

I. Call to order / Roll Call

Commissioners Kathie Lattin, Bobby Hart, Natalie Woodruff and Teddy Herzog Present.

II. Announcements

III. Consent Agenda

A. Approval of the January 12, 2010 meeting minutes:

Vice Chair Hart motioned to approve the both meeting minutes, Cmmr Woodruff seconded the motion. The motion was unanimously approved.

IV. Board of Adjustments

NA

IV. Design Review Board

NA

V. Planning Commission

A. Burnett rezoning request:

Staff presented a ReZone request from Diane Burnett for 1100 CR 500 from R-T (rural transitional) to R-12 (residential medium density). Staff stated that the applicant was unaware of the rezoning of her property that took place in February 2009 as part of the new zoning map and LUDC. Previously the property was zoned B-2 (mixed use residential) with a density of 16+ units per acre. Staff noted that the property was adjacent to the High School property and that future pedestrian connections would be possible. No public comment was received. Vice Chair Hart motioned to approve a recommendation that Town Council Approve the requested rezoning of 1100 CR 500 from R-T (rural transitional) to R-12 (residential medium density). Cmmr Herzog seconded the motion. The Motion was unanimously approved.

B. Pinecrest Subdivision and properties adjacent to N. 14th Street, N. 15th Street and 15th Place rezoning recommendation:

Staff presented a rezone suggestion for the Pinecrest subdivision. At the October 13, 2010 PC meeting, many neighborhood residents were present for a single property owners rezoning request. At this meeting, the neighborhood property owners present encourage the PC to rezone the entire neighborhood back to a similar zone district as was designated prior to the rezoning that took place in February 2009, as part of the new zoning map and LUDC revision. As a result, the PC directed staff to look at this issue. The neighborhood was originally platted as a commercial subdivision as stated in the original Pinecrest Subdivision Codes, Covenants and Restrictions. After public notifications and phone calls staff determined that some properties could be rezoned to MU-C (mixed use corridor) which would allow the historic use of these properties and would allow existing business owners the ability to expand their existing businesses. Cmmr Herzog motioned to Recommend that Town Council Approve the recommended rezoning of the properties within the Pinecrest Subdivision and properties adjacent to N. 14th Street, N. 15th Street and 15th Place, as displayed on the attached Map, From MU-R (mixed use residential) to MU-C (mixed use corridor). Vice Chair Hart seconded the motion. The motion was unanimously approved.

VI. Reports and Comments

A. Town Manager:

1. Geo-Thermal Greenhouse project update:

Michael Whiting (MW) presented the status of the Geo-Thermal Greenhouse Project. MW stated that the Land Lease Agreement is to be signed on Wednesday February 10, 2010. MW reviewed the scope of the project including; pedestrian connections through the leased land and along the river will be preserved, Geo Greenhouse project will pursue acquiring adjacent properties to the north, possible education and business elements and funding options.

B. Staff:

1. Town Council Decisions from January 28, 2010:

- a. Sawmill Place extension request was unanimously approved.

2. LUDC language change to allow Town business owners who own the associated property to be eligible to serve on the Planning Commission:

Staff reviewed the status of this proposed language change. Town legal counsel verified that the proposed language change is constitutionally legal. Town Legal counsel had originally proposed a language change in which Town Council felt was confusing. Town Council asked staff to reword the proposed language change. The PC was unanimous in only allowing two (2) Non Town Residents on the PC at any one time. Staff stated they are finalizing the language with legal counsel and will present at the March 2, 2010 Town Council Meeting for consideration.

3. Medical Marijuana Dispensary update & zoning considerations:

Staff stated that the original "Emergency Ordinance #745 Temporarily Suspending the Processing of Applications for Medical Marijuana Dispensaries through March 31, 2010", is to expire on March 31, 2010. The original intent of the moratorium was to allow time for the State of Colorado Legislature to consider passing a bill to define and regulate Medical Marijuana Dispensaries. It appears the State is considering multiple bills and the anticipated approval of a bill will be no sooner than July 1, 2010. Staff stated that until the state gets their hands around this issue, it will be a waste of time for the Town to consider the issue until the State finishes the current Legislative session.

4. Next Regular Scheduled Meeting, March 09, 2010 @ 5:00 p.m.

VII. Adjournment

Vice Chair Hart motioned to adjourn the meeting at 6:25pm. Cmmr Woodruff seconded the motion. The motion was unanimously approved.

Meeting Minutes approved: _____

Kathie Lattin, Chairperson