



## REGULAR PLANNING COMMISSION MEETING

Tuesday, February 23, 2016

*Chair Helen Rogers* called the Regular Planning Meeting to order at 7:05 p.m.

### MEMBERS PRESENT AT ROLL CALL:

**ROLL CALL: Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett**

### OTHERS PRESENT:

Planning Director Nathan Lindquist, Planner Hannah Klausman, Administrative Assistant Charlotte Squires, City Attorney Jeff Conklin, City Television Station Salvador Tovar-Guzman, Utility Director Jim Miller, Bruce Harper, Sharon Harper, Chris Christensen, Cindy Hoest, Troy Petree, Mary Cranor, Roger Cranor, Terri Garcia, Dave Garcia.

### APPROVAL OF JANUARY 26, 2016 REGULAR PLANNING COMMISSION MEETING MINUTES

*Commissioner Caldwell* moved to **APPROVE** January 26, 2016 Regular Planning Commission Meeting Minutes as is. *Commissioner Strode* seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett**

### CONDITIONAL USE PERMIT 2016-1 702 BUCKHORN DRIVE

*The Chair* called applicant Troy

*The Chair* verified public notice requirements had been met.

**Purpose:** the applicant requests approval for a limited tow yard in the light industrial zone district.

**Applicant:** explained they would like to move from their current location at 2187 Railroad Avenue to 702 Buckhorn Business Park, a larger parcel of land with easier access into and out of the impound yard. The applicant explained they do not agree with the opaque or screened fence condition because it is expensive and allows more potential for theft/damage on the property due to less visibility from the street when police officers drive by. There is some tree scape along Buckhorn Drive that provides screening and the applicant asked if that would be sufficient.

### **Staff Report:**

*Staff* recommends Planning Commission recommend City Council APPROVE Conditional Use Permit 2016-1 with Staff's recommendations

1. The applicant shall maintain current street tree landscaping.
2. The tow yard shall be enclosed by a solid opaque or screened fence measuring 6 feet in height.

*Staff* explained that the opaque or screened fence can be looked at and decided at time of fence permit and that the application before the commissioners is only allowing for the tow yard in the light industrial zone district.

**Public Comments:** No Comments

**Commissioners Questions and Comments:**

*Commissioners asked* about the location for the stored vehicles and about any term limit on the conditional use permit.

*Mr. Troy* explained the yard will be toward the east of the property and go toward the south behind the current structure on the lot. The front part of the property will be for the cars they sell to reclaim the cost of impounding. The north side will be for the insurance companies that will be taking the vehicles to repair shop or salvage yard within a few days.

*Staff* explained there is no suggested time limit on the conditional use permit.

**Motion Made:**

*Commissioner Marantino* moved to **APPROVE** Conditional Use Permit 2016-1 702 Buckhorn Drive. *Commissioner Caldwell* seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett**

**ZONING 2016-1 E. 7<sup>TH</sup> STREET PROPERTY (LAND ABOVE NEW WATER TREATMENT FACILITY) (ANNEX 2016-1)**

*The Chair* called applicant City of Rifle Planning Staff, Utility Director Jim Miller

*The Chair* verified public notice requirements had been met.

*Audience sworn in* Chris Christensen and Roger Cranor

**Purpose:** The City of Rifle requests zoning a thirty (30) acre property to Public Zone District. Proper public notice was not met at the January 26, 2016 meeting; letters to the property owners within 200 feet were not mailed out, and thus this is a rehearing. Letters were mailed out along with a sign posted for the Planning and Zoning meeting and City Council meeting to be held March 2<sup>nd</sup> and notice was placed in the newspaper.

**Staff Report:**

*Staff* recommends Planning Commission recommend City Council APPROVE Zone 2016-1 E. 7<sup>th</sup> Street Property to Public Zone District (PD).

*Mr. Miller* explained the City acquired this property for the purpose of future expansion of water treatment and related facilities. The new water plant is being built to the south of the parcel. The future facilities are many years in the future and planned for the eastern one third (1/3) of the parcel. There is a study on the property being done and City Council will have a workshop on the study in the near future. The Public Zone District (PD) allows for the future expansion of water facility and allows other uses on the remaining property.

**Public Comments:**

*Mr. Christensen* explained he has leased the property that the City recently purchased and has an interest to be allowed to continue to lease the land south and to the east of his property for horses as used in past years. Mr. Christensen asked what types of recreation were being proposed for the property.

*Staff* explained that there are not any specific plans for the property, and development plans would be submitted in the future. There has been a request to continue to allow the hiking and bicycling

recreation on the property; allowing for pet owners to run their dogs there and use it for low impact outdoor recreation.

*Mr. Cranor* asked to have 3 questions clarified. 1) Define recreation, what type of recreation is envisioned. 2) Define type of fencing used on the northwest corner. 3) Define public access for recreation, to confirm the entrance to the land and not have citizens using private property to access the property.

*Staff* Explained there is no set recreation at this time.

*Commissioner Marantino* shared he has heard interest from citizens asking to keep it for hiking, biking and dog exercising space; keeping it natural with native growth.

*Mr. Miller* explained the fencing will be the type of wood post design along the highway that CDOT uses.

**Commissioners Questions and Comments:** No Comments

**Motion Made:**

*Commissioner Marantino* moved to **RECOMMEND** to City Council to **APPROVE** Zoning 2016-1 E. 7<sup>th</sup> Street Property. *Commissioner Pettinger* seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett**

*Commissioner Barnett* thanked the citizens for coming to the meeting and sharing their concern and comments.

**TEXT AMENDMENT 2016-1 TEMPORARY USES/MOBILE VENDING CODE REVISIONS**

*The Chair* called applicant City of Rifle Planning Staff

*The Chair* verified public notice requirements had been met.

*Audience sworn in* Dave Garcia and Terri Garcia

**Purpose:** Staff is proposing revisions to the regulations regarding mobile vendors after investigating a request by a property owner to have a food vending truck on the same property as their primary business.

**Staff Report:**

*Staff* explained adding the text would allow for a conditional use permit for prepared food mobile vending trucks or trailers that are owned by, used in conjunction with, and on the same property as a business housed in a permanent building in a Community Service (CS) or Tourist Commercial (TC) zoning district. The Conditional Use Permit would not count towards the number of vendors allowed in its area under Rifle Municipal Code.

*Staff* recommends Planning Commission to recommend City Council APPROVE Text Amendment 2016-1.

**Public Comments:**

Mr. Garcia explained they are trying to have an extension of their business to be able to serve food out of what was a convenience store and is not big enough to turn into a restaurant.

Ms. Garcia explained they are creating a family picnic style atmosphere that would serve the community.

**Commissioners Questions and Comments:**

Commissioner Marantino asked how the food purchasing is going to work, is it going to be prepared and served outside or brought inside and sold.

Mr. Garcia explained they have been working with the health department and would like to sell from the truck as well as from inside.

Commissioner Strode asked if this new text is specific only to those that own property and want to have a mobile food truck/trailer?

Staff explained the owner of the food truck must also be the owner or renter of the property where the primary business is located.

Commissioner Strode replied this would be more for permanent business then a remote satellite type operation.

**Motion Made:**

Commissioner Strode moved to **RECOMMEND** to City Council to **APPROVE** Text Amendment 2016-1 Mobile Vending to add under Section 16-3-90 d “(1) Prepared food mobile vending trucks or trailers that are owned by, used in conjunction with, and on the same property as, a business housed in a permanent building in a Community Service (CS) or Tourist Commercial (TC) zoning district. This type of mobile vending unit may apply to Planning Commission for a Conditional Use Permit. If approved, it shall not count towards the number of vendors allowed in its area”. Commissioner Barnett seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett**

**MEMBER COMMENT AND ADJOURNMENT**

Commissioner Marantino shared the City of Rifle Police Department will have coffee with a cop Feb 26<sup>th</sup> at 7 am to 9 am at Olive Ridley’s Coffee Shop.

Commissioner Fuller shared Toastmasters is coming to Rifle at the Library tomorrow February 24<sup>th</sup> at 6:30. This is an international group that promotes public speaking.

Commissioner Caldwell There will be a workshop for outdoor recreation for the youth March 17<sup>th</sup> at 10:00 a.m. located at the Library.

Chair Rogers adjourned the meeting at 8:25 p.m.

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Helen Rogers, Chairman

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Date

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Charlotte Squires, Planning Technician

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Date