TOWN OF WELLINGTON
PLANNING COMMISSION
June 1, 2020

MINUTES

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1. CALL TO ORDER
   The Planning Commission for the Town of Wellington, Colorado, met on June 1, 2020, at the Leeper Center, 3800 Wilson Ave., Wellington, Colorado at 6:30 p.m.
2. ROLL CALL
   Commissioners Present: Bert McCaffrey, Chairperson
   Troy Hamman
   Tim Whitehouse
   Berry Friedrichs
   Rebekka Kinney
   Eric Sarter

   Town Staff Present: Cody Bird, Town Planner
   Patty Lundy, Development Coordinator
3. ADDITIONS TO OR DELETIONS FROM THE AGENDA
   None
4. PUBLIC FORUM
   None
5. CONSIDERATION OF MINUTES

   A. Meeting Minutes of February 3, 2020.
   Moved by Commissioner Whitehouse, seconded by Commissioner Kinney to approve the minutes as presented. Motion passed. 5-0 (Abstain - Friedrichs)
6. NEW BUSINESS

   A. Conditional Use - CBD oil extraction facility on Lot 1, Pieper Minor Subdivision
   Cody Bird, Planning Director introduced the staff report for the Conditional Use CBD oil extraction facility on Lot 1, Pieper Minor Subdivision. This will be a public hearing. Staff and the applicant will give information. Then it can be open to the public for comment.

   Jim Pieper owner of 9102 Pieper Road. There have been several businesses at this location. He would like to CBD be extracted at this facility. One room would need to be changed for the assembly line to work. The owner of the business will be Jason Reynolds owner of Elution LLC. He has a degree in plant biology from CSU. He is a native of Colorado. Elution is a fancy name for extraction. There are different methods to extract CBD. We will be using ethanol for extraction. You can extract more by using this process. It is also a well-understood method compared to the other methods. Grain alcohol which is highly flammable is the ethanol extraction method they will be using. The entire system running at full capacity will contain a maximum of 470 gallons of ethanol in a closed loop. There are the 2 chilling tanks at 40 gallons each, the centrifuge at 40 gallons, 3-4 winterization tanks at 40 gallons each. They will also have

2 additional back-up tanks that will only be used if they need to evacuate a portion of the system for possible maintenance. Finally, the ethanol recovery unit has a 110-gallon capacity. They hope to recycle as much ethanol as possible so there will be very little escaping the system. Another item on the agenda that was a concern, was the odor. The process is not particularly odiferous but, all potential odors will be contained in the building through charcoal filtration on all ventilation systems. This process is dealing with dried and milled hemp before it comes to the property.

Bird asked Mr. Reynolds to talk about any State or Federal permits that were required for his operation. He has to have a hemp license with the Colorado Department of Agriculture. There are no current licenses for extraction facilities.

Commissioner Sarter wanted to know how the material will be transported. Mr. Reynolds said it will be sealed and moved in a box truck. Milling will not be done in Wellington. It will be done on the farms. The bags will not be opened until the bags are in the building.

Chairman McCaffrey asked if they are just going to be wholesaling or if they will be a retailer as well. Mr. Reynolds said that his hope is to go into retail, but that is not for some time.

Chairman McCaffrey wanted to know how large of a facility this is compared to other extraction facilities in the area. Mr. Reynolds said that theirs is probably a mid-level building. There are two really large facilities that he knows of in Colorado.

Commissioner Friedrichs asked about the purity of the product. Mr. Reynolds said that he will be maxed out about 70%. Friedrichs also asked about how much THC was in the product when it is at the 70% CBD. Mr. Reynolds said that when you concentrate the CBD, you also are concentrating the THC. The companies he sells to will then dilute it down to make sure the THC levels are correct.

Chairman McCaffrey asked about storing the product. Mr. Reynolds said he is hoping there is not much storage but did mention a Conex container if need be and if it works for the fire department and the town.

Commissioner Hamman asked since Mr. Reynolds is a year-round facility but the smells from the local farmers are gone in about 30 days where is all the product being stored? Mr. Reynolds said that typically it is stored on the farmer's property.

There was a nice discussion of the odor and how Mr. Reynolds will keep the odor in the building and not outside. There was talk about how the Town will enforce the odor and it came to the fact that the Town can not enforce an odor because it would be hard to say where the smell is coming from.

Bird went over the packet with the requirements we look at like traffic, lighting, noise, hours of operation and etc. Currently, there is only one way in and out of the subdivision. Staff's concern is that the entrance into the subdivision that the road was not designed to keep adding all of this traffic. It isn't the business's fault, but it needed to be mentioned as we grow these items that need to be looked at.

Chairman McCaffrey opened the public hearing.

Melissa Whitehouse was concerned about there bringing future regulations and this business being grandfathered in and that they wouldn't have to have the new licenses. Bird said that they would

need to comply with all licenses going forward. She also wanted to know how many complaints would there be, before the Town would consider pulling the conditional use. It would be extremely hard to enforce any odor as it would be hard to say where it was coming from like what was talked about earlier. Will there be a lot of smell when the Eastside doors are open. Mr. Reynolds said that the doors would be closed before the bags were opened, so there should be a limited odor.

John Gaitor asked about how would anyone know if the standards that the boards put in place were being withheld? Mr. Reynolds said by having tours. Mr. Gaitor also asked if there were any security issues? Mr. Reynolds said that he didn't see any issue that he would have cameras on the building but didn't think anything else would be needed. Mr. Gaitor also asked that if the ethanol is being reused, how are you securing it is ok? Mr. Reynolds said that ethanol doesn't become unstable.

Dan Sattler is concerned about the odor and isn't convinced that the odor won't become an issue and that our Downtown is nice and he would like to keep it that way. It would be smart to have some kind of language to fix the issue if it arises.

Mr. Reynolds understands that the odor is a big concern. He wants to prevent any issues before they happen and will work hard to make sure that he gets a good filtration system to prevent any odors from coming from the building.

Commissioner McCaffrey seeing there were no more public comments closed the public hearing.

Commissioner Kinney moved to forward a recommendation to the Board of Trustees to approve the conditional use request for the CBD oil extraction business at 9102 Pieper Road, subject to conditions and staff recommendations including evidence of adequate odor filtration system and the additional policy inclusion for hemp and CBD uses only, seconded by Commissioner Sartor.

Roll call was taken, and the motion passed unanimously.

B. Site Plan Review - Lot 2, Block 1, Boxelder Commons Subdivision - Ziggi's Coffee

Bird did a staff report. This item is a site plan review for Ziggi's Coffee located at Lot 2, Block 1, Boxelder Commons Subdivision. This is a proposed coffee café that will include a drive-thru. The item location is on Fifth Street, South of Ridley's. He mentioned that there was a notice for a project on the North end of this site which was approved. This is all one lot and is being done in phases. This is a new phase in the same lot. The first phase that was approved, has not started yet. This application can be considered separate. This is a straight forward application. They did a nice job putting together this application along with the plans. This made staff comments pretty minimal and we appreciate the work put in so far on this project. Staff recommends approval.

Devin Ferrey with Ferrey Rauch Companies. The North end of the site has been purchased. The cost is not inline to complete this site first. While working on the first phase, they met Ziggi's and was impressed with them. So not only are they builders, developers, but they will also be franchise owners of this Ziggi's. They have a great model and a great concept. They opted to go with the café plan to provide more sit down options to Wellington. This will also have a single-sided drive-thru. They are trying to work with the current curb and gutter. Right now that puts the drive-thru at the Southern end of the lot. They would have liked it to be on the Northernmost end but they are making it work. They will be using the current infrastructure and utilities. With approval, they hope to turn in building plans in a month and start building before the end of summer.

Commissioner Whitehouse was wondering why the location showed the old beet dump. That was a mix-up. The engineers did make note of this and it is getting fixed. This will be taken care of in the updated drainage report.

Commissioner Kinney asked about phase one. Wanted to know about seal coating in the first phase. Is this

going to happen? Devin said it would get cleaned up when the building was put in.

Bird mentioned about the lighting on the plans is only for the property and doesn't mention lighting for Fifth Street. Devin said this wasn't on his radar and was only working on his property. There was discussion if the current lighting plan could help with lighting some of Fifth Street but that is something that Devin and his team will work with Staff to see if some of the lightings could be adjusted to help light Fifth Street or maybe have a different kind of light places close to Fifth Street to help with Fifth Street not having any light on it.

Commissioner Whitehouse moved to approve the site plan for Lot 2, Block 1, Boxelder Commons, subject to staff comments, seconded by Hamman.

Roll call was taken, and the motion passed unanimously.

C. Larimer County zoning referral - Accessory Dwelling Unit

Bird mentioned that there was no vote needed that he just wanted to present the information to see if there were any objections that he should report back to Larimer County.
Staff did not oppose the proposed new building and accessory dwelling unit.
Planning Commissioners didn't have any objection to the dwelling.

D. Vacant Planning Commission Seat Interviews

Interviews for the open seat took place with Dan Sattler and Linda Knaack.

They both talked about living in and working in the community and why they would like to be on this commission. In the end, the Planning Commission could not decide who to recommend to the Board of Trustees. They asked that staff let the Board of Trustees know they would be happy to have either applicant that it was too hard to pick one.

7. ANNOUNCEMENTS

Bird passed out an update on the Comprehensive Plan and asked that they all go on our website and take the online survey.

8. ADJOURNMENT

Commissioner McCaffrey asked if there was anything else. No reply was given so he said the meeting was adjourned at 9:42 pm.