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.

<table>
<thead>
<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>
</tr>
</thead>
<tbody>
<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>
</tr>
<tr>
<td>Public Comments</td>
<td>None.</td>
</tr>
<tr>
<td>Old Business</td>
<td>None.</td>
</tr>
<tr>
<td>New Business</td>
<td></td>
</tr>
<tr>
<td>Public Hearing: Village Retail LLC - Major Site Plan</td>
<td>Public Hearing opened at 7:38 p.m.</td>
</tr>
<tr>
<td></td>
<td>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>
</tr>
<tr>
<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>
</tr>
</tbody>
</table>
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.

Roundtable 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 Frentrress 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.

<table>
<thead>
<tr>
<th>Staff and Commission Member Reports</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjournment</td>
<td>Chair Robinson adjourned the meeting at 8:22 p.m.</td>
</tr>
</tbody>
</table>

APPROVED THIS DAY OF FEBRUARY 13, 2020

Angie Robinson, Chair