

FRASER PLANNING COMMISSION
MINUTES

DATE: Wednesday, May 26, 2021

MEETING: Planning Commission Regular Meeting

PLACE: Fraser Town Hall and Virtual On-Line Meeting

PRESENT
Commission: Commissioners: Chair Jean Wolter, Vice Chair Katie Soles, Margaret Bowles, Parnell Quinn, Philip Vandernail, Bob Gnuse and Sam Brewer

Staff: Town Planner, Catherine Trotter; Town Clerk, Antoinette McVeigh;
Assistant Town Manager, Michael Brack, Town Attorney, Rod McGowan

Others:

Chair Jean Wolter called the meeting to order at 6:32 p.m.

1. **Roll Call:** Chair Jean Wolter, Vice Chair Katie Soles, Margaret Bowles, Parnell Quinn, Philip Vandernail, Bob Gnuse and Sam Brewer.
2. **Approval of Agenda:**
Commissioner Soles moved, and Commissioner Bowles seconded the **motion** to approve the agenda. **Motion carried:7-0.**
3. **Consent Agenda:**
 - a. March 24, 2021
 - b. April 28, 2021 Joint Planning Commission and Town Board Meeting

Commissioner Bowles moved, and Commissioner Vandernail seconded the **motion** to approve the Minutes from March 24, 2021 and April 28, 2021. **Motion carried: 7-0.**

4. **Executive Session:**
For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding Willows Apartments.

Commissioner Vandernail moved, and Commissioner Soles seconded the **motion** to open the Executive Session. **Motion carried: 7-0.**

Commissioner Soles moved, and Commissioner Vandernail seconded the **motion** to close the Executive Session. **Motion carried: 7-0.**

Attorney's Opinion Required by C.R.S. 24-6-402(2)(d.5)(II)(B). As the attorney representing the Town of Fraser, I am of the opinion that the entire executive session, which was not recorded, constituted a privileged attorney-client communication.

Rod McGowan, Town Attorney

5. **Public Hearing and Possible Action:**

a. Preliminary Plat and Final Plan the Willows Apartments at Grand Park

Commissioner Quinn moved, and Commissioner Bowles seconded the **motion** to open the Public Hearing regarding Preliminary Plat and Final Plan the Willows Apartments at Grand Park. **Motion carried: 7-0.**

Town Planner Trotter explained that the applicant failed to notify the property owners within 200' of the boundaries of the subject property at least 14 days in advance of the hearing per the Fraser Municipal Code.

Town Attorney McGowan explained that the legal notice published in the newspaper was not the correct legal description of the proposed property. The legal description of the property incorporated portions of 23W which is contrary to the intent of the 2003 Grand Park PDD and the 2005 Rendezvous PDD. The commission can deny, or continue the public hearing. McGowan presented the commission with Resolution 2021-05-01 if they chose to deny the application.

Applicant Lipscomb presented to the Commission and requested an extension of the public hearing to order to send out proper notice to the adjacent property owners.

Commissioner Quinn moved, and Commissioner Bowles seconded the motion to continue the public hearing. **Motion failed 3-4.** Nay Brewer, Soles, Vandernail and Wolter.

Commissioner Brewer moved, and Commissioner Soles seconded the motion to approve Resolution 2021-05-01, A RESOLUTION CONCERNING THE APPLICATION OF GRAND PARK DEVELOPMENT LLC FOR APPROVAL OF A FPDP AMENDMENT AND PRELIMINARY PLAT FOR THE WILLOWS APARTMENTS AT GRAND PARK. Motion carried: 4-3 Nay Bowles, Gnuse and Quinn.

Commissioner Quinn moved, and Commissioner Bowles seconded the **motion** to close the Public Hearing regarding Preliminary Plat and Final Plan the Willows Apartments at Grand Park. **Motion carried: 7-0.**

6. **Discussion and Possible Action Regarding:**

N/A

7. **Other Business:**

Brewer inquired about Hilly's vacant lot special use permit. Planner Trotter explained, the business has been sold and she will reach out to Chris Hillison to have all of the automobiles removed from the property. Brewer commended the gardeners for doing a wonderful job and making Fraser a beautiful place.

8. **Open Forum:**

N/A

9. **Future Agenda Items:**

N/A

10. **Adjourn:**
Commissioner Vandernail moved, and Commissioner Soles seconded the **motion** to adjourn. **Motion carried: 7-0.** Meeting adjourned at 8:40 p.m.

Antoinette McVeigh, Town Clerk