



**MINUTES OF THE REGULAR MEETING OF THE
PALISADE BOARD OF TRUSTEES
March 8, 2022**

A work session of the Board of Trustees for the Town of Palisade began at 5:30 pm for a presentation from MOA Architecture regarding the design of the community clinic. Present were Mayor Greg Mikolai, Trustees Jamie Sommerville, Ellen Turner, Susan L'Hommedieu, Nicole Maxwell, Bill Carlson, and Mayor Pro-Tem Thea Chase. Also in attendance were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Community Development (CD) Director Brian Rusche, Finance Director Travis Boyd, Parks, Recreation & Events (PRE) Director Troy Ward, Police Chief Jesse Stanford, and Utilities Director Matt Lemon.

The regular meeting of the Board of Trustees for the Town of Palisade was called to order at 7:00 pm by Mayor Greg Mikolai with Trustees present: Jamie Sommerville, Ellen Turner, Susan L'Hommedieu, Nicole Maxwell, Bill Carlson, and Mayor Pro-Tem Thea Chase. A quorum was declared. Also in attendance were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Community Development (CD) Director Brian Rusche, Finance Director Travis Boyd, and Utilities Director Matt Lemon.

AGENDA ADOPTION

Motion #1 by Trustee Somerville, seconded by Trustee Turner, to approve the agenda as presented.

A voice vote was requested
Motion carried unanimously

PUBLIC COMMENT

None was offered.

TOWN MANAGER REPORT

Town Manager Janet Hawkinson updated the Board on the progress of the Highway 6 project, the demo of the old high school, and the community clinic architect's planning process.

Utilities Director Matt Lemon explained that the footbridge to Riverbend Park at Brentwood Drive would be closed to pedestrian access for resurfacing, and the anticipated closure time was two to three days. He went on to give a brief update on snowpack and water levels on the watershed after a question from Mayor Pro-Tem Chase.

Town Manager Hawkinson advised the Board that walled-in old balcony bleachers were discovered in the gymnasium and asked if they would like to explore the potential of opening them up and refurbishing them for future use. ***The consensus of the Board is to explore the true cost of the project and bring back plans to a future meeting.***

She went on to ask if the Board would like to support the Marillac Clinic *EDESIA* event by purchasing a table at the planned July 16, 2022 wine dinner for \$1,120.00 (which would sit eight guests). ***The consensus of the Board is to purchase a table for eight attendees for the July 16 Edesia Wine Dinner.***

CONSENT AGENDA

The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board members may ask that an item be removed from the Consent Agenda for individual consideration.

- **Expenditures**

Approval of Bills from Various Town Funds – February 17, 2022 – March 2, 2022

- **Minutes**

Minutes from the February 22, 2022, Regular Board Meeting

Motion #2 by Trustee Sommerville, seconded by Trustee Turner, to approve the consent agenda as presented.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee L’Hommedieu, Trustee Maxwell, Trustee Carlson

No:

Absent:

Motion Carried.

PUBLIC HEARING I

Ordinance 2022-09 - PRO 2022-05 Lincoln Woodworks ReZone

Mayor Mikolai opened the public hearing at 7:15 pm.

Community Development Director (CDD) Brian Rusche reviewed his staff report citing findings of fact and staff recommendation.

Lincoln Woodworks has operated next door (3810 N. River Road) to this property for the last 13 years and recently purchased the building from the Food Bank of the Rockies, which will be relocating to Grand Junction. The intent is for Lincoln Woodworks to consolidate its woodworking operation from three (3) existing locations throughout the valley to this one location.

NO REZONING MAY BE APPROVED BY THE TOWN BOARD UNLESS ALL OF THE FOLLOWING CRITERIA ARE SATISFIED:

1. Consistency with the adopted plans and policies of the Town;

The Comprehensive Plan – Future Land Use Map (2007) designates the subject property as commercial, which is reflected by its current zoning. However, it also designated the existing location of Lincoln Woodworks as commercial, despite its existing industrial zoning.

The Light Industrial zone is established to promote the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist (Section 5.04.C – LDC).

There is very little industrial property within the Town limits. In fact, this building appears to be the largest building available in Town for any kind of industrial use. The Land Development Code (LDC) has been amended since the 2007 plan to limit the intensity of industrial uses within the Town.

The proposed zone change would allow for the transition of the Food Bank building to a viable, home-grown industry that has successfully operated in the exact same neighborhood for over a decade.

2. Suitability of the subject property for uses permitted by the current versus the proposed district;

The Light Industrial zone is established to promote the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist (Section 5.04.C – LDC).

The subject property is surrounded by other commercial/industrial uses (including the existing location of Lincoln Woodworks) and has access to two streets. The building was constructed in 1972 and has been used by the Food Bank of the Rockies since 2012. Significant improvements to the site were made by the Food Bank as part of their approval in 2012.

The building has approximately 29,096 square feet of heated area. This is over five times as large as the existing location of Lincoln Woodworks in Palisade (they must rent additional space throughout the Grand Valley). The proposed relocation would allow the business to consolidate with room to grow.

One of the primary concerns with the Food Bank operation was the increase in truck traffic because of the increased demand for their services. The proposed relocation of Lincoln Woodworks would reduce the overall truck traffic, as their business is differentiated by having smaller and less frequent deliveries to and from the site.

3. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town;

There is very little industrial property within the Town limits. In fact, this building appears to be the largest building available in Town for any kind of industrial use. The Land Development Code (LDC) has been amended since the 2007 plan to limit the intensity of industrial uses within the Town.

The proposed zone change would allow for the transition of the Food Bank to a viable, home-grown industry that has successfully operated in the exact same neighborhood for over a decade.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and stormwater drainage facilities for the proposed use;

Unlike a residential use, an industrial use does not impact school enrollment or parks and recreation facilities. The site is accessible from North River Road and Bower Avenue. The building is currently a warehouse use, and any interior improvements would have to be done to current building codes. Utilities are already provided to the building. There is existing parking on this site that is shared with the current location of Lincoln Woodworks, so that arrangement would now become more formal due to the sale of the building to Lincoln.

5. It has been determined that the legal purposes for which zoning exists are not contravened; *The legal purposes for which zoning exists are not contravened by this request. The applicant has been up front about their intentions for the property and even hosted a “neighborhood meeting” on January 27, 2022, to discuss their plans with the neighborhood.*

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare; and *Adjoining property will not be adversely affected by this development. As compared to the current use, which certainly provides a benefit to the community, the proposed use will have less impact while allowing for continued beneficial use of this large space. The Food Bank made significant upgrades to the property to bring the site into conformance with the LDC, including landscaping, that will be maintained by the new owner. The industry currently operates next door with little discernable impact upon the neighbors.*

7. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The public would benefit from the consolidation of a viable, home-grown industry being able to remain in Palisade.

The Planning Commission conducted a Public Hearing on this request on March 1, 2022, and recommended approval of the requested zone change to the Board of Trustees, finding that the criteria of Section 4.02.E have been met.

Applicant Curt Lincoln gave a brief presentation about the requested zoning change and expressed that his dream is to consolidate the current three locations of Lincoln Woodworks to this one space.

Mayor Mikolai opened the hearing to public comment. None was offered.

Mayor Mikolai opened the hearing to Board comment.

Trustee Turner asked about neighbor opinions on the proposed change. Mr. Lincoln stated that the neighboring property owners had an overall positive response. One neighbor requested a light shield be installed on a light that streamed in the residence’s window, which Mr. Lincoln stated he would install as soon as possible.

Trustee L’Hommedieu expressed concerns over trucks and delivery schedules. Mr. Lincoln stated that they currently have one delivery a week to the neighboring property. He anticipated that the deliveries might increase to twice a week with the change. He also clarified that his delivery trucks are much smaller than the trucks that deliver to the Food Bank.

Trustee Somerville added that the smaller trucks used by Lincoln Woodworks would also be able to utilize North River Road as their access route, where the Food Bank trucks cannot due to size/weight limitations.

Mayor Pro-Tem Chase asked about the potential for additional employment opportunities. Mr. Lincoln reported that they plan on growing from the current 22 employees to 30 in the next couple of years.

Motion #3 by Trustee Somerville, seconded by Trustee Maxwell to approve PRO-2022-5, Lincoln Woodworks Rezone, finding that the criteria of Section 4.02.E have been met.

A roll call vote was requested.

Yes: Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L’Hommedieu, Trustee Maxwell, Mayor Mikolai

No:

Absent:

Motion carried.

A brief discussion ensued regarding the motion not containing language that included Ordinance number 2022-09.

Motion #4 by Mayor Pro-Tem Chase, seconded by Trustee Turner to approve Ordinance 2022-09 entitled “An Ordinance of the Town of Palisade, Colorado, Amending the Zone District Map of the Town by Zoning Certain Property Known as 119 N. Bower Street (Mesa County Parcel No. 2937-091-00-112) from Commercial Business (CB) to Light Industrial (LI) Zone District,” finding that the criteria of Section 4.02.E have been met.

A roll call vote was requested.

Yes: Trustee Carlson, Trustee L’Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase

No:

Absent:

Motion carried.

Mayor Mikolai closed the public hearing at 7:33 pm.

PUBLIC HEARING II

PRO 2022-7 Tallant Bed & Breakfast

Mayor Mikolai opened the public hearing at 7:33 pm.

CDD Rusche gave a brief presentation outlining the findings of fact and staff recommendations.

The subject property at 3819 North River Road was purchased in July 2019 by Tammy Tallant. The property is zoned Low-Density Residential (LDR). In addition to an approximately 1740 square foot single-family residence, it includes an approximately 520 square foot accessory dwelling unit (ADU). This unit was approved via CUP for use as a law office (PRO-2019-08), but the office has moved to a commercial location, and the unit is currently being used as an ADU as originally designed in 2017. The owner now requests a Conditional Use Permit (CUP) to operate a bed & breakfast on the property.

NO CONDITIONAL USE PERMIT SHALL BE APPROVED UNLESS THE FOLLOWING FINDINGS ARE MADE CONCERNING THE APPLICATION:

- 1. That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.**

The application will not materially endanger the public health or safety.

The property is setback away from North River Road and has views of the Colorado River. Although the parcel is technically landlocked, access to the site is by means of a driveway within and easement for ingress and egress recorded in 1999 (Reception # 1882119). The site has sufficient space to accommodate the parking required for guests of the bed & breakfast (one per unit plus one per guest room per Table 10.1 of the LDC).

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.

The application conforms to the standards and practices of sound land use planning.

The LDC requires a conditional use permit within the low-density residential zone for a bed & breakfast. The recently approved change to the LDC allows for the use of the accessory structure as part of the bed & breakfast since it is on the same property as the primary residence. The standards for a bed & breakfast found in Section 7.03.C have been addressed.

3. That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The application will not substantially injure the value of adjoining property or detrimental to their use.

The area along North River Road exhibits a mix of uses, including light industrial, commercial, and residential. This property has been used for a law office as well as an accessory dwelling unit (not at the same time), and the proposed bed and breakfast would replace these uses but would continue to have the same low-impact character as the previous uses. Adjacent to the property is the Palisade River House (311 Troyer), an approved short-term vacation rental (STVR).

4. That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.

The application will not adversely affect the adopted plans of the Town or violate the character of the adjacent properties.

As noted above, this neighborhood is a mix of uses, and the exterior residential character of the subject property would remain unchanged. The applicant has indicated that the operation of a bed & breakfast would be beneficial to the Town's economy. Furthermore, the applicant indicates that the property owner or agent of the property owner will be on-premises (as required by the LDC) to monitor guest compliance with house rules, including quiet hours.

The Planning Commission conducted a Public Hearing on this request on March 1, 2022, and recommended approval of the requested conditional use permit (CUP) to operate a Bed and Breakfast at 3819 North River Road to the Board of Trustees, finding that the criteria of Section 4.07.E have been met and with the following conditions:

- 1) The applicant is responsible for obtaining all permits relating to the operation of a bed & breakfast, including but not limited to building permits, business and tax licenses, and health department inspections.

Applicant Tammy Tallant asserted that she wants a bed & breakfast.

Mayor Mikolai opened the hearing to public comment. None was offered.

Mayor Mikolai opened the hearing to Board comment.

Trustee Somerville observed that the proposed property is a good site and a great location for a bed & breakfast business.

Mayor Mikolai noted that the current building has a stove that must be removed to adhere to B&B requirements and asked how the Town would ensure that the stove does not get re-installed once approval is granted. CDD Rusche proposed adding a condition to the CUP that the Town perform inspections of the premises if the Board wishes to ensure compliance. The county will perform yearly inspections of the kitchen used for cooking.

Mrs. Tallant assured the Board that she expects regular inspections and plans on complying with all requirements for a B&B.

Motion #5 by Trustee Maxwell, seconded by Trustee Carlson to approve PRO-2022-7, Tallant Bed and Breakfast Conditional Use Permit, finding that the criteria of Section 4.07.E have been met and with the following condition:

- 1) The applicant is responsible for obtaining all permits relating to the operation of a bed & breakfast, including but not limited to building permits, business and tax licenses, and health department inspections.

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner

No:

Absent:

Motion carried.

Mayor Mikolai closed the public hearing at 7:43 pm.

NEW BUSINESS

Resolution 2022-07 Supporting the Grant Application for an Innovative Housing Strategies Grant from the Department of Local Affairs (DOLA)

CDD Rusche explained that DOLA, with funding from House Bill 21-1271, offers state assistance to local governments to promote the development of innovative, affordable housing strategies in a manner that is compatible with best local land-use practices. He would like to apply for the grant to assist with the Comprehensive Plan update.

The grant request is for \$45,000. A minimum 25% local match is required, which would be \$15,000, for a total project cost of \$60,000. If the grant is approved, the matching funds of \$15,000 will be taken from the existing budget or appropriated if necessary, and a Request for Qualifications and/or Proposals (RFQ/P) will be prepared to obtain a consultant or team of consultants to aid in the preparation of necessary updates.

Trustees Turner, Somerville, and Maxwell expressed concerns over the amount of funds already being spent on the Comprehensive Plan and the small amount of land that would be included in the study.

Trustee L’Hommedieu, Mayor Mikolai, and Mayor Pro-Tem Chase advocated for the study stating that any additional resource going into the Comprehensive Plan is beneficial and that finding a balance between lower-income housing and higher-priced housing is crucial for the health of the community.

Motion #6 by Mayor Pro-Tem Chase, seconded by Trustee L’Hommedieu to approve Resolution 2022-07 supporting the grant application for an Innovative Housing Strategies grant from DOLA.

A roll call vote was requested.

Yes: Mayor Pro-Tem Chase, Trustee L’Hommedieu, Mayor Mikolai,

No: Trustee Carlson, Trustee Maxwell, Trustee Turner, Trustee Somerville

Absent:

Motion failed.

OPEN DISCUSSION

Trustee Carlson thanked Utilities Director Matt Lemon for including him on a tour of the water facilities and added that it was very informative. He added the town might want to research if there is an option with the Bureau of Land Management on reorganizing the ownership of the land surrounding Cabin Reservoir.

Trustee Maxwell announced that she has been researching ways to help engage youth in Palisade. One of the ideas that stood out with her was implementing a Youth Advisory Committee. The consensus of the Board is for Trustee Maxwell to look into the logistics of a committee and how School District 51 could be involved, but having the Town organize an official committee to the Board is not supported.

Mayor Mikolai announced that he would like to have the Town Manager’s annual review via executive session at the next meeting. He went on to express his confidence that demoing the old high school was the correct decision to make. He clarified that after watching it come down, it was confirmed that the building was too unstable to safely rehabilitate.

COMMITTEE REPORTS

Board members briefly explained the various meetings they had recently attended.

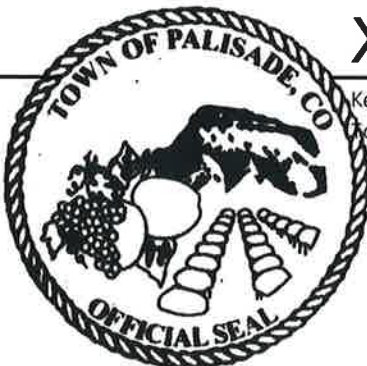
ADJOURNMENT

Motion #3 by Trustee Somerville, seconded by Trustee Maxwell to adjourn the meeting at 8:14 pm.

A voice vote was requested.

Motion carried unanimously.

X *Greg Mikolai*
Greg Mikolai
Mayor



X *Keli Frasier*
Keli Frasier
Town Clerk