AGENDA
HAYDEN PLANNING COMMISSION

THURSDAY, FEBRUARY 13, 2020 AT 7:00 P.M.
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE

REGULAR MEETING
1. CALL TO ORDER, MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. CONSIDERATION OF MINUTES
   a. Review and Consider Approval of January 23, 2020 Minutes

4. PUBLIC COMMENTS

5. OLD BUSINESS

6. NEW BUSINESS
   a. Routt County Master Plan Presentation – Kristy Winser, Routt County Planning Department
   b. Public Hearings:
      i. 200 Walnut Granary LLC & Hayden Granary LLC – Rezone of 200 N Walnut Street & 198 E Lincoln Avenue parcels from Commercial (C) to Central Business District (CBD)
      ii. 200 Walnut Granary LLC – Conditional Use Permit to permit the Yampa Valley Brewing Company brewery tasting room and associated production operations in the CBD Zone District at 200 N Walnut Street
      iii. 200 Walnut Granary LLC – Site Plan for the Yampa Valley Brewing Company at 200 N Walnut Street
   c. Review and Consideration for Approval:
      i. 200 Walnut Granary LLC & Hayden Granary LLC – Recommendation on Rezone of 200 N Walnut Street & 198 E Lincoln Avenue parcels from Commercial (C) to Central Business District (CBD)
      ii. 200 Walnut Granary LLC – Recommendation on Conditional Use Permit to permit the Yampa Valley Brewing Company brewery tasting room and associated production operations in the CBD Zone District at 200 N Walnut Street
      iii. 200 Walnut Granary LLC – Site Plan for the Yampa Valley Brewing Company at 200 N Walnut Street

7. STAFF AND COMMISSION MEMBER REPORTS

8. ADJOURNMENT

NOTICE: Agenda is subject to change. If you require special assistance in order to attend any of the Town’s public meetings or events, please notify the Town of Hayden at (970) 276-3741 at least 48 hours in advance of the scheduled event so the necessary arrangements can be made.
The regular meeting of the Hayden Planning Commission was called to order by Chair Angie Robinson at 7:00 p.m. Other members present were Vice Chair Amy Williams, Michele Lewis, Emily Waldron and Tim Frentress. Melinda Dudley, Alternate, was in attendance as a non-voting member. Police Chief Greg Tuliszewski and Town Planner Mary Alice Page-Allen were also in attendance.

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<tr>
<th>Moment of Silence and Pledge of Allegiance</th>
<th>Chair Robinson asked for a moment of silence and led the Pledge of Allegiance.</th>
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<tr>
<td>Consideration of Minutes</td>
<td>Commissioner Frentress moved to approve the minutes for the regular meeting held on March 28, 2019 as written. Commissioner Waldron seconded the motion. Motion approved unanimously.</td>
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<tr>
<td>Public Comments</td>
<td>None.</td>
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<tr>
<td>Old Business</td>
<td>None.</td>
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<td>New Business</td>
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<td>Public Hearing: Village Retail LLC - Major Site Plan</td>
<td>Public Hearing opened at 7:38 p.m. Comments were received by the Planning Commissioners from Rod Neumiller, 716 E Washington Avenue, Hayden who read his letter of January 20, 2020 for the record, noting that his issues relate to the storefront being located in a generally residential area at the entry to town, that the operation will serve to depreciate property values, that it is not family friendly and that there is a general lack of use of other commercially zoned properties; Journey Vreeman, 134 S Maple Street, Hayden read a letter into the record that stated concerns about depreciation of property values, the proximity of the store to the entry to Town, the increased use of police resources due to the type of operation, impacts on neighborhood kids, the location of the store in a residential district, the proximity of the store to area school bus stops and walking children, and increased criminal activity. Public Hearing closed at 7:45 p.m.</td>
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<td>Review and Consider Approval of Village Retail LLC Major Site Plan</td>
<td>Applicant Mark Wellstone, Village Retail LLC, noted his experience in the retail marijuana industry, that his existing operation has a sound history of compliance, and that in response to feedback around signage he has developed a plan that blends in with the surrounding scenery. Mr. Wellstone handed out a graphic rendering of his signage and landscaping plan. Mary Alice Page-Allen, Town Planner, presented and reviewed the staff report regarding the Village Retail LLC retail marijuana store proposal for 735 E Jefferson Avenue. She noted that there were several letters handed out to Planning Commissioners with regard to the application.</td>
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In response to a question from Chair Robinson, Commissioner Williams replied that in her experience as a real estate appraiser the impact on property values would likely be limited to impacts to the residential buyer pool who would be willing to locate adjacent to this type of use, however such could be stated for other types of retail as well.

Chief Tuliszewski commented that his experience is that the increase in crime is a perception. Mary Alice noted that there are a number of security cameras that will be in place with the operation.

In response to questions, Mr. Wellstone stated that the operation will employ 3-5 persons, and that it appears that they will be replacing the building on the existing foundation versus remodeling.

Rountable comments from Planning Commissioners:

Commissioner Williams stated that if the development is well and tastefully done much of the concerns will be mitigated, adding that additional development within the 3-lot subdivision will help. She noted that the use is legal, that issues can be appropriately mitigated and when this type of retail use was considered the Town Council undertook a thought process. She stated that there is no basis for denial.

Commissioner Frentress stated that he understands the concerns of the neighbors expressed and respects them even though the property has been zoned commercially for a long time. He added that in his own ethical opinion, he cannot support the proposal.

Commissioner Waldron noted that she resides approximately two (2) blocks away from this site, however additional retail uses will support the future of Hayden when such holds the loss of a levy as a revenue source. She added that this proposal is only a small piece of keeping the Town going.

Commissioner Lewis stated she sees both sides of the discussion and is struggling with a decision. She noted that it doesn't appear to be possible to deny the proposal because it complies with the requirements, and retail is allowed in a commercially zoned area. She continued that she is sad that it will be the first thing seen coming into Town, but growth and change appear inevitable.

Chair Robinson noted that retail marijuana use seems to have been pushed though quickly, adding that it seems that the community is hamstrung in having to locate them at the entries to Town.
Commissioner Waldron moved to approve the Village Retail LLC Site Plan with the findings of fact that:

1. The location of the proposed retail marijuana store meets the standards of Chapter 5.25, Retail Marijuana Stores.
2. The property considered for development herein is located within the established Growth Management Area consistent with the policies of the Town of Hayden’s Comprehensive Plan.
3. The proposal meets the standards of the Town of Hayden’s Development Code, is in general conformance with the intent and purpose of the Town of Hayden Comprehensive Plan and preserves the health, safety and welfare of the citizens of the Town of Hayden.
4. It is appropriate to accept fee-in-lieu for sidewalks to assure that the installed sidewalk matches what is being proposed to be installed along US 40 by the Town as well as providing a financial match needed for the US 40 sidewalk project.

Subject to the following conditions of approval:

1. The effective date of this approval is the date upon which the Planning Commission approves the application. The approval shall expire three (3) years from its effective date, unless application for a building permit is made within the term of the approval or unless application for renewal of the Site Plan approval is approved pursuant to Section 7.16.020, Hayden Development Code (HDC).
2. The store’s local and State retail marijuana licenses shall be in good standing at all times the operation is open to the public for business.
3. The hours of operation for the store shall be between the hours of 7 a.m. and 10 p.m. daily.
4. An access permit from the Colorado Department of Transportation shall be obtained in compliance with CDOT standards.
5. A fee in lieu of sidewalk construction in the amount of $6544.32 ($163.20/lf * 40.1 ft) shall be paid to the Town prior to the authorization of any building or demolition permit.
6. Signage shall be installed indicating the employee parking spaces.
7. All undeveloped areas of the site shall be landscaped and maintained appropriately in accordance with the applicable requirements of Section 7.24.150, HDC.
8. The landscaping shall be installed prior to the issuance of any Certificate of Occupancy (CO) or a financial guarantee and associated agreement shall be provided.
9. A written plan for irrigation and maintenance shall be provided prior to the issuance of any CO.
10. A sign permit shall be obtained under the applicable provisions of the Development Code prior to placing any retail signage is erected on the property.
11. A grading and drainage plan shall be submitted that provides assurance that storm drainage into the landscaped areas is appropriately designed and in conformance with the standards and requirements of Section 7.24.150(d), HDC.

12. A fencing plan shall be submitted and approved prior to the authorization of any building or demolition permit and fence construction that meets the applicable standards of Section 7.24.170, HDC.

Commissioner Williams seconded the motion; passed by a vote of 3 in favor, 2 opposed.

| Staff and Commission Member Reports | Mary Alice Page-Allen updated the Planning Commission on the Comprehensive Plan update, the applications and February 13th schedule for Yampa Valley Brewing Company and the Granary rezone, replat and site plan. |
| Adjournment | Chair Robinson adjourned the meeting at 8:22 p.m. |

Recorded by: 

Mary Alice Page-Allen

APPROVED THIS DAY OF FEBRUARY 13, 2020

___________________________
Angie Robinson, Chair
Planning Commission Agenda Item

MEETING DATE: February 13, 2020

AGENDA ITEM TITLE: Public Hearing: Rezone of 200 N Walnut Street & 198 E Lincoln Avenue from Commercial (C) to Central Business District (CBD)

AGENDA SECTION: New Business

PRESENTED BY: Mary Alice Page-Allen
Planning & Economic Development Director

CAN THIS ITEM BE RESCHEDULED: Not Recommended

ATTACHED: 200 North Walnut Street – Applicant Narrative
198 East Lincoln Avenue – Applicant Narrative
Zoning Amendment Map
Draft Ordinance No. 695

BACKGROUND REVIEW:

The Applicants, 200 Walnut Granary LLC and Hayden Granary LLC, are the owners of properties located at 200 N Walnut Street and 198 E Lincoln Avenue and, if their proposed road right-of-way vacation is approved slated for consideration by Town Council on March 5th, the adjacent portion of vacated E Lincoln Avenue (the “Road Vacation”) as well.

This zoning amendment proposal is one part of current proposals for these properties that, in addition to the Road Vacation, include 1) a replat of the properties to incorporate the vacated right-of-way into their lots and dedication of utility easements, and 2) obtaining a Conditional Use Permit and Major Site Plan approvals for the development of Yampa Valley Brewing Company’s new tap house and brewery expansion at the 200 N Walnut Street location. These additional proposals are either being considered by the Planning Commission concurrently or by the Town Council at their March 5th meeting.

The proposed zoning amendment conforms to the extents of the Historic Downtown Commercial in this area identified on the Hayden Comprehensive Plan Future Land Use Map.
COMPLIANCE WITH HAYDEN COMPREHENSIVE PLAN:

Section 7.16.020(f)(1)(iii) of the Hayden Development Code (Code) states that “[t]he reviewing authority shall review development applications for compliance with all relevant standards and criteria as set forth in the specific procedures for the particular application in [the Code]” as well as general criteria which apply including compliance “with the goals and policies of the Comprehensive Plan” (Plan). Therefore, any proposal should be considered in light of the applicable policies of the Plan. While the Plan contains numerous policies regarding land use and development, staff has selected the following checklist to highlight the policies most directly applicable to this application. Interested parties are encouraged to review the Plan to determine if there are other policies that may be applicable to the review of this application.

Chapter 6 – 2007 Amendment to Comprehensive Plan

Section 6.5 – Future Land Use Map

Section 1 – Summary

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The Future Land Use Map ... reflects current consensus on proposed land uses in the Hayden area. **Staff Comment:** The proposed zoning amendment conforms to the extents of the Historic Downtown Commercial in this area identified on the Hayden Comprehensive Plan Future Land Use Map.

COMPLIANCE WITH THE TOWN OF HAYDEN DEVELOPMENT CODE

While the Hayden Development Code (Code) contains numerous regulations regarding land use, staff has selected the following checklist to highlight the regulations directly applicable to this application. Interested parties are encouraged to review the Code to determine if there are other regulations that may be applicable to the review of this application.

Chapter 7.16 – Development Review Procedures

Section 7.16.020 – General Procedures and Requirements.

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<td>Step 6: Review and Decision</td>
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Findings. The reviewing authority shall adopt written findings which document that a recommendation or decision is based upon a determination of whether the development application complies with the applicable review criteria. The written findings shall state the conditions or mitigation. *Staff comment: Recommended findings of fact and conditions are included below for the Planning Commission’s consideration.*

Section 7.16.050 – Rezonings.
The boundaries of any zone district may be changed or the zone classification of any parcel of land may be changed pursuant to this Section. The purpose is not to relieve particular hardships nor to confer special privileges or rights to any person, but only to make adjustments to the Official Zoning Map that are necessary in light of changed conditions or changes in public policy or that are necessary to advance the general welfare of the Town.

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(b) **Review Authority.** The Planning Commission shall review applications for rezonings and shall provide a recommendation to the Council after conducting a public hearing. The Council shall render the final decision on an application for rezonings after conducting a public hearing. Rezonings shall be approved by ordinance of the Council. *Staff comment: A condition is recommended below that the approval of the rezoning shall be done by an ordinance of the Hayden Town Council, and such ordinance recorded in the records of the Routt County Clerk and Recorder.*

(c) **Review Criteria.** The Planning Commission and Council shall use the following review criteria as the basis of recommendations and decisions on applications for rezonings:

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(2) Evidence of substantial compliance with the purposes of the Development Code; *Staff comment: See analysis contained herein.*

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(3) Consistency with the Comprehensive Plan; *Staff comment: See analysis contained herein.*

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(4) Physical suitability of the land for the proposed development or subdivision;

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(5) Compatibility with surrounding land uses;
(6) Whether the proposed rezoning is justified by changed or changing conditions in the character of the area proposed to be rezoned; **Staff comment:** The property under consideration is identified in the Comprehensive Plan as being appropriately included in the Central Business District area, and development proposal(s) make this a sensible change at this time.

(7) Whether there are adequate facilities available to serve development for the type and scope suggested by the proposed zone compared to the existing zoning, while maintaining adequate levels of service to existing development; **Staff comment:** The development proposal(s) are not going to be cause for changes to existing infrastructure levels of services for the existing structures on the properties.

(8) Whether the rezoning is consistent with the stated purpose of the proposed zoning district;

(9) That, compared to the existing zoning, the rezoning is not likely to result in adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife and vegetation, or such impacts will be substantially mitigated; **Staff comment:** See the analysis contained herein as well as the analysis in the staff report for the 200 N Walnut Street Major Site Plan review. A condition is recommended below that the approval of the rezoning is subject to approval of the 200 N Walnut Street Major Site Plan for Yampa Valley Brewing Company.

(10) That, compared to the existing zoning, the rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; **Staff comment:** See above comment.

(11) Adequate mitigation is required for rezoning applications which result in greater intensity of land use or increased demands on public facilities and infrastructure. **Staff comment:** See above comment. The Commercial (C) and Central Business District (CBD) zone districts have the same general intensities of use permitted.

Chapter 7.20 – Zone Districts and Official Zoning Map

Section 7.20.110 – CBD Central Business District

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(a) **Intent.** It is the intent of this district to encourage the redevelopment and expansion of the existing downtown commercial district; provide a
concentration and mixture of civic, office, retail, restaurant, housing and cultural land uses; maintain and enhance the historic character of the original downtown; create a pedestrian oriented district; develop and promote small scale businesses; and promote shared or cooperative parking within or adjacent to the district. It is the intent of this district to allow retail uses on the first floor and businesses and residences or services on upper floors of buildings where appropriate. 

Staff comment: The zone change from C to CBD appears to enhance the existing, and in several regards historic, buildings and their existing and proposed uses, that the size of the properties and their proximity to the center of Town expands the pedestrian oriented aspect of the area appropriately, and promotes shared and cooperative parking within and adjacent to the properties.

RECOMMENDATION:

Findings of Fact:
1. The proposal meets the standards of the Town of Hayden’s Development Code, is in general conformance with the intent and purpose of the Town of Hayden Comprehensive Plan and preserves the health, safety and welfare of the citizens of the Town of Hayden.

Subject to the following conditions:
1. The approval of the rezoning is subject to approval of the 200 N Walnut Street Major Site Plan for Yampa Valley Brewing Company.
2. The approval of the rezoning shall be authorized and approved by an ordinance of the Hayden Town Council, and such ordinance recorded in the records of the Routt County Clerk and Recorder.

MANAGER’S RECOMMENDATION/COMMENTS: I concur with this recommendation.
The intent of this application is to change the zoning designation of 200 N. Walnut St from C (Commercial) to CBD (Central Business District). This rezoning will better accommodate planned development for this site in a way that is consistent with the intent of the Hayden Development Code.

Since its original construction, the two story structure at 200 N. Walnut Street has served a variety of public and private uses and is comprised of extensive lower level garage space and an existing residential space on the upper level. This site and the associated structures were purchased in late 2019 by 200 Walnut Granary, LLC.

Due to its size and close proximity to the center of the Town of Hayden, the site is the ideal location for the Yampa Valley Brewing Company (YVBC) tasting room. An addition is proposed for the north side of the existing structure, which will house the expanding production for YVBC.

Changing this parcel from C to CBD will enhance this development—and seed growth of adjacent businesses such as those at the Hayden Granary—through shared parking and a cohesive pedestrian district. This is in close alignment with the purpose of the CBD zone, as stated in the Hayden Town Development Code, pages 129-130:

7.20.110 CBD Central Business District

(a) Intent. It is the intent of this district to encourage the redevelopment and expansion of the existing downtown commercial district; provide a concentration and mixture of civic, office, retail, restaurant, housing and cultural land uses; maintain and enhance the historic character of the original downtown; create a pedestrian oriented district; develop and promote small scale businesses; and promote shared or cooperative parking within or adjacent to the district. It is the intent of this district to allow retail uses on the first floor and businesses and residences or services on upper floors of buildings where appropriate.

Furthermore, the zoning change from C to CBD at 200 N. Walnut Street is a responsible and valid request for the following reasons:

1. Changing from C to CBD designation will allow the redevelopment and expansion of 200 N. Walnut to accommodate the existing residential use, as well as the production and retail aspects of a brewery and associated food services - a mixture of retail, residential, and restaurant options per the intent of the CBD.
2. This requested change in zoning designation would make the site similar in zoning to parcels directly to the south that are on the opposite side of Lincoln Avenue.
3. Present and future impacts on public facilities, utilities, and services will not be altered by changing the site from C to CBD.
4. The requested CBD designation will allow full development of the site in a way that promotes a pedestrian oriented district, through a networking of shared parking and service allotments.
Hayden Granary, 198 E. Lincoln

Proposed Zoning Change from Commercial to Central Business District
Town of Hayden Zoning Change Application, January 13, 2020

The intent of this application is to change the zoning designation of 198 E. Lincoln Ave/Hayden Granary from C (Commercial) to CBD (Central Business District). This rezoning will better accommodate planned development for this site in a way that is consistent with the intent of the Hayden Development Code.

Since its original construction, the Historic Hayden Granary has been a significant presence in the town of Hayden—both economically and socially. This iconic agricultural structure now houses Wild Goose Coffee, Embers Wood Fired Pizza, with several new businesses slated to open up in the spring.

Due to its size and close proximity to the center of the Town of Hayden—in addition to the variety of business now operating on site and those planned for the near future—198 E. Lincoln is well suited for CBD zoning. Changing this parcel from C to CBD will help the Granary complex grow, while also benefiting adjacent businesses such as the Yampa Valley Brewing Company through shared parking and a cohesive pedestrian district. This is in close alignment with the purpose of the CBD zone, as stated in the Hayden Town Development Code, pages 129-130:

7.20.110 CBD Central Business District

(a) Intent. It is the intent of this district to encourage the redevelopment and expansion of the existing downtown commercial district; provide a concentration and mixture of civic, office, retail, restaurant, housing and cultural land uses; maintain and enhance the historic character of the original downtown; create a pedestrian oriented district; develop and promote small scale businesses; and promote shared or cooperative parking within or adjacent to the district. It is the intent of this district to allow retail uses on the first floor and businesses and residences or services on upper floors of buildings where appropriate.

Furthermore, the zoning change from C to CBD at 198 E. Lincoln Ave is a responsible and valid request for the following reasons:

1. Changing from C to CBD designation will promote both the existing as well as future businesses, while also opening up the door for potential residential units, which are needed in our town.
2. This requested change in zoning designation would make the site similar in zoning to parcels directly to the south that are on the opposite side of Lincoln Avenue.
3. Present and future impacts on public facilities, utilities, and services will not be altered by changing the site from C to CBD.
4. The requested CBD designation will allow full development of the site in a way that promotes a pedestrian oriented district, through a networking of shared parking and service allotments.
PORTIONS OF NORTH HAYDEN ADDITION TO THE TOWN OF HAYDEN, ROUTT COUNTY, COLORADO

LEGAL DESCRIPTION: LINCOLN AVENUE/ZONING AMENDMENT - COMMERCIAL TO CENTRAL BUSINESS DISTRICT

Being portions of the NW1/4 NW1/4 of Section 10 and of the NE1/4 NE1/4 of Section 9, all T6N R88W, 6th P.M., Routt County, Colorado, being more particularly described as follows:

BEGINNING at the intersection of the centerline of said Walnut Street and the North line of said North Hayden Addition thence S 22°03'00" E along the centerline of Walnut Street a distance of 152.99 feet, to the centerline of Lincoln Avenue; thence N 67°57'00" E along said centerline of Lincoln Avenue a distance of 634.51 feet, to a point on the projected North line of said North Hayden Addition; thence S 81°30'22" W along said line a distance of 170.65 feet, to the Northeast Corner of said North Hayden Addition; thence S 81°30'22" W along said North line of the North Hayden Addition a distance of 482.03 feet, to the POINT OF BEGINNING, containing 48535.8 Sq. Feet or 1.114 Acres, more or less.

Bearings based on the monumented North line of Block 4, Original Town of Hayden, the Northwest Corner being a rebar with plastic cap, TS&T, and the Northeast Corner being a No. 4 rebar, with illegible plastic cap - N 67°57'00" E.

NOTES:

1. THE SHOWN RIGHT-OF-WAY OF THE RAILROAD WAS DETERMINED BY FIELD OBSERVATIONS.

2. BASIS OF BEARING - THE MONUMENTED NORTH LINE OF BLOCK 4, ORIGINAL TOWN OF HAYDEN, THE NORTHWEST CORNER BEING A REBAR AND CAP (TS&T) AND THE NORTHEAST CORNER BEING A REBAR AND ILLEGIBLE CAP - N67°57'00"E.

3. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

4. SCALE 1" = 30'
ORDINANCE NO. 695

AN ORDINANCE REZONING LOTS 1 AND 2, HAYDEN GRANARY FINAL PLAT, AND ADJACENT PORTION OF EAST LINCOLN AVENUE AS DESCRIBED ON EXHIBIT A ATTACHED HERETO FROM COMMERCIAL (C) ZONE DISTRICT TO THE CENTRAL BUSINESS DISTRICT (CBD) ZONE DISTRICT

RECITALS

1. The owners of Lots 1 and 2, Hayden Granary Final Plat, located within the municipal limits of the Town of Hayden have filed applications requesting a zone district change of said Lots 1 and 2 from Commercial (C) to Central Business District (CBD) (the “Zoning Change”); and

2. The Town staff has provided information on the proposed Zoning Change for review by the community and Planning Commission; and

3. A Public Hearing was conducted by the Hayden Planning Commission, according to the regulations of the Town of Hayden, on February 13, 2020 and the Hayden Planning Commission recommended approval of the proposed Zoning Change to the Hayden Town Council subject to conditions that the 200 N Walnut Street Major Site Plan for Yampa Valley Brewing Company is approved and that the rezoning is authorized and approved by an ordinance of the Hayden Town Council and such ordinance is recorded in the records of the Routt County Clerk and Recorder; and

4. A Public Hearing was conducted by the Hayden Planning Commission, according to the regulations of the Town of Hayden, on February 13, 2020 to consider the approval of the 200 N Walnut Street Major Site Plan for Yampa Valley Brewing Company (the “Major Site Plan”), and the Planning Commission approved the Major Site Plan.

5. A Public Hearing was conducted on the Zone Change by the Hayden Town Council, according to the regulations of the Town of Hayden, on March 5, 2020 and [no] public comment on the proposed Zoning Change was received; and

6. Upon conclusion of the Public Hearing, the Hayden Town Council, [unanimously OR by majority vote], approved the Zoning Change.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HAYDEN, COLORADO, THE FOLLOWING:
Section 1. That Lots 1 and 2, Hayden Granary Final Plat, File No. ____________ at Reception No. ____________ and the adjacent portion of East Lincoln Avenue, as more particularly described on Exhibit A attached hereto is hereby rezoned to Central Business District (CBD).

Section 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect fifteen (15) days after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

Section 4. Public Hearing. A public hearing on this Ordinance will be held on the 5th day of March, 2020, at the regular meeting of the Hayden Town Council beginning at 7 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SUBSECTION 3-3(d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 20TH DAY OF FEBRUARY, 2020.

__________________________________________
Mayor

ATTEST

__________________________________________
Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SUBSECTIONS 3-3 (e) through (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 5TH DAY OF MARCH, 2020.

__________________________________________
Mayor

ATTEST

__________________________________________
Town Clerk
LEGAL DESCRIPTION LINCOLN AVENUE/GRANARY ZONING AMENDMENT JANUARY 8, 2020

A tract of land located in the North Hayden Addition to the Town of Hayden, portions of Walnut Street, and portions of Lincoln Avenue, further being portions of the NW1/4 NW1/4 of Section 10 and of the NE1/4 NE1/4 of Section 9, all T6N R88W, 6th P.M., Routt County, Colorado, being more particularly described as follows:

BEGINNING at the intersection of the centerline of said Walnut Street and the North line of said North Hayden Addition thence S 22°03'00" E along the centerline of Walnut Street a distance of 152.99 feet, to the centerline of Lincoln Avenue; thence N 67°57'00" E along said centerline of Lincoln Avenue a distance of 634.51 feet, to a point on the projected North line of said North Hayden Addition; thence S 81°30'22" W along said line a distance of 170.65 feet, to the Northeast Corner of said North Hayden Addition; thence S 81°30'22" W along said North line of the North Hayden Addition a distance of 482.03 feet, to the POINT OF BEGINNING, containing 48535.8 Sq. Feet or 1.114 Acres, more or less.

Bearings based on the monumented North line of Block 4, Original Town of Hayden, the Northwest Corner being a rebar with plastic cap, TS&T, and the Northeast Corner being a No. 4 rebar, with illegible plastic cap - N 67°57'00" E.

granary zoning 1-8-20

________________________
Gordon R. Dowling
PLS #30090
Town of Hayden

Planning Commission Agenda Item

MEETING DATE: February 13, 2020

AGENDA ITEM TITLE: Public Hearing: 200 Walnut Granary LLC
Conditional Use Permit & Major Site Plan
Yampa Valley Brewing Company

AGENDA SECTION: New Business

PRESENTED BY: Mary Alice Page-Allen
Planning & Economic Development Director

APPLICANT: Paul Brinkman, 200 Walnut Granary LLC

CAN THIS ITEM BE RESCHEDULED: Not recommended.

ATTACHMENTS: Site & Elevation Plans
Draft Resolution 2020-003

BACKGROUND REVIEW:

The Applicant is the owner of the property located at 200 N Walnut Street which – upon approval and completion of a vacation of a portion of E Lincoln Avenue (the “Road Vacation”), a replat incorporating the Road Vacation property into the lots’ boundaries, and a change of zoning from Commercial (C) to Central Business District (CBD) (the “Zone Change”) that are being handled concurrently – will be known as Lot 1, Hayden Granary Final Plat. This E Lincoln Avenue/N Walnut Street corner lot is bounded on the north by the railroad right-of-way and the Town municipal limits, and on the east by the historic Hayden Granary site. The 0.264 acre (11,560 sq. ft.) lot has an existing 2,900 sq. ft. two-story mixed use building with a history of public and private uses. Currently, the lower level is a combination of garage, restroom and entry space, while the upper level is used residentially.

A Site Plan has been submitted to develop the lot and existing building as the new Yampa Valley Brewing Company (YVBC) tap house with the requisite associated production space. Plans indicate 1,231 sq. ft. of the existing building area will be dedicated to the interior tap house.
seating area and restrooms, that the existing second story residential will be retained, and the balance of the area will be used for efforts related to production activities. Façade and window/door upgrades and improvements are planned. A future addition of 1,400 sq. ft. is proposed and will expand the area dedicated to production. Space is identified on the site to accommodate a food truck and exterior tables/consumption space.

“Licensed bars and taverns” and “custom small industry uses” are Conditional Uses in the CBD zone district, and the YVBC proposal fits into these categories. As proposed, the improvements will meet all typical setbacks and other dimensional standards of the Code. Water, sewer, gas and electrical services are available on the property. Parking is proposed along the west and south sides of the lot.

**COMPLIANCE WITH HAYDEN COMPREHENSIVE PLAN:**

Section 7.16.020(f)(1)(iii) of the Hayden Development Code (Code) states that “[t]he reviewing authority shall review development applications for compliance with all relevant standards and criteria as set forth in the specific procedures for the particular application in [the Code]” as well as general criteria which apply including compliance “with the goals and policies of the Comprehensive Plan” (Plan). Therefore, any proposal should be considered in light of the applicable policies of the Plan. While the Plan contains numerous policies regarding land use and development, staff has selected the following checklist to highlight the policies most directly applicable to this application. Interested parties are encouraged to review the Plan to determine if there are other policies that may be applicable to the review of this application.

**Chapter 5 – Implementation**

**Section 5.3 – Specific Policies and Actions to Implement the Policies of the Comprehensive Plan**

**Section 5.3.3 – Light Industrial**

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<th>Complies</th>
<th>Section</th>
<th>Policies</th>
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<tbody>
<tr>
<td>Yes</td>
<td>3.1</td>
<td>Promote light industrial uses that bring employment to the community by adding sufficient land area to accommodate future growth in an area that has good transportation access, can be served conveniently by the Town and will not diminish the desirability of existing and planned non-industrial areas. <strong>Staff comment:</strong> The combination of production operations with the tap house and food services provides a customer-oriented operation while expanding manufacturing and employment opportunities.</td>
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</table>
A3.2 Actively work to attract light industrial uses that create jobs through the Hayden Economic Development Commission. **Staff comment:** The HEDC has coordinated with YVBC to purchase equipment that will upgrade their production operations.

**COMPLIANCE WITH THE TOWN OF HAYDEN DEVELOPMENT CODE**

While the Hayden Development Code (Code) contains numerous regulations regarding land use, staff has selected the following checklist to highlight the regulations directly applicable to this application. Interested parties are encouraged to review the Code to determine if there are other regulations that may be applicable to the review of this application.

**Chapter 7.16 – Development Review Procedures**

**Section 7.16.060 – Conditional Use.**

In order to provide flexibility and to help diversify uses within a zoning district, specified uses are permitted in certain districts subject to the granting subject to the granting of a conditional use permit. Specific conditional uses for each zone district are listed in the Table of permitted and conditional uses by Zoning District. Because of their unusual or special characteristics, conditional uses require review and evaluation so that they may be located properly with respect to their effects on surrounding properties. The review process prescribed in this Section is intended to assure compatibility and harmonious development between conditional uses, surrounding properties and the Town at large. Conditional uses may be permitted subject to such conditions and limitations as the Town may prescribe to ensure that the location and operation of the conditional uses will be in accordance with the conditional use criteria. The scope and elements of any conditional use may be limited or qualified by the conditions applicable to the specific property. Where conditions cannot be devised to achieve these objectives, applications for conditional use permits shall be denied.

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<td>(b) Review Authority. The Planning Commission shall review applications for conditional uses and shall provide a recommendation to the Council after conducting a public hearing. The Council shall render the final decision on an application for conditional uses after conducting a public hearing. Conditional uses shall be approved by resolution of the Council. <strong>Staff comment:</strong> A condition is recommended below that requires the conditional use permit shall be authorized and approved by a resolution approved by the Town Council.</td>
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<td></td>
<td>(c) Review Criteria. The Planning Commission and Council shall use the following review criteria as the basis for</td>
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recommendations and decisions on applications for conditional uses:

(1) The proposed conditional use is consistent with the Comprehensive Plan and all applicable provisions of this Development Code and applicable state and federal regulations. **Staff comment: See the analysis herein. A finding is this regard is recommended below.**

(2) The proposed conditional use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards in the Development Code. **Staff comment: See the analysis herein. A finding in this regard is recommended below.**

(3) The proposed conditional use is compatible with the purpose and intent of the zoning district in which it is located and any applicable use-specified standards in the Development Code. **Staff comment: See the analysis herein. A finding in this regard is recommended below.**

(4) The proposed 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. **Staff comment: See the analysis herein. A finding in this regard is recommended below.**

(5) The proposed conditional use will result in efficient on- and off-site traffic circulation which will not have significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site. **Staff comment: See the analysis herein. A finding in this regard is recommended below.**

(6) Any significant adverse impacts (including but not limited to hours of operation, traffic generation, lighting, noise, odor, dust and other external impacts) anticipated to result from the conditional use will be mitigated or offset to the maximum extent practicable. **Staff comment: Notice to surrounding property owners and agency referrals have not identified any issues. The analysis contained herein related to the Site Plan has identified several recommended conditions of approval that mitigate potential impacts of the proposed use. A finding in regard to this standard is recommended below, as well as a**
condition of approval that the conditional use permit is authorized subject to the Site Plan approval conditions of approval.

(7) Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development. **Staff comment: A referral was made to police and fire protection departments and no issues were identified. Additionally, an analysis of other facilities and services is made herein. A finding in this regard is recommended below.**

(8) Adequate assurances of continuing maintenance have been provided. **Staff comment: See the analysis herein. A finding in this regard is recommended below.**

(9) The proposed conditional use meets all the applicable standards in Chapter 7.24 Development Standards. **Staff comment: See the analysis herein. A finding in this regard is recommended below.**

(d) **Authority to Impose Conditions on Permit.** The Council may approve conditional use permit that have the following conditions or limitations: The conditional use may be revocable; may be granted for a limited time period; or may be granted subject to conditions as the Council may determine appropriate to mitigate adverse impacts, promote compatibility with surrounding uses, or otherwise necessary to meet the review criteria. Conditions may include, but shall not be limited to: requiring special setbacks, open spaces, fences or walls, landscaping or screening, street dedication and improvement, regulation of vehicular access and parking, signs, illumination, hours and methods of operation, control of potential nuisances, prescription of standards for maintenance of buildings and grounds, and prescription of development schedules. **Staff comment: Conditions of approval are recommended below.**
Section 7.16.100 – Site Plan.
This Section sets forth procedures and criteria for the review and approval of Site Plans.

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<tr>
<th>Complies</th>
<th>Section</th>
<th>Standards</th>
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<tbody>
<tr>
<td>Yes</td>
<td>(d)</td>
<td><strong>Review Criteria.</strong> The following review criteria applies to review of Site Plans:</td>
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<td></td>
<td>(1)</td>
<td>All required information is shown on the Site Plan. <strong>Staff Comment:</strong> The Site Plan and accompanying information show improvements on the lot, utilities, topography, access and other features needed to demonstrate compliance with the applicable design standards.</td>
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<td>(2)</td>
<td>The lot size and lot dimensions are consistent with the approved Final Plat. <strong>Staff Comment:</strong> The property involved is the full extents of proposed Lot 1, Hayden Granary Final Plat, being considered concurrently. A condition is recommended below that states that the approval of this Site Plan is subject to approval and recording of the Hayden Granary Final Plat.</td>
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<td>(3)</td>
<td>No building, structures, or other improvements encroach or infringe upon any easements, including but not limited to: access, utility and drainage easements.</td>
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<td>(4)</td>
<td>The proposed site grading is consistent with the requirements of any applicable adopted storm drainage criteria or master drainage plans.</td>
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<td>(5)</td>
<td>The density and dimensions of the proposed improvements conform to the zone district standards.</td>
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<td>(e)</td>
<td><strong>Duration of Approval.</strong> An approved Site Plan shall be effective for a period of three (3) years from the date of approval, unless otherwise stated on the approved Site Plan. Building permits shall not be issued based on Site Plans that have an approved date more than three (3) years old. <strong>Staff Comment:</strong> A condition is recommended below in this regard.</td>
</tr>
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</table>
Chapter 7.20 – Zone Districts and Official Zoning Map

Section 7.20.110 – CBD Central Business District

<table>
<thead>
<tr>
<th>Complies</th>
<th>Section Standards</th>
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<tr>
<td>Yes</td>
<td>Intent. It is the intent of this district to encourage the redevelopment and expansion of the existing downtown commercial district; provide a concentration and mixture of civic, office, retail, restaurant, housing and cultural land uses; maintain and enhance the historic character of the original downtown; create a pedestrian oriented district; develop and promote small scale businesses; and promote shared or cooperative parking within or adjacent to the district. It is the intent of this district to allow retail uses on the first floor and businesses and residences or services on upper floors of buildings where appropriate. <strong>Staff comment:</strong> A concurrent rezoning application from Commercial (C) to Central Business District (CBD) is being reviewed. CBD zoning for this lot conforms to the direction provided by the Hayden Comprehensive Plan Future Land Use Map. A condition is recommended below that states that the approval of this Site Plan is subject to approval and recording of the ordinance approving the CBD zone change.</td>
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<td>No</td>
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| c | Conditional uses. Permitted conditional uses in the CBD District shall be as follows: |
|   | (1) Licensed bars and taverns |
|   | (10) Workshops and custom small industry uses |
|   | **Staff comment:** The scope of uses under this proposal conform to these conditionally permitted uses. A condition is recommended below that appropriate liquor licensing is in place at all times the brewery tap house and production facilities are in operation. |

Chapter 7.24 – Development Standards

Section 7.24.020 – Application of Community Design Standards.
The Planning Commission … will evaluate each proposal based on these principles and the context within which each project is located. The principles are intended to be specific enough to guide development, but not to preclude creative design solutions. Applicants must substantially conform to the design principles in this Section unless it can be demonstrated that an acceptable alternative meets one or more of the following conditions:
Section 7.24.040 – Compact Urban Growth

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<td></td>
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<td>(b)</td>
<td>General Provisions.</td>
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<tr>
<td>√</td>
<td></td>
<td>(1)</td>
<td>No development shall be approved unless it is located within the establish Growth Management Area and is consistent with the Town Comprehensive Plan. <strong>Staff Comment: See analysis herein. A recommended finding in this regard is included below.</strong></td>
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7.24.080 – Parking

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<tr>
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<td>(b)</td>
<td>General Provisions. In all zone districts, off-street parking facilities for the storage of motor vehicles for the use of occupants, employees and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as herein prescribed.</td>
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<tr>
<td>√</td>
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<td>(11)</td>
<td>Adjacent on-street parking in the CBD: Central Business District. In order to promote a pedestrian scale and encourage a perception of safety in the CBD: Central Business District, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements. <strong>Staff comment: The site plan shows N Walnut Street and E Lincoln Avenue adjacent to the lot being used to satisfy required parking.</strong></td>
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<td>(c)</td>
<td>Paved off-street parking requirements.</td>
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<td>(1)</td>
<td>Paved off-street parking shall be provided according to the minimum requirements as specified: Apartment dwellings: 1 space per bedroom, up to 2 per unit; Restaurant or similar: 1 space for each hundred square feet of gross leasable area; Business park/industrial: 1 space each for maximum number of employees present at any one time plus space to accommodate all trucks and other vehicles used in connection with the facility. <strong>Staff comment: Due to the mixed use on the site, a combined calculation is needed. The apartment requires 2 spaces and the</strong></td>
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tap house requires 12 spaces. The production operations vary with the number of employees though 3-5 is reasonable given the space dedicated to this use; as well there is 1 delivery vehicle. There are 15 spaces provided directly adjacent to the lot, 1 garage space that can be dedicated to the delivery vehicle, and no less than 10 other parking spaces along the streets and the adjacent Hayden Granary property. Required parking in the CBD: Central Business District can be met with on-street and shared parking. A condition is recommended below that requires that the 15 spaces shown on and adjacent to the Site Plan be paved.

(2) Off-street parking for commercial uses shall be sufficient to provide parking for employees of all proposed uses as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage. Parking shall be located at the rear and sides of buildings to the greatest extent possible and screen from the view of streets as provided in this Article. Required parking in the CBD: Central Business District can be met with on-street and shared parking.

(e) Handicap parking spaces.

(4) Number of handicap parking spaces: Total parking spaces in lot: 1-25: 1 space required. Staff Comment: A van accessible parking space is proposed to be provided, and such is adjacent to the proposed accessible tap house entry.

Section 7.24.090 – Sidewalks

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<tr>
<td>Yes</td>
<td>(b)</td>
<td>General Provisions.</td>
</tr>
<tr>
<td>No</td>
<td></td>
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<tr>
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<td>(2)</td>
<td>Sidewalks required. In all zone districts, except for the O district, sidewalks are required along both sides of a street. Staff comment: The Site Plan does not show sidewalks as required by this standard. A condition is recommended below that requires that a plan be submitted designed in conformance with the standards for local streets and approved by the Town Manager to provide sidewalks along the south line of the lot.</td>
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Section 7.24.150 – Landscape Design

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<td>Yes</td>
<td>(b) General Provisions.</td>
<td>All land development applications shall be accompanied by an appropriate landscape plan ... all landscaping within the community shall comply with the intent of these regulations. <strong>Staff Comment:</strong> The Site Plan indicates that the landscaped area is based on a lot size of 9,418 sq. ft. versus the 11,560 sq. ft. size of Lot 1, Hayden Granary Final Plat, will be upon approval of the Road Vacation. An addition 282 sq. ft. of landscaping is required. A condition is recommended below stipulating that a landscape plan is submitted that meets the applicable requirements of Section 7.24.150 including meeting the 15% minimum lot area requirement, provision of appropriate visibility for cars and pedestrians, and providing a management and maintenance plan.</td>
</tr>
<tr>
<td>Yes</td>
<td>(7) Guarantee of Installation.</td>
<td>Required landscape improvements shall be installed prior to issuance of a Certificate of Occupancy (CO) for all structures. If weather conditions prevent installation, the developer shall post a financial guarantee for the improvements. This guarantee shall be released upon completion of the installation of the landscaping. <strong>Staff Comment:</strong> A condition is recommended below that requires the landscaping be installed prior to the issuance of any CO or a financial guarantee and associated agreement be provided.</td>
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Section 7.24.190 – Commercial and Industrial Architecture.

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<tr>
<td>Yes</td>
<td>(c) CBD: Central Business District architectural standards.</td>
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<tr>
<td>Yes</td>
<td>(2) Multi-story, mixed-use structures.</td>
<td>Commercial uses shall be contained in multi-story (two or three stories) mixed-use structures with commercial/retail uses on the ground level and above and/or apartment dwellings or offices on the upper levels. Such building shall vary in terms of footprint and architectural elevation.</td>
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(3) Entries. Transparent entries and large store-front windows are strongly encouraged. Recessed and other styles of window openings are desired.

(6) Historic buildings. Where feasible, historic structures shall be preserved and restored to allow for reuse as business.

Section 7.24.220 – Lighting.

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<td>(b)</td>
<td>General Provisions.</td>
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<tr>
<td>(3)</td>
<td>Concealed light source. Light sources shall be concealed or shielded to the maximum extent feasible to minimize the potential for glare and unnecessary diffusion on adjacent property and away from the vision of passing motorists. All lights shall be directed downward and the light source shall be equipped with “cut-off” devices so that it will not be visible from any adjacent property and to ensure that ambient skyward light is eliminated. Accent and flagpole lighting shall be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property. Light fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed. <strong>Staff comment:</strong> <em>The application indicates that exterior lighting will be downcast and opaquely shielded.</em></td>
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Chapter 7.28 – Signs

Section 7.28.020 – Sign Permits and Administration

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<td>(a)</td>
<td>Sign permit required. To ensure compliance with the regulations of this Article, a sign permit shall be required in order to erect, move, alter, reconstruct or repair any permanent or temporary sign. <strong>Staff comment:</strong> <em>A condition in this regard is recommended below.</em></td>
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</table>
RECOMMENDATION:

Conditional Use Permit

Findings of fact:

1. The proposed conditional use is consistent with the Comprehensive Plan and all applicable provisions of this Development Code and applicable state and federal regulations.
2. The proposed conditional use is consistent with the purpose and intent of the CBD: Central Business District and any applicable use-specific standards in the Development Code.
3. The proposed conditional use is compatible with the purpose and intent of the CBD: Central Business District and any applicable use-specific standards in the Development Code.
4. The proposed conditional use will not substantially alter the basic character of the CBD: Central Business District or jeopardize the development or redevelopment potential of the CBD: Central Business District.
5. The proposed conditional use will result in efficient on- and off-site traffic circulation which will not have significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
6. Any significant adverse impacts anticipated to result from the conditional use have been or will be mitigated or offset to the maximum extent practicable.
7. Facilities and services are or will be available to serve the subject property while maintaining adequate levels of service for existing development.
8. Adequate assurances of continuing maintenance have been provided.
9. The proposed conditional use meets all the applicable standards in Chapter 7.24 Development Standards.

Subject to the following conditions of approval:

1. The conditional use permit shall be authorized and approved by a resolution approved by the Town Council.
2. The conditional use permit shall be authorized subject to the Site Plan approval conditions of approval for the Yampa Valley Brewing Company tap house and production facility.

Major Site Plan

Findings of fact:

1. The property consider for development herein is located within the establish Growth Management Area consistent with the policies of the Town of Hayden’s Comprehensive Plan.
2. The proposal meets the standards of the Town of Hayden’s Development Code, is in general conformance with the intent and purpose of the Town of Hayden Comprehensive Plan and preserves the health, safety and welfare of the citizens of the Town of Hayden.

Subject to the following conditions of approval:

1. The effective date of this approval is the date upon which the Planning Commission approves the application. The approval shall expire three (3) years from its effective date, unless application for a building permit is made within the term of the approval or unless application for renewal of the Site Plan approval is approved pursuant to Section 7.16.020, Hayden Development Code (HDC).

2. The approval of this Site Plan is subject to approval and recording of the Hayden Granary Final Plat.

3. The approval of this Site Plan is subject to approval and recording of the ordinance approving the CBD zone change.

4. Appropriate liquor licensing shall be in place and valid at all times the brewery tap house and production facilities are in operation.

5. The 15 parking spaces shown on and adjacent to the Site Plan shall be paved.

6. A sidewalk plan to provide sidewalks along the south line of the lot shall be submitted that is designed in conformance with the applicable standards of Section 7.24.090(b), HDC, for local streets and approved by the Town Manager. Such plan shall provide that the sidewalks shall be installed or a financial guarantee is provided prior to the issuance of any Certificate of Occupancy (TCO/CO).

7. A landscape plan shall be submitted that meets the applicable requirements of Section 7.24.150, HDC, including meeting the 15% minimum lot area requirement, provision of appropriate visibility for cars and pedestrians, and providing a management and maintenance plan.

8. The landscaping shall be installed prior to the issuance of any Certificate of Occupancy (TCO/CO) or a financial guarantee and associated agreement shall be provided.

9. A sign permit shall be obtained under the applicable provisions of the HDC prior to placing any retail signage is erected on the property.

**MANAGER’S RECOMMENDATION/COMMENTS:** I concur with this recommendation.
EXISTING SHELTER
LOT SIZE: 9,418 SF
15% LANDSCAPE: 1,412 SF
PROPOSED LANDSCAPE: 1,452 SF
EXISTING GRAVEL LOT
EXTENDED PAVEMENT FOR WALKING SURFACE ALONG ROAD
FUTURE ADDITION
APPROX 1,400 SF
EXISTING STRUCTURE

PHASE:
SHEET NUMBER
SHEET NAME
PROJECT NO:
ISSUED FOR:
Date
STAMP

200 N. WALNUT ST.
YAMPA VALLEY BREWING COMPANY
HAYDEN, ROUTT COUNTY, COLORADO

AXIAL ARTS
PO BOX 774292
STEAMBOAT SPRINGS, CO 80487
TEL 970.276.7295
Wendy@AxialArts.com
RESOLUTION 2020-03

A RESOLUTION OF THE TOWN COUNCIL FOR HAYDEN, COLORADO APPROVING A CONDITIONAL USE PERMIT FOR 200 N WALNUT STREET, LOT 1, HAYDEN GRANARY FINAL PLAT, 200 WALNUT GRANARY LLC

RECITALS

1. 200 Walnut Granary LLC desires to operate a brewery production facility and associated tap house/tasting room facility at 200 N Walnut Street, Lot 1, Hayden Granary Final Plat located in the Central Business District (CBD).

2. Licensed bars and taverns and workshops and custom small industry uses are permitted in the CBD as a conditional use if approved by the Town Council following review and recommendation by the Planning Commission and the holding of a public hearing by the Town Council.

3. The Planning Commission met on February 13, 2020 with the petitioner to review the conditional use criteria of the Hayden Development Code Section 7.16.060(c) and made the following findings of fact:

   A. The proposed conditional use is consistent with the Comprehensive Plan and all applicable provisions of this Development Code and applicable state and federal regulations.
   B. The proposed conditional use is consistent with the purpose and intent of the CBD: Central Business District and any applicable use-specific standards in the Development Code.
   C. The proposed conditional use is compatible with the purpose and intent of the CBD: Central Business District and any applicable use-specified standards in the Development Code.
   D. The proposed conditional use will not substantially alter the basic character of the CBD: Central Business District or jeopardize the development or redevelopment potential of the CBD: Central Business District.
   E. The proposed conditional use will result in efficient on- and off-site traffic circulation which will not have significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
   F. Any significant adverse impacts anticipated to result from the conditional use have been or will be mitigated or offset to the maximum extent practicable.
   G. Facilities and services are or will be available to serve the subject property while maintaining adequate levels of service for existing development.
   H. Adequate assurances of continuing maintenance have been provided.
   I. The proposed conditional use meets all the applicable standards in Chapter 7.24 Development Standards.

4. The Planning Commissioners recommended to the Town Council approval of the Conditional Use Permit subject to the following conditions:
i. The conditional use permit shall be authorized and approved by a resolution approved by the Town Council.

ii. The conditional use permit shall be authorized subject to the Site Plan approval conditions of approval for the Yampa Valley Brewing Company tap house and production facility.

5. The Hayden Town Council held a public hearing on the conditional use application. A conditional use permit is revocable, may be granted for a limited time period, or may be granted subject to conditions as the Council may prescribe. Conditions may include, but shall not be limited to: satisfaction of the requirements contained in paragraph 4, above, requirements concerning special setbacks, open spaces, fences or walls, landscaping or screening, street dedication and improvement, regulation of vehicular access and parking, signs, illumination, hours and methods of operation, control of potential nuisances, prescription of standards for maintenance of buildings and grounds, and prescription of development schedules.

NOW, THEREFORE BE IT RESOLVED BY THE HAYDEN TOWN COUNCIL AS FOLLOWS:

Section 1. The Town Council held a public hearing on the conditional use application on the 5th day of March, 2020 and subsequently made the following findings of fact:

A. The proposed conditional use is consistent with the Comprehensive Plan and all applicable provisions of this Development Code and applicable state and federal regulations.

B. The proposed conditional use is consistent with the purpose and intent of the CBD: Central Business District and any applicable use-specific standards in the Development Code.

C. The proposed conditional use is compatible with the purpose and intent of the CBD: Central Business District and any applicable use-specified standards in the Development Code.

D. The proposed conditional use will not substantially alter the basic character of the CBD: Central Business District or jeopardize the development or redevelopment potential of the CBD: Central Business District.

E. The proposed conditional use will result in efficient on- and off-site traffic circulation which will not have significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.

F. Any significant adverse impacts anticipated to result from the conditional use have been or will be mitigated or offset to the maximum extent practicable.

G. Facilities and services are or will be available to serve the subject property while maintaining adequate levels of service for existing development.

H. Adequate assurances of continuing maintenance have been provided.

I. The proposed conditional use meets all the applicable standards in Chapter 7.24 Development Standards.

Section 2. The Town Council approves the conditional use permit subject to the following conditions:

1. The conditional use permit shall be authorized and approved by a resolution approved by the Town Council.
2. The conditional use permit shall be authorized subject to the Site Plan approval conditions of approval for the Yampa Valley Brewing Company tap house and production facility.

Section 3. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED, APPROVED, AND RESOLVED THIS 5th DAY OF MARCH, 2020.

__________________________________
J Timothy Redmond, Mayor

ATTEST:

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Sharon Johnson, Town Clerk