



*Town of Palmer Lake
Planning Commission Meeting
April 17, 2019 @ 6:00 PM
28 Valley Crescent/ Town Office
This agenda is subject to revision*

1. Call to Order
2. Approval of Minutes (March 20, 2019)
3. Z-6-19. An Application for a Conditional Use Permit for Vehicle Repair and Service in a C-2 Zone District at Illumination Pointe, 636 Highway 105. Applicant Mark Thompson.
4. Discussion/Comments/Set time for Workshop
5. Adjourn



Town of Palmer Lake
Minutes of the Planning Commission

March 20, 2019 @ 6:00 PM
28 Valley Crescent/ Town Office

Planning Commissioners Present:

Chairman Dave Cooper

Commissioner Mark Bruce

Commissioner Samantha Padgett

Commissioner Charles Ihlenfeld

Commissioner Patricia Mettler

Commissioner Vic Brown

Commissioner Bill Fisher

Agenda:

1. Call to Order

Chairman Cooper called the meeting to order at 6:00pm.

2. Approval of Minutes (February 20, 2019)

Commissioner Bruce made a motion to accept the minutes, seconded by Commissioner Ihlenfeld. Motion passed 7-0

3. V-1-19. An Application for a Street Vacation and Replat for parts of Trinity Addition, Palmer Lake, CO.

Staff Cathy Green explained the various street vacation locations and showed a map identifying where they were. The surveyor for the applicant, Garry Rohleder gave further explanation of how the roads would work and how no lots would be denied access to a public road. Commissioner Bruce discussed concerns over the street grade on Vale Street and said that this has been a problem for the PL Sanitation District which has warned the property owner who graded the road that there is too much fill over the manhole.

A motion was made by Commissioner Bruce to recommend approval of V-1-19, an application for a street vacation and replat for parts of Trinity Addition with a condition that the Palmer Lake Sanitation District approve the engineered street drawings for Vale Street. Motion was seconded by Commissioner Fisher. Motion passed 7-0.



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A motion was made by Commissioner Bruce to recommend approval of V-1-19, an application for a street vacation and replat for parts of Trinity Addition with a condition that the Palmer Lake Sanitation District approve the engineered street drawings for Vale Street.

Motion was seconded by Commissioner Fisher. Motion passed 7-0.

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4. Z-4-19. An Application for a Conditional Use Permit for Light Manufacturing in a C2 Zone District at 860 Commercial Lane. Applicant RAD Extractions. **Staff Cathy Green introduced the project and said that the applicant (RAD Extraction) had originally leased the building and began a business without a business license. They obtained a business license as soon as they were made aware of it. A neighbor then complained that they should have applied for a conditional use permit for light manufacturing in a C2 zone district, which they did. They have been in business at that location for a little over a year.**

Tom Dermody, the property manager for Palmer Lake Technology Center described the center and the applicant's CDB oil extraction facility. The buildings are all masonry and type I fire rated. He answered questions about number of truck deliveries (1 every 2 weeks) and how he had fenced the back so that trucks can no longer deliver there. The business employs 2 FTE and 4 PTE's.

When questioned about the extraction process the business owner explained that they work with ethanol in a closed loop system and that everything (fumes) stays in the loop. The only smells are those that escape during the bottling process and that those are usually natural scents used to scent the oil. They do not grow the hemp or keep raw hemp on the premises. The extraction aspect of the business occupies about 400 sq.ft. (about 13%) of the total space. The rest is bottling, office, storage. Also, the tenant said he would invest in a filtration system that further filters any possible odor

Neighbor resident Gary Atkins spoke in opposition of the facility and said that the descriptions were half truths and that the facility did produce an odor that is identical to the odor of marijuana. There are already 2 marijuana grows and 1 coffee roasting facility in the neighborhood and that is too much. The filters used by the extraction business are not 100% effective.

Mr. Atkins passed out photos that showed the back of the building where vents were exposed, and the doors were left open. He said that an M-1 zone district was a much better zone for this type of business because it allows food and drink processing.

Mr. Atkins added that extraction is relatively new and we haven't had time to develop ways to regulate it. He also noted the problems with the green space in back and how it has been used for loading. He added that the fence installed was in the town's right of way, and that the fence which faces the neighborhood was visually ugly and obnoxious.

If the application is approved, he hopes that they will at a minimum invest in a new HVAC system to control odor and put up a fence to screen the empty pallets that are stored outside the building.

Mr. Dermody said that the applicant would be willing to screen (probably a fence) an area where the pallets can rest until they are picked up weekly. I said we would install a fence on the northeast end of the building so no vehicles could drive around the building.

Commissioner Fisher asked how you determine where marijuana odors

are coming from since there are other grow facilities nearby. Everyone agreed that all of the businesses point towards the other businesses. The business owner said that the vents in the photographs are to vent out the hot air in the building.

Commissioner Fisher made a motion to recommend approval of Z-4-19. An Application for a Conditional Use Permit for Light Manufacturing in a C2 Zone District at 860 Commercial Lane with the following conditions:

- 1. Applicant should present and implement a plan for controlling odor.**
- 2. Applicant should present and implement a plan for screening the back (east side) of the building.**
- 3. The Applicant is subject to an annual review of this conditional use if two or more formal and valid complaints from Palmer Lake residents are submitted to the Town of Palmer Lake.**

Motion was seconded by Commissioner Padgett. Motion passed 5-2 with Commissioners Brown and Mettler dissenting.

- 5. Z-5-19. An Application for a Conditional Use Permit for Vehicle Repair and Service in a C-2 Zone District at Illumination Pointe, 636 Highway 105. Applicant Mark Thompson.**

Mr. Mark Thompson, applicant, introduced the application. He would like to rent the service garage behind Illumination Pointe to repair non-motorized trailers. He discussed his background and said that he had been doing this for many years. He asked that the recommended staff condition be amended to allow 4 trailers in back and two in front. Mr. Tucker introduced himself as the owner of Illumination Pointe and talked about the site layout.

Commissioner Ihlenfeld made a motion to recommend approval of Z-5-19. An Application for a Conditional Use Permit for Vehicle Repair and Service in a C-2 Zone District at Illumination Pointe, 636 Highway 105, with the condition that no more than 4 trailers outside in the back and 2 trailers stored outside in the front would be allowed. The motion was seconded by Commissioner Padgett. Motion passed 7-0.

- 6. S-1-19. An Application for a Minor Subdivision of less than 5 lots at 136 Star View Circle. Applicant Randy Allgood.**

Mr. Allgood showed plat maps of the proposed minor subdivision. Questions were asked regarding slope, driveways, and easements. Chairman Cooper reminded the Commission that they were voting on the subdivision of land and that the development issues would be handled later at the land use permitting stage.

Commissioner Mettler made a motion to recommend approval of S-1-19. An Application for a Minor Subdivision of less than 5 lots at 136 Star View Circle, seconded by Commissioner Fisher. Motion passed 7-0.

- 7. Meeting was adjourned at 8:50PM.**



PLANNING COMMISSION STAFF REPORT

Z.6.19

Rezone

Kent Street and Spring Street

LOCATION OF PROPERTY: Kent Street and Spring Street, Lots 1-21, Block 36, Browns Filing Palmer Lake, CO

ZONING: CC - Convenience Commercial Zone District

APPLICANTS: The Town of Palmer Lake

NOTICING:

Property posted: April 2, 2019

Colorado Springs Gazette, April 4, 2019

Contact: Catherine Green

cathy@palmer-lake.org

PROJECT DESCRIPTION:

This is a request to rezone a parcel of property from C-C to R-3, medium residential with a 5000 square foot lot minimum.

BACKGROUND:

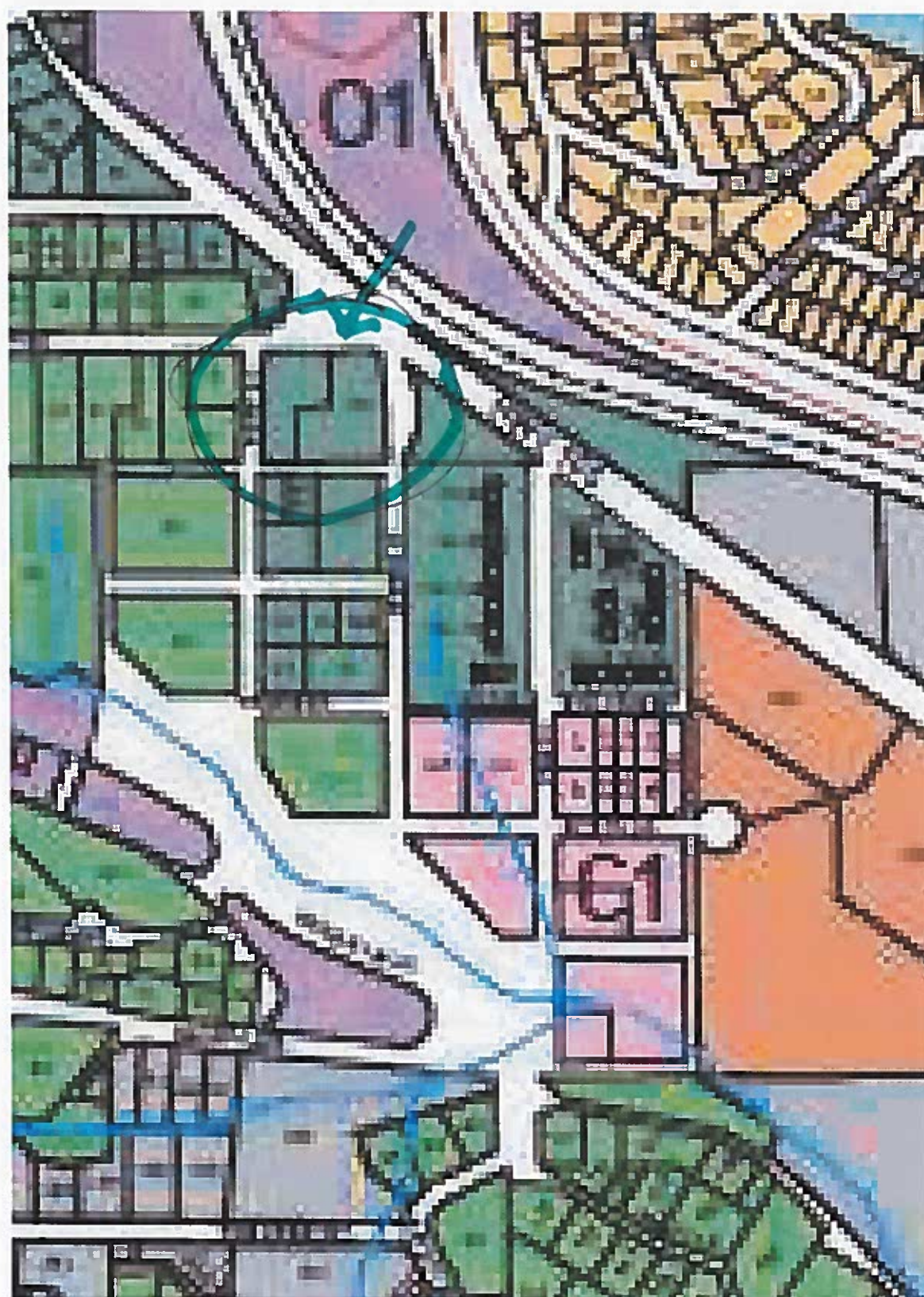
The Town is working to correct errors made in the original Zoning Map. In the case, the landowners requested that this land be included in the Town's process to correct the zoning.

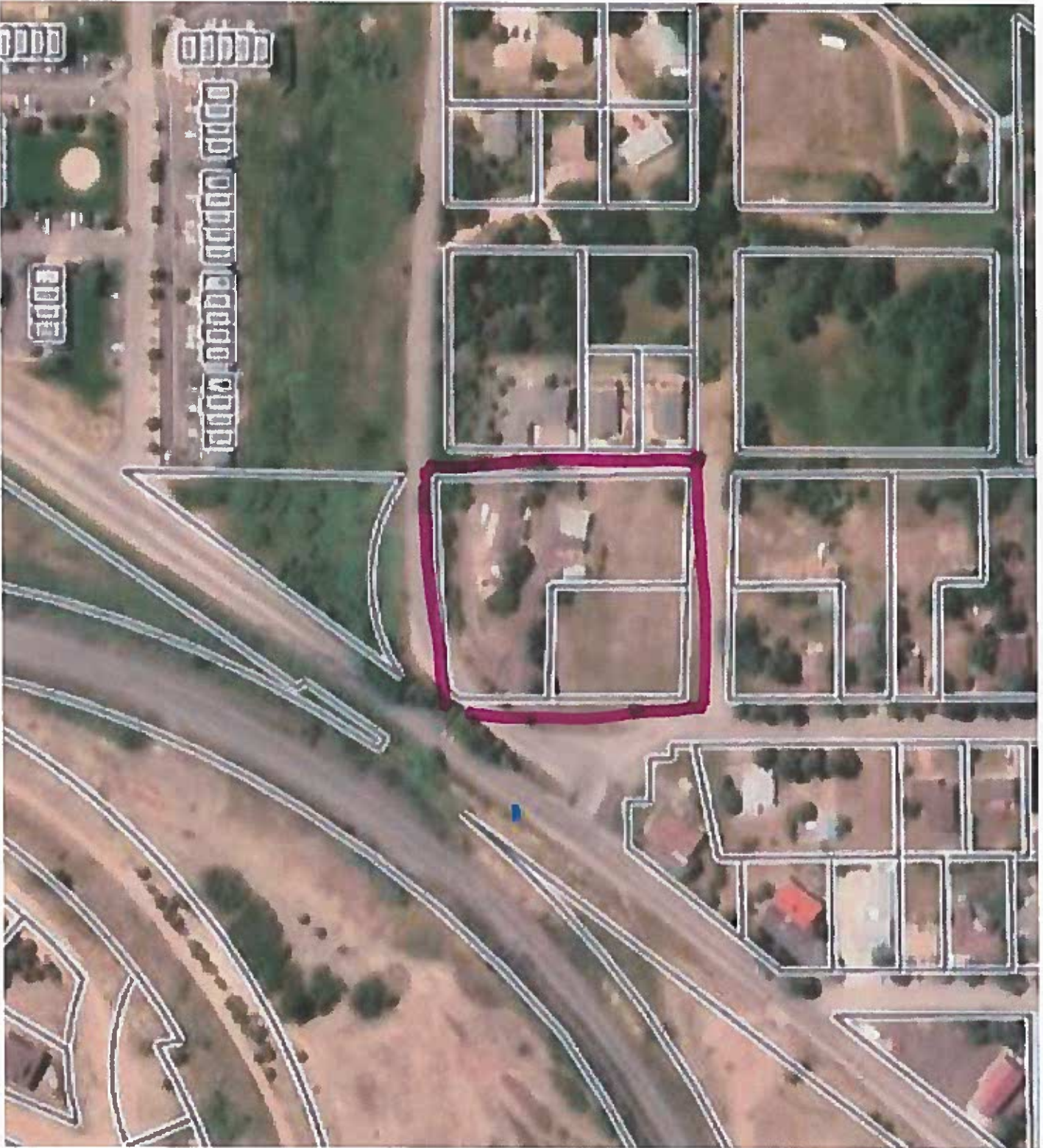
ZONING CRITERIA

Rezoning land requires that the purpose meet a "test" by meeting one of the following four criteria:

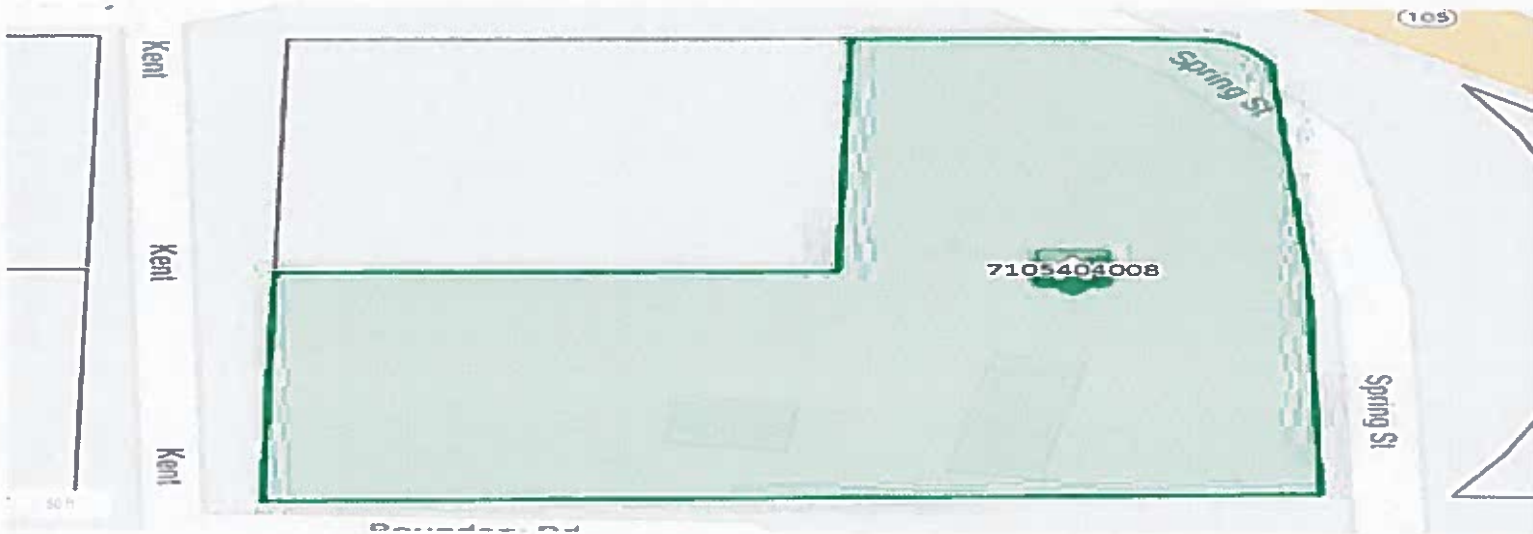
1. The surrounding land has substantially changed since the parcel was zoned.
2. The parcel was zoned in error.
3. The parcel does not comply with the Comprehensive Plan.
4. The parcel is transitioning from rural to urban

In this case, we believe that the parcel was **zoned in error** and that this part of Palmer Lake was never intended to be commercial, nor would commercial be a good fit with the surrounding area. This land is a mixture of residential uses and open pasture and has neither the roads nor the infrastructure to support commercial uses.





No Photo Available



OVERVIEW

Owner:	ORCUTT STEVEN R
Mailing Address:	PO BOX 364 PALMER LAKE CO, 80133-0364
Location:	80 KENT ST
Tax Status:	Taxable
Zoning:	-
Plat No:	365
Legal Description:	LOTS 7-21 INC BLK 36 BROWNS FIL PALMER LAKE, TOG WITH EASEMENT AS REC IN BK 6646-61

MARKET & ASSESSMENT DETAILS ?

	2018 Market Value	2018 Assessed Value
Land		
Improvement		
Total		

BUILDINGS DETAILS

0 buildings to show.

TAX ENTITY AND LEVY INFORMATION

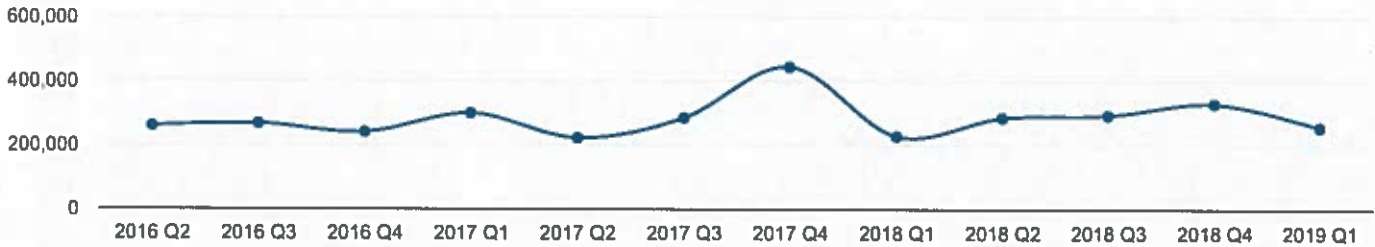
County Treasurer Tax Information

TAXING ENTITY	LEVY	CONTACT NAME/ORGANIZATION	CONTACT PHONE
EL PASO COUNTY	7.738	FINANCIAL SERVICES	(719) 520-6498
EPC ROAD & BRIDGE SHARE	0.165	-	(719) 520-6498
TOWN OF PALMER LAKE	21.238	TARA BERRETH	(719) 481-2953
EPC-PALMER LAKE ROAD & BRIDGE SHARE	0.165	-	(719) 520-6498
LEWIS-PALMER SCHOOL NO 38	44.068	CHERYL WANGEMAN	(719) 488-4705
PIKES PEAK LIBRARY	4.000	MIKE VARNET	(719) 531-6333
PALMER LAKE SANITATION	0.000	BECKY ORCUTT	(719) 481-2732

MAP SHEET

- Click to view Map Sheet 1
- Click to view Map Sheet 2

Median Residential House Price



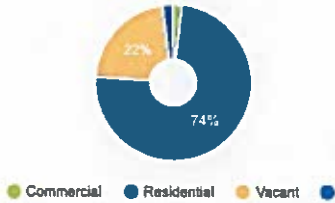
Residential Assessed Values

Low
\$57,990

Median
\$229,503

High
\$1,162,941

Res. Sales by Type



Residential Sale Prices

Biggest Sale
\$465,000

Average Home Price
\$310,500

7105404006
KENT ST

Total Market Va
\$71,000

No Photo Available



OVERVIEW

Owner:	CAVES RICHARD T
Mailing Address:	17840 PIONEER CROSSING COLORADO SPRINGS CO, 80908-1452
Location:	KENT ST
Tax Status:	Taxable
Zoning:	-
Plat No:	365
Legal Description:	LOTS 1 TO 6 INC BLK 36 BROWNS FIL PALMER LAKE

MARKET & ASSESSMENT DETAILS ?

	2018 Market Value	2018 Assessed Value
Land	\$71,000	\$20,590
Improvement	\$0	\$0
Total	\$71,000	\$20,590

AND DETAILS

SEQUENCE NUMBER	LAND USE	ASSESSMENT RATE	AREA	MARKET VALUE
1	VACANT RESIDENTIAL LOTS	29.000	18653 SQFT	\$71,000

BUILDINGS DETAILS

0 buildings to show.

TAX ENTITY AND LEVY INFORMATION

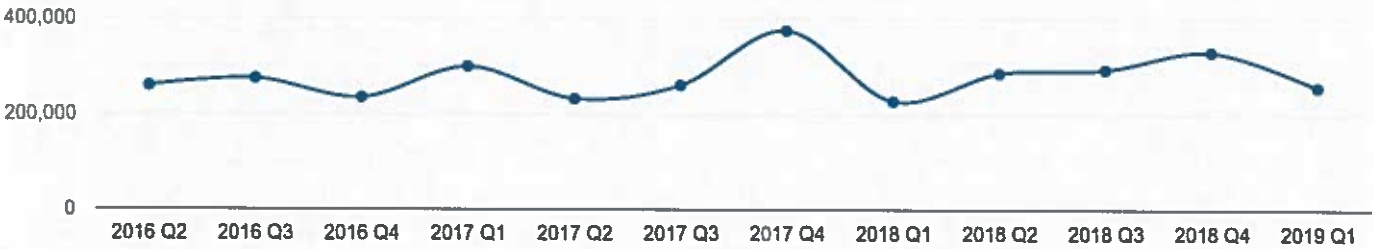
County Treasurer Tax Information
Tax Area Code: PDZ Levy Year: 2018 Mill Levy: 77.374

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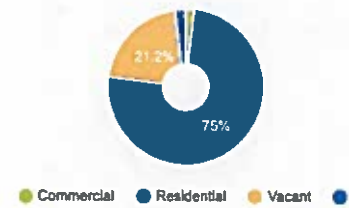
Median Residential House Price



Residential Assessed Values

Low
\$58,496 [↗](#)
Median
\$227,875
High
\$1,162,941 [↗](#)

Res. Sales by Type

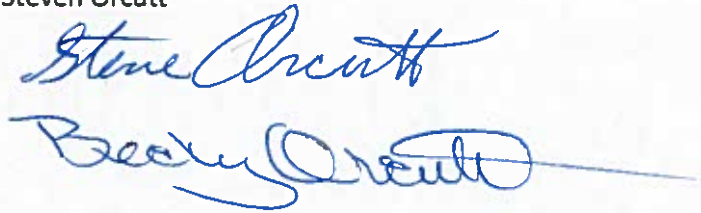


April 12, 2019

To whom it may concern,

As owner of Lots 7-21, Block 36 Browns Filing in Palmer Lake, I fully support a Zone District change from the current CC (Commercial Convenience), to R3 (Medium Density Residential).

Steven Orcutt

The image shows two handwritten signatures in blue ink. The first signature, "Steven Orcutt", is written in a cursive style. Below it is a second signature, "Becky Orcutt", also in cursive, which includes a long horizontal line extending to the right.