MINUTES
TOWN OF FREDERICK
PLANNING COMMISSION
April 20, 2010
7:30 p.m.

Attendance: Chairman Jeff Roehrig, Commissioners Donna Hudziak, Donald Hard, and Alan Blair were present. Also present were Planning Director Jennifer Simmons and Assistant Town Attorney, Cyril Vidergar.

ROLL CALL: Chairman Roehrig called the regular meeting to order at 7:30p.m. Roll call was taken; all commissioners present except Commissioner John Loveless and Alternate Commissioner Tracy Moe.

ADDITIONS TO THE AGENDA: There were no additions to the agenda.

APPROVAL OF MINUTES FROM THE MARCH 2, 2010 MEETING:

Commissioner Blair made a motion to approve the minutes from the March 2, 2010 meeting. Commissioner Hard seconded the motion. All in favor, motion carried.

PUBLIC MEETING TO CONSIDER A ZONING AMENDMENT FOR SANDSTONE RIDGE BUSINESS PARK:

Planning Director Simmons presented the staff report by stating that the property owner has submitted an application for a zoning amendment to remove the overlying PUD. The property was initially zoned Business Light Industrial with a PUD overlay in October 2006.

The applicant is Dillon Family, LLC (Ryan Dillon). The project is located north of Bella Rosa Parkway/CR 20, west of the West I-25 Frontage Road. The property is currently zoned Business Light Industrial with a PUD overlay.

The property is surround on the North by Agriculture/Weld County Agricultural; South by Agriculture/Neighborhood Commercial; East by I-25 and Business Park/Industrial; and West by Agriculture/Low Density Residential.

The Dillon Family has submitted an application for zoning amendment. The plans have been referred to the following agencies as required by the Land Use Code: St. Vrain Valley School District, Carbon Valley Recreation District, Lefthand Water District, St. Vrain Sanitation District and Kerr-McGee.

The zoning amendment will remove the PUD overlay from the property, resulting in a zoning district of Business/Light Industrial.

The review criteria for a zoning amendment are stated in Section 4.7.2. Those criteria are as follows: (only one of the criteria for zoning needs to be met)

a) For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the official zoning map shall not be amended except:

1) To correct a manifest error in an ordinance establishing the zoning for a specific property;
2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;

3) The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Comprehensive Plan;
4) The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan;
5) The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; or
6) A rezoning to Planned Unit Development overlay district is requested to encourage innovative and creative design and to promote a mix of land uses in the development.

The requested zoning amendment has changed or is changing to such a degree that it is in the public interest to encourage development of the area. The property owner understands that by removing the PUD overlay, all regulations within the Land Use Code will apply to the property.

This project was property noticed according to the requirements of Section 4.5.8 of the Frederick Land Use Code.

The planning Commission may consider recommending approval, denial or conditional approval. Staff recommends adoption of PCR-2010-007A approving the zoning amendment as proposed.

Commissioner Hudziak asked if a referral notice had been sent to the Boulder and Weld Ditch Company.

Planner Simmons explained that this referral was not necessary for the zoning amendment and would be addressed at Preliminary Plan.

Commissioner Hudziak made a motion to recommend approval of PCR-2010-007A, "A Resolution of the Planning Commission Recommending Approval of the Zoning Amendment for Sandstone Ridge Business Park". Commissioner Blair seconded the motion. All in favor, motion carried.

PUBLIC MEETING TO CONSIDER A PRELIMINARY PLAT FOR SANDSTONE RIDGE BUSINESS PARK:

Planning Director Simmons presented the staff report by stating that the property owner has submitted an application for a preliminary plat on approximately 28.7 acres.

The applicant is Dillon Family, LLC (Ryan Dillon). The project is located north of Bella Rosa Parkway/CR 20, west of the West I-25 Frontage Road. The property is currently zoned Business Light Industrial with a PUD overlay. Based on the Commission's prior motion, the property is now zoned Business/Light Industrial with no PUD overlay.

The property is surrounded by Agriculture/Weld County Agricultural to the North; Agriculture/Neighborhood Commercial to the South; I-25 and Business Park/Industrial to the East; and Agriculture/Low Density Residential to the West.

The Dillon Family has submitted an application for a preliminary plat that would create seventeen lots. The plat also creates an access easement to the Rinn Methodist Church from Sandstone Street.

The plans have been referred to the following agencies as required by the Land Use Code: Frederick Firestone Fire Protection District, Source Gas, United Power, Comcast, Qwest Communications, Carbon Valley Recreation District, Lefthand Water District, St. Vrain Sanitation District, US Post Office, Kerr McGee and Colorado Department of Transportation.

The review criteria for a preliminary plat are as follows:

a) Preliminary plat review criteria. The Town shall use the following criteria to evaluate the applicant's request:

1) The preliminary plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Comprehensive Plan.
2) The application is consistent with the approved sketch plan and incorporates the Planning Commission's recommendations and conditions of approval.
3) The land use mix within the project conforms to the Town's Zoning District Map and Comprehensive Land Use Map and furthers the goals and policies of the Comprehensive Plan, including:
   a) The proposed development promotes the Town's small-town rural character;
   b) Proposed residential development adds diversity to the Town's housing supply;
   c) Proposed commercial development will benefit the Town's economic base;
   d) Parks and Open Space are incorporated into the site design;
   e) The proposed project protects the Town's environmental quality; and
   f) The development enhances cultural, historical, educational and/or human service opportunities.
4) The utility and transportation design is adequate, given existing and planned capacities of those systems.
5) Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.
6) There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

The requested plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Comprehensive Plan. The project conforms to the Town's Zoning District Map, Comprehensive Land Use Map, and furthers the goals and policies of the Comprehensive Plan. There is no residential development within the area being platted. This project provides functional business light industrial sites for new businesses to occupy, benefitting the Town's economic base. The plat meets the parks and open space requirement for a non-residential development. Utility and transportation design is adequate and no negative impacts have been identified. This project will provide additional areas of employment, there fore helping to maintain the desired land use balance within Town.

This project was properly noticed according to the requirements of Section 4.5.8 of the Frederick Land Use Code.

Planning Commission may recommend approval, denial or conditional approval. Staff requests that the Commission consider recommending approval of PCR-2010-008C.

Chairman Roehrig asked for confirmation that access to Sandstone will be off Bella Rosa Parkway/CR 20 and one of the current Rinn Methodist Church accesses will go away. The new road in Sandstone Ridge will replace the second church access.

Ryan Dillon, applicant, stated that the Fire District requires two accesses, therefore this is correct.

Commissioner Hudziak requested that a referral be mailed to the Boulder and Weld Irrigation Company prior to presentation to the Board of Trustees.

Planner Simmons will add this request to the conditions on the PCR.

Commissioner Blair made a motion to recommend approval of PCR-2010-008C with one addition to Section 3 "A Resolution of the Planning Commission Recommending Conditional Approval of the Sandstone Ridge Business Park Preliminary Plat" with Section 3 to read: 1) An MOAPI will be required to be entered into with the Town before final plat recordation; 2) Surface use agreements will be required to be recorded prior to final plat recordation; 3) The landscaping plan shall define the path construction materials throughout the site; 4) All outstanding engineering comments will be resolved prior to the Board of Trustees meeting May 11, 2010; AND 5) Referral to be sent to Boulder and Wels Irrigation Company prior to presentation to the Board of Trustees. Commissioner Hard seconded the motion. All in favor, motion carried.

OTHER BUSINESS:

Planner Simmons told the Commissioners about another training opportunity on May 26, 2010 in Ft. Collins from 2P – 3P titled "Design Review for Officials". Please let Simmons know if you would like to attend.

The Commission agreed that the Colorado Geological Survey Training was great and very informative.

Planner Simmons asked the Commission to update a contact information sheet.

Commissioner Blair made a motion that the meeting be adjourned.

With no further business to discuss, the meeting was adjourned at 8:32PM.

Jeff Roehrig, Planning Commission Chairman

Kathy Larson, Secretary