



PLANNING COMMISSION

Wednesday, May 17, 2023 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Roll Call

Approval of Minutes

1. Minutes from February 22, 2023 Meeting

Business Items

2. Consider Recommendation to Extend Temporary Conditional Use, 773 Highway 105 (Diacut / Hayco)
3. Review Status of the Draft Sign Code
4. Update - Land Use Code Critical Issues & DOLA Funds

Public Comment

Please sign in, state your name and address for the record, and address the Commission on matters not on the agenda. Please note that the Commission will not take action on your comments but may refer it to staff or to a future agenda. Public members are allowed 3 minutes for comments. Thank you!

Next Meeting (June 21) and Future Items

- *Upcoming Review of Application for Conditional Use (parcel 7105214001)
- *Upcoming Review of Application(s) to Vacate Town ROW (El Maro, Bijou) and Replat Lots
- *Upcoming Review of PUD and Master Plan Submittal (Elephant Rock Villas)

Adjourn

WORKSHOP to continue work on draft sign code will follow the regular meeting

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

Notice

Notice is hereby given that more than two members of the Board of Trustees may be present; however, there will be no action taken by the Board of Trustees at this meeting.



PLANNING COMMISSION - RESCHEDULED FROM 2/15/2023

Wednesday, February 22, 2023 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

MINUTES

Call to Order. Chair Ihlenfeld called the meeting to order at 5:02 pm.

Roll Call. Present: Chair Charlie Ihlenfeld, Commissioners Susan Miner, Tim Caves, Amy Hutson, Mark Bruce. Bill Fisher arrived about 5:10 pm. Excused: Lindsey Zapalac.

Approval of Minutes

1. Minutes from 01/19/2023 Meeting. MOTION (Hutson, Bruce) to approve the minutes. Motion passed 5-0.

Public Hearing

2. Application for Replat – Milton.
3. Application to Request Right-of-Way Vacation. Mr. Jim Brinkman, surveyor for the Martins spoke to the requested replat of lots 1-11 to three lots including the requested vacation of a portion of Brook. Discussion took place about a restriction to not subdivide in the future. Discussion also took place about access from Park and Viola roadways and the utility easement of about 20 ft in the Brook right of way to allow access to the alley where sewer lines exist. It was noted that these easements will be identified and included.

Mr. Townsend, a resident in the neighborhood, stated his concern about construction and utilities interrupting his workday. Resident Glant Havenar inquired about the hillside ordinance applying to this area. It was responded that hillside is applied when a land use application is submitted for a new build relating to the disturbance of the property. She also stated they do lose power in that area. Mr. Roger Moseley expressed a concern to work on drainage whenever a development is proposed.

Chair Ihlenfeld closed the hearing.

Business Items

4. Recommendation on Application to Replat (Milton). Collins requested these items be considered separately although the hearing was joint. MOTION (Miner, Hutson) to recommend approval of the application to replat lots 1-11. MOTION (Fisher) to add the restriction to subdivide. Amendment accepted. Motion approved 6-0.

5. Recommendation on Application to Vacate ROW (Portion of Brook). MOTION (Hutson, Bruce) to recommend approval of the requested vacation of right of way for the portion of Brook as presented with proper utility easement. Motion approved 6-0.
6. Continued Pre-Application Review - Elephant Rock Villas. Mr. Todd Dorman was present to revisit new member feedback on the proposed development of Elephant Rock Villas. Newest Planning Commissioner Tim Caves thanked the Commission and applicant for the opportunity to revisit feedback, as he was present for the presentation but was not an appointed member at the last meeting. As a contractor, Tim offered his concerns on the proposed development, including 1) setbacks, 2) tract design, 3) roadway access. He expanded on two key items – the five phases of the development over 15-20 years, stating it is too long and intangible. He also explained that single owner project seems more of a spread-out apartment style and that a proper HOA would be made up of a board of members living in the development not one individual. Mr. Dorman replied to his concerns, offering the background of his property management and spoke to phasing due to the water plans in the town and financial performance of the project. Discussion took place about infrastructure, length of the phases and asked about transfer of ownership. Discussion about the design took place between members. Commissioner Fisher corrected the previous record (1/25/2023 meeting) that he stated the project barely meets medium density. Commissioner Caves addressed access from Hwy 105 and suggested he consider another way to shift the placement to address setback and concerns from neighbors. Mr. Roger Moseley reported that he contacted Mr. Gonzales of CDOT, stating there will not be any curb cut and that CDOT may approve temporary access. He stated the property should be zoned RA with 2.5 acre lots.
7. Consider Planning Consultant to Review Proposed Developments. Collins explained the request to include a planner consultant overview of current developments proposed while the land use code is in a state of review and repair. With the discussion, Collins noted that the fees incurred to the town should be covered by a new reimbursement agreement for developers, which is standard process with municipal review of development plans. This would not apply to single family residential plans but master plans, PUD, etc. Mr. Roger Moseley expressed a concern of this review being on large development only and shared his concern of CMI being pro-development. MOTION (Fisher, Miner) to recommend hiring a planning consultant to include in plan review. MOTION (Hutson, Fisher) to amend the cost be covered by a reimbursement cost agreement. Motion approved 6-0.
8. Distribute Land Use Code Diagnosis and Worksheet (CMI). The worksheet and land use code diagnosis assembled by CMI was distributed and generally reviewed for a deadline to complete and submit the review. It was agreed that all completed worksheets must be submitted by members by Monday, 3/13, end of business day to the town office. Staff will coordinate a virtual workshop to review the assembled material with CMI.

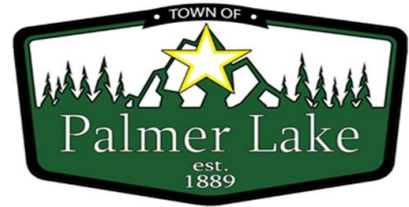
Next Meeting (3/15) and Future Items

Adjourn. MOTION (Fisher, Miner) to adjourn at 6:30 pm. Motion passed.

WORKSHOP - Continued Discussion/Review of Town Sign Code

Planning Commission Chair

ATTEST: _____
Dawn Collins, Town Clerk/Administrator



**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: May 17, 2023	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Request to Extend Conditional Use – Diacut Inc (Hwy 105 – Hayco)

Background

This request is to extend the Temporary Conditional Use for property at Hwy 105 – note the enclosed adopted Resolution 26-2022 authorizing the use as well as the requirement to report to the Planning Commission for a request of an extension.

Note: This initial request was made on/about April 11 but was requested to be on the Board of Trustees meeting agenda and, once realized the resolution required reporting to the Planning Commission, it was beyond the April meeting date and, thus, the conditional use deadline of May 1, 2023.

Landowner and/or business operator will be in attendance to speak to this request. Included are written requests from the landowner (Diacut) and business operator (Hayco).

Action to Consider

Review the request to extend the Temporary Conditional Use for a recommendation to the Board of Trustees.

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 26-2022

A RESOLUTION TO AMEND A CONDITIONAL USE PERMIT TO ALLOW FOR TEMPORARY OUTSIDE USE FOR A WHOLESALE BUSINESS USE ON A PROPERTY CURRENTLY ZONED C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT AND LOCATED AT 773 SOUTH HIGHWAY 105 (“PROPERTY”)

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, Section 17.37.020 of the Palmer Lake Municipal Code provides that Wholesale Businesses is determined a conditional use in the C-2 General Business and Commercial Zone District; and

WHEREAS, the Planning Commission makes recommendations of approval or denial of conditional uses to the Board of Trustees, which has the final authority to grant or deny such applications; and

WHEREAS, on April 20, 2022 the Palmer Lake Planning Commission recommended approval of the conditional use for twelve (12) months.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The application for a conditional use permit is amended to allow outside storage and wholesale operation on the property currently zoned C-2 General Business and Commercial Use and located at 773 South Highway 105 is hereby approved with the following condition:

The outside storage and use of the property as presented to the Planning Commission and the Board is granted and will be allowed for twelve (12) months, expiring on May 1, 2023. Should the applicant need additional time, no less than 2 months prior to the deadline, the applicant will be required to report to the Planning Commission to seek a recommendation regarding extension of the Conditional Use Permit, with such final decision to be made by the Board.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.


INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 28TH DAY OF APRIL 2022.

ATTEST:

TOWN OF PALMER LAKE, COLORADO



Dawn A Collins
Town Administrator/Clerk

BY: 

William Bass
Mayor

Dawn Collins

From: Loren Burlage <loren@hayco.us>
Sent: Monday, April 17, 2023 6:58 PM
To: Dawn Collins
Cc: Bruno Furrer
Subject: Renewal/Extension of Diacut Land

-----WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate.-----

Dawn,

Below is the request and reasons for HayCo, L.L.C. to continue with the lease of the Diacut property:

**HayCo, L.L.C. (HayCo for future reference) had to wait approximately nine (9) weeks for the supplier to provide the chain link fence from the time the Palmer Lake Board of Trustees approved HayCo's use of the property. This made it impossible for HayCo to use the property until approximately July 1st, 2022.

**Securing Entitlements on the potential Monument lot have not been completed, with a final date for all approvals yet to be determined.

**Due to interest rates dramatic increase HayCo has not closed on the property which was planned for our future warehousing needs.

**HayCo asks for the Palmer Lake Board of Trustees approval to be a minimum of one (1) year and preferably up to three years to continue the lease on the Diacut property.

I am thanking you in advance for your time, consideration, and hopeful approval!

Sincerely,
Loren H. Burlage
General Manager
HayCo, L.L.C.
P.O. Box #34
Monument, CO 80132
719-339-3525

Dear Palmer Lake Community,

I am writing to request an extension of the conditional use permit granted to Hayco to rent land in Palmer Lake. As you know, Hayco, a hay retailer, has been a valuable member of our community, providing essential services and supporting local businesses.

Hayco's operations require the use of the land they rent, and without this permit, they may not be able to continue their operations. Their presence benefits our community in many ways, including providing jobs and supporting our local economy.

I understand that there may be concerns about the impact of Hayco's operations on our environment and community. However, I assure you that Hayco has taken steps to minimize any potential negative effects and is committed to being a responsible and respectful member of our community.

I urge you to consider the importance of Hayco's continued presence in our town and to extend their conditional use permit. Thank you for your consideration.

Sincerely,