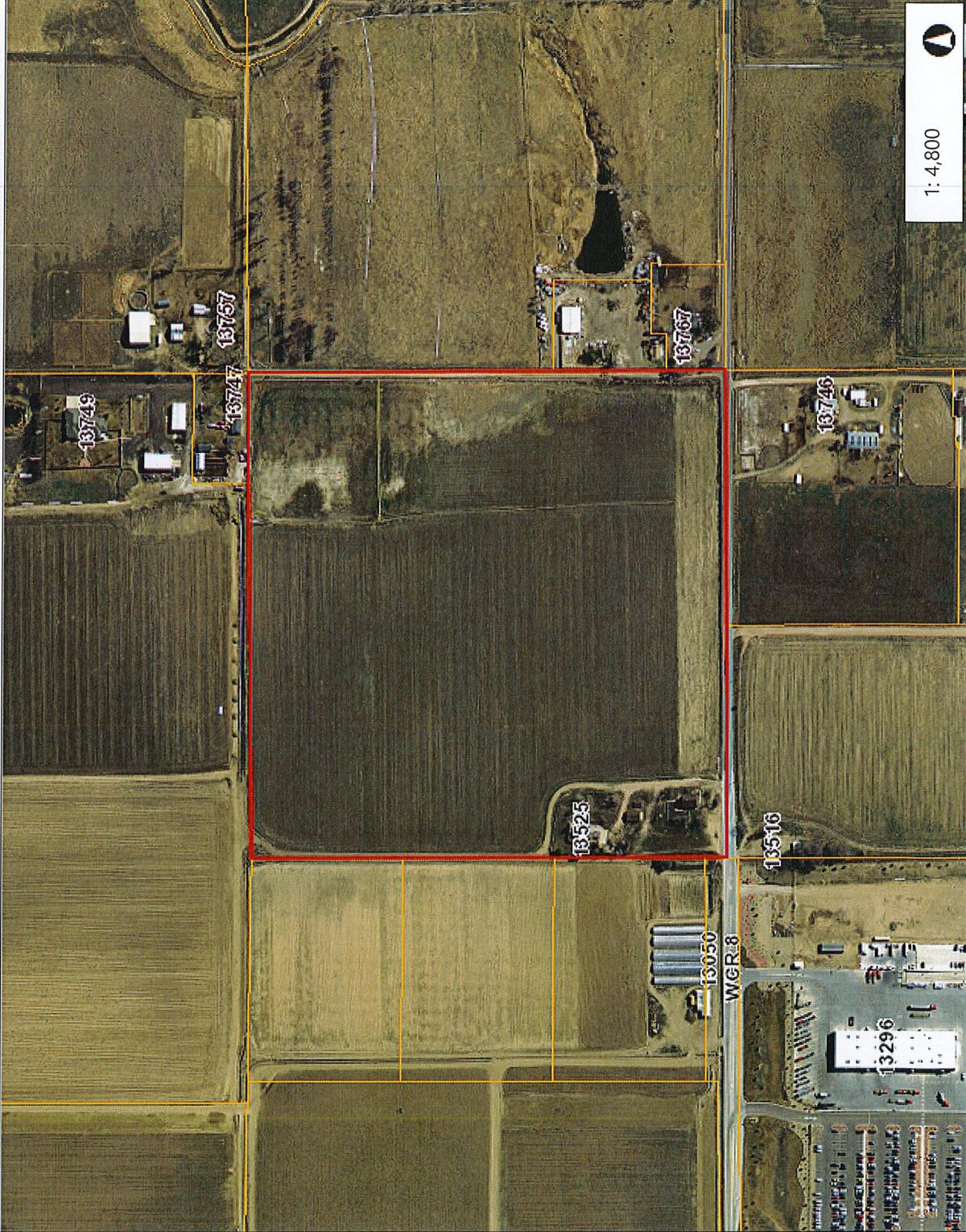
FORT LUPTON, CO 80431

(303) 708-0000





- Legend
- Parcels
  - Highway
  - County Boundary



1: 4,800

799.97 399.97 0 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Weld County Colorado

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes