

The regular meeting of the Hayden Planning Commission was called to order by Chairman Karl Koehler at 7:11p.m. Other members present were Donna Hellyer, Chuck VeDepo, Tim Frentress and Amy Williams. Town Manager, David Torgler, Contract Planner, Tim Katers, and Town Clerk, Melisa Owens, were also in attendance.

Moment of Silence and Pledge of Allegiance **Chairman Koehler** asked for a moment of silence and led the Pledge of Allegiance.

Consideration of Minutes **Commissioner Koehler** moved to approve the minutes for the regular meeting held on September 22, 2011 with one small change. **Commissioner Williams** seconded. **Voice vote. All ayes. Motion carried unanimously.**

Public Comments **None.**

Old Business **None.**

New Business

Conditional Use Application Bear River Valley Farmers Cooperative **Chairman Koehler** opened the **Public Hearing at 7:14 p.m.** **Tim Katers** entered Exhibit A – Mailing Affidavit, Exhibit B – Publication Affidavit, Exhibit C – Fee Affidavit, Exhibit D – Staff Report, Exhibit E – Application and Exhibit F – Referral response. Mr. Katers explained that the property is located within the HD: Historic Downtown zone district at 193 E. Jefferson Ave: The area south of the Coop, formerly at 189 S. Spruce St., was in residential use until the recent demolition of the home on the property. The applicant would like to move the two sheds on the property and gravel the property. No other improvements on the property have been proposed. Mr. Katers went over his staff report which included background on Conditional Uses and HD zoning. Mr. Katers received a Letter from Lee and Eileen Coffelt, dated May 13, 2012; they are in favor of graveling the lot and keeping the current orientation of the storage unit visible from Spruce St., as it hides various items from view. Mr. Katers went on to explain the parking lot requirements and landscaping requirements. Mr. Katers went over the Review Criteria and his comments on how the application meets the following criteria. 1. The conditional use will satisfy all applicable provisions of the zoning code and subdivision regulations unless a variance is being requested. If granted, the proposed use as a parking lot will meet all applicable provisions of the zoning code. No variance is being requested. 2. The conditional use will conform with or further the goals, policies and strategies set forth in the Town of Hayden Comprehensive Plan. Policy 4.4 in the Comprehensive Plan supports retail uses, and calls locating convenient parking along US 40 and in other parking lots. The Coop proposal will actually increase available parking at the

Library by keeping Co-op vehicles on their own property. 3. The conditional use will be adequately served with public utilities, services, and facilities (i.e. water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district. A parking lot at this location will impose no burden on utilities, services or public facilities. 4. The conditional use will not substantially alter the basic character of the district in which it is in or jeopardize the development or redevelopment potential of the district. A parking lot at this now vacant lot will not alter the character of the district. Uses like parking lots are actually very good “placeholders” on the land where the property remains a parking lot until a better economic use comes along. The area of the proposed parking lot detracts from the downtown area at this time and even the minimal improvements proposed by the Co-op could be considered an improvement. 5. The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site. As proposed, the owners intend no improvements other than road base and gravel. The current proposal shows the storage containers being placed along the southern boundary of the property and no traffic circulation pattern is apparent. Staff has talked with the owners and their surveyor and understands that their actual intent may or may not be reflected on the attached drawing. That being the case, staff and the Commission can only base their review on what has been submitted. 6. Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts: Traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; and erosion control. No plan for lighting, noise, dust control, access or other parts of the project has been forthcoming. Suggestions by staff that at least landscaping be included in the proposal have been rejected by the owners. 7. The applicant has submitted evidence that all applicable local, state and federal permits have been or will be obtained. No state or federal permits are necessary, the Conditional Use application and review serves as the local permit.

Mr. Katers’ staff recommends to the Town Council that a Conditional Use for a parking lot as a principal use at 189 S. Spruce St. be granted with the following conditions: 1. Develop a landscaping plan meeting provisions of the Land Use Code. 2. Develop a circulation buffer and a storage plan that meets provisions of the Land Use Code. **Ms. Williams** questioned that since the vacant lot is being

used in conjunction with an existing business, does that change the landscaping requirement on the property? **Mr. Katers** stated that according to the Land Use Code, it would increase the landscaping requirement. **Gordon Dowling** 300 W. Jefferson #7 Hayden, CO, stated that this location is to be used as a parking lot and should be viewed as such. There should be no landscaping requirement for a private parking lot. This should be treated as a simple variance in use and improve the location. In the future they do plan to pave the parking lot. **Ms. Williams** wanted clarification on what the use is going to be. **Mr. Dowling** stated that the use will be parking, storage and circular parking. **Tim Frentress** wondered if they could build some sort of fence to cover the barrels that are being used for storage. **Kurt Frentress** 5980 RCR 65 Hayden, CO, a member of the Co-op Board. Stated that the Co-op needs access to the barrels so that they can be dumped. The Co-op will be moving the storage sheds which are currently 90 degrees and moving them in a straight line to provide a more practical use. **Ms. Williams** questioned whether the Co-op could accommodate a little landscaping and the Co-op would still get what they want? The area would also be used for snow storage, and parking various vehicles while they are being worked on. **Ms. Hellyer** was wondering when the Coop would be able to pave the parking lot. **Mr. Frentress** stated that the Coop would have to put paving in their budget for the future. **Sunny Rolando**, an employee of the Coop, stated that she is opposed to the landscaping. It would be hard to put landscaping on the property because there are no water lines where the landscaping is being proposed. **Ms. Williams** thanked her for the input, because they didn't have that information before, and it is helpful in making a decision. **Ms. Williams** stated that it is her understanding that the property would be used for circulation and storage. **Ms. Rolando** stated that the storage would be in the units that are on the property already. The Co-op is just asking to move one storage unit. **Ms. Williams** reaffirmed that it is the Co-op's intent that they would only use the storage in the enclosed containers and that the Co-op wants the circulation against the building and the rest would be circulation. **Ms. Rolando** stated that under the eave is storage for the drums which is recycled product. This includes oil, washer fluid and antifreeze. **Ms. Rolando** stated that in addition to the drums, the other storage will be in the enclosed containers and the remainder of the lot would be used for parking and circulation only. **Mr. Koehler** would like to know what could be done to mitigate the barrels so that they are not seen from the roadway. **Mr. Frentress** stated that they could possibly put up an 8' to 10' fence so that the barrels could not be seen from the street. **Chairman Koehler closed the public hearing at 8:05 p.m.**

Amy Williams moved to recommend that the Town Council move

to approve the Conditional Use based on two criteria 1.) That the Coop come back with a paving schedule to pave the parking area. 2.) The Coop will work with staff in order to establish some minor fencing to be seen along Spruce Street. Donna Hellyer seconded. Voice vote. All ayes. Motion carried unanimously.

Update on Historic Downtown district Open Houses

Tim Katers gave an update on the open houses that have been held to get feedback from Hayden residents on the zoning. The general consensus is that the name is wrong and a thought is to take “Historic” out of the name. Most people agree to “open” it up to make it more user friendly and motor vehicle friendly. Mr. Katers will be summarizing how the open houses have gone and would like some input from the Planning Commission on how “open” we want to make it. Mr. Katers also stated that we could limit the HD district from Jefferson to Washington, and ½ block on either side of Walnut.

Adjournment

Chairman Koehler adjourned the meeting at 8:22 p.m.