



City of Castle Pines, Colorado Minutes

REGULAR MEETING OF THE PLANNING COMMISSION & BOARD OF ADJUSTMENT Held Virtually via Zoom Thursday, March 25, 2021 - 6:00 PM

Planning
Commission/
Board of Adjustment

Michelle Wiley
Chair

Leanna Palmer
Chair Pro Tem

Craig Barragry

Millard Foraker

Lisa Glynn

David Goode

Seth Katz

1. CALL TO ORDER

The regular meeting of the Planning Commission of the City of Castle Pines, Colorado, was called to order by Commissioner Wiley at 6:02 p.m.

2. ROLL CALL

Those present were: Commissioner Craig Barragry
Commissioner Millard Foraker
Commissioner David Goode
Commissioner Lisa Glynn
Commissioner Seth Katz
Commissioner Leanna Palmer
Commissioner Michelle Wiley

Also present with the Commission:

Sam Bishop, Community Development Director
Tobi Basile, City Clerk
Linda Michow, City Attorney
Lori Strand, Assistant City Attorney
Nicholas Hufford, Planner II
Megan Palizzi, Management Analyst
Makenna Shaw, Administrative Assistant

3. APPROVAL OF AGENDA

Assistant City Attorney, Lori Strand, noted the Public Hearing notice was published with a start time of 6:30 p.m. and suggested changing the order of items on the agenda to accommodate the notice.

4. DISCLOSURE OF CONFLICTS OF INTEREST AS TO ANY ITEM ON THE AGENDA

- No disclosures of conflicts were received.

5. PLANNING COMMISSION – Action Items

a. Approval of the February 25, 2021 Meeting Minutes

Motion: Commissioner Palmer moved to approve the February 25, 2021 Meeting Minutes. Commissioner Barragry seconded. The motion passed by unanimous consent.

6. PLANNING COMMISSION DISCUSSION ITEMS

a. Comprehensive Plan Schedule and Progress Update Presentation

- Miriam McGilvray of Logan Simpson began the presentation.



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7. CONVENE AS THE BOARD OF ADJUSTMENT

- Commissioner Wiley convened the group as the Board of Adjustment at 6:30 p.m.
- Members present were:
 - Commissioner Craig Barragry
 - Commissioner Millard Foraker
 - Commissioner David Goode
 - Commissioner Lisa Glynn
 - Commissioner Seth Katz
 - Commissioner Leanna Palmer
 - Commissioner Michelle Wiley

8. BOARD OF ADJUSTMENT ACTION ITEMS

a. PUBLIC HEARING: Case No. VAR2021-001: An appeal to the Community Development Director's determination that the car wash at 7610 Debbie Lane is an accessory use to a nonconforming gas station use and that expansion of the accessory car wash is prohibited

- Greg Tamkin, attorney for the applicant, agreed to the Public Hearing in the electronic virtual format.
- Commissioner Wiley opened the Public Hearing at 6:30 p.m.
- Commissioner Wiley explained the hearing procedures and noted the hearing is being recorded.
- Sam Bishop, Community Development Director, confirmed the public notice requirements were met by the applicant.
- Mr. Tamkin gave the presentation for the applicant and answered questions from the Board of Adjustment Members.
- Mr. Bishop gave the City's presentation and answered questions from the Board of Adjustment Members.
- Commissioner Wiley opened Public Comment at 7:06 p.m.
 - Kami Dadras, 589 Crossing Circle, states he is a frequent user of the car wash and is in favor of expansion and modernization. He believes expansion would benefit and save time for the customers and the City of Castle Pines.
 - Ryan Smith, 535 First Avenue, states he lives in the area and notes the residential properties existed before the commercial properties. He states has serious concerns regarding the noise, increased traffic, and the impacts on property value for homes in the area for any car wash. He notes this is already a very busy gas station and notes if the expansion creates more traffic the expansion of the car wash will leave even less space to manage this traffic.



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- Kendra Hossfeld, 258 Lead Queen Drive, states she is an owner of HS Development, the president of Roosevelt Construction, and a principal for Douglas County Schools. States there was an assertion made by Twin Star on page 9 of the January 14th 7-Eleven car wash expansion document regarding claims of disparity in treatment, and notes HS Development has not and does not acknowledge any disparity in treatment from or by the City of Castle Pines between Twin Star and HS Development. Notes discrimination is not something taken lightly at HS Development and they are appalled at the accusations. States the relationship with the City of Castle Pines has been nothing but professional.
- John Brinkman, 86 Avon Place, states he frequents the car wash and knows that the store is very busy. Feels expanding the car wash would help the customers save time and increase the through-put of the car wash. States shorter car washes don't clean cars well and does not feel expansion would increase the current amount of noise. States he would like to see the expansion of this car wash.
- Jeff Kochevar, 7039 Forest Ridge Circle, states he has been a resident for 20-21 years and frequents this car wash. States he is concerned that a long-term business who wants to provide a better product is not receiving support. Notes he is in support of the car wash expansion.
- Commissioner Wiley closed Public Comment at 7:17 p.m.
- Mr. Tamkin responded to a public comment and provided final statements.
- Assistant City Attorney, Lori Strand, provided final statements.

Motion: Commissioner Goode moved to uphold the Director's determination that the existing car wash use at 7610 Debbie Lane is an accessory use to the nonconforming gas station on said property, and expansion of the car wash is prohibited under Zoning Ordinance Sections 2002.01 and 2002.02. In so moving, I find based on testimony provided during the hearing and review of the materials in the record for this case, that the applicant satisfied the procedural requirements set forth in Zoning Ordinance Section 26A but failed to satisfy the approval criteria in Zoning Ordinance Section 2603A. Commissioner Foraker seconded. Commissioner Wiley affirms the motion passed by a vote of 6 ayes and 1 nay.

- Commissioner Wiley closed the Public Hearing at 7:47 p.m.

9. RECONVENE AS THE PLANNING COMMISSION

- Commissioner Wiley reconvened into the Planning Commission at 7:47 p.m.
- Commissioner Wiley set a five-minute recess at 7:47 p.m.
- Commissioner Wiley reconvened the meeting at 7:52 p.m.

10. CONTINUATION OF PLANNING COMMISSION DISCUSSION ITEMS

a. Comprehensive Plan Schedule and Progress Update Presentation

- Miriam McGilvray of Logan Simpson completed the presentation and answered questions from Planning Commission Members.


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11. ADJOURNMENT


- Commissioner Wiley adjourned the meeting at 8:18 p.m.

RESPECTFULLY SUBMITTED:

DocuSigned by:

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Tobi Basile, City Clerk

APPROVED:

DocuSigned by:

7CF92C58254C2

Michelle Wiley, Chairperson