AGENDA
HAYDEN PLANNING COMMISSION

THURSDAY, OCTOBER 8, 2020
7:00 P.M.
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE

LIVE ATTENDANCE LIMITED PER STATE OF COLORADO COVID-19 PUBLIC HEALTH ORDERS AND MASKS ARE REQUIRED PER ROUTT COUNTY PUBLIC HEALTH ORDER #3

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 September 10, 2020 Minutes
4. PUBLIC COMMENTS
   Citizens are invited to speak to the Planning Commission on items that are not on the agenda. There is a 3-minute time limit per person, unless otherwise noted by the Chair. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on a future posted agenda if action is required.
5. OLD BUSINESS
6. NEW BUSINESS
   a. CAMPUS SUBDIVISION – HAYDEN SCHOOL DISTRICT RE-1
      i. Public Hearings:
         - Rezone of 9.18 acres known as 495 W Jefferson Avenue from Open (O) to Commercial (C);
         - Sketch/preliminary subdivision into three (3) lots to be known as the Campus Subdivision (including vacation of the internal public utility easements); and
         - Conditional Use Permit request to continue using proposed Lot 1, Campus Subdivision, as the Hayden School District Transportation Center.
      ii. Review and Consideration for Recommendation for Approval of
         - Rezone of 9.18 acres known as 495 W Jefferson Avenue from Open (O) to Commercial (C);
         - Sketch/preliminary subdivision into three (3) lots to be known as the Campus Subdivision (including vacation of the internal public utility easements); and
         - Conditional Use Permit request to continue using proposed Lot 1, Campus Subdivision, as the Hayden School District Transportation Center.

7. STAFF AND COMMISSION MEMBER REPORTS
8. ADJOURNMENT

NOTICE: Agenda is subject to change up to 24 hours before scheduled meeting. 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 Amy Williams at 7:05 p.m. Other members present were Melinda Dudley, Tim Frentress, Emily Waldron and Kimi Lehman, Alternate. It was noted that Ms. Lehman was a voting member this evening. Town Planner Mary Alice Page-Allen were also in attendance.

**Moment of Silence and Pledge of Allegiance**

Chair Williams asked for a moment of silence and led the Pledge of Allegiance.

**Consideration of Minutes**

Commissioner Frentress moved to approve the minutes for the regular meeting held on July 9, 2020 as written. Commissioner Waldron seconded the motion. Motion approved unanimously.

**Public Comments**

None.

**Old Business**

None.

**New Business**

Public Hearing: Salt Shed Flats – Hayden Granary LLC

Major Site Plan in Central Business District (CBD) Zoning District

Mary Alice reviewed the information contained in the staff report. She noted that no comments were received from the notices and referrals made on the project.

Paul Brinkman, Hayden Granary LLC, spoke about the project being proposed on the historic property in what is commonly referred to as the salt shed building. He stated that they are proposing 3 units within the existing building footprint and an optional unit that would expand the footprint. He noted that they will be extending the sidewalk and gutter along the north side of Lincoln Avenue, that they will need to bring in water and sewer to the building plus a sprinkler connection, that they will provide off-street parking, plan for the additional drainage inlet requested by Public Works and added that managing snow on the property appropriately is what will be needed to keep their tenants satisfied.

Patrick Delaney, Hayden Granary LLC, spoke with regard to the challenges of snow removal at the site, the conflicts with Public Works snow removal on the adjoining road and alleyways, and that in most years there is adequate storage on-site, though they may need to move snow off-site in heavier years.

Commission Lehman noted the parking challenges surrounding events like hayrides from the site, as well as the need for short-term rentals or trailer spots especially during hunting season.

Commission Waldron asked about the need for two parking spaces per unit regardless of the provisions in the Land Use Code only requiring one per unit.
Mr. Brinkman replied that sometimes there are opportunities for tandem parking, but that it is important at this site to address the multiple uses and seek for a balance. He stated that they intend to provide the required four spaces at this time, and are planning to accommodate additional vehicles and perhaps a spot for a trailer, adding that it is unrealistic to provide more.

Commissioner Waldron asked what they were looking for in an ideal lease term. Mr. Brinkman replied that such will be driven by the economics, that they are seeing 6-12 month, seasonal and short-term tenancies at other similar properties.

Commissioner Frentress expressed his concerns with the limited snow storage, the impacts on this project from the adjacent brewery and coffee shop adding that the impacts of the brewery on residential uses don’t mesh, and the concerns with appropriate drainage at the site.

Mr. Brinkman noted that the brewery is operated from the perspective of a family orientation, adding that there is a two bedroom residential unit above the brewery and they make efforts to make sure anyone staying there is knowledgeable about the adjacent uses. He added that if snow needs to be hauled from the site, they will do so.

Commissioner Dudley commented that managing the snow for the site is the developer’s responsibility.

Chairman Williams commented that this proposal reminds her of the units above the HiWay Bar, and no problems seem to be occurring when those units are in use. She added that it is imperative that there are four off-street parking spots, that the drainage and YVEA concerns are addressed properly.

Commissioner Lehman noted that when she has been in the upstairs units at the HiWay Bar it is quiet and the bar noise is not heard. Mr. Brinkman added that the usual concern is between units and they will implement standards for noise reduction during the construction process.

Commissioner Waldron stated that projects such as this are exciting, but affordability needs to be kept in mind. She asked the developer to keep such in mind to consider such in future projects as the community wants to have people living here who want to be in Hayden.

Mr. Brinkman expressed his willingness to work with the Town to develop opportunities through code compliance, incentives or other economic drivers to promote affordable housing, adding that the economics on projects such as this are very slim.
There were no members of the public in attendance.

Chairman Williams moved to approve the Salt Shed Flats – Hayden Granary LLC Major Site Plan for up to four (4) residential units at 198 E Lincoln Avenue in the Central Business District (CBD) with the findings of fact that:

1. 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.

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.

3. It is appropriate to require off-street parking as the intent of allowing on-street parking in the CBD zone district relates to commercial uses, not residential uses.

4. It is appropriate to allow parked vehicles to back into Lincoln Avenue from their parking stall given the Public Works Director’s authorization due to the site constraints.

5. In the event parking is provided on a directly adjacent parcel within the Hayden Granary Final Plat and an easement executed, it is appropriate to waive the requirement for on-site residential parking as there are cross complex land uses associated with the Hayden Granary (Lot 1) and Yampa Valley Brewing Company (Lot 2) properties, historically and currently.

Subject to the following conditions of approval:

1. The effective date of this approval is September 10, 2020. 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. An additional drainage inlet shall be included in the project so as to avoid large impoundments of water at the site and on the road and shall be included as part of the pipe culvert installation to replace and cover the existing drainage ditch.

3. The Site Plan shall be modified to include no less than four (4) paved off-street parking spaces that meet the standards of Section 7.24.080 Parking, HDC, including that such spaces be located to the rear or side of the Salt Shed Flats building.

4. Yampa Valley Electric Association concerns identified in their e-mail dated September 3, 2020 shall be resolved prior to issuance of the building permit(s) for the project.
Commissioner Dudley seconded the motion. Motion passed by a vote of 4 in favor to 1 opposed.

Staff and Commission Member Reports

Mary Alice Page-Allen stated that the joint Town Council Planning Commission meeting has been rescheduled to September 24, 2020.

Adjournment

Chair Williams adjourned the meeting at 7:50 p.m.

Recorded by:

_________________________
Mary Alice Page-Allen

APPROVED THIS DAY OF _________________, 2020

_________________________
Amy Williams, Chair
MEETING DATE: October 8, 2020

AGENDA ITEM TITLE: Public Hearings: 1) Rezone of 9.18 acres known as 495 W Jefferson Avenue from Open (O) to Commercial (C); 2) Sketch/preliminary subdivision into three (3) lots to be known as the Campus Subdivision (including vacation of the internal public utility easements); and 3) Conditional Use Permit request to continue using proposed Lot 1, Campus Subdivision, as the Hayden School District Transportation Center.

AGENDA SECTION: New Business

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

CAN THIS ITEM BE RESCHEDULED: Not Recommended

ATTACHED: Applicant Project Narrative
Campus Subdivision Plat – Draft 9-15-2020
Campus Subdivision Easement Exhibit Map

BACKGROUND REVIEW:

The Applicant, Hayden School District RE-1 (District), is the owner of the 9.18-acre property located at 495 W Jefferson Avenue. The District is requesting that the 9.18-acre parcel, currently used as the Middle School/High School campus and the District Transportation Center, be rezoned from Open (O) to Commercial (C) to facilitate the subdivision of the property into three (3) lots. Two (2) of the lots are proposed to be sold – one to the Town of Hayden where the 58,000 sq. ft. High School will be repurposed as a community center, the other where the existing Middle School will be demolished and placed into the real estate market as vacant land – and the third lot is to be retained for its continued use by the District as the School Transportation Center. Concurrently with the subdivision platting, a grid of public utility easements related to the West Hayden Townsite Plat recorded in 1908 will be vacated and those in use, e.g. 4-inch fire sprinkler, sewer line extending from High School building to Jefferson Avenue, will be rededicated at the time of final platting along with other needed easements.
The proposed zoning amendment conforms to the direction of the 2005 Hayden Comprehensive Plan (Plan), as well as the preliminary direction in the update of the Plan, where the downtown core is slated for commercial and government center uses within the original historical context of the Town. Staff believes it may be appropriate to consider the Central Business District (CBD) zone district versus Commercial (C) zone district given the location of the parcel within this historic downtown area, the on-going and proposed uses for the property, and the substantial 9.18-acre size of the parcel. The CBD designation would allow the District Transportation Center as a conditionally permitted “motor vehicle service and repair (minor)” and “parking lots and parking garages as a principal use”, and the Conditional Use Permit process will address standards that mitigate any issues related to the on-going use. Such would be appropriate regardless of the CBD or C zone district designation.

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

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

5.3.4 – Commercial

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The Town strongly supports preserving Hayden’s historic downtown as the primary commercial and government center for Hayden. **Staff comment:** The Hayden Center and District Transportation Center are proposed or existing governmental uses; Lot 2 will be vacant with the demolition of the Middle School portion of the building and available for uses that conform to the proposed zoning.

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Identify properties that are non-conforming with the new zoning district and include conditions for development of those properties in the future that would support the overall concept for a core downtown. **Staff comment:** It may be appropriate to designate the
property CBD versus C to support the central downtown core concepts. To assure that the District Transportation Center operations align with school/governmental usage, a recommendation that the Conditional Use Permit (Permit) include stipulations that the Permit is non-transferable and expansion of the buildings and uses will require Town approval is included below.

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4.6 Achieving and maintaining a healthy, vibrant downtown will require both public and private efforts. The Town will support downtown merchants and property owners in this effort, and will participate where appropriate. **Staff comment:** The zone change and subdivision will facilitate the sale of Lot 3, Campus Subdivision, to the Town of Hayden for the repurposing of the High School building as a community center. This is a public effort in coordination with the School District – the property owner – to facilitate a development that will have a significant impact on the community’s efforts to achieve a healthy and vibrant downtown.

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:** While the campus has a designation for school use on Future Land Use Map in the 2007 Amendment to the Comprehensive Plan, the acreage of the proposed zoning amendment is directly adjacent to the extents of the Historic Downtown Commercial. It is also included in the central downtown area on the preliminary land use map in the current update of the Comprehensive Plan.

**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>Yes</td>
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<td>Step 6: Review and Decision</td>
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(3) **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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<td>Yes</td>
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<td>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. <strong>Staff comment:</strong> 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.</td>
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<td>Review Criteria. The Planning Commission and Council shall use the following review criteria as the basis of recommendations and decisions on applications for rezonings:</td>
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<td>Evidence of substantial compliance with the purposes of the Development Code; <strong>Staff comment:</strong> See analysis contained herein.</td>
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(3) Consistency with the Comprehensive Plan; **Staff comment:** See analysis contained herein.

(4) Physical suitability of the land for the proposed development or subdivision; **Staff comment:** The acreage is flat and located in the central part of Town. The Transportation Center and High School building are existing. The vacant lot’s suitability will also be analyzed at the time of receipt of an application for development.

(5) Compatibility with surrounding land uses; **Staff comment:** See analysis contained herein.

(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 designated for school use. With the change undertaken by the District to consolidate their campus and construct new school buildings and abandon this site for middle and high school use, it is appropriate to consider the site as downtown commercial and rezone accordingly.

(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 continuing uses are not going to be cause for changes to the existing infrastructure levels of services for the existing structures on the properties. Prior to issuance of any building permits for the Hayden Center proposal, a major site plan review must be undertaken by the Planning Commission and this process will assure there are adequate facilities available to serve the changed use. A condition is this regard is recommended below.

(8) Whether the rezoning is consistent with the stated purpose of the proposed zoning district; **Staff comment:** See analysis herein.

(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. Mitigation of impacts will also be addressed through related Conditional Use Permit or Site Plan review processes.
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.

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 intensities of uses permitted within them.

Chapter 7.20 – Zone Districts and Official Zoning Map

**Staff comments:** The Applicant has requested a zoning amendment from Open (O) to Commercial (C), however given the location and size of the parcel staff believes consideration should be made as to whether Central Business District (CBD) zone district is the appropriate designation.

Surrounding uses are generally residential on the east, west and south sides with commercial uses being most prevalent on the north side across Jefferson Avenue/US40. The proposed Hayden Center and District Transportation Center uses will remain on the property after the demolition of the Middle School building. The former High School will be redeveloped as the Hayden Center, and plans include a mixture of civic uses, e.g. childcare center, performing arts venue, and indoor recreation and community space uses. The detached and internal sidewalks maintain the property’s pedestrian orientation, and the Transportation Center’s parking lot fronting on Jefferson Avenue/US40 offers an opportunity for shared or cooperative parking; so too do area streets and other governmental facilities such as Town Hall. The continued use by the District of the School Transportation Center will require that buses and other District vehicles maintain roadway access.

Section 7.20.110 – CBD Central Business District

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<td>(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.</td>
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### Section 7.20.120 – C Commercial District

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(a) **Intent.** The C: Commercial District is intended to support current residential land uses, redevelopment of existing commercial properties, and the development of new mixed use, retail, service and related development projects. This district supports auto-oriented and auto-dependent uses as well as uses which provide a wide range of general retail goods and services for residents of the community. This C: Commercial zone includes lands within Hayden that are both open undeveloped lands, and small parcels nestled within thriving residential areas. Proposals for development in this zone district must meet all design standards in the Development Code in order to mitigate impact on these residential areas. While commercial and mixed uses are encouraged across this zone district, those uses cannot negatively impact the nearby properties that wish to remain in residential use.

### Section 7.16.090 - Subdivisions

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(e) **Sketch Plan Review Criteria.** The reviewing authority will use the following review criteria as the basis for recommendations and decisions on the application for [Sketch] Plan subdivision applications.

1. The land use mix within the project conforms to Official Zoning Map and/or Comprehensive Plan Future Land Use Map and furthers the goals and policies of the Comprehensive Plan. **Staff comment:** With approval of the zone change and related School Transportation Center Conditional Use Permit proposed herein, this standard is met. A condition is recommended below that stipulates the Final Plat approval shall be subject to approval of the rezoning ordinance and School Transportation Center Conditional Use Permit by the Hayden Town Council.

2. The Sketch Plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Development Code and the Comprehensive Plan. **Staff comment:** See the analysis herein.
(3) The utility and transportation design is adequate given existing and planned capacities of those systems. Staff comment: The site is currently served by all levels of utility infrastructure and has road rights-of-way on all four sides of the property. A temporary water service line easement will be needed that will overlay the water service line serving Lot 3 (Hayden Center parcel), portions of which lay within Lot 2, until such time as the water service to Lot 3 can be relocated. Public Works has indicated that this work can be completed by the end of the 2021 construction season. A conditional is recommended below in this regard.

(5) There is a need or desirability within the community for the applicant’s development will help achieve a balance of land use and/or housing types according to the Comprehensive Plan goals and purposes of this Development Code. Staff comment: The reuse of the property for the Hayden Center has been a community discussion over the last 12 months, and there is significant public support. This subdivision facilitates moving the Hayden Center project forward.

(f) Preliminary Plan Review Criteria. The reviewing authority will use the following review criteria as the basis for recommendations and decisions on applications for Preliminary Plan subdivision applications:

(2) The proposed subdivision shall comply with all applicable use, density, development and design standards set forth in this Development Code that have not otherwise been modified or waived pursuant to this Chapter and that would affect or influence the layout of lots, blocks and streets and the proposed subdivision does not create lots or patterns of lots that will render compliance with such development and design standards difficult or infeasible. Staff comment: See analysis herein.

(4) The subdivision application and proposed land use mix shall be consistent with the Official Zoning Map, the Comprehensive Plan and other community planning documents. Staff comment: With approval of the zone change and related School Transportation Center Conditional Use Permit proposed herein, this standard is met. A condition is recommended below that stipulates the Final Plat approval shall be subject to approval of the rezoning ordinance and School Transportation Center Conditional Use Permit by the Hayden Town Council.
(5) The land shall be physically suitable for the proposed development or subdivision. **Staff comment:** The High School building and Transportation Center will continue to be located on the property, and any future development that may be proposed would be analyzed at the time of application.

(6) The proposed subdivision shall be compatible with surrounding land uses. **Staff comment:** See above comment.

(7) There are adequate public facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads and will be conveniently located in relation to schools, police, fire protection and emergency medical services. **Staff comment:** The site is currently served by all of these types of public facilities, and no changes are anticipated or proposed in these regards.

(10) The subdivision is compatible with the character of existing land uses in the area and shall not adversely affect the future development of the surrounding area. **Staff comment:** No changes to the existing buildings are proposed that are related to the subdivision of the property other than proposed Lot 2 will be vacant after the demolition of the Middle School.

**Section 7.16.160 – Right-of-Way Vacation.**

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<td>Review Procedures ... Applications to move or alter a right-of-way shall be processed as a subdivision application concurrently with a right-of-way vacation application, in which case the ordinance approving the vacation of a right-of-way or portion thereof shall also approve a Final Plat which results in the dedication of the moved or altered right-of-way or portion thereof. Public easement vacations can be processed as part of a major or minor subdivision application. <strong>Staff comment:</strong> The Campus Subdivision Easement Exhibit Map identifies public utility easements that are proposed to be vacated that were created by the 1908 West Hayden Townsite plat. The Final Plat will include the rededication of those in use as have been identified by the Interim Public Works Director, e.g. 4-inch fire sprinkler, sewer line extending from High School building to Jefferson Avenue, along with other needed easements as proposed on the draft Campus</td>
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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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| 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. **Staff comment:** A condition is recommended below that requires the conditional use permit shall be authorized and approved by a resolution approved by the Town Council.

| (c) | Review Criteria. | The Planning Commission and Council shall use the following review criteria as the basis for 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. |
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.

The proposed conditional use is compatible 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.

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. Additionally, the District Transportation Center is an existing use on the 9.18-acre parcel. A condition is recommended below that recommends that any expansion of the buildings or uses require additional review and approval by the Town, and that the Conditional Use Permit is non-transferrable so any other uses can be reviewed prior to operations being commenced.

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. Additionally, the District Transportation Center is an existing use and traffic use patterns related thereto are not proposed to change.

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. No changes to current Transportation Center operations are anticipated, and any expansion to buildings or uses require additional review and approval by the Town. A finding in regard to this standard is recommended below.
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 except as are noted herein. A finding in this regard is recommended below.

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

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.

Authority to Impose Conditions on Permit. The Council may approve conditional use permits 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.

### 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</th>
<th>Standards</th>
</tr>
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<tbody>
<tr>
<td>Yes</td>
<td>(c)</td>
<td>Conditional uses. Permitted conditional uses in the CBD District shall be as follows:</td>
</tr>
<tr>
<td></td>
<td>(7)</td>
<td>Motor vehicle service and repair (minor)</td>
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<td>(8)</td>
<td>Parking lots and parking garages as a principal use</td>
</tr>
<tr>
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<td></td>
<td><strong>Staff comment:</strong> The District Transportation Center use conforms to these conditionally permitted uses.</td>
</tr>
</tbody>
</table>
Chapter 7.20 – Zone Districts and Official Zoning Map

Section 7.20.110 – C Commercial District

Complies
Yes No

Section Standards

(c) **Conditional uses.** Permitted conditional uses in the C District shall be as follows:

(4) Parking lots and parking garages as a principal use
(5) Public facilities with repair and storage facilities

*Staff comment: The District Transportation Center use conforms to these conditionally permitted uses.*

RECOMMENDATIONS:

ZONE CHANGE

Recommend approval of the rezoning of 9.18 acres known as 495 W Jefferson Avenue from Open (O) to Commercial (C) -OR- Central Business District (CBD) with the following Findings of Fact that:

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 shall be authorized and approved by an ordinance of the Hayden Town Council, and such ordinance shall be recorded in the records of the Routt County Clerk and Recorder.
2. A major site plan review by the Planning Commission is required for the proposed Hayden Center reuse of the High School building prior to its operation as a community center.

SKETCH/PRELIMINARY SUBDIVISION PLAN

Recommend approval of the Sketch/Preliminary subdivision plan dividing the 9.18-acre property located at 495 W Jefferson Avenue, Hayden, into three (3) lots to be known as the Campus Subdivision, including the vacation of the internal public utility easements as shown on the Campus Subdivision Easement Exhibit map, with the following Findings of Fact that:
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 Final Plat approval shall be subject to approval of the rezoning ordinance and School Transportation Center Conditional Use Permit by the Hayden Town Council.
2. The Final Plat shall include the rededication of the public utility easements that are in use as identified by the Interim Public Works Director, e.g. 4-inch fire sprinkler, sewer line extending from High School building to Jefferson Avenue, along with other needed easements as proposed and shown on the draft Campus Subdivision plat.
3. The approval of the vacation of the public easements shall be authorized and approved by an ordinance of the Hayden Town Council, and such ordinance shall also include the provisions for the approval of the Final Plat which results in the dedication of needed public utility easements as proposed and shown on the draft Campus Subdivision plat.
4. A temporary water service line easement overlying the water service line serving Lot 3, portions of which lay within Lot 2, shall be executed by the Hayden School District and shall provide that water service to Lot 3 shall not be moved or terminated prior to the relocation of said service line or December 31, 2021 whichever occurs first.

CONDITIONAL USE PERMIT

Recommend approval of the Conditional Use Permit for the Hayden School District Transportation Center on proposed Lot 1, Campus Subdivision, with the following Findings of Fact that:

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 -OR- C: Commercial 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 -OR- C: Commercial District] and any applicable use-specified standards in the Development Code.
4. The proposed conditional use will not substantially alter the basic character of the [CBD: Central Business District -OR- C: Commercial District] or jeopardize the development or redevelopment potential of the [CBD: Central Business District -OR- C: Commercial 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:

1. The conditional use permit shall be authorized and approved by a resolution approved by the Town Council, and such resolution shall be considered concurrently with the Campus Subdivision Final Plat.
2. The conditional use permit is effective upon the recording in the records of the Routt County Clerk and Recorder of the Campus Subdivision Final Plat.
3. The conditional use permit shall be non-transferable.
4. Any expansion of buildings or uses on the site shall require review and approval by the Town Manager, and may be referred to the Planning Commission and Town Council if, in the opinion of the Town Manager, the expansion represents a significant change from this original conditional use permit approval.

**MANAGER’S RECOMMENDATION/COMMENTS:** I concur with these recommendations.
RE: Hayden School Subdivision and Rezoning  
Compiled by Kevin Lind, Axial Arts Architecture, on behalf of the Hayden School District

EXHIBIT B  
PROJECT NARRATIVE

The Hayden School District has the good fortune of building a new PreK-12 school on the 22 acre parcel of land where the existing elementary school is located along Breeze Basin Boulevard. This project is scheduled for completion at the end of October 2020. The existing Middle School/High School, located at 495 W. Jefferson Avenue, consists of 9.18 acres of land.

The intent for this parcel is to rezone it from Open (O), with a Public School Land Use, to Commercial (C), and create a subdivision of the parcel into three separate lots. (Please refer to the Landmark Final Plat drawing sheets for a Location Map and the Subdivision information for the proposed three lots.) Lot 1, proposed to be 2.4 acres, shall remain in possession of the Hayden School District. With the new Commercial (C) zone designation, a Conditional Use Permit is required for the Hayden School District to continue using the building on Lot 1 as a School Transportation Center.

Lot 2, proposed to be 3.22 acres, shall be placed on the real estate market by the Hayden School District to be sold.

Lot 3, proposed to be 3.51 acres, is currently under negotiations with the Town of Hayden to repurpose existing portions of the old school, specifically the gymnasium, the auditorium, and some smaller adjacent rooms. The rest of the existing school is scheduled for demolition once vacated and the new school is occupied.

One of the many reasons the Hayden School District decided to move and consolidate grade levels was about safety. Highway 40, which is where the old middle school/high school is located, is the busiest vehicular roadway in the Town of Hayden. The amount of daily traffic is no longer safe enough for public school students to be actively moving around the school in such close proximity to the highway. This location, however, is an excellent place for commercial use and businesses, many of which already exist along this section of Highway 40 (Jefferson Avenue).
The adjacent neighborhood is already used to high traffic use on Highway 40, as well as inevitable traffic during school hours with parents, teachers, staff, and administration coming and going. There are potential options for vehicular access to the proposed Lots 2 and 3. There is Highway 40 to the north, South 3rd Street to the west, and West Washington Avenue to the south. With the existing school gymnasium and auditorium on Lot 3 in line to be repurposed, the primary access points for this lot would likely remain along 3rd Street. Primary and secondary access points for Lot 2 could be along Highway 40, from W. Washington Avenue, or internally adjacent to the proposed Lot 2.

For Lots 2 and 3, there are existing access points to water sewage, gas and electric, and water service that is in place from the old school facility. The existing water line and tap location for the school building on Lot 3 crosses through the corner of Lot 2. This water line will need to be relocated onto Lot 3 so there are no possible water line easement issues encumbering the acreage on Lot 2.

Public benefit for this proposed subdivision and rezoning can take many forms. Although Lot 1 remains in the possession of the Hayden School District, and will continue to be utilized as the school transportation center (buses and maintenance), the long term goal of the Hayden School District is to relocate the school transportation center closer to the new school. This will allow for the existing building on Lot 1 to also be repurposed in some beneficial way. The repurposing of the existing gymnasium and auditorium, driven by the Town of Hayden, will certainly be a potentially strong recreational and cultural amenity. As for the middle Lot 2, potential service uses are fruitful. There is current developer interest in this lot, with service uses in mind in the form of mixed use.

With regard to the relationship of this project proposal with the evolution of the Town of Hayden as addressed in the Town Comprehensive Plan, the following is an extract from that plan, supporting this proposed subdivision and rezoning:

**Pg. 24, Hayden Comprehensive Plan, 4.1.4**

*US 40 Service Commercial near Downtown* The Plan proposes that Highway 40 frontage immediately east and west Downtown focuses on service businesses for residents rather than tourist-related uses. These may include professional offices, cleaners, a video store, etc. Service uses may reuse existing homes and lots along Highway 40. Over time, the area will redevelop with pedestrian-oriented characteristics similar to the Historic Downtown. This district’s streetscape may include building facades on broad sidewalks, historical architectural elements, neck downs, street trees, and on-street parking. Parking must be made convenient but will not be centralized as in the historic downtown. Upper floors of storefront buildings may accommodate apartments and offices for service business.
ADDITIONAL INFORMATION:

The Hayden School District has worked with the Town of Hayden and Landmark Consulting to identify and vacate old, obsolete easement issues within the entire 9.18 acre campus and drawing documents have been created to go on record. The identification and locate for existing easements have also been identified on a separate drawing.