



REGULAR PLANNING COMMISSION MEETING & BOARD OF ADJUSMENT

July 25, 2023

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance. Meeting initiated at 7 p.m.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Caldwell, Carter, Rogers, Villasenor, Steffen, Roberts, Dow

Absent: Rodas

Commissioner Rogers moved to **EXCUSE** *Commissioner Dow* from the July 25, 2023 meeting; *Commissioner Caldwell* seconded the motion. The motion **CARRIED.**

OTHERS PRESENT: Planning Director Patrick Waller, Senior Planner Geir Sverdrup, City Attorney Lawrence Bond, Josh Lieberman, Doug Pratt, Shelly Anderson, Dan Snyder, Nichole Swann, Teresa May, and Juan Alvarado-Lozano

APPROVAL OF MINUTES

Approval of minutes from June 27, 2023 was moved to the next scheduled meeting

2023-006 Highway 6 & Swallow Lane Annexation - Northeast of the West Rifle Interchange

Request recommendation of approval for Annexation of a 35.95 acre property, Sketch Plan, and Tourist Commercial Zoning

Chair Marantino Confirmed Public Notice was met

Chair Marantino Called the Applicant: *Josh Lieberman and Doug Pratt*

STAFF REPORT:

Planning Director Patrick Waller shared the staff report. He identified staff concerns, conditions and recommendations. Staff recommends approval of the Annexation, Zoning, and Sketch plan with conditions.

APPLICANT PRESENTATION:

Josh Lieberman and Doug Pratt discussed development of the property.

PUBLIC COMMENTS

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

Shelly Anderson asked questions on how the road would affect her driveway and what zoning will allow.

Dan Snyder discussed the security on the property.

COMMISSION DISCUSSION:

There was discussion between Staff, Commissioners and applicants.

Chair Marantino asked for a motion

Commissioner Rogers moved to **RECOMMEND** to City Council to **APPROVE** the 2023-006 Highway 6 & Swallow Lane Annexation Northeast of the West Rifle Interchange **with the following conditions:**

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by Rifle City Council.
2. Referral comments shall be addressed to the satisfaction of the City of Rifle as part of any future development application.
3. The property shall be zoned Tourist Commercial – PUD. The only requirement of the PUD shall be:
 - a. Residential uses are not permitted within the PUD.
4. The mini-storage use shown on the Sketch Plan is not a permitted use in the Tourist Commercial zone district and is not approved as part of this Annexation application.
5. The applicant shall comply with all CDOT access permit conditions.

Commissioner Steffen seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Rogers, Steffen, Roberts and Dow

NO: Villasenor

2023-018 Behavior Health Clinic – Conditional Use Permit – 1859 Enterprise Court

Request approval for Behavior Health Clinic use in the Rifle Business Park

Chair Marantino Confirmed Public Notice was met

Chair Marantino Called the Applicant(s): Nichole Swann and Teresa May

STAFF REPORT:

Senior Planner Geir Sverdrup shared the staff report. He identified staff concerns, conditions and recommendations. Staff recommends Planning Commission approve the CUP with conditions.

APPLICANT PRESENTATION:

Nichole Swann and Teresa May discussed the location of the clinic, how the clinic would benefit the City of Rifle.

PUBLIC COMMENTS

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

Seeing no one, public comments were closed.

COMMISSION DISCUSSION:

There was discussion between Staff, Commissioners and applicants.

Chair Marantino asked for a motion

Commissioner Dow moved to **APPROVE** the 2023-018 Behavior Health Clinic – Conditional Use Permit – 1859 Enterprise Court **with the following conditions:**

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by the Planning Commission.
2. The facility shall be operated in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility.
3. Applicant shall submit a parking and paving plan designating traffic flow through the site. Plan shall also show compliance with ADA requirements for parking and access to the clinic.
4. Building permit shall meet all requirements of the Rifle Business Park PUD Guidelines.
5. Applicant shall submit for review and approval by staff a landscape and irrigation plan that meets City of Rifle requirements.
6. Submittal of a separate sign package that will be reviewed and accepted by City Staff.

Commissioner Roberts seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Rogers, Villasenor, Steffen, Roberts and Dow
NO:

2023-012 Childcare Facility – Conditional Use Permit Amendment

Request approval for the expansion of an existing childcare facility

Chair Marantino Confirmed Public Notice was met

Chair Marantino Called the Applicant: Juan Alvarado-Lozano

STAFF REPORT:

Senior Planner Geir Sverdrup shared the staff report. He identified staff concerns, conditions and recommendations. Staff recommends that the Planning Commission approve the request to Amend Conditional Use Permit 2023-012 for the Peter Pan y sus Amigos Preschool with conditions.

APPLICANT PRESENTATION:

Juan Alvarado-Lozano discussed the need for an expansion of his preschool and how it benefits the City of Rifle.

PUBLIC COMMENTS

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item.

Teresa May discussed how the preschool has benefitted her family and how she thinks the expansion would be beneficial to the City of Rifle.

COMMISSION DISCUSSION:

There was discussion between Staff, Commissioners and applicants.

Chair Marantino asked for a motion

Commissioner Roberts moved to **APPROVE** the 2023-012 Childcare Facility – Conditional Use Permit Amendment – 1631 Railroad Ave **with the following conditions:**

1. The Conditional Use Permit is valid for up to 20 children
2. The Conditional Use Permit shall only be valid in conjunction with a valid license from the appropriate authorities and conformance with all building code and fire code standards.
3. Should the applicant ever subdivide the property to separate the Group Child Care Center from the private residence, an easement or other such device shall be set to insure continued exiting onto Railroad Ave.

4. Any further request to increase the number of children shall result in Traffic and Circulation as well as Grading and Drainage Plans to accompany such a request.
5. Once a Conditional Use is established, any discontinuance of the use for period of one (1) year, for any reason, shall result in automatic expiration of the Conditional Use Permit.

Commissioner Caldwell seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Rogers, Villasenor, Steffen, Roberts and Dow
NO:

COMMENTS AND ADJOURNMENT 8:30 PM

SIGNED COPY ON FILE

Dustin Marantino, Chairman	Date

SIGNED COPY ON FILE

Kara Fine, Administrative Assistant	Date

A complete recording of the Meeting is available through the City of Rifle's website.