

# **TOWN OF LAKE CITY, CO PLANNING COMMISSION**

## **RECORD OF PROCEEDINGS**

**October 26, 2023**

Andy Dozier called the Lake City Planning Commission meeting to order at 5:00 pm. Members present were Andy Dozier, Mary Nettleton, Harry MacKendrick, and Michelle Pierce. Also attending were Lex Mulhall and Dan Krob. Members of the public included Will Rodenbusch, Bruce Vierheller, and Jodi Linsey.

### **Planning Commission Business:**

Minutes were reviewed from the previous September 14, 2023 meeting. Michelle Pierce moved to accept the minutes and Harry MacKendrick seconded the motion. All in favor.

### **Additions to the agenda:**

None

### **Action Items:**

#### **a) Parking Variance Request and Public Hearing – Bushwack Lodge 103/303 N. Gunnison Ave.**

Discussion was held regarding the request for a parking variance. **Will Rodenbush** presented his proposal for acceptance of change to the parking layout. He indicated the need for increased seating and a courtyard layout as the primary motivation for the change. Mr. Rodenbush indicated he had previously spoken with Vance Lipsey (former Town Manager) and Joe Fox (Historical Preservation Chair). No official correspondence was received from either party.

Public comments from the hearing are summarized as follows:

#### **Bruce Vierheller**

Mr. Vierheller is not in favor of the variance. He cited the proposed parking layout along Highway 149, a poor sight line at the intersection as primary objections.

#### **Jodi Linsey**

Ms. Linsey is not in favor of the variance. Her reasoning is the increased congestion that the proposed layout has already caused. She believes the Bushwack Lodge has created the problem by proceeding with the parking layout already.

The Public Hearing portion of the meeting was closed and the Planning Commission reviewed the following correspondence:

### **Colorado Department of Transportation**

According to CO Rev Stat 42-4-1205 (2017) (summarized) every vehicle stopped or parked upon a two-way roadway shall have the right-hand wheels parallel to and within 12 inches of the shoulder. Angle parking may be considered by CDOT if the local authorities request such parking. Violation of any provision of this section is a class B traffic infraction.

### **Hinsdale County EMS**

There is not sufficient access for EMS to access the property under the proposed plan and the responding parties will be forced to park in the road which is a hazard to the public and personnel.

### **Lake City Area Fire Protection District**

With the proposed parking layout, the fire vehicles would be forced to park in the highway to deploy constituting a hazard to both fire personnel and the public. Further, the adopted fire code requires apparatus access to within 150' of any point of the structure. According to the proposed plan the access would be approximately 200' which is in violation.

### **Hinsdale County Sheriff**

Perpendicular parking and especially perpendicular trailer parking should not be allowed along Highway 149. This should not have never even been considered. Further questions arise regarding the bar seating and serving of alcohol in the modified parking lot.

The Planning and Zoning Commission discussion and decision was as follows:

### **Andy Dozier**

Mr. Dozier indicates that the Planning and Zoning Commission has no authority to alter the parking layout along the state highway and that the alteration would have to be taken up with CDOT.

### **Michelle Pierce**

Ms. Pierce agrees that the parking issue along the state highway must be addressed with the State of Colorado. Additionally, the work that has been completed without the proper approvals must be restored to their original condition.

### **Mary Nettleton**

Ms. Nettleton concurs that the matter is for CDOT. Further, she says public safety trumps that of guest comfort and that the applicant proceeded with the improvements without asking for appropriate approval.

### **Harry MacKendrick**

Mr. MacKendrick listed safety and congestion at the intersection as a primary concern, further listing access for emergency services that has been cutoff and no authority of the commission over CDOT as reasons for denial.

**Dan Krob**

Mr. Krob indicated that we are looking at 2 variances, the first, the number of required parking spots for a business, and secondly, the parking issue along the state highway.

In summary, it was concluded that the Planning Commission will not approve the variance request and that the property must be put back in its original condition. All members of the Commission were in agreement.

**Adjournment:**

The meeting adjourned at 5:30 pm. The next regularly scheduled meeting is will be November 16, 2023 at 5:00 pm.

  
\_\_\_\_\_  
Chairman, Andy Dozier

ATTEST   
\_\_\_\_\_  
Secretary, Harry MacKendrick