



PLANNING COMMISSION

Wednesday, April 20, 2022, at 5:00 PM

Town Hall, 28 Valley Crescent, Palmer Lake

MINUTES

Call to Order

Chair Ihlendfeld called the meeting to order at 5:04 PM.

Roll Call

Present: Charlie Ihlendfeld, Bill Fisher, Mark Bruce, Amy Hutson, Shana Ball, Martha Brodzik, Susan Miner.

Approval of Minutes

1. MOTION (Bruce, Ball) to approve the minutes from the March 16 meeting. Motion PASSED.

Public Hearing

2. Application to Amend Conditional Use - Temporary Outside Use (Diacut) – Mr. Loren Burlage, previously approved with a conditional use for wholesale operation on the Diacut property, explained the change of the use of the property. The property owner is requesting to amend the approved conditional use for temporary outside use. He is requesting to store agricultural materials, i.e., hay bales, feed, etc., on approximately one acre of the Diacut property. HAYCO needs a temporary location while closing and constructing a building on a new property. Discussion took place concerning the length of time using the property under temporary use. The product would be covered by tarps and could be stacked approximately 6 to 12 feet high, but with no buffer (e.g., landscaping, fencing) to hide from view as required by Code. Mr. Burlage requested up to 12 months to allow enough time to close on the new property and vacate the Diacut property no later than May 1, 2023. Dawn Collins gave some background on what was approved in the original conditional use, and that the commission had the right to add any conditions to the amendment for approval by the Board of Trustees. If the use is changed or the property changes hands the conditional use ends, and owners must apply for a different conditional use permit if permitted by zoning code. Mr. Burlage agreed to install a chain link fence primarily for security. MOTION (Ball, Ihlenfeld) to recommend the Board of Trustees amend the conditional use until May 1, 2023, with the stipulation that if the owner anticipates additional time after this date, it come back to the Commission to request an amendment. Vote: 6-1 (no - Brodzik). Motion passed.

3. Application for Conditional Use - 304 Hwy 105, CC Zone – Mr. Michael Maddox, President of the Tri-Lakes Center for the Arts, requested that the TLCA be permitted to create a lodging space at the

rear of the building, completely separate from the main venue. This would be for living quarters for Mr. Maddox and short term stay of TLCA guests. Mr. Maddox said that since COVID-19, all the artists left, and he and his family worked to maintain the viability of TLCA; the request for conditional use as a living space and hotel would save TLCA expenses. Commission member Brodzik inquired about the TLCA's board members. Mr. Maddox said that the board members are himself, Debi Maddox, Jesse Maddox, Carla Maddox, Maggie Williamson, and Linda King. Martha Brodzik also noted that the TLCA Conditional Use application as submitted was invalid/incomplete (e.g., the required signed and notarized letter from the property owner was missing, etc.). Questions were raised about the Arts Center's non-profit charter and its use to benefit a board member and family being allowed to use the space for lodging. The attorney for the Arts Center, Linda Gould, stated the non-profit pays the director's salary and can, as part of that salary, provide residency. There were concerns about the use of the space as lodging space as the building is not to code to be occupied in such a way. Kurt Ehrhart stated that he pulled the original permits for the Arts Center. He stated there are code issues with the separation of the business and the possible residence. Commission member Ball stated the applicant should review the plans with the Fire Dept. MOTION (Miner, Ball) to continue the hearing until the next meeting on 5/18 so the applicant can address building and fire code requirements for living space. Vote: 7-0. Motion passed.

4. Application to Vacate Town ROW - Loveland Slope (from Shady Ln to Fowler Branch) – Residents Gene and Maria Kalesti, 171 Shady Ln, along with abutting neighbor Kerry Paige, 179 Shady Ln, and surveyor Jim Brinkman presented the request to vacate the ROW platted as Loveland Slope, including a permanent utility easement in the ROW. Various neighbors spoke to the undeveloped roadway historically used as a shortcut to reach properties along the undeveloped Fowler Branch Road. Mr. Brinkman explained that when the area was platted, the topography was not taken into consideration at South Fork and Fowler Branch and, due to the slope of the land, if it is developed, there would be considerable flooding and drainage issues added to Shady Lane. Mr. Kalesti (171 Shady Ln) gave a presentation explaining his intent to restore the ROW area to natural vegetation and not continue the limited use of Loveland Slope as well as displayed his property boundaries within the ROW. Mr. Kerry Paige (179 Shady Ln) supported vacating the platted ROW. A developed road would severely cut into his property leaving three feet of space between the road and his front door. If the vacation is approved, he offered to dedicate a corner portion of his property at South Fork and Fowler Branch to allow for emergency vehicles to access Fowler Branch from South Fork. Mr. Randy Perry, a Fowler Branch property owner expressed not being in favor of the vacation due to access for emergency vehicles and placement of a fire hydrant and utilities. Mr. Jerry Parson, an area neighbor and the previous owner, gave some historical background on Loveland Slope. Ms. Trish Flake, nearby neighbor, offered historical use of the undeveloped road and use from South Fork. She requested a hold on the vacation until the area can be properly developed. The Commission members discussed the future easement and drainage development as well as fire code requirements. Dawn Collins stated that Community Matters consultant is creating maps to address this type of area throughout the town to show the topography, which should help perspective buyers identify property that require more to develop. Commission member Fisher suggested to continue the hearing so a Town engineer can review the feasibility of a road. Collins stated that the Town does not develop the roadway and that the responsibility to propose development is fully on the property owner/developer. Discussion ensued about design from South Fork onto Fowler Branch. MOTION (Ball, Miner) to approve the application as presented with the condition that a portion of the property corner of 179 Shady Ln would be dedicated

in the event of the Fowler Branch roadway is developed to an approved standard. Vote 6-1 (no – Fisher). Motion passed.

Business Items

5. Update - Master Plan Activity - Request for Advisory Members – Kent Hutson gave an update on the Master Plan Advisory Team activity. Commission member Susan Miner offered to do a mapping exercise with the Pioneer Preserve neighborhood. Kent stated there may be one additional team member joining from the Parks Commission. Collins inquired about a joint meeting of the Planning Commission and the Advisory Team with Community Matters for review and hand off of next steps in the planning.

Public Comment – Collins noted this item will get added to the agenda going forward. Mr. Kurt Ehrhardt offered kudos to the contractor for the Town Hall renovation. He mentioned that his property off Hwy 105 has a proposal coming forward that will include mixed use. General discussion took place about live/work amenities and other use at the Hwy 105/lake area.

Next Meeting (May 18) and Future Items

Adjourn MOTION (Ball, Hutson) to adjourn at 7:57 PM. Motion PASSED.

Charlie Ihlendorf, Chair

ATTEST: Julia Stambaugh, Deputy Town Clerk