

**TOWN OF PARACHUTE
PLANNING & ZONING COMMISSION
MINUTES OF SPECIAL MEETING
August 11, 2014**

ACTION MINUTES:

Meeting called to order at 6:30 p.m. by Chairperson Kelli Stanton.

(A) ROLL CALL

COMMISSION MEMBERS PRESENT:

Kelli Stanton, John Yadloski, Juanita Williams, Sherry Loschke

STAFF PRESENT:

Town Manager Stuart McArthur, Finance Clerk Dustie Colella, Town Clerk Denise Chiaretta, Town Attorney Ed Sands, Town Planner Davis Farrar, Town Engineer Mark Austin

Audience Attendance List Attached.

(B) PLEDGE OF ALLEGIANCE

(C) CONSIDERATION OF MINUTES-August 1, 2013

MOTION NO. 1

Moved and seconded by Members Yadloski/Stanton to accept minutes as presented.

Motion passed unanimously.

(D) COMMISSION TO APPOINT CHAIR AND VICE-CHAIR

John Yadloski stated he no longer wishes to serve as Vice Chair of the P&Z Commission. Kelli Stanton agreed to be Chairperson. Juanita Williams agreed to be Vice Chair.

MOTION NO. 2

Moved and seconded by Members Stanton/Yadloski to appoint Juanita Williams as Vice Chair

Motion passed unanimously.

Moved and seconded by Members Williams/Yadloski to appoint Kelli Stanton as Chairperson.

Motion passed unanimously.

(E) COMMENTS FROM CITIZENS NOT ON THE AGENDA

Chairperson Stanton called public hearing to order at 6:34 p.m.

**(F) PUBLIC MEETING BEFORE THE PLANNING AND ZONING COMMISSION
FOR A LAND USE APPLICATION/REZONING**

APPLICANT/OWNER:

Clear Creek Ranch, LLC
643 County Road 337
Parachute, CO 81635

PROJECT NAME:

Grand View Industrial Center Planned Unit
Development

PROJECT LOCATION: Murray Court Area

LEGAL DESCRIPTIONS: See attached

Chairperson Stanton asked if there was proof of publication; Town Clerk Denise Chiaretta stated there was. Chairperson Stanton asked if there was proof of certified mailings; Town Clerk Denise Chiaretta stated there was. Chairperson Stanton asked if fees were paid; Town Clerk Denise Chiaretta stated they were.

Phil Vaughan with Phil Vaughan Construction Management, Inc., introduced himself to the Commission. Also introduced his clients Hank and Kamron Krach, and legal counsel Melodi Massih.

The Grand View PUD project was submitted to the Town on March 4th

Vaughan presented further documentation, to incorporate all information that had been presented outside of the meeting here (at other meetings held regarding the project).

Vaughan further stated that this property was purchased by his clients in 2013. His clients are/have been working on issues and trying to bring their property into compliance with Town regulations.

Vaughan than reviewed the PUD Guide in detail. This property is zoned currently Commercial Industrial (CI). The proposed PUD consists of twenty-one (21) lots. The Schedule of Permitted Uses is still an issue, but most matters have been resolved.

There are pre-existing uses on the property which include commercial parking lots and garages, contractors' yards-heavy equipment, outside storage, vehicle (automobiles and trucks) repair, office buildings, and contractor shops.

Vaughan further stated that the applicants would be adjusting lot lines in the future to come into compliance with Town regulations.

Vaughan stated one area that applicant and Town staff have been unable to resolve is landscaping for industrial development.

Exterior surfacing-matching town code

Storm water management-will be noted in PUD Guide

Murray Lane and Court-there originally was some question on owned these streets; after research, it was confirmed that the Town owns these streets and is responsible for the maintenance of the same.

Davis Farrar, Town Planner introduced himself to the Commission. Farrar gave a history of PUD. Project was originally approved in 1982.

Farrar stated the Town's Comprehensive Plan-more specifically the future land use map shows General Industrial (GI) zoning.

Mark Austin, Town Engineer introduced himself to the Commission.

Site run-off

Drainage issues were evident in 1983 when the SIA was amended

Recess called: 7:39 p.m.

Back in session: 7:46 p.m.

Phil Vaughn presents additional information

Covenants, Conditions & Restrictions

Commercial Property Owners Association

Sands-question on CC&R's

3rd party beneficiary to drainage ditch-can't be done without Town's consent

Vaughn-drainage issues

Open up presentation to questions

Williams-irrigation issue whose responsible for the ditch.

Farrar-reads the staff's recommendations on the project

Chairperson Stanton asked that the record reflect the Suggested Findings numbers 1-6.

SUGGESTED FINDINGS:

1. Conformance of the proposal with the *Town of Parachute Municipal Code*;
2. The compatibility of the proposal with the character of the surrounding area including, but not limited to the architectural character of the neighborhood;
3. The desirability for the proposed use in the specific area of the Town;
4. The potential for adverse environmental effects that might result from the proposed use;
5. Compatibility of the proposed use and the site (or subdivision) plan with the *Parachute Plan*; and
6. Conformance of any plan with the requirements of the *Town of Parachute Public Works Improvements Manual*.

Sands speaks about working on resolutions to the outstanding issues

Williams-irrigation ditch, drainage, landscaping,

Permitted uses chart-special use for research and development facility/laboratory.
Vehicle sales and service shall be a special use.

Conditions identified by the Planning and Zoning Commission

1. The PUD zoning use table shall conform to the staff recommended use schedule as recommended by the Planning and Zoning Commission and approve by the Board of Trustees.
2. The applicant will work with the staff to develop PUD zoning text definitions for terms that are not defined.
3. The PUD dimensional standards table shall conform to the staff recommended dimensional standards table as recommended by the Planning and Zoning Commission and approved by the Board of Trustees.
4. Nonconforming structures that cross lot lines, encroach on easements, setbacks, and are otherwise nonconforming shall be brought into conformance by eliminating or moving lot lines through the submission of an amended subdivision final plat.
5. Written comments should be solicited from Parachute Public Works and Police Departments, and the Grand Valley Fire Protection District about the proposed PUD prior to the Board of Trustees meeting.
6. The Declaration of Covenants, Conditions and Restrictions for Grand View Industrial Center PUD shall be subject to review by the Town of Parachute Town Attorney and Staff to ensure that they are consistent with the approved PUD documents and include language providing for the Town's right, but not obligation, to enforce certain standards.

7. The applicant and Town shall develop a PUD Development Agreement that details the uses, dimensional standards, requirements for existing and new uses, correction of nonconformities, and the other issues identified.
8. Detailed site plan information should be submitted with each new use and building permit that include landscaping plans that conform to the Town of Parachute landscaping requirements identified in the PUD Development Agreement.
9. The existing uses within the PUD may continue in their current configuration and do not have to comply with the landscaping or site plan requirements specified in the August 26, 1982, Subdivision Improvements Agreement, but new uses in the PUD shall be required to conform those obligations.
10. All exterior lighting in the project shall utilize “dark sky” compliant cutoff fixtures.
11. Any use or regulated activity that is not addressed and governed by the Grand View Industrial Center PUD text that is otherwise addressed in the Town of Parachute Municipal Code shall be governed by the Town of Parachute Municipal Code.
12. All representations of the applicant made in written applications materials submitted to the Town and/or verbally at the Planning and Zoning or Board of Trustees meetings shall be considered part of the application and be binding upon the applicant.

The following subsections within Section 15.03.197 will apply to the Grand View Industrial Center PUD:

15.03.197 General Requirements for all Business, Commercial and Industrial Uses

- (a) All new service, fabrication and repair operations shall be conducted within a building. The Town Manager will have the authority to determine if a use can be exempt from this provision. The Town Manager’s decision is appealable to the Board of Trustees.
- (c) All applicable environmental standards of the State of Colorado or the United States government shall be complied with at all times.
- (h) All yards between the public street curbing and the property line are to be professionally landscaped and maintained with drought tolerant landscaping, incorporating native shrubs and trees. (“Drought tolerant landscaping” is to be defined.)
- (j) Property owners shall maintain all structures, including buildings, paved areas, accessory buildings and signs in the manner required to protect the health and safety of users, occupants, and the general public. The property shall be deemed substandard when it displays evidences of substantial number of dilapidated conditions.
- (k) Parking lot lighting fixtures are to have an overall maximum height that is consistent with the height of the buildings themselves. Walkway lighting fixtures are to have an overall maximum height of fourteen (14) feet.
- (l) Cut-off exterior light fixtures and their location shall be submitted on a plan for review.
- (m) Security lighting fixtures are not to project above the fascia or parapet of the building and are to be shielded or recessed in the building walls to provide cut-off at the property line.
- (n) The storage of combustible materials shall not be less than twenty (20) feet from any interior lot line, and a roadway shall be provided, graded, surfaced, and

maintained from the street to the rear of the property to permit free access of fire trucks at any time. (“Combustible” is to be defined.)

- (o) No materials or wastes shall be deposited upon a subject lot in such form or manner that they may be transferred off the lot by natural causes or forces. All waste materials shall be stored in an enclosed area and shall be accessible to service vehicles.
- (p) Wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise attractive to rodents or insects shall be stored only in closed containers in required enclosures.

MOTION NO. 3

Moved and seconded by Members Yadloski/Williams to approve the application with the conditions stated and reflected in these minutes.

Motions passed unanimously.

Public hearing closed at 9:27 p.m.

(G) ADJOURNMENT

Meeting adjourned at 9:28 p.m.

SIGNED: _____
P & Z CHAIRPERSON

ATTESTED: _____
TOWN CLERK