

TOWN OF ERIE

*645 Holbrook Street
Erie, CO 80516*



Meeting Minutes

Wednesday, March 20, 2024

6:30 PM

In Person Meeting

Virtual Link for Viewing & Public Comment Only:

**Council Chambers
<https://bit.ly/20Mar24PCMTG>**

Planning Commission

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO FLAG

Chair Burns opened the March 20, 2024 Planning Commission Meeting at 6:31pm.

II. ROLL CALL

Roll Call:

- Commissioner Braudes - present
- Commissioner Dreckman - absent/excused
- Commissioner Baham - absent
- Commissioner Hemphill - present
- Commissioner Booth - present
- Vice Chair Laws - present
- Chair Burns - present

A quorum was present.

III. APPROVAL OF THE AGENDA

Vice Chair Laws moved to approve the agenda of the March 20, 2024 Planning Commission Meeting. The motion, seconded by Commissioner Braudes, carried with the following roll call vote:

- Commissioner Braudes - yes
- Commissioner Hemphill - yes
- Commissioner Booth - yes
- Vice Chair Laws - yes
- Chair Burns - yes

Motion passes unanimously.

IV. APPROVAL OF MINUTES

[24-175](#) Approval of the February 21, 2024 Planning Commission Meeting Minutes

Attachments: [February 21, 2024 Planning Commission Meeting Minutes](#)

Commissioner Booth moved to approve the meeting minutes of the February 21, 2024 Planning Commission Meeting. The motion, seconded by Commissioner Hemphill, carried with the following roll call vote:

- Commissioner Braudes - yes
- Commissioner Hemphill - yes
- Commissioner Booth - yes
- Vice Chair Laws - yes
- Chair Burns - yes

Motion passes unanimously.

V. PUBLIC COMMENTS

No public comments were taken.

VI. GENERAL BUSINESS

[24-137](#)

PUBLIC HEARING: A Resolution of the Planning Commission of the Town of Erie Recommending that the Town Council Approve the 675 Moffat Street Special Review Use with a Condition

Attachments: [Planning Commission Resolution-R032024](#)

[Planning Commission Staff Report](#)

[Staff Presentation](#)

[Proposed SRU](#)

[Application and Narrative](#)

[Additional Application Materials](#)

[Combined DRT Comments](#)

[Neighborhood Meeting Notice and Summary](#)

[Public Notice Affidavits](#)

[Applicant Presentation](#)

Chair Burns announced Agenda Item 24-137: a Public Hearing for a Resolution of the Planning Commission of the Town of Erie Recommending that the Town Council Approve the 675 Moffat Street Special Review Use with a Condition.

Chair Burns opened the Public Hearing at 6:35pm and turned it over to staff for a presentation.

Harry Brennan, Senior Planner gave an overview and presentation to the Commission on the agenda item.

The applicants, Sara and Nathan Hull, introduced themselves and provided a presentation to the Commission on the project.

Chair Burns asked if there was anyone in attendance wanting to give public comments on this agenda item. There were none.

Chair Burns closed the Public Hearing at 6:44pm.

Chair Burns brought it back to the Commission for any questions and/or comments.

Some questions/comments included the following:

- likes the plan
- drainage/swale
- compliment on presentation and design concepts
- increase in density in Old Town is appreciated
- appreciates the effort to blend in, not all contemporary
- nice to have a variation in design

Chair Burns asked if there was a motion regarding this agenda item.

Vice Chair Laws moved to approve the Special Review Use for 675 Moffat Street with a Condition. The motion, seconded by Commissioner Braudes, carried with the following roll call vote:

Commissioner Braudes - yes
Commissioner Hemphill - yes

Commissioner Booth - yes
Vice Chair Laws - yes
Chair Burns - yes

Motion passes unanimously.

VII. STAFF REPORTS

Kelly Driscoll, Planning Manager noted that there were no items on the April 3, 2024 Planning Commission Meeting and recommended cancelling the meeting.

The Commission was in agreement to cancel the April 3, 2024 Planning Commission Meeting.

Mrs. Driscoll added that there were items on the agenda for the April 17, 2024 Planning Commission Meeting.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS

Commissioner Booth noted that the last PAC Meeting had to be reschedule due to technical difficulties. The meeting was rescheduled for March 25, 2024.

Commissioner Booth asked for clarification as to whether there were 2 Commissioners on this committee. Mrs. Driscoll noted that the second Commissioner was an alternate. Commissioner Baham is the alternate for the PAC Meeting.

Chair Burns added that if you were not in attendance at the working session with the Town Council to listen to the meeting.

Mrs. Driscoll noted the next TAC Meeting to be this coming Friday. Staff will follow up with the updated details and fiscal analysis.

Chair Burns noted that during the Bi-Annual Report and Presentation to the Town Council, one of the Council Members (Councilman Sawusch) mentioned that potentially, there were things the Planning Commission could do help the Council beyond their Quasi-Judicial role. Chair Burns knows there is a separation of the Council and Commission for a reason and asked Town Attorney, Kunal Parikh for clarification and direction.

Town Attorney, Kunal Parikh noted that the roles won't change with the adoption of Home Rule and the powers and responsibilities of the Planning Commission are within the code. Should the Council ask the Commission to do things outside of that purview, the Commission should politely decline.

Vice Chair Laws agrees with counsel as there's some difficult lines that might be graying that could open up the Commission to some liability should the Commission do things outside their purview.

As additional discussion was had regarding the matter, Town Attorney Parikh stated that he would speak with Town Council Attorney Austin P. Flanagan further.

Vice Chair Burns asked as an advisory group to the Town Council, could they expand that role to other items outside of what they're looking at in terms of land

use.

Town Attorney Parikh responded about expanding the purview of the Commission as it would depend on what comes before the Commission. The powers of the Commission are pretty specific in the code. If decisions are made that were not within the Commission's powers, that's when there could be issues.

Mrs. Driscoll noted that there will be implementation of the Comp Plan which will likely bring forth Code changes that the Commission would be involved in.

Commissioner Braudes added that some things are advisory versus decision making and to wait to see what comes up.

Town Attorney Parikh noted should anything similar come up where there are questions and clarification is needed, to feel free to contact him directly or to contact Mrs. Driscoll for clarification or questions.

Commissioner Braudes stated that he will be out of town for the scheduled meetings in May.

Chair Burns asked that Commissioner Braudes send an email to Melinda Helmer regarding the absences.

IX. ADJOURNMENT

Commissioner Booth moved to adjourn the March 20, 2024 Planning Commission Meeting. The motion, seconded by Vice Chair Laws, carried with all voting in favor thereof.

Chair Burns adjourned the March 20, 2024 Planning Commission Meeting at 7:02pm.