



MINUTES OF THE 5TH OF OCTOBER 2023 MILLS PLANNING & ZONING BOARD MEETING

Board Members Present: Bob Greenley, Leon Norvell, Dale Smith, John Gudger and Chris Volzke were all present for this P&Z Meeting.

City Staff in Attendance: Megan Nelms, City Planner, Kevin O’Hearn, Building Official

Others in Attendance: Steve Loftin, Applicant & Lewis James, JKC Engineering

Chairman Leon Norvell called the meeting to order at 5:09 PM on October 5, 2023, as a quorum was present.

Megan made an announcement that case number 23.08 FSP, the 257 Business Park Preliminary Plat, had been pulled from the agenda for the evening.

Chairman Norvell asked board members if everyone had read the minutes of the September 7, 2023, P&Z Board meeting and if there were any noted changes. There were none. Board Member John Gudger made a motion to approve the minutes. Chris Volzke seconded the motion. Chairman Norvell called for a vote to pass the minutes of the September 7, 2023, P&Z meeting. All ayes, motion passed.

Chairman Norvell asked Megan to present the first agenda item. Megan introduced case number 23.07 FSP, the Final Plat for Midway Subdivision.

Background:

The applicants are proposing to subdivide approximately 39.69-acres into an 18-lot industrial subdivision. Each lot averages approximately 1.50-acres in size

Planning Considerations:

1. Provide plans for construction of subdivision infrastructure, including roads and water & sewer infrastructure.
 - a. Are there plans for phasing of the subdivision?
 - b. Timeline for Permit to Construct
2. All cul-de-sacs shall have a radius of no less than 96’ in diameter.
3. Add 5’ general utility easements on the interior of Lots 1-6 and 13-17.
4. Add the following as a notes section on the plat face with regard to the WAPA easement:

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The United States Government (US) holds an access and a 75-foot-wide Casper-Glendo N transmission line easement (37.5 feet on either side of centerline) for the right to operate, patrol, repair, maintain, use, construct, and reconstruct an electrical transmission line across Tract A and Lots 4, 5, 6, 7, 12 and 13. The following activities are prohibited within the transmission line easement:

- a. Structures are not allowed on the easement. Structures, by way of example, not by limitation, shall mean buildings, sheds, mobile homes, signs, storage tanks, septic systems, swimming pools, tennis courts, basketball courts, gazebos or similar facilities.*
 - b. All vegetation on the easement shall not exceed a maximum height of 3 feet at maturity.*
 - c. Excavation is not permitted within 27 feet of any tower footings. A minimum of 30 feet of ground to conductor clearance must be maintained at all times.*
 - d. Wells and mining operations are not allowed within the easement.*
 - e. WAPA shall review fence plans affecting the easement area prior to installation. If fences are placed across the easement, 14-foot-wide gates are required for access along the easement.*
 - f. All improvement plans affecting the easement must be reviewed and approved by WAPA prior to development. Requests for permission to use the transmission line easement should be submitted to: Western Area Power Administration, Attn: Lands Department, 5555 East Crossroads Boulevard, Loveland, Colorado 80538.*
5. Survey Review:
- a. The majority of the interior measurements are missing on the lots
 - b. There is no interior monumentation shown on the plat. All lot corner monuments shall be set now or after construction of infrastructure. Set and label or add a note to the plat face stating otherwise.
6. Cosmetic Revisions to the Plat:
- a. There is no lot line shown between Lots 12 & 13
 - b. Label the 30' access easement instrument number.
 - c. The word foregoing is spelled wrong gin the last paragraph of the dedication statement
 - d. Remove the signature line that says, "Inspected and approved this date" with the Mayor's signature line.
 - e. In the notary statement, it needs to state "Steve Loftin, Vice President of Tetral Corporation"
 - f. In the title block, the Sheet Title should be Final Plat, not Record of Survey

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7. Submit a Subdivision Improvements Agreement providing for the construction and payment of all, or part of, required public improvements for review and approval by the City Engineer and/or appropriate state agency, if applicable.
8. Provide an irrevocable letter of credit, or other financial guarantee acceptable to the City in an amount no less than 125% of the estimated cost of the unfinished improvements, if applicable.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve the final plat for Midway Subdivision, pending completion of all planning considerations.

Chairman Norvell thanked Megan and asked if there were any questions from the Board. There were none. Lewis James, agent for the applicant noted that planning consideration number one had been addressed as they are planning on recording a 30' right-of-way by separate instrument that will provide the required 60' of access in that corner. Megan reviewed the plat and noted that it was there and stated the staff report would be modified to ensure the recorded instrument number was placed on the final plat, but that it should suffice for access to Tract A and Lot 8.

Mr. James then stated that the permit to construct for water was currently being held by DEQ at the request of the City of Casper. They have stated that the dissolution of Wardwell should occur before any additional infrastructure is constructed.

Megan inquired about their timeline for construction of the infrastructure. Steve Loftin, the applicant, stated that once they receive the permits to construct from DEQ, the water and sewer will go in first, followed by electricity and streets. It was agreed that they would work with the City on deadlines for when infrastructure would be installed.

Chairman Norvell asked if there was any further discussion on the plat. There was none so he called for a motion. Board Member John Gudger made a motion to provide the City Council with a "Do Pass" recommendation for the Midway Subdivision Final Plat. Board Member Dale Smith seconded the motion. All voted in favor, motion carried.

Megan then inquired about the City's past processes to ensure that required infrastructure improvements are installed in new subdivisions. Kevin O'Hearn, Building Official, provided an overview of the process and described how the city had done it in the past.

Megan gave a brief update on upcoming applications for the next meeting and proposed amendments to Title 17 that the commission will be reviewing in the near future.

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Board Member Gudger asked Kevin about the lights on the parcel on Freden Blvd and if anything had been able to be addressed yet. Kevin stated that he would inquire with Public Works about whether the property owner had been approached about the lights.

With no further business, Chairman Norvell declared the meeting adjourned at 5:42 PM.

Leon Norvell, Chairman

Attested: Christine Trumbull