

**TOWN OF PARACHUTE
PLANNING & ZONING COMMISSION
MINUTES OF SPECIAL MEETING
September 18, 2014**

ACTION MINUTES:

Meeting called to order at 6:31 p.m. by Chairperson Kelli Stanton.

(A) ROLL CALL

COMMISSION MEMBERS PRESENT:

Kelli Stanton, John Yadloski, Juanita Williams, Sherry Loschke

COMMISSION MEMBERS ABSENT:

Roy McClung, Candy Allbee

STAFF PRESENT:

Town Manager Stuart McArthur, Town Clerk Denise Chiaretta, Administrative Assistant Colleen Kyle, 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 11, 2014

MOTION NO. 1

Moved and seconded by Members Williams/Loschke to accept minutes as presented.

Motion passed unanimously.

(E) COMMENTS FROM CITIZENS NOT ON THE AGENDA

Chairperson Stanton called public hearing to order at 6:33 p.m.

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

APPLICANT/OWNER:	B&V Developers, LLLP 259 CR 320 Rifle, CO 81650
PROJECT NAME:	Spring Lake Estates Re-zone
PROJECT LOCATION:	Spring Lake Estates, Parachute, CO
LEGAL DESCRIPTIONS:	Section: 7 Township: 7 Range: 95 Subdivision: SPRING LAKE ESTATES, PHASE II Lots: 18, 19, and 20. A RESUB OF LOTS 1, 2 & 3, SEC A;LOTS 1, 2 & 3, SEC D;LOT 1, SEC B;& LOTS

1-A & 3, SEC C

Chairperson Stanton asked if there was Proof of Publication, Town Clerk Chiaretta replied yes. Meeting was called to order for Public Hearing 6:34 p.m. Chairperson Stanton asked if all fees were paid, Town Clerk Chiaretta replied yes.

Town Planner Davis Farrar gave staff report and list of criteria that planning must consider when evaluating rezoning application property:

- Zone change request only residential high density (5,000ft-10,000ft) to service commercial.
- Application for drill pad site in future.
- On-site and off-site parking, utility services, road safety, street access etc.
- Conformance with Parachute Municipal Code.
- Compatibility with surrounding area.
- Desirability of proposed use.
- Potential for adverse environmental effects.
- Compatibility for proposed use in site for Parachute Plan.
- Conformance in requirements with Public Works improvements manual.

List of things allowed at residential 57 use categories under service use commercial, out of 57 there are 11 that are permitted.

Master Plan dated as 2002 plan is outdated at this point. This is a guidance tool, and overall update should be done every 5 years. Documents are out of date and need to be updated to reflect current conditions. Service commercial and residential at the West and open space on South. What would the traffic impact and environmental impact be? The impact shouldn't be that much different.

It will provide sales tax and other opportunities.

Town Planner Farrar suggested that applicant make presentation and then come back to it.

Applicants Ted Vaughan & Scott Brymildson of B & V Developers gave a short presentation- B & V Developers bought Spring Lake Estates about 10 years ago, 2005 and 2006 was a hot area for multi-family residential was changed to high density. In last 6 years economy progressed downward with lots of vacancies around. Surrounded with service commercial, need to make zoning change to see if we can make progress with that property. We are requesting change from high density to service commercial.

Town Planner Farrar asked when it might take place and what they have plans for? Mr. Vaughn responded within the next couple of years.

Trustee Yadloski asked what grid is it that is asked to be changed? Is it the same grid that town is in? Mr. Vaughn responded that it takes in South 7th, plus another gridline that takes in north of Railroad.

Town Planner Farrar recommends approval for residential high density to service commercial with a note: typically you don't add zone change conditions because you end up with somewhat of a contract zone which gets you into all kinds of legal problems.

Town Attorney Sands noted that there was a written public comment in packet that will be part of record. Town Administrator McArthur responded to Madam Chair Stanton, that it will be read into record when opened up to public comment.

- Madam Chair Stanton suggested findings 1-5 be reflected in the minutes.
 - o 1. That the application was found consistent with the requirements of the Town of Parachute *Land Use Regulations (12-10-2005)*
 - o 2. That adjacent property owners were properly notified by certified mail, consistent with requirements of the Town of Parachute *Land Use Regulations (12-10-2005)*.
 - o 3. That the Public Hearing before the Board of Trustees give consideration to concerns expressed by adjacent property owners and other interested parties.
 - o 4. That the Board of Trustees give consideration to the needs of the applicant.

- 5. That the Board of Trustees review this application utilizing the criteria set forth in the Town of Parachute *Land Use Regulations (12-10-2005)*.
- Town Clerk Chiaretta asked if there were any comments from general public 7:04 p.m.
- A letter written by community member Judith Hayward was read by Town Manager McArthur, as to her concerns (attached in packet).
- Madam Chair Stanton so noted and that it was the only communication received and closed public hearing at 7:06 p.m.

Madam Chair Stanton opened up comments from Planning Commission Meeting for discussion at 7:07 p.m.

Madam Chair Stanton asked if there was any discussion?

- Trustee Yadloski responded with should he abstain since he is profiting from well at this time?
- Town Attorney Sands replied with he doesn't think zoning affects whether or not there will be a well in the grid, and doesn't think it affects him financially, since zoning change is only thing before them and doesn't have anything to do with drilling of well. Have very little power through zoning to control or prohibit oil and gas drilling.

MOTION NO. 2

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

Motion passed unanimously.

(G) ADJOURNMENT

Meeting adjourned at 7:14 p.m.

SIGNED: _____
P & Z CHAIRPERSON

ATTESTED: _____
TOWN CLERK