



**AGENDA**  
**for the Planning Commission**  
**of the Town of Palisade, Colorado**  
**341 W. 7<sup>th</sup> Street (Palisade Civic Center)**

**May 4, 2021**

**6:00 pm Regular and Virtual Meeting with In-Person Seating**

- I. **REGULAR MEETING CALLED TO ORDER AT 6:00 pm**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **AGENDA ADOPTION**
- V. **ANNOUNCEMENTS / PRESENTATIONS**
  - A. **PUBLIC COMMENT REMINDER:** All emails sent to the Planning Technician for public comment on a specific agenda item prior to the day packets are published will be included in the staff report. Emails received after the packets are posted will be forwarded to the Planning Commission. Any member of the public who wishes to have a statement or email read into the Minutes is required to appear (virtually or in-person) at the meeting and make said statements to the Commission directly.
  - B. **The Town of Palisade has a NEW WEBSITE!** [palisade.colorado.gov](https://palisade.colorado.gov)
  - C. **Town Hall Offices NOW OPEN TO THE PUBLIC: Monday – Friday, 8:30 am – 4:30 pm**
  - D. **MOBILE COVID-19 VACCINE BUS is coming to Palisade: Friday, May 7, 2021 10:00 am – 6:00 pm at Veteran’s Memorial Park**
- VI. **APPROVAL OF MINUTES**
  - A. **Minutes from April 20, 2021, Regular Planning Commission Meeting**
- VII. **PUBLIC COMMENT – For items not on the Public Hearing agenda**  
*Please keep comments to 3 minutes or less, and state your name and address. Neither the Planning Commissioners nor staff will respond to comments at this time. The Commission may direct staff to look into specific comments to bring back as an Agenda item at a future meeting.*

## **VIII. PUBLIC HEARING**

*The following items will be presented before the Planning Commission of the Town of Palisade for their consideration. The Planning Commission will formulate a recommendation, which will be forwarded to the Board of Trustees of the Town of Palisade. For those items for which the Planning Commission retains Decision Maker status, they will weigh the options and cast a vote.*

### **A. PRO 2021-7 – CUP for a Drive-Through Restaurant**

*The Planning Commission will consider a request for a Conditional Use Permit (CUP) for a drive-through restaurant at 450 Wine Valley Rd. (parcel # 2937-043-42-002) as applied for by J & L Development LLC. The Planning Commission shall review the application and forward its recommendation to the Board of Trustees for consideration.*

1. Staff Presentation
2. Applicant Presentation
3. Public Comment (*Please limit comments to **three (3) minutes**, state your name and address*)
4. Commission Discussion
5. Applicant Closing Remarks
6. Decision (*motion, second, roll call vote*)

## **IX. UNFINISHED BUSINESS**

## **X. NEW BUSINESS**

## **XI. ADJOURNMENT**



**TOP Planning Commission Regular Scheduled Virtual Meeting Electronic Participation Instructions**

*Due to the rise in COVID-19 (coronavirus) cases in Mesa County, the Town of Palisade has decided to continue virtual public attendance at meetings with limited in-person seating in accordance with current restrictions*

**Regular meeting starts at 6:00 pm**

**<https://zoom.us/j/3320075780>**

**Meeting ID Number: 332 007 5780**

To Join Zoom Meeting:

**BY COMPUTER/SMARTPHONE:** Click on the link above and follow the instructions. Participants from the audience will be able to speak during public comment. **There is a hand symbol to push that will allow the meeting moderator to see who wants to speak.** Please remember to state your name before speaking. The person has three minutes to speak. The line will be muted at the end of the three minutes. **If using a smartphone, you must download the app.**

**\*BY TELEPHONE:** Members of the public who wish to provide public comment on any specific agenda item or during general public comment must call the number provided below between 5:15 pm and 5:29 pm. During that time, the **moderator of the call will ask your name and the agenda item or if you wish to speak to an item not on the Agenda.** Once that information has been provided, your line will be muted. When it is time to talk during the meeting, the moderator will unmute the line, state the person's name who will be speaking. The person has three minutes to speak. The line will be muted at the end of the three minutes.

To participate, dial the following phone number: **1 (253) 215 8782**, then there will be a prompt to enter the meeting **ID. Number Noted Above**, and the User ID is the pound (#) sign.

**BY ELECTRONIC MAIL:** Members of the public may also provide public comment or comment on a specific agenda item by sending an email to [lreynolds@townofpalisade.org](mailto:lreynolds@townofpalisade.org). The email must be received by 2:00 pm on the day of the meeting. **The Clerk will FORWARD THE EMAIL TO THE PLANNING COMMISSION.** *Any member of the public who wishes to have a statement read into the Minutes is required to appear (virtually) at the meeting and make said statements to the Commission directly.*



## Mobile COVID-19 vaccination is coming to Palisade!

Friday May 7, 2021 from 10:00am-6:00pm

Veteran's Memorial Park, 120 W. 8<sup>th</sup> St. Palisade, CO

### What To Expect:

#### *Registration is encouraged but NOT required*

It is best to register in advance by visiting [www.mobilevax.us](http://www.mobilevax.us). Walk-up appointments are available on site. Pre-registration will collect your name, address, birthday, and contact information to reserve your spot. Any relevant medical information will be collected on site.

#### *Screening*

When you arrive at your appointment, you will be asked to fill out a short paper form with a few health questions before receiving your vaccination. **No ID or proof of insurance is required.**

#### *Vaccination*

Your vaccination will take place at one of the six vaccination stations inside the *Vaccines for All* mobile unit. After receiving your vaccine, you will receive a vaccination record card. This is an important document to keep for your records as it records the date and type of vaccine you received and it informs you of your second vaccination time and date if you receive the Pfizer or Moderna vaccine.

You will then be asked to park or sit and wait in a designated area for a 15-minute observation period. If you are not feeling well during this observation period, an on-site health professional will assist you.

#### *Reminders*

Please remember to stay hydrated before and after your vaccination and please eat before your vaccination or bring a snack with you. Also, feel free to bring a friend or family member with you for support if needed.

*Vaccines for All* mobile unit brought to you by Mesa County Public Health in partnership with the Colorado Department of Public Health and Environment





**MINUTES OF THE REGULAR MEETING OF THE  
PALISADE PLANNING COMMISSION  
341 W 7<sup>th</sup> Palisade Civic Center  
(Also Virtual Participation Via ZOOM)  
April 20, 2021**

The regular meeting of the Planning Commission for the Town of Palisade was called to order at 6:04 pm by Vice-Chairman Harbaugh with Commissioners present: Hull, Wheeler, Prinster, Hamilton and Curry. A quorum was declared. Also, in attendance were Community Development Director Brian Rusche and Planning Technician Lydia Reynolds.

**AGENDA ADOPTION**

*Motion #1* by Commissioner Hull, seconded by Commissioner Hamilton, to approve the Agenda as presented.

A voice vote was requested.  
Motion carried unanimously.

**ANNOUNCEMENTS and PRESENTATIONS**

Community Development Director Brian Rusche announced that Town Clean Up day is April 24<sup>th</sup> from 8am to noon. He also noted the policy on reading public comments into the minutes. A citizen or representative must read them in person or via Zoom. Mr. Rusche announced that the Town has a new website “palisade.colorado.gov” that now has the current Land Development Code.

**MINUTES**

*Motion #2* by Commissioner Prinster, seconded by Commissioner Wheeler, to approve the Minutes of April 6, 2021.

A voice vote was requested.  
Motion carried unanimously.

**PUBLIC COMMENT**

None

**PUBLIC HEARING**

**PRO 2021-5 – Harvest Host at Colorado Vintners CUP**



Vice-Chairman Harbaugh opened the public hearing.

*The Planning Commission will consider a request for a Conditional Use Permit (CUP) at 3674 G Rd. (2937-083-00-060) to allow for Harvest Host RV (Recreational Vehicle) parking on the subject property, as applied for by the Colorado Vintner's Collective LLC. The Planning Commission shall review the application and forward its recommendation to the Board of Trustees for consideration.*

### STAFF PRESENTATION

Community Development Director Brian Rusche informed the Commission that the Town of Palisade has received a request for a Conditional Use Permit (CUP) at 3674 G Rd. (2937-083-00-060) to allow for Harvest Host RV (Recreational Vehicle) parking on the subject property, as applied for by the Colorado Vintner's Collective LLC. The Planning Commission shall review the application and forward its recommendation to the Board of Trustees for consideration.

Mr. Rusche gave an overview of the request. He notes that the property is 1.5 acres and is zoned Commercial Business. The current use is a winery, tasting room and outdoor patio. He explained that the business owner would like to participate in a program known as Harvest Hosts which, according to their website ([www.harvesthosts.com](http://www.harvesthosts.com)) offer "a membership program that invites self-contained RV's to have unique overnight stays." The program matches hosts, who provide locations such as wineries, breweries, and farms with travelers throughout the country who want to partake in the experience provided at the host location.

Mr. Rusche noted that Section 10-88 of the Palisade Municipal Code does not permit "camping" on commercial properties unless within a manufactured home park, RV park or campground as defined in the Land Development Code. He explained that the Harvest Host program is different from an RV park in that the guests do not provide direct compensation to the host and the length of stay is limited to 24 hours. Although different from an RV Park, the Community Development Director may determine that a use is similar to a specific use listed in the use table and where such specific use is subject to a conditional use permit, the proposed use shall also be subject to conditional use approval (LDC Section 6.02.A). Outdoor recreation, which includes RV parks and campgrounds, is a conditional use in the Commercial Business (CB) zone.

Mr. Rusche stated that pursuant to Section 4.07.D.2, a site plan has been submitted showing the location of the proposed Harvest Host parking. The program only allows for 24-hour (overnight) parking and the RVs must be self-contained so that the host does not provide any permanent facilities, such as a waste dump station or electrical connection. Staff recommends that this be documented through a condition to ensure that the proposed use does not evolve into an RV park.

Mr. Rusche then identified the 4 criteria in the Land Development Code that must be met for a CUP, and how it applies to this request. Mr. Rusche stated that Staff recommends approval of the proposed conditional use permit (CUP) for the Harvest Hosts recreational vehicle parking, with the findings of fact as stated above, and with the following conditions:

- 1) No permanent facilities (such as a dump station or electrical connection) shall be installed to serve this proposed use.
- 2) Gravel surfaces within the property shall be maintained for the duration of the use in a dust-free manner.

- 3) Should the business owner elect to no longer participate in the Harvest Hosts program, then RV parking will no longer be allowed unless a new CUP is approved.

It was brought to the Commission's attention that the public, via zoom, were not able to hear Mr. Rusche's presentation. The audio was fixed and the meeting continued.

### APPLICANT PRESENTATION

Aly McDonald, owner of Colorado Vintner's Collective LLC, stated that the guests were well vetted through Harvest Host. She feels her location provides easy access to downtown Palisade and would be beneficial to her business as well as other businesses in Palisade.

### PUBLIC COMMENT

Ron West, 105 W 1<sup>st</sup>, owner of Varaison Winery. Mr. West stated that he lived in California wine country for 17 years and is well aware of the Harvest Host program. He said he has been approached every year by Harvest Host and has refused to participate as he does not feel the impact of RVs on local roads was fair to the Town of Palisade. His experience in California was that the program is so popular that it created traffic issues, especially on weekends and holidays. He observed that people would come in later in the evening and head out early in the morning and therefore not spending money as intended. Mr. West stated that if a CUP is approved, it will open the door for all the wineries and breweries in town. Mr. West acknowledged that it meets the criteria, but his point is the end result is not in the best interest of the Town.

Gail Evans, 129 Majestic Ct. stated that she had gone to Fruita for dinner and noticed RVs backed up in the double round-about trying to get into the visitor's center. Ms. Evans explained she is not necessarily against the request, but that the Commissioner's should be aware of the trend of more people living and vacationing in RVs and campers and the campgrounds are full.

### COMMISSIONER DISCUSSION

Commissioner Prinster asked the applicant if they would be charging the lodging tax/fee for the guests. Ms. McDonald explained that she does not receive compensation from Harvest Host or the guests. Commissioner Prinster thought the Short Term Vacation Rental owners would have an objection to the Harvest Host program participants not collecting the lodging fee.

Community Development Director Brian Rusche stated that the program is an accessory use to their principal use as a winery. Vice-chair Harbaugh expressed concern that the people would arrive at 5pm and leave at 7am and could cause a lot of traffic issues. Commissioner Wheeler expressed concern that others may want more than 4 spots. He added that if they approve this CUP they aren't necessarily setting precedence in a legal aspect, but they are setting it in how they act. He pointed out that with the Plunge, Basecamp and other attractions, there will be an impact to the infrastructure. Commissioner Hamilton noted that the number of STVRs were limited and decisions they make now could have a big impact in the future.

Commissioner Curry disclosed that he owns a short term vacation rental. He agreed that infrastructure will have to be improved as visitor numbers increase. Vice Chair Harbaugh and Commissioner Hamilton questioned that if they approve the CUP, does it obligate them to approve others that request the same. Mr. Rusche responded that with any request, the Commission would look at the criteria, site plan, and other specific information related to the applicant's request for that particular CUP.

Commissioner Prinster asked how many conditions are being proposed. Mr. Rusche responded that he proposed three conditions and reviewed them for the commission. Commissioner Prinster asked if they could add conditions. Mr. Rusche explained that they could add conditions to this CUP but that would not carry over to future CUPs that are requested.

Vice Chair Harbaugh asked if this would create an enforcement problem for the Police Dept. if the municipal code prohibits camping. Mr. Rusche stated that the municipal code prohibits camping on public properties and that this is private. Commissioner Hull stated that he is uncomfortable having this across from a High School. He is also uncomfortable with alcohol consumption across from the High School. Commissioner Hull noted that he is concerned about the temporary nature of guests spending one night and not knowing who they are, across from a High School. Commissioner Prinster also expressed concern about this being across from the High School.

### APPLICANTS CLOSING REMARKS

Ms. McDonald stated that Harvest Host is a vetted platform where guests rate hosts and hosts rate guests. Ms. McDonald stated that there is a trend, especially among outdoor enthusiasts, to stay in unique places. She feels this is a demographic that likes to travel and spend money. Vice Chair Harbaugh asked what time people would arrive. She said they would have to arrive by 6pm and she does not close until 7 or 8. Commissioner Curry pointed out that the guests are already a part of this platform and it is not a last minute search for a free place to stay. Discussion continued regarding the annual membership fee.

**Motion #3** by Commissioner Prinster and seconded by Commission Hamilton, to approve item PRO-2021-5 with the additional condition that not more than 4 guest spots per night be allowed.

A roll call vote was requested and the vote on the motion was as follows:

**YES: Commissioners: Prinster, Hamilton, Hull, Curry and Wheeler**

**NO: Vice Chairman Harbaugh**

**ABSENT: Chairman Parker**

**The motion passed 5-1**

Vice-Chairman Harbaugh closed the public hearing at 6:45 p.m.

Mr. Rusche explained that the next item on the agenda, PRO 2021-7 – Drive-Through Restaurant CUP, has been postponed and re-advertised for the next meeting on May 4<sup>th</sup>.

### UNFINISHED BUSINESS

None

### NEW BUSINESS

Community Development Director Brian Rusche gave an update on the Highway 6 project. He noted that there were about 40 people who attended the open house in March. Mr. Rusche stated that many of the comments gathered from the meeting were concerning the median and will be considered when moving



forward with the design phase. Overall the project seemed to be supported. Mr. Rusche reported that CDOT is considering the intersection of Highway 6 and Elberta for improvements. Staff is looking at existing infrastructure and available grants.

ADJOURNMENT

Motion #4 by Commissioner Hull and seconded by Commission Hamilton, to adjourn.

The motion passed unanimously

The meeting was adjourned at 7:00 pm.

X

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Riley Parker  
Planning Commission Chairman

X

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Lydia Reynolds  
Planning Technician

**PRO 2021-7, CONDITIONAL USE PERMIT (CUP) FOR A DRIVE-THROUGH  
RESTAURANT, LOCATED AT 450 WINE VALLEY ROAD,  
PARCEL # 2937-043-42-002**

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**SUMMARY**

The Town of Palisade has received a request for a Conditional Use Permit (CUP) for a drive-through restaurant located at 450 Wine Valley Road (Parcel # 2937-043-42-002). The parcel originally consisted of 4.62 acres but was approved on March 9, 2021 by the Town for a Minor Subdivision (PRO-2020-33) known as the Wine Valley Subdivision. Lot 2 of the Wine Valley Subdivision is 1.02 acres and is the proposed site for a drive-through restaurant of approximately 2000 square feet.

The recently amended Land Development Code (LDC) requires a Conditional Use Permit (CUP) for a restaurant *with drive-through* in the HR (Hospitality Retail) zone district. A restaurant without a drive-through is a permitted use. Therefore, the focus of request is on the drive-through component of the proposed restaurant.

Staff is asking the Planning Commission to review the request and make a recommendation to the Board of Trustees. The Board of Trustees will review the request at their public hearing on May 11, 2021 and make a final decision.



**Project Location Map**

## SITE PLAN

Pursuant to Section 4.07.D.2, a site plan has been submitted showing the location of the drive-through window in relation to the restaurant building, along with associated parking.

The proposed restaurant would be approximately 2000 square feet, along with an approximately 960 square foot outdoor patio, all of which are located immediately adjacent (to the east) of the existing gas station. Wine Valley Road is a public street and infrastructure, including utilities and sidewalks, will be constructed to the east at the expense of the developer (J & L Development, LLC) along the Lot 2 frontage. These improvements, currently estimated at nearly \$120,000, will need to be completed prior to receiving a Certificate of Occupancy (CO) for the restaurant.

It is noted by the applicant that there is an existing irrigation line running north-south through the east side of the property. The applicant will work with Dave Voorhees (who also happens to be the nearest residential neighbor to the east) and the Mesa County Irrigation District to relocate the line out from under parking areas, according to the letter of intent.

If CUP is approved, the final details of the site plan would be reviewed and approved by the Community Development Director prior to issuing a Planning Clearance/Building Permit for this project.

## LAND DEVELOPMENT CODE

### Section 4.07 Conditional Use Permit:

A conditional use is a use that may or may not be appropriate depending on the location and the conditions imposed upon the approval of the use that are designed to reasonably mitigate any adverse impacts on surrounding properties. Approval of a conditional use permit allows for flexibility and to help diversify uses within a zoning district.

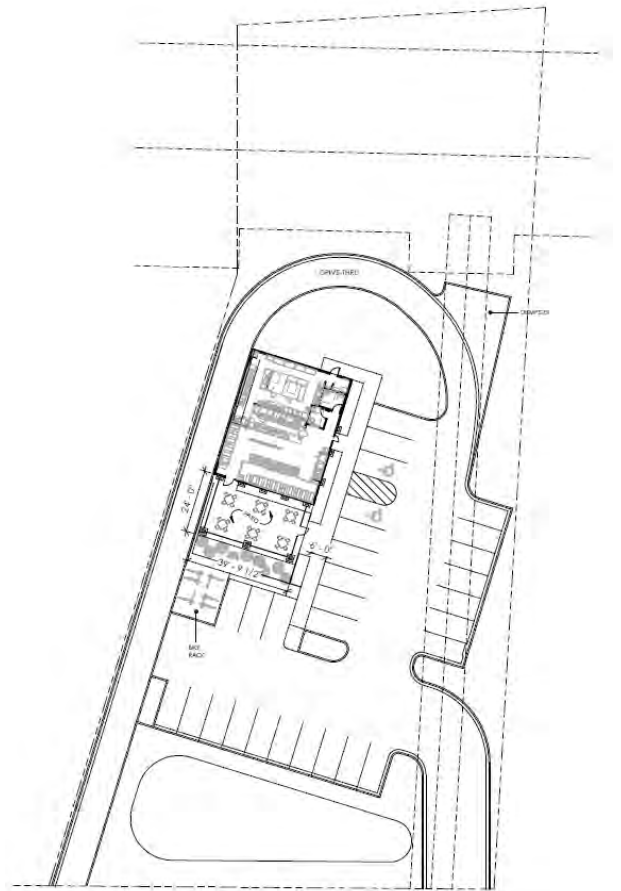
### Section 4.07.E. Conditional Use Permit Findings of Fact:

In order to approve a conditional use permit, the Planning Commission must make certain findings about the request (in the form of a recommendation to the Board of Trustees):

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 drive-through restaurant would be located adjacent to an existing auto-oriented use and accessible via a public street, built to current development standards. The drive-through window is located on the west side of the building, next to an existing semi-truck parking lot and fueling station. The window location provides sufficient queuing for automobiles (a total of 10 vehicles), as required by Section 10.01.F.1 – Off-street stacking requirements. Sufficient parking is provided - based on the square footage of the restaurant (using Table 10.1), a minimum of 20 spaces is required (1 per 100 sq. ft. of floor area) and 29 spaces are provided. In addition, the drive-through exit is physically separated from the rest of the parking lot and the patio area, and bicycle parking is also provided.*

*In granting approval of a conditional use permit, the Board of Trustees may impose reasonable conditions which serve to assure that the conditional use permit does not endanger the public health or safety. Staff*



1 SITE PLAN  
C1.1 1" = 20'-0"



*is recommending that a pedestrian walk be constructed from the public sidewalk on the north side of Wine Valley Road to the primary entrance of the restaurant (as was required of the Golden Gate convenience store). This requirement, if adopted, would not conflict with the proposed drive-through exit and would only impact one parking space, while providing a well-defined place for pedestrians (and bikes) to access the business.*

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 practices of sound land use planning. Drive-through restaurants, particularly during the pandemic, serve the needs of local and regional customers who are unable to physically enter a traditional sit-down restaurant due to social-distancing requirements and mandatory public health closures. It is anticipated that demand for this use will continue regardless of the current public health orders. The proposed restaurant, taken as a whole, provides several alternatives for people to access its business. The applicant notes “Restaurant type uses, including drive thru [sic], are typical in commercial business areas, especially when near major transportation systems and interstate highway interchanges.”*

*The design of the proposed restaurant is unlike a typical “fast-food” establishment. The low-rise building utilizes earth-tone colors, including brick accents, to ensure that it blends into the high-desert landscape. An*



*outdoor patio area (shown on the elevations) is provided in front of the restaurant, allowing people to enjoy the outdoors during the peak tourist season in Palisade. Xeric landscaping is also shown along the street frontage. Additional renderings are attached.*

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 property is currently a vacant commercial lot and has been vacant for some time. The development of the Golden Gate convenience store has undoubtedly increased the value of the remaining undeveloped commercial property due to the construction of public infrastructure. The establishment of a complimentary use to the gas station will only increase the value of the remaining commercial parcel.*

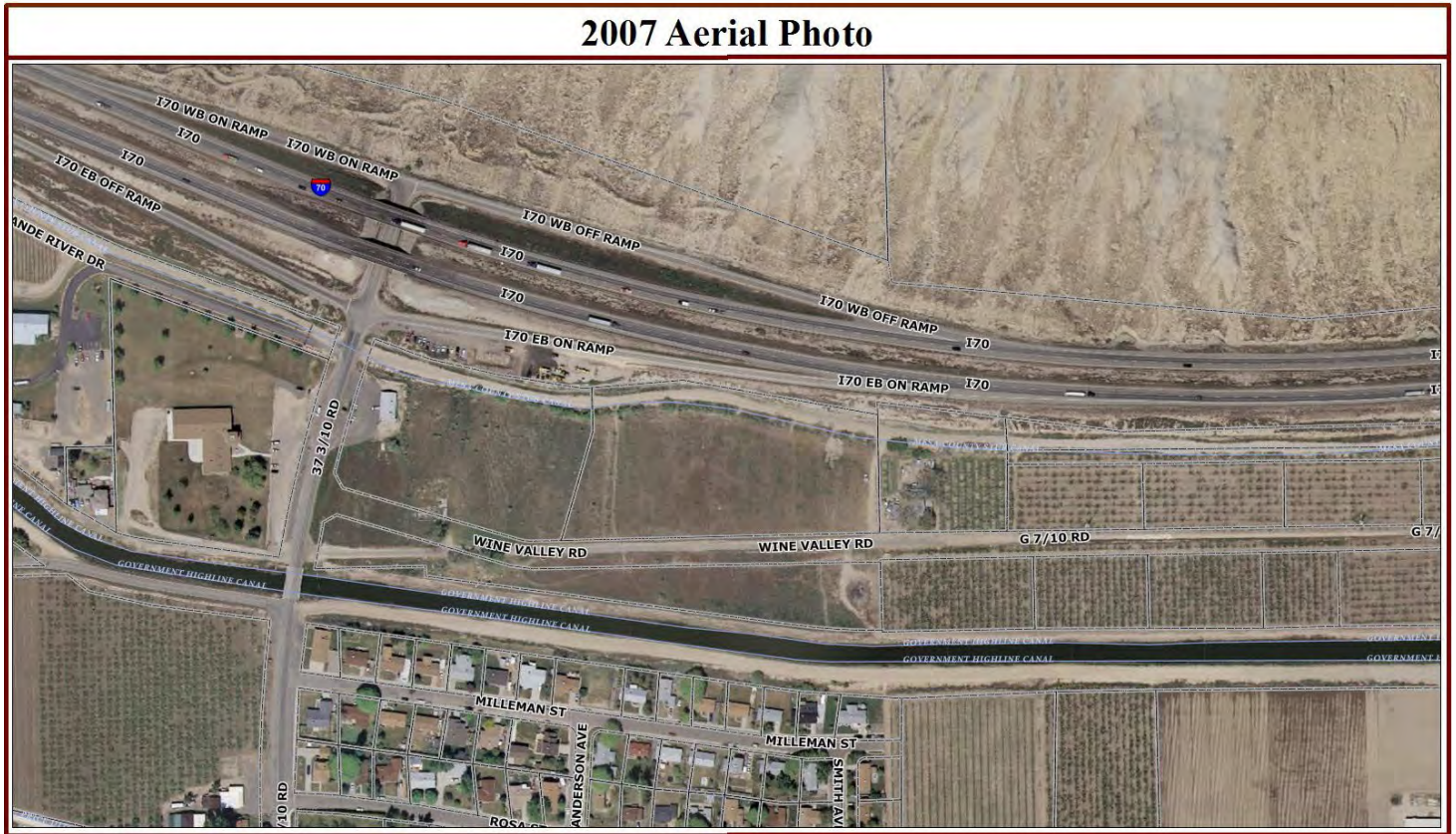
*The nearest residential property to the east (owned by Mr. Voorhees, who as noted earlier manages the irrigation lines in this neighborhood) is at least 500 feet from proposed drive-through. To the south, the residential Willow Tree Subdivision is separated by a canal with roads on both sides, a strip of undeveloped commercial property, Wine Valley Road (with future sidewalks on both sides), and at least 120 additional feet of setback from the back of sidewalk to the drive-through window itself.*

*The applicant has prepared a traffic study and has submitted it to CDOT, who controls access and traffic volumes in the vicinity of the I-70, Exit 42 interchange, for review and approval. The projected traffic volumes at the intersection of Elberta Avenue and Wine Valley Road generated by the existing Golden Gate convenience store (who constructed the new intersection) and the proposed drive-through restaurant, as well as the soon-to-be completed Peach Shack, could increase to a point 10% higher than the level anticipated (and approved) by CDOT in 2017, which is less than the threshold (20% increase) used by CDOT to require additional physical improvements to the intersection.*



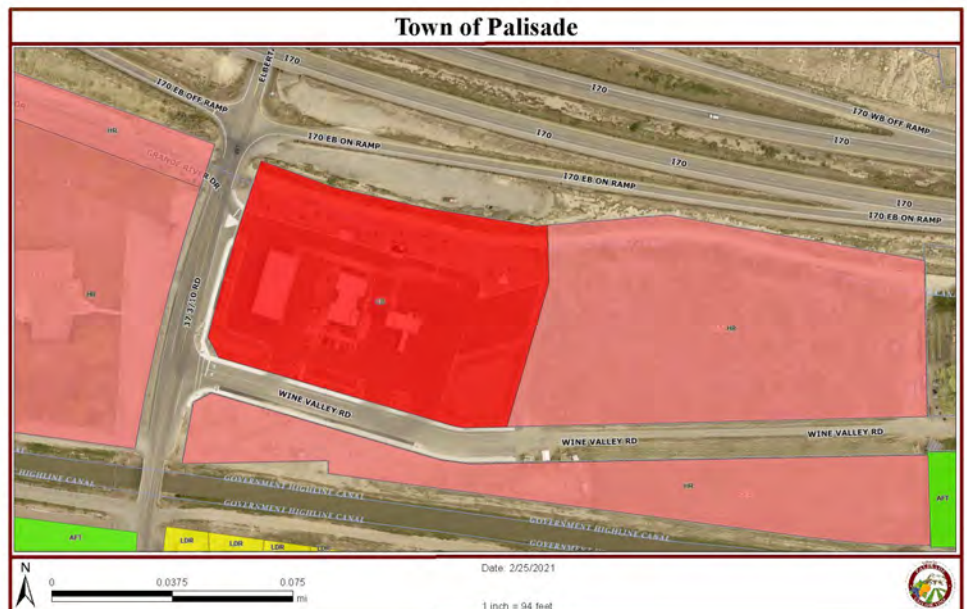
4. That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.

*The Comprehensive Plan (2007) predates the incorporation of the subject property into the Town limits. Nevertheless, it notes in Desired Future Condition – Policy 7: “For the area near I-70 Exit 42, encourage commercial development on vacant or undeveloped land that is consistent with preserving the agricultural character and an attractive entry into Palisade.”*



Prior to annexation of the property in 2017, Mesa County had designated this area around Exit 42 as commercial, but it had historically been underutilized and there does not appear to be any agricultural production present in the decade between the 2007 Comprehensive Plan and the 2017 annexation and development of the Golden Gate convenience store, based upon a review of available aerial photos.

The application complies with the intent of the Hospitality Retail zoning district by providing retail development in the vicinity of Exit 42 in an environment compatible with the character of existing land uses.





## **RECOMMENDATION ON THE CONDITIONAL USE PERMIT**

Staff recommends approval of the proposed conditional use permit (CUP) for a drive-through restaurant, with the findings of fact as stated above, and with the following conditions:

- 1) A pedestrian walk be constructed from the public sidewalk on the north side of Wine Valley Road to the entrance of the restaurant.
- 2) A Site Plan shall be approved by the Community Development Director prior to issuance of a Planning Clearance/Building Permit for the proposed restaurant.
- 3) The extension of public infrastructure in Wine Valley Road shall be completed to the property line of Lot 2, Wine Valley Subdivision, prior to issuance of a Certificate of Occupancy (CO) for the restaurant.
- 4) Any improvement at the intersection of Elberta Avenue and Wine Valley Road required by the Colorado Department of Transportation (CDOT) after a review of the completed traffic study will be the responsibility of the applicant and not the Town of Palisade.

## **ATTACHMENTS**

Letter of Intent

Site Plan

Elevations (computer generated)

Letter of Intent  
For  
Wine Valley Subdivision & Conditional Use For Drive Thru Restaurant  
450 Wine Valley Road

Dear Mr. Rusche,

J&L Development, LLC is submitting this application for a conditional use approval for a drive-thru restaurant located at 450 Wine Valley Road. A summary of the project information is listed below:

Project Description (location, Acreage, Proposed Use):

The purpose of this application is to obtain approval from the Town of Palisade to construct a drive-thru restaurant on a recently subdivided 1.02 acre lot located at 450 Wine Valley Road, which is just east of the Golden Gate Truck Stop. The general location of the parcel is listed below:



Project Location Map

The 1.02-acre site is zoned Hospitality Retail (HR). A Drive Thru restaurant requires a Conditional Use Approval in the HR zone district.

Letter of Intent  
For  
Wine Valley Subdivision & Conditional Use For Drive Thru Restaurant  
450 Wine Valley Road

J&L Development, LLC is requesting approval to construct a 2,000 square foot drive thru Subway restaurant on the 1.02-acre parcel. The restaurant building is proposed to be located on the western portion of the lot and the drive-thru lane will be along the west property line. The drive thru use will be adjacent to the Golden Gate Truck stop and all order and menu boards will be located on the northern end of the site, away from existing residential homes. The drive-thru use will provide stacking for 10 vehicles.

A covered patio and outdoor seating area is proposed at the south end of the building, facing Wine Valley Road.

Signage for the site will primarily be located on the building and a monument sign located at the entry on Wine Valley Road. Building elevations have been provided which depict the signage on the building.

The project is proposing two access points onto the property. The main access is proposed to be located at the southeast corner of the site. A drive-thru exit lane is proposed to exit at the southwest corner of the site.

Surrounding Land Uses and Zoning:

The site is currently zoned HR (Hospitality Retail). The adjacent properties zone districts are summarized in the map and table below:

DIRECTION	ZONING	CURRENT LAND USE
North:	N/A	I-70
South:	HR	Agricultural
East:	N/A	Agricultural
West:	CB	Commercial

Traffic

The intersection of Elberta Avenue and Wine Valley Road is located near the Colorado Department of Transportation (CDOT) right of way area for the I-70 interchange. CDOT controls access and traffic volumes in these areas through an “Access Permit” process. In 2017, the Golden Gate – C Store project obtained a CDOT access permit which allows 210 vehicles per hour through the intersection of Elberta and Wine Valley Road. The current traffic volumes at this intersection are 104 vehicles per hour.

The projected traffic volumes from proposed Subway drive-thru restaurant and the “Peach Shack” project located at the southeast corner of Elberta and Wine Valley Road indicate the projected 2021 traffic volumes at this intersection could reach 231 vehicles per hour, which is approximately

Letter of Intent  
For  
Wine Valley Subdivision & Conditional Use For Drive Thru Restaurant  
450 Wine Valley Road

10% higher than the current permitted CDOT Access permitted volume. CDOT could require an update to current access permit, but typically this isn't triggered until the volumes exceed 20% (252 vehicles per hour).

J&L Development has submitted their traffic study to CDOT for review and approval. If Access Permit modification are required by CDOT, the applicant will process the access permit modification.

Conditional Use Approval

Section 4.07.E of the Development Code provides the approval criteria for conditional uses, which include the following:

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

Response: The CUP request is for a drive-thru restaurant. A sit-down restaurant is a permitted use in this zone district. The Drive-Thru component of the restaurant has been located away from the main entry area of the restaurant, adjacent to the semi-truck parking and fueling area adjacent to Golden Gate Truck Stop.

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

Response: We believe the application as submitted complies with this requirement.

3. *The application will not substantially injure the value of adjoining or abutting properties or other neighborhood uses;*

Response: All properties surrounding the proposed drive thru restaurant are zoned Commercial / Hospitality retail type. The site is adjacent to an existing gas station/convenience store and I-70 is located at the northern end of the site. Restaurant type uses, including drive thru, are typical in commercial business areas, especially when near major transportation systems and interstate highway interchanges.



Letter of Intent  
For  
Wine Valley Subdivision & Conditional Use For Drive Thru Restaurant  
450 Wine Valley Road

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

Response: We believe the application as submitted does not violate any adopted plans or policies and will be able to comply with town requirements.

Utilities

All utilities needed to service the site are located adjacent to the property in Wine Valley Road.

Irrigation is provided by Mesa County Irrigation District and the project site has its own dedicated irrigation headgate with no other users on the headgate.

There is an existing irrigation line running north-south through the east side of property. The applicant will work with Dave Voorhees with the Mesa County Irrigation District to relocate the line closer to the east property line and out from under parking areas.

Stormwater Drainage

The project is proposing to construct an onsite retention pond along Wine Valley Road. The pond will be designed to retain the stormwater runoff generated by improvements constructed on the site.

Schedule:

The applicant anticipates starting construction in the Summer of 2021.

If you have any questions regarding this application, please contact Mark Austin with Austin Civil Group at 970-242-7540, or the applicant, Jim Cagle, at 970-245-3174.

Sincerely,



Mark Austin, P.E.  
Austin Civil Group

SUBWAY PALISADE

Enter address here

REVISION:

SD  
PRELIMINARY

PROJECT NO:

2053

SHEET NAME:

SITE PLAN

DATE:

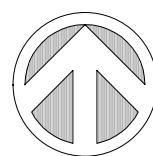
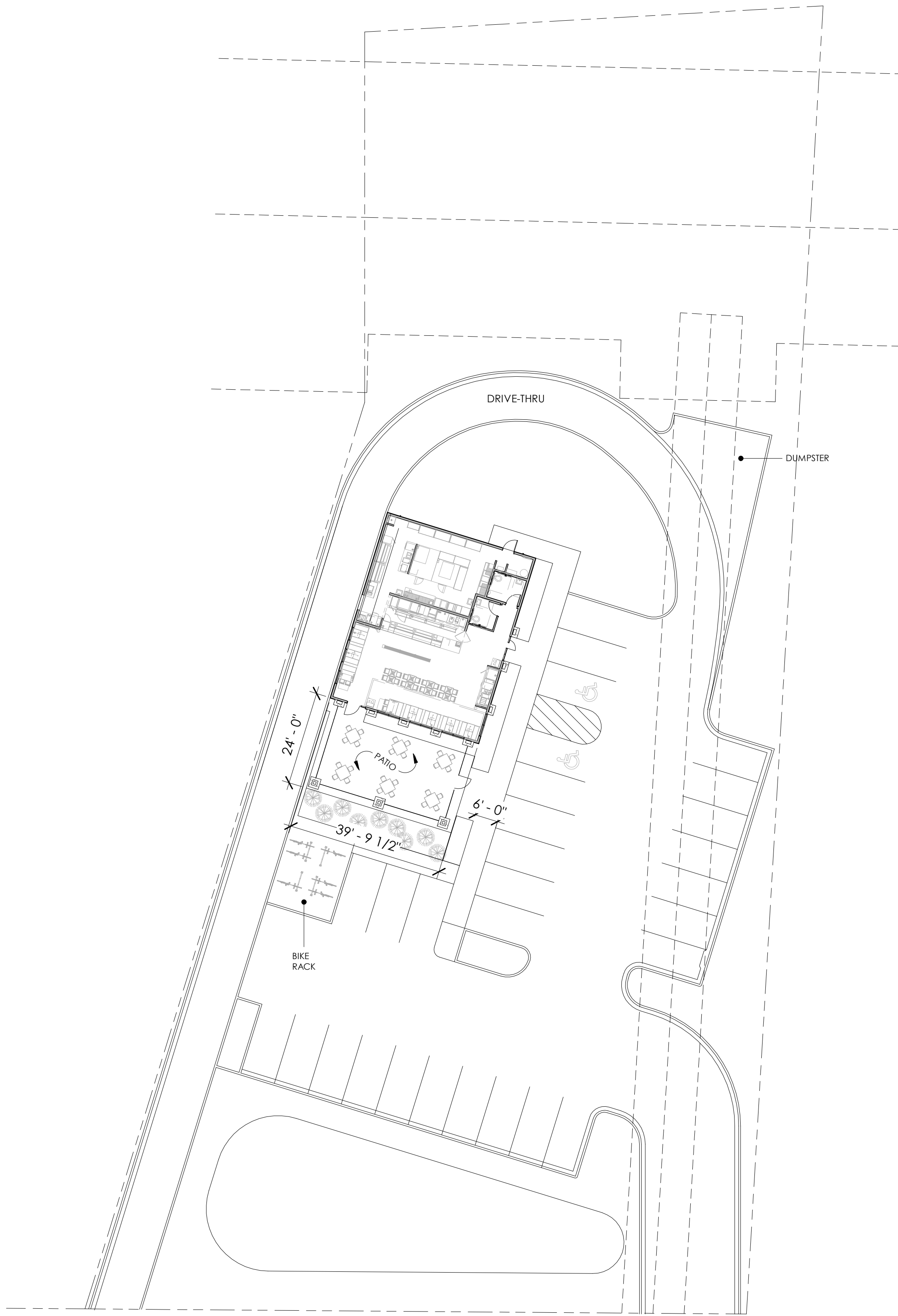
3/23/2021

SHEET NO:

C1.1

SCALE:

1" = 20'-0"



1

SITE PLAN

1" = 20'-0"

NOT FOR CONSTRUCTION



















