

 **Dacono**
Planning & Zoning Commission Agenda

April 13, 2021
6:00 pm

This meeting will be held remotely. Members of the public interested in joining the electronic meeting, please visit:

<https://www.cityofdacono.com/910/Planning-and-Zoning-Commission>

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

3.I. PCMM 3.9.2021

Documents:

[PCMM 3.9.2021.PDF](#)

4. GENERAL BUSINESS

4.I. PC Resolution 21-02, A Resolution Recommending Approval Of A Special Use Permit To Authorize Temporary RV Parking In Connection With An Event Permit For IMI Motorsports

Documents:

[PC 21-02 SPECIAL USE PERMIT IMI TEMP RV PARKING.PDF](#)

5. CITIZENS TO ADDRESS COMMISSION

6. STAFF REPORTS

7. COMMISSIONER REPORTS

Shelly Kettering Kevin Plain Andrew Martinez

Stan Owens Joseph Westbrook

8. ADJOURNMENT

**CITY OF DACONO
PLANNING COMMISSION MEETING MINUTES
Tuesday, March 9, 2021**

Meeting held remotely via Zoom, and Chairperson Plain Called the meeting to order at 6:05 p.m.

Members present: Kevin Plain, Chairperson
Shelly Kettering
Joseph Westbrook
Andrew Martinez
Don Clark, alternate
Dereck Breier, alternate

Members absent: Stan Owens, excused

Staff present: Jennifer Krieger, Community Development Director
Donna Case, Community Development Technician
AJ Euckert, City Manager
Kathleen Kelly, City Attorney

Member Kettering moved to approve the minutes of the January 12th 2021, Planning Commission Meeting. The vote was Ayes Members: Kettering, Clark and Plain, Members abstaining: Martinez, Westbrook and Breier. Chairperson Plain declared the motion carried.

GENERAL BUSINESS

Public Hearing and Consideration for A Resolution Recommending Approval of the Proposed Industrial Use for Roameo.

Chairperson Plain opened the public hearing.

Robert Nathan, 195 Bellevue Drive, Boulder, CO, 80302, applicant for Roameo, LLC was sworn in by secretary Donna Case and presented a report.

Mr. Nathan stated that his intended use for 5445 Colorado Blvd., was to convert Class B camper vans in his carpenter and woodworking shop. Mr. Nathan also stated that there would be no outside storage.

Chairperson Plain then asked Jennifer Krieger to present her report.

Jennifer Krieger, Community Development Director, presented her report and asked that the following be entered into public record: City of Dacono Application for Industrial Use dated January 4, 2021, Applicant narrative dated January 8, 2021, Traffic Summary and Waiver Request dated January 4, 2021, Staff Report dated March 9, 2021, Dacono Municipal Code.

Ms. Krieger stated that staff supports this approval with the following conditions:

1. The Plot Plan for Roameo, LLC submitted with the application materials shall be revised to remove references to Lease to Aldrige Electric and Lease to Echo Seismic & Terratek. These

industrial uses have not been approved by the Planning Commission and City Council as required by Section 16-201

- (1) Of the Dacono Municipal Code.
- (2) No outdoor storage by Roameo, LLC is approved.
- (3) Industrial uses approved for Xtreme Drilling, LLC, not including outdoor storage may continue onsite until December 31, 2023.
- (4) With regard to outdoor storage by Xtreme Drilling, LLC, that portion of the site labeled "3 Acre Lease to Seller" on the Plot Plan may be used by Xtreme Drilling, LLC and by not other person or entity, until December 21, 2021. That portion of the site labeled "2Acre Lease to Seller on the Plot Plan may be used by Xtreme Drilling. LLC, and by no other person or entity beginning January 1, 2022 and ending December 31, 2023
- (5) On and after January 1, 2024 all industrial uses approved for Xtreme Drilling LLC, are terminated and all outdoor storage on the site is prohibited.
- (6) The area on the Plot Plan designated as Camper Van Parking Area must be an improved surface comprised of asphalt, concrete, or cement pavers or similar materials installed and maintained accord to industry standards.
- (7) Screening and waste-removal area: the existing trash dumpster must be screened with a solid enclosure. Trash area material shall be constructed using six-foot-high solid masonry or decorative precast concrete walls with opaque gates and self-latching mechanisms to keep gates closed when not in use. Chain link gates with opaque slots are not acceptable.

Becky Lyall of 1903 22nd Ave. Boulder, CO, 80302, was sworn in by Secretary Donna Case, and asked if Xtreme Drilling, LLC would still be allowed on site until December 31, 2023. Kathleen Kelly addressed Ms. Lyall's question.

With no further public comment, Chairperson Plain closed the public hearing.

Commissioner Reports: None.

Staff Reports: Jennifer Krieger stated there wasn't anything scheduled in the near future for any upcoming Planning Commission Meetings and to keep an eye on their email for notification.

With no further business the meeting adjourned at 6:39 p.m.

Approved this 13th day of April, 2021.



April 13, 2021

To: City of Dacono Planning & Zoning Commission

From: Jennifer Krieger, AICP, Community Development Director

RE: Staff Report: PC Resolution 21-02, A Resolution Recommending Approval of a Special Use Permit to Authorize Temporary RV Parking in Connection with an Event Permit for IMI Motorsports.

Executive Summary

Consideration of a special use permit to authorize temporary RV parking in connection with an event permit for IMI Motorsports.

Public Hearing Record

- Application for Special Use Permit & Supplemental Narrative
- Site Map
- Dacono Municipal Code and Zoning Map
- Staff report dated April 13, 2021
- Request for Electronic Land Use Hearing

Notice

As required by the Dacono Municipal Code, notice was provided to all interested parties of the public hearing.

The Applicant shall, fifteen (15) or more days before the date of the Planning Commission hearing, mail by certified or registered mail, return receipt requested, notice of such hearing to all owners of legal or equitable interests in the land, and owners of adjoining property within three hundred (300) feet of the outside boundaries of the property as shown by the application, and shall file proof of such mailing, and/or return receipts received, with the Planning Commission at the time of the hearing.

**Owner/
Applicant**

Owner:
IMI Motosports
Brad Linkus
PO Box 188
Dacono, CO 80514

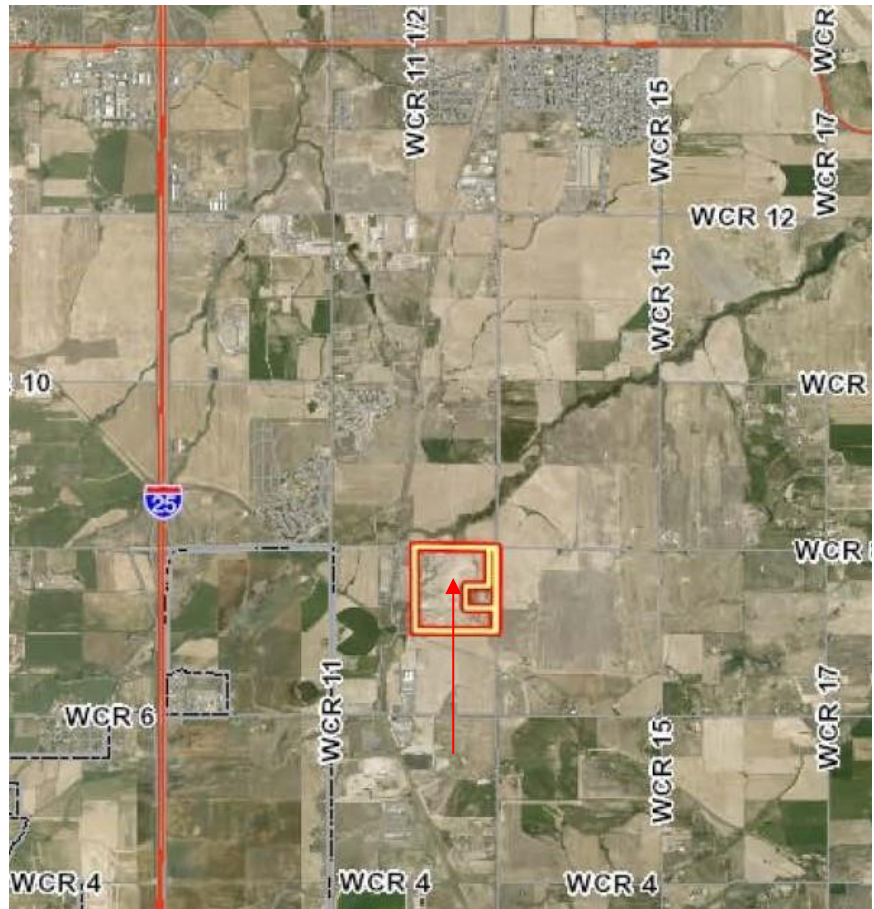
Location

Legal:

DAC PT NE4 24-1-68 (LINKUS ANNEX) EXC BEG 1912' S & 30'W OF NE COR SEC W952' ALG UPRR N702' E732' N1180' E220' S1882' TO BEG ALSO EXC COM E4 COR SEC 24 N89D52'W 30' TO POB N89D52'W 30' N0D06'W 738.56' N89D53'E 30' S0D06'E 738.68' TO POB, City of Dacono, Weld County, Colorado.

Physical:

5074 Summit Boulevard
The southwest corner of the intersection of Colorado Boulevard and Summit Boulevard.



Surrounding Zoning

North: R-1 Residence District, Agricultural District, I-1 Light Industrial

South: Unincorporated Weld County

East: Unincorporated Weld County, Agricultural District AG (Mountain View Estates)

West: Unincorporated Weld County, I-1 Light Industrial (Blitz Paintball)



I-1 Industrial District Zoning

Sec. 16-200 Permitted uses.
 Permitted principal uses in the I-1 Light Industrial District shall be as follows:

(21) Temporary recreational vehicle parking, if approved pursuant to a special use permit by resolution of the City Council pursuant to Article 15 of this Chapter, and only on dates for which an event permit has been issued pursuant to Chapter 11, Article 3 of this Code.

Background

Ordinance 899, adopted by the City Council, authorizes the issuance of a special use permit to allow recreational vehicles to be parked overnight at events for which an event permit has been issued.

Ordinance 881 established standards for the issuance of permits for events in the City on property not owned by the City. The intent of the regulations is to ensure that events operate safely, are not detrimental to the public health, do not substantially interfere with traffic, pedestrian circulation, or public services, and are compatible with surrounding property. The Planning and Zoning Commission does not review Event Permits.

Several events at IMI Motorsports require an Event Permit. Additionally, some of the events propose to include temporary overnight RV parking.

Special Use Standards

Dacono Municipal Code Chapter 16 Article 15 contains the special use permit requirements. The purpose of a special use permit is to:

- (1) Provide for uses that require specific consideration in each case because of the nature of the use and its impact on adjoining tenants or residences, the adjacent property and neighborhood or the City in general.
- (2) Establish specific design standards and restrictions on the operation of the use to mitigate potential adverse effects on surrounding properties.
- (3) Provide a regulatory mechanism to ensure compliance with the established design standards and conditions.

Dacono Municipal Code Sec. 16-383- Temporary Recreational Vehicle Parking includes additional requirements and limitations on temporary overnight RV parking.

- (a) Special use permits for temporary recreational vehicle parking shall only be issued for property located within the light industrial (I-1) or civic and open space (COS) zone districts. Except as provided in Section 8-4(4) of this Code, it is unlawful for any person to cause or permit the overnight sleeping in a recreational vehicle without a special use permit having first been issued or otherwise not in conformance with this Section.
- (b) An application for a special use permit for temporary recreational vehicle parking must include either an approved event permit issued pursuant to Chapter 11, Article 3 of this Code or an application for an event permit. No special use permit for temporary recreational vehicle parking will be issued except in conjunction with an approved event permit and temporary recreational parking will only be permitted on dates specified in the event permit.
- (c) Regardless of the duration of the event authorized by an event permit, temporary recreational vehicle parking authorized in conjunction with such event shall not exceed three (3) consecutive days at a time. For purposes of the limitation in this subsection, event days shall be deemed "consecutive" unless there are at least three (3) days between events.
- (d) Only recreational vehicles may be authorized by a special use permit to park overnight in connection with an event for which an event permit has been issued. As used in this Section, "recreational vehicle" shall include travel trailers, camper pick-up coaches, toy haulers, and motorized homes, provided all requirements of this Section

are met by such vehicle. No tent camping or temporary housing structures such as tiny homes shall be authorized.

(e) No temporary or permanent utilities, facilities or amenities, including but not limited to water or electric hook-ups or a dump station, shall be permitted, except as specifically authorized in the special use permit. It is strongly encouraged that recreational vehicles to be parked overnight pursuant to a special use permit be self-contained and feature onboard sanitation facilities, since the special use permit will not authorize any kind of temporary or permanent utilities. "Self-contained" as used in this Section means the recreational vehicle has onboard water storage, a cooking stove, a water or chemical toilet permanently attached to a black water holding tank, and a permanently installed holding tank for gray or black water.

(f) No open fires, including but not limited to camp fires, fire pits, or barrel fires, shall be permitted.

(g) Areas occupied by recreational vehicles and access aisles, driveways, and roads must be constructed of an all-weather surface that allows for emergency vehicle access.

(h) Recreational vehicles may not be stored on site.

(i) A special use permit for temporary recreational vehicle parking issued pursuant to this Article shall not be transferable and shall expire on the last date authorized by the event permit.

**Special Use
Request-
Application
Summary**

The Applicant provided an aerial picture of the site where the special use permit is requested. In the Supplemental Narrative, the Applicant acknowledges adherence to the criteria contained in Section 16-383. Requested event dates for temporary overnight RV parking include:

- April 24, 30,
- May 1, 5, 15, 29,
- June 5, 12, 18, 19, 26
- July 10, 17
- August 21, 28
- September 4, 11, 17, 18, 25
- October 1

The anticipated number of temporary overnight RV parking varies based on the type of racing event. Temporary overnight parking may include the following number of qualifying vehicles:

- RMRA motocross event 200-300
- Flat Track event 0-10
- RMQMA event 10-30

- Drift event 20-50
- CKT Karting event 25-60
- HooptieX Event 10-30

Criteria for Decisions

The Planning and Zoning Commission does not review Event Permits required by Chapter 11 Article 3 of the Dacono Municipal Code.

Dacono Municipal Code Sec. 16-376 details criteria for special use permit decisions. The Applicant shall have the burden of proof to clearly establish at the public hearings that the proposed special use meets the criteria. Additional limitations for temporary overnight RV parking are listed in Section 16-383. As this Special Use Permit application is for temporary use, not all criteria apply to this application.

1. Consistency. The special use is deemed consistent with good planning practice in that it meets the requirements contained in this Chapter for the specific use.
2. Operational impacts. The special use will be operated in a manner that is not detrimental to other uses in the district or in adjoining or nearby districts. In determining the impacts of the proposed use on surrounding properties, the following factors shall be considered:
 - Noise
 - Odor
 - Traffic
 - Operational schedule.
 - Other similar factors related to the nature of the operation.
3. Visual impacts. The special use will be developed and operated in a manner that is both visually compatible with the permitted uses in the surrounding area.
4. General welfare. The special use is deemed essential, convenient, or desirable to preserve and promote the public health, safety, and general welfare of the City and its residents.
5. Infrastructure. Adequate facilities either exist or will be provided, including but not limited to
 - Access
 - Parking and loading
 - Emergency services
 - Utilities
 - Drainage

Recommendation

Staff is recommending approval of PC Resolution 21-02 with conditions finding:

1. The Applicant has an Event Permit under review under Chapter 11, Article 3.
2. The Dacono Municipal Code Chapter 16 Section 16-383 outlines very limited and temporary parking of recreational vehicles in the I-1 District. The temporary recreational parking will only be permitted on dates specified in the Event Permit.
3. While the overall impact on the special use generating excessive traffic will be reviewed as part of the Event Permit, temporary overnight RV parking may lessen the impact of excessive traffic due to fewer vehicles entering/exiting the premises during the event period.
4. The Applicant provided notice to adjacent property owners. To date, no comments were received regarding concerns of a detrimental effect upon other properties in the area.
5. Provided the Applicant follows all requirements and limitations on temporary overnight RV parking as acknowledged in the Supplemental Special Use Permit Application, there should not be an extraordinary potential for accidents or danger to public health and safety.
6. A site plan meeting the requirements of Chapter 16 Article 24 is required. Although the Applicant provided an aerial view of the site, a site plan will further detail whether adequate facilities exist or will be provided for: access, parking and loading, emergency services, utilities, and drainage.

DACONO PLANNING AND ZONING COMMISSION
RESOLUTION NO. PC 21-02
SERIES 2021

A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE TEMPORARY RV PARKING IN CONNECTION WITH AN EVENT PERMIT FOR IMI MOTORSPORTS

WHEREAS, an application has been filed with the City for a special use permit to authorize temporary recreational vehicle (“RV”) parking in connection with an event permit for IMI motorsports;

WHEREAS, all materials related to the application have been reviewed by City staff and found to be in compliance with City of Dacono zoning ordinances and related City regulations and policies; and

WHEREAS, the Dacono Planning and Zoning Commission has held a properly noticed public hearing on the application, at which hearing it received testimony and evidence from City staff and other interested persons; and

WHEREAS, based upon the testimony and documents presented at the public hearing, the Planning and Zoning Commission finds that the proposed special use permit, with certain conditions, meets the applicable criteria of the City’s ordinances, policies and regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DACONO, COLORADO:

Section 1. The City of Dacono Planning and Zoning Commission hereby recommends approval a special use permit to authorize temporary RV parking in connection with an event permit for IMI Motorsports, conditioned on approval of a site plan pursuant to Chapter 16, Article 24 of the Dacono Municipal Code.

PASSED AND ADOPTED this 13th day of April, 2021.

Chairperson

ATTEST:

Secretary



DaconoSM

Special Use Permit Application

City of Dacono
512 Cherry Street
Dacono, CO 80514
Phone: 303.833.2317
cityofdacono.com

Date: 3/22/21

Site Information

Project Name: IMI Motorsports Complex
Project Address: 5074 Summit Blvd
Area of the subject parcel of land stated in acres, or if less than one (1) acre, in square feet 132
Current Zoning: I-1
Present and proposed land use: Motorsports Complex

General Information

Applicant's Name(s) Brad Linkus
Street Address: 5074 Summit Blvd
City, State, Zip: Dacono, CO, 80514
Telephone: 303-596-5090 Fax: _____ Email: imimotorsports@hotmail.com

Owner's Name(s) *if different from applicant:* _____
Street Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

Applicant/Consultant(s)
Name _____
Street Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

Submittal Requirements: *Electronic copy of the entire application. Do not submit via email.*

- 1) Complete Special Use Permit application and Supplemental Special Use Permit Application
- 2) Legal description of the site
- 3) Title commitment issued within last 30 days or copy of lease for site
- 4) Narrative
 - See Supplemental Special Use Permit Application
- 5) Cost Agreement & Funds Deposit. All applicable deposits must be paid at time of submittal. Additional costs

related to the review and processing of an application will be charged to the applicant for reimbursement to the City of Dacono.

6) Traffic impact analysis. The Community Development Director shall determine whether a traffic impact analysis is necessary based on information presented at the pre-application conference.

7) Site plan. A site plan, which shall contain not less than the information required for site plan review as established in Article 24 of the DMC.

8) Other. Additional information may be requested by the Community Development Director, Planning & Zoning Commission, or City Council to adequately review the application.

Applicant Certification

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge, consent, and authority of the owners of the property.

Applicant's Name: Brad Linkus

Applicant's Signature Brad Linkus Date 3/22/21

Applicant's Address: 5074 Summit Blvd, Dacono, CO 80514

Telephone: 303-596-5090 E-Mail imimotorsports@hotmail.com

Supplemental Application for Temporary Overnight RV Parking

Special use permits for temporary recreational vehicle parking shall only be issued for property located within the light industrial (I-1) or civic and open space (COS) zone districts. Except as provided in Section 8-4(4) of this Code, it is unlawful for any person to cause or permit the overnight sleeping in a recreational vehicle without a special use permit having first been issued or otherwise not in conformance with this Section.

Property Address [5074 Summit Blvd, Dacono, CO, 80514](#)

Zone District [I-1](#)

An application for a special use permit for temporary recreational vehicle parking must include either an approved event permit issued pursuant to Chapter 11, Article 3 of this Code or an application for an event permit. No special use permit for temporary recreational vehicle parking will be issued except in conjunction with an approved event permit, and temporary recreational parking will only be permitted on dates specified in the event permit.

Has an Event Permit been Issued? Yes No Under Review

Regardless of the duration of the event authorized by an event permit, temporary recreational vehicle parking authorized in conjunction with such event shall not exceed three (3) consecutive days at a time. For purposes of the limitation in this subsection, event days shall be deemed “consecutive” unless there are at least three (3) days between events.

List specific days of proposed overnight RV parking

[4/24,4/30,5/1,5/15,5/29,6/5,6/12,6/18,6/19,6/26,7/10,7/17,8/21,8/28,9/4,9/11,9/17,9/18,9/25,10/1](#)

Only recreational vehicles may be authorized by a special use permit to park overnight in connection with an event for which an event permit has been issued. As used in this Section, “recreational vehicle” shall include travel trailers, camper pick-up coaches, toy haulers, and motorized homes, provided all requirements of this Section are met by such vehicle. No tent camping or temporary housing structures such as tiny homes shall be authorized.

I understand the definition of “recreational vehicle” as defined by the Dacono Municipal Code

No temporary or permanent utilities, facilities, or amenities, including but not limited to water or electric hook-ups or a dump station, shall be permitted, except as specifically authorized in the special use permit. It is strongly encouraged that recreational vehicles to be parked overnight pursuant to a special use permit be self-contained and feature onboard sanitation facilities since the special use permit will not authorize any kind of temporary or permanent utilities. “Self-contained” as used in this Section means the recreational vehicle has onboard water storage, a cooking stove, a water or chemical toilet permanently attached to a black water holding tank, and a permanently installed holding tank for gray or black water.

Are any temporary facilities requested with this special use permit application? Yes No

If yes, please describe.

No open fires, including but not limited to camp fires, fire pits or barrel fires, shall be permitted.

I understand the Dacono Municipal Code restrictions on camp fires, fire pits, or barrel fires.

Areas occupied by recreational vehicles and access aisles, driveways, and roads must be constructed of an all-weather surface that allows for emergency vehicle access.

On the site plan, show the areas to be occupied by recreational vehicles and provide notes which detail the surface.

Recreational vehicles may not be stored on site.

I understand that the special use permit does not authorize recreational vehicle storage.

A special use permit for temporary recreational vehicle parking issued pursuant to this Article shall not be transferable and shall expire on the last date authorized by the event permit.

I understand the special use permit for temporary recreational vehicle parking issued pursuant to this Article is not transferable.

Date of the Last Event

10/1

A special use permit for temporary recreational vehicle parking may be revoked by the City Council, following notice and an opportunity for a hearing, for any condition that would violate the criteria set forth in Section 16-376, including but not limited to rowdiness, undue noise, or other activity offensive to the senses of the average citizen, or to nearby businesses or residents of the neighborhood.

I understand the criteria set forth in Section 16-376.

I understand the Public Notice Requirements for a Special Use Permit

The City of Dacono will provide a copy of the public hearing notice to the applicant

The applicant shall, fifteen (15) or more days before the date of the Planning Commission hearing, mail by certified or registered mail, return receipt requested, notice of such hearing to all owners of legal or equitable interests in the land, and owners of adjoining property within three hundred (300) feet of the outside boundaries of the property as shown by the application

The applicant shall file proof of such mailing, and/or return receipts received with the Planning Commission at the time of the hearing.



REQUEST FOR ELECTRONIC LAND USE HEARING

Date: _____

Land Use Information

Project Name: _____

General Information

Property Owner: _____

Address: _____ City _____ State _____ Zip _____

Telephone: _____ Email: _____

Property Owner: _____

Address: _____ City _____ State _____ Zip _____

Telephone: _____ Email: _____

Applicant (if other than property owner): _____

Company Name: _____

Address: _____ City _____ State _____ Zip _____

Telephone: _____ Email: _____

Type of Application (check all that apply):

Annexation Zoning/Rezoning Special Use Permit PUD Preliminary Plat Final Plat

Site Plan Other: _____

Applicant/Owner Certification: I hereby request the public hearing(s) for the above-referenced application(s) be conducted by Electronic Participation in accordance with the City's policy regarding Electronic Participation for Public Meetings and Quasi-Judicial Hearings during Emergency Situation as adopted by the City Council on April 13, 2020 by Resolution No. 20-34. I acknowledge that holding a quasi-judicial hearing by Electronic Participation may present certain legal risks and involves an area of legal uncertainty, and that having these application(s) heard at a meeting held by Electronic Participation is optional and undertaken at my own risk. I further agree to defend and indemnify the City of Dacono in any action that may arise out of, or in connection with, conducting the hearing by Electronic Participation.

Name: _____

Signature Brad Linkus Date: _____