RECORD OF PROCEEDINGS

Regular Meeting of the Estes Valley Planning Commission
April 17, 2012 - 1:30 p.m.
Board Room, Estes Park Town Hall

Commission: Chair Doug Klink, Commissioners Ron Norris, John Tucker, Betty Hull, Rex Poggenpohl, Joe Wise, one vacant position.

Attending: Chair Klink, Commissioners Norris, Hull, Poggenpohl, and Wise

Also Attending: Director Chilcott, Planner Shirk, Town Board Liaison Elrod, Town Attorney White, and Recording Secretary Thompson

Absent: Commissioner Tucker

The following minutes reflect the order of the agenda and not necessarily the chronological sequence.

Chair Klink called the meeting to order at 1:30 p.m. Chair Klink stated this was Commissioner Norris's last meeting and expressed his appreciation for his service. There were seven people in attendance.

1. PUBLIC COMMENT
None.

2. CONSENT AGENDA
A. Approval of minutes, March 20, 2012 Planning Commission Meeting.

It was moved and seconded (Norris/Poggenpohl) **to approve the consent agenda as presented, and the motion passed unanimously with one absent and one vacancy.**

3. A. SPECIAL REVIEW 2012-02, COLORADO CARRIAGE & WAGON
B. SPECIAL REVIEW 2012-03, HEARTS & TAILS CARRIAGE COMPANY
Planner Shirk reviewed the staff reports. Due to the similarity of the reviews, the staff reports will be discussed together and voted on separately. Planner Shirk stated carriage rides are a common request in Estes Park. To date, none have displayed operational problems. The requests were submitted to the Police Department and the Public Works Department, who did not express any operational concerns.

Colorado Carriage & Wagon, owned by Jim Rice of Ft. Collins, proposed public pick-up and drop-off points at the Transit Center and Tregent Park. He does not have a specific route, but will be in the downtown area. Planner Shirk stated written permission by any private property owners would be required for stops other than those listed above.

Hearts and Tails Carriage Company is owned by Jerry and Carol Higgason of Evans. The applicants proposed to base their operation out of the Elkhorn Lodge stables. Their public pick-up and drop-off points would also be the limited to the Transit Center and Tregent Park. They are working to obtain permission for specified stops on private property, including the Stanley Hotel, St. Bartholomew Church, and Our Lady of the Mountains Catholic Church. Planner Shirk stated written permission of any private property owners would be required.

Planner Shirk stated the conditions of approval have been modified slightly from past year's applications. Specifically, if traffic conflicts or other use conflicts occur on the streets or at the public stop locations, Town staff is authorized to restrict operations until the problem is corrected. This is intended to account for accidents, parade routes, periods of heavy traffic, or other instances of traffic hazards or congestion. To date, Planner Shirk does not recall any problems with this condition, nor does he remember ever having to put it in place.

Staff recommended approval of the requests. Planner Shirk stated the Transit Center and Tregent Park are public properties; therefore, the Planning Commission is the recommending body, and the final decision would be from the Town Board. If the Planning

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Commission recommends approval, the Town Board would hear the review on May 8, 2012.

STAFF AND COMMISSION DISCUSSION
Commissioner Poggenpohl suggested a simplified review process for future requests. Planner Shirk stated the applicants would appreciate a more simple process.

PUBLIC COMMENT – COLORADO CARRIAGE & WAGON
Jim Rice, owner of Colorado Carriage & Wagon stated he has been in business for 11 years. While based in Ft. Collins, he also operates in Loveland, Cheyenne, and various shopping centers along the Front Range. He stated having a standard route would not be feasible because some customers prefer to be dropped off at locations other than the public pick-up and drop-off points. He stated his horse and carriage had never been a traffic problem, and is very conscientious when it comes to pedestrian safety. One standard pick up location makes it easier to water the horses and keep the horse manure in a closed receptacle. Commissioner Poggenpohl was not supportive of the carriage rides venturing into residential neighborhoods.

CONDITIONS OF APPROVAL
1. Prior to operation, applicant shall obtain a business permit from the Town Clerk. Such application shall include a copy of a Certificate of Insurance for $1,000,000 to the Town, with the Town to be named as an additional insured.
2. Obtain written permission from property owners for specified stops on private property.
3. The route map shall include the following notes (may be on the back side of the map):
   - Signature block:
     APPROVAL:
     Approved by the Town of Estes Park Board of Trustees this _____ day of _____, 2012.

     _____
     Bill Pinkham, Mayor
   - Conditions:
     1. Revisions to the route and/or stops depicted on this map shall be subject to review and approval of Town staff.
     2. No signage shall be allowed on public property.
     3. If traffic conflicts or other use conflicts occur on the streets or at the public stop locations, Town staff is authorized to restrict operations until the problem is corrected. This is intended to account for accidents, parade routes, periods of heavy traffic, or other instances of traffic hazards or congestion.
     4. All horses shall be diapered during times of service.
     5. A copy of the business license and Special Review permit shall be kept with the carriage.

It was moved and seconded (Hull/Wise) **to recommend approval to the Estes Park Town Board for the proposed carriage rides provided by Colorado Carriage and Wagon (Special Review 2012-02) with the findings and conditions recommended by staff and the motion passed unanimously with one absent and one vacant position.**

PUBLIC COMMENT – HEARTS & TAILS CARRIAGE COMPANY
Carol Higgason, owner of Hearts & Tails Carriage Company, stated their operation is based in Evans. They also operate at the Greeley Independence Stampede, the Festival of Trees in Greeley, and other locations. They have provided carriage services for the past six years for weddings in Estes Park, and are familiar with the area. She stated their horses will be diapered and they already carry insurance.

Commissioner Poggenpohl commented that the applicants are welcome to attend the Town Board meeting on May 8th, and hoped they have a successful season.

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     4. All horses shall be diapered during times of service.
     5. A copy of the business license and Special Review permit shall be kept with the carriage.

It was moved and seconded (Norris/Hull) **to recommend approval to the Estes Park Town Board for the proposed carriage rides provided by Hearts and Tails Carriage Company (Special Review 2012-03) with the findings and conditions recommended by staff and the motion passed unanimously with one absent and one vacant position.**

4. SPECIAL REVIEW 2012-01, ESTES PARK MEDICAL CENTER

Planner Shirk explained that hospitals are listed as a use requiring Special Review in the RM-*Residential Multi-Family* zone district. Because the Estes Park Medical Center is a public hospital and a separate government entity, a Location and Extent Review is also required. If this application is denied by the Town Board, the hospital governing board has the authority to overturn that decision.

Planner Shirk reviewed the staff report, stating the medical center was proposing to build a parking lot to handle staff parking. If approved, medical center staff would be directed to park on the west side of the property and in the new lot. The previous ambulance parking area has been relocated to the north side of the property.

Planner Shirk stated the proposed lot would contain 23 parking spaces. No additional landscaping would be required. The proposal would include a pedestrian route for employee safety. A stormwater report has been approved by the Public Works department. Exterior lighting would need to comply with the Estes Valley Development Code. Pole lights in the proposed lots would be limited to 15-feet above grade. Planner Shirk encouraged the medical center to be aware of the height limit prior to ordering the light poles, making sure to allow for the height of the concrete base.

Planner Shirk stated there is an existing duplex very close to the proposed lot. Because the duplex is owned by the medical center and is on the same property, setback regulations do not apply.

PUBLIC COMMENT

Brandon Pietsch/EPMC representative stated the interior of the existing parking lot on the northeast side of the property will become strictly patient/visitor parking. The existing duplex is currently the office for home-health care and hospice care, with a business use classification.

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Brenda Rains/adjacent property owner requested clarification about who would be parking in the proposed lot, and the purpose of increasing the number of parking spaces. Director Chilcott explained employees would be encouraged to park farther away from the buildings to allow easier access for patients and visitors. Ms. Rains was also concerned about drainage. Director Chilcott stated a new drainage pond will have a concrete pan, causing the stormwater to flow directly into the drainage swale

Commissioner Hull commented that the stormwater report has already been reviewed and approved by the Public Works Department.

Staff recommended approval of the Special Review with conditions.

CONDITIONS OF APPROVAL

1. Prior to issuance of a demolition permit for the existing dwelling, applicant shall contact the Estes Park Water Department and Estes Park Sanitation District to finalize disconnection points and schedule fixture counts. Demolition permit shall not be issued without approval from the Water Department and Sanitation District.
2. Prior to issuance of grading permit, the stormwater report shall be subject to review and approval of the Public Works Department.
3. Exterior lighting shall comply with standards set forth in Section 7.9 of the development code. This limits the parking lot lighting to 15-feet high.

It was moved and seconded (Wise/Norris) **to recommend approval to the Estes Park Town Board for the proposed Estes Park Medical Center parking lot expansion (Special Review 2012-01) with the findings and conditions recommended by staff and the motion passed unanimously with one absent and one vacant position.**

5. REPORTS

Planner Shirk reported several pre-application meetings were held in the last month. A small drive-through coffee shop was proposed on Moraine Avenue adjacent to Cheesy Lee's Pizza. Due to the minimal size of the structure, the Planning Commission would not be reviewing the plans. Staff assures compliance with the EVDC.

Planner Shirk reported an application for an amended plat in the High Drive Heights Subdivision would probably be submitted within the next month or so.

Planner Shirk reported building permits have been issued for The Timbers Townhomes. Commissioner Norris suggested providing this information to the Town Board so they are aware of the positive impact made by the amendment to the EVDC regarding townhomes.

Planner Shirk met with another developer interested in creating a townhome project.

Planner Shirk reported on the Accessory Dwelling Units (ADU) work session with the County Commissioners. They were concerned about the lack of a public review process and would not support the amendment. There was extensive public comment at the two previous Town Board meetings. On April 10, 2012, the Town Board voted 5-0 to disapprove the code amendment regarding ADUs. The amendment was not remanded to the Planning Commission. Planner Shirk stated there are some code conflicts that still need to be resolved. Accessory kitchens are allowed anywhere with a land use affidavit, and the existing code does not require the land use affidavit on lots sized 1.33 times the minimum lot size for the zone district.

Director Chilcott reported on the A–*Accommodations* zone district density/bulk issue. The current regulations for A–*Accommodations* zoning could hinder redevelopment of older properties. Currently, if a property zoned A–*Accommodations* has limited kitchen facilities, the density is affected. Some communities have moved away from kitchens as they relate to density, as kitchens are not necessarily a meaningful way to determine the impact on the property or neighbors. Director Chilcott suggested studying the issue in small, manageable pieces. She will be working with Public Information Officer Kate Rusch to

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determine exactly what needs to be addressed. This topic has been discussed in study sessions with the Town Board and County Commission, but no actions have been taken. Director Chilcott also suggested taking input from the Estes Area Lodging Association (EALA) and other interested parties prior to drafting code language. Chair Klink stated the Planning Commission needs to be more informed about the issue prior to making recommendations. Director Chilcott stated this issue was on a priority list of potential code amendments several years ago. There were comments made by several Commissioners, including but not limited to: the importance of getting comments from EALA and the Wedding Association; and the desire to know where the Town Board stands on the issue prior to moving forward.

Director Chilcott stated she would like to receive input from the recently installed Town Board to determine which items should be at the forefront of the Planning Commission's workload. Commissioner Hull suggested having the Town Board revisit the priority list and reprioritize if necessary.

Director Chilcott reported Community Services Director Betty Kilsdonk and Deputy Town Administrator Lowell Richardson have been working on a Volunteer Manual for approximately one year. The proposed manual was reviewed by the Town Board, who encouraged feedback from groups that utilize volunteers and who would be affected by the proposed manual. Director Chilcott commented that this manual was discussed at the Planning Commission study session, and several Commissioners voiced their opposition to the indemnification form. The Volunteer Manual will be discussed at the next Town Board meeting.

There being no further business, Chair Klink adjourned the meeting at 2:30 p.m.

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Doug Klink, Chair

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Karen Thompson, Recording Secretary

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