

AGENDA

Planning and Zoning Commission Regular Meeting

July 22, 2014

Regular Meeting 6:30

Evans Community Complex – 1100 37th Street

City Council Chambers

Planning and Zoning packets are prepared several days prior to the meetings. This information is reviewed and studied by the Commission, eliminating lengthy discussions to gain basic understanding. Timely action and/or short discussion on agenda items do not reflect lack of thought or analysis. An informational packet is available for public inspection on the website at www.evanscolorado.gov

WORK SESSION

- 1) PC Training
 - a. Robert's Rules of Order
 - b. Motions
 - c. Protocol

REGULAR MEETING

- 1) CALL TO ORDER
Meeting was called to order at 6:51 p.m. by Chairman Brothe on 7/22/14.

- 2) ROLL CALL:

Chairman: Mark Brothe - Present
Commissioners: Deborah Linn - Present
Julie Lowe - Absent
Robert S. Phillips, III - Absent
Laura Speer - Present

- 3) APPROVAL OF MINUTES
Minutes of June 10, 2014

Commissioner Linn made the motion, seconded by Commissioner Speer to approve the minutes of June 10, 2014. The motion passed with all voting in favor thereof.

- 4) APPROVAL OF THE AGENDA

Commissioner Speer made the motion, seconded by Commissioner Linn, to approve the agenda as presented. The motion passed with all voting in favor thereof.

5) AGENDA ITEMS:

A. Code Amendments:

Oil and Gas Setbacks

Staff Recommended Code Amendment: To bring City and State requirements into agreement, and to prevent approvals that may cause unanticipated impacts on adjoining property owners, Staff recommends replacement of the setbacks for oil and gas uses in Chapter 16.28.060, with the following standards:

- 1) A 500-foot minimum setback is required between new Oil and Gas facilities and wellheads, and Building Units, or a 500-foot setback from property lines, whichever is greater.
- 2) A minimum safety setback of 200-feet is required between wells and tank batteries, and any building, public road, major above ground utility line or railroad, is required at the time of drilling.

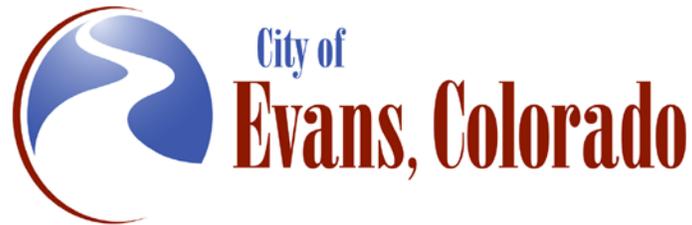
Modifying Crematorium Uses in Industrial Zones
Addition of Crematorium Use in the Commercial Zones

Staff Recommended Code Amendments:

- 1) Staff recommends amending Chapters 19.32 (I-1 Light Industrial District); 19.34 (I-2 Medium Industrial District) and, 19.36 (I-3 Heavy Industrial District) by removal of Crematorium Uses from Special Review approval in Subsection .030, and placing them as a Permitted Use under Subsections .020 in each Chapter.
- 2) Staff also recommends amending Chapters 19.26 (C-1 Commercial District); 19.28 (C-2 Commercial District) and, 19.30 (C-3 Commercial District) to add Crematorium Uses as requiring Special Review approval in Subsection .030 in each Chapter. If a determination is made to support these as a use by right in the Commercial Zone Districts, they will be added as Permitted Uses under the applicable subsection for each chapter.

Discussion

Commissioner Linn was confused about the procedure and building of the crematorium and wanted some clarification. Scott Moser, Owner of Moser Funeral



Home, presented literature of how the procedure works and the unit itself. Mr. Moser clarified that there will be no smoke unless something went wrong.

Commissioner Speer wanted to know if they would be adding the unit to their building and Mr. Moser clarified that they would be adding onto their existing building. He also stated that there aren't a lot of residents around the area therefore it shouldn't create a problem. From staff, Mr. Wheeler clarified that it is a low residential area and the next step would be a use by special review.

Commissioner Speer asked if they were regulated by the State and Mr. Moser answered, "Yes that they are regulated by the State and federally." Commissioner Speer asked if they were going to cremate pets too and Mr. Moser answered, "No and that they are not allowed to do both human and pet cremation in the same unit."

Staff Clarification

Chairman Brothe wanted to know if another funeral home came in, what would be the steps in the process. Mr. Wheeler answered it would fall under the current rules, use by right, and they pursue a special review to add the crematorium and it would then be determined by the city council ruling.

Commissioner Linn wanted clarification of how far back the State approved the setback rule? Mr. Wheeler advised that it was in August.

Commissioner Speer makes a recommendation that the Planning Commission is favorable of the amendments.

B. Presentation of Highway 85 Overlay and Zoning District Update

Sheryl Trent, Economic Development Director made a presentation to the Planning Commission about the Highway 85 Master Plan.

Commissioner Linn had concerns on the tie in with the Comp Plan.

Commissioner Speer wanted clarification on who initiated this plan if it was the City or CDOT? Mrs. Trent advised that this is a City project. Commissioner Speer also wanted some clarification on the Truck Stop (Double Clutch), future land uses, and where are they city limits? Mrs. Trent was able to answer those questions. Commissioner Speer also spoke about the traffic flows in terms of Hwy 34 and 42nd Street. Commissioner Speer liked the idea of the River access. Commissioner Speer advised a lot of the businesses along the frontage road are upset about the accesses being closed and would like to see the city assist them on this project and understanding that the transportation

plan was driven by CDOT. Mrs. Trent advised that Mr. Parrott did a lot of communication with the business owners.

Chairman Brothe liked the project and didn't have any comments.

- 6) AUDIENCE PARTICIPATION:
None

- 7) STAFF UPDATE

A. 2014 Mid-Year Report

B. August 26th PC Meeting Time Change

- a. It was agreed upon that the next meeting will be changed to August 27th.

- 8) GENERAL DISCUSSION

Commissioner Speer asked about Mr. Ehrlich who was in the audience of the last City Council session about his building permit fee and she wanted to know if his issue was taken care of. Mr. Ratkai responded that his concern was forwarded to the Public Works Director but he would follow up on it.

Chairman Brothe asked about the results of Eastwood Village. Mr. Ratkai advised they are slowing working on cleaning it up. It's not as organized as Bella Vista. He doesn't have any information on redevelopment.

Chairman Brothe asked about the sewer rate increase. Mr. Ratkai advised that Chairman Brothe would have to ask City Council about the charges.

Chairman Brothe asked about the cleanup at Riverside Park. Mr. Ratkai redirected the question to Commissioner Speer as she has more knowledge being on the Flood Task Force. She advised that there is a master plan but no plans yet on the cleanup.

- 9) ADJOURNMENT

The meeting ended at 9:02 p.m. Commissioner Linn made the motion and Commissioner Speer seconded.