



**703 Weld County Road 37
BOARD OF TRUSTEES
SPECIAL MEETING AGENDA
AND NOTICE OF SPECIAL MEETING
February 12, 2024
5:30 p.m.**

This special meeting will be held via Zoom and in the Town Hall Board Room, 703 WCR 37, Lochbuie, Colorado. The public is welcome to join us in the Board Room or view by accessing the meeting through the following Zoom link:

Minutes

CALL TO ORDER

Mayor Pro Tem Jeffery called the meeting to order at 5:30 PM

ROLL CALL

Present: Mayor Pro Tem Jeffery
Trustee Bristow
Trustee Coen
Trustee White
Trustee Tapey
Trustee Wescott – arrived in the meeting at 5:36 PM

Absent: Mayor Mahoney

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion made by Trustee Coen seconded by Trustee Bristow to approve the agenda. Motion carried 5-0.

ACTION ITEMS

- a. Public Hearing on whether South Weld Annexation No. 2 as more particularly described in Resolution No 2024-06, approved January 12, 2024, meets the applicable requirements of Section 30 of Article II of the Colorado Constitution and C.R.S. § 31-12-104 and C.R.S. § 31-12-105, and is eligible for annexation to the Town of Lochbuie.
**This public hearing to be opened and continued to February 20, 2024, at 6:30 pm at Town Hall, 703 Weld County Road 37 and by Zoom (instructions to be posted on the Town web site at least 24 hours in advance.)
The proceedings related to this matter are being held in abeyance pursuant to CRS Section 31-12-114.**

Motion made by Trustee Bristow seconded by Trustee Tapey to open the public hearing for South Weld Annexation No. 2, Resolution 2024-06, and continue the hearing to February 20, 2024, at 6:30 PM at Town Hall and by zoom. Motion carried 5-0.

- b. Public Hearing on whether South Weld Annexation No. 3 as more particularly described in Resolution No 2024-07, approved January 12, 2024 meets the applicable requirements of Section 30 of Article II of the Colorado Constitution and C.R.S. § 31-12-104 and C.R.S. § 31-12-105, and is eligible for annexation to the Town of Lochbuie.

This public hearing to be opened and continued to February 20, 2024, at 6:30 pm at Town Hall, 703 Weld County Road 37 and by Zoom (instructions to be posted on the Town web site at least 24 hours in advance.) The proceedings related to this matter are being held in abeyance pursuant to CRS Section 31-12-114.

Motion made by Trustee Tapey seconded by Trustee Bristow to open the public hearing for South Weld Annexation No. 3, Resolution 2024-07, and continue the hearing to February 20, 2024, at 6:30 PM at Town Hall and by zoom. Motion carried 5-0.

- c. Public Hearing and, to follow, consideration of Ordinance 2024-691, annexing certain territory to the Town known as the South Weld Annexation No. 1 and approving an agreement.

Mayor Pro Tem Jeffery opened the public hearing at 5:34 PM.

Christopher Kennedy, Community Development Director, stated that the property is about 194 acres and is located at the northeast corner of County Road 4 and I-76. This annexation includes about 4,200 feet of County Road 4 right-of-way. The landowner submitted their annexation petition in accordance with state requirements. He explained the required findings for annexation that the board must review before advancing with the annexation. The next step in this process is that the state requires the Town to assign zoning and create an annexation agreement to be brought back to the board for consideration. Staff believes this annexation request complies with annexation criteria in state statute and could benefit the Town by extending utilities east of I-76.

Mayor Pro Tem Jeffery stated that Trustee Wescott arrived to the meeting at 5:36 PM.

Maureen Juran, Town Attorney, stated that all the materials that were in the board packet will be part of the record for this public hearing.

Josh Shipman, South Weld Holdings, LLC, thanked town staff for their work in getting this assembled tonight. South Weld Holdings is also the owner of 500 acres of land to the south and adjacent to the parcel in consideration tonight. Their longstanding plan for this area was residential buildout, but that has changed based on Burlington Northern Santa Fe's recent activity in the area. BNSF anticipates 3000 acres of industrial development immediately to the north of the South Weld Parcel that we are reviewing tonight. The current plan for buildout is that the northern third of the land will be industrial, the middle third will be a combination of industrial and residential, and the remaining property will be residential.

Connie Worth, 20079 County Road 4, asked for clarification between light industrial and industrial zoning districts. She received a letter from Weld County that they are going to be closing from County Road 6 to County Road 4. It seems like Hudson, Lochbuie, and Weld County are not communicating. She has lived in the area for thirty years and thinks you all should be talking to each other.

Christopher Kennedy stated that the Lochbuie Municipal Code does not differentiate between light industrial and industrial zoning.

Josh Shipman shared that South Weld Holdings is anticipating industrial storage along the northern third of this property.

AJ Euckert, Town Administrator, replied that the Town is aware of Weld County vacating a portion of the road. This is not an action the Town is taking.

Karen Grillos, 21512 County Road 4, inquired if there would be gigantic warehouses built? She heard that BNSF has plans for warehouses in this area, and that could be noisy. She inquired about the zoning on a parcel of land at the corner of County Road 45 and County Road 4. In the letter she received from the Town of Lochbuie, it stated that residents have a right to request that their property be annexed. Do residents have the right to ask that their property not be annexed?

Christopher Kennedy stated that it is hard to speculate at this time how the land would be developed, as there is not a development plan yet. Warehousing is something that could occur there. The Town does not know the scope of the BNSF development yet, and South Weld Holdings is not affiliated with BNSF. The parcel of land mentioned, at the southwest corner of County Road 45 and County Road 4, is a Town of Hudson annexation, so Lochbuie does not have details. Lochbuie is not proposing to annex other properties, so the only way a resident would be annexed is if they requested it.

Joe Brnak, 20220 County Road 4, stated he was curious if Lochbuie does annex this portion of County Road 4, how many pieces of equipment do you have for snow removal, upkeep, or bridge work in the future? Currently, how many miles of road does the Town take care of? He inquired what the plan is for the parcel south of County Road 4 and what the exact location of the Weld County road closure is.

Chris Larmon, Public Works Director, stated that right now the public works department maintains 71 miles of road. The Town has equipment ordered and plans to hire additional staff that would help with winter maintenance, so the department is taking steps to prepare for these additional obligations.

Christopher Kennedy stated there is no development plan yet for how the land will be used, only the annexation is under consideration today.

Kimberly Wagner, 19369 County Road 4, purchased her property last year and is surrounded by this annexation. Will there be a four-lane road? For the light industrial and housing that could be added, will there be access off County Road 41, or will it be off County Road 4? She stated that she would like to be in contact with South Weld Holdings as this project progresses and would like to know their plans to help maintain the quality of life in the area, and to help with dust and noise mitigation.

Christopher Kennedy stated that a traffic study has not been completed, so the road could be widened in the future, but there is nothing to dictate that change right now. There are provisions in the Lochbuie Municipal Code for dust mitigation, landscape, and berms when there is an intense use up against a less intense land use.

Josh Shipman stated that South Weld Holdings is happy to speak with residents.

Karen Grillos, 21512 County Road 4, shared that there is only one owner who would like to develop this property. They can have the taxpayers help, and Lochbuie will bring water and utilities. There may be monetary interest for the Town.

Christopher Kennedy stated that developers are required to pay their own way. They must pay for infrastructure, roads, pipes, and water treatment.

Larry Strock, 840 Lonewolf Circle, stated that the maps that were shown are somewhat confusing and it is hard to tell what the development is. He understands why people are not super crazy about the annexation because they do not know what is going to happen.

Mayor Pro Tem closed the public hearing at 6:00 PM.

Mayor Pro Tem Jeffery shared that all the findings that staff set forth in the staff report were also her findings when she reviewed the material for this project.

Motion made by Trustee Bristow seconded by Trustee White to adopt Ordinance 2024-691 annexing certain territory to the Town known as the South Weld Annexation No. 1. Motion carried 6-0.

EXECUTIVE SESSION

- a. Executive Session Pursuant to C.R.S. § 24-6-402(4)(b) with Town legal counsel to discuss ongoing litigation related to annexation.

Motion made by Trustee Wescott seconded by Trustee Coen to move to Executive session pursuant to CRS Section 24-6-402(4)(b) with Town legal counsel to discuss ongoing litigation related to annexation. Motion carried 6-0.

Mayor Pro Tem Jeffery called the executive session to order at 6:07 PM.


Mayor Pro Tem Jeffery adjourned the executive session at 6:28 PM.


ADJOURN

Motion made by Trustee Wescott seconded by Trustee Bristow to adjourn the meeting. Motion carried unanimously.

Mayor Pro Tem Jeffery adjourned the meeting at 6:29 PM.

The Board may convene a lawfully called executive session at any time during a regular or special meeting of the Board. Michael Mahoney, Mayor of Lochbuie, has authorized issuance of this Notice of Special Meeting in accordance with the requirements of Section 2-2-60 of the Lochbuie Municipal Code.


Heather Bowen
Town Clerk


Jamie Jeffery
Mayor Pro Tem

