

**TOWN OF MORRISON BOARD OF TRUSTEES  
MORRISON TOWN HALL, 110 STONE STREET  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
WEDNESDAY, MAY 11, 2022  
6:00 P.M**

**Call to Order.** Mayor Wolfe called the Regular Town Board Meeting to order at 6:13 P.M.

**Roll Call.** Mayor Wolfe, Mayor Pro Tem Katie Gill and Trustee Paul Sutton, Adam Way were present. Trustees Sean Forey and David Wirtz attended by phone. Trustee Schweich was absent. A quorum was established.

**Staff Present.** Joe Rivera (Attorney), Carrie McCool (Town Planner) and Ariana Neverdahl (Town Clerk)

**Amendments to the Agenda.** Item 6.C under General Business was rescheduled for discussion to the next regular Board meeting.

**Public to Address the Board. Brewster Caesar, 102 Canon Street.** Caesar addressed Mayor Wolfe and the Board and thanked them for their service. Caesar thanked former Mayor Forey for his eight years of service and thanked newly elected Mayor Wolfe

**Presentations and Hearings.**

**JR Clark-Special Review 905 Bear Creek Avenue.**

Mayor Wolfe called the Hearing to order at 6:17 PM.

Mayor Wolfe swore in everyone providing testament for the Special Review Hearing.

Mayor Wolfe swore in Trustee Way and Mayor Wolfe and stated they have reviewed all documents and recordings for 905 Bear Creek Avenue.

**Staff Report.** Town Planner McCool reviewed the resubmitted Special Use Review Application latest submittal from JR Clark Enterprises with the Town Board. Town Planner McCool informed the Board the resubmittal did not include a further explanation of the proposed uses, and did not address the Boards concerns related to noise from events. Town Planner McCool informed the Board the applicant reduced his proposed occupancy for seating events from 411 people to 318 people and from 576 people to 419 people for standing only. Town Planner McCool explained the ODP suggests a maximum occupancy load of 119 people. Town Planner McCool explained to the Board the revised parking plan depicts 40 standard spaces, based on the requirements set forth in the ODP for parking Town Staff recommends a maximum occupancy load of 119 people. Town Planner McCool informed the Board the resubmittal did not include any dust suppression plans for the parking lot surface. Town Planner McCool reviewed the fencing plans in the SRU Site Plan with the Town Board. Town Planner McCool informed the Board the resubmittal did not include any landscaping plans. Town Planner McCool informed the Board, Town Staff has not received enough information to find the proposed signage in compliance with the ODP sign standards. Town Planner McCool informed the Board that staff has requested the applicant include all exterior lighting on the Special Review Site Plan for Town Staff to review for compliance. Town Planner McCool reviewed the recommended conditions for approval with the Town Board.

**Applicant Report. Justin Clark and Rey Chavarria, 905 Bear Creek Avenue.** Chavarria addressed the Town Board and asked them to revise the minutes from the April 4<sup>th</sup> hearing to

redact the statement that Justin Clark said he would add a 3<sup>rd</sup> exit. Clark voiced frustration over the Special Use Review Process. Clark stated he wants to be a good neighbor to Morrison and give back to the Town. Clark stated that he felt he had addressed the Boards concern over noise in the resubmittal. Clark stated that they reached their occupancy load based on the building itself and not the parking lot. Clark stated that he met with the Fire Marshall and the Fire Marshall is in agreement with his interpretation of the occupancy load. Clark stated that he has an email from the building inspector that gave him the formula for the building occupancy. Chavarria stated their intention is not to have every event be at max capacity, and stated the event center will help bring revenue to the Town. Clark Stated Town Manager Winters told him he can submit the same landscaping plans as the previous owner. Clark stated that he addressed all of the Boards concerns in the resubmittal and felt that the questions related to the use of gaming, service of alcohol came out of nowhere and were not asked at the last hearing. Clark mentioned to the Board that a Liquor License is not on his radar and he is more focused on getting his business opened.

Trustee Gill mentioned to Clark and Chavarria that the original purposed idea was a wedding chapel and after learning of the other uses purposed in the application the Board had follow up questions. Chavarria mentioned to the Board an example of the gaming use would include a fundraising event like casino night.

Trustee Way suggested Clark and Chavarria meet with their neighbors to discuss concerns over traffic and parking. Clark stated that he wants to build a fence to help with parking and will discourage event goers from parking on the street in their contracts.

#### **Public Comment.**

**Michelle Gadd, 107 Bear Creek Lane.** Gadd voiced concern over the occupancy the applicant has asked for. Gadd also voiced concern that building fences and gates would harm the wildlife in the area. Gadd asked the Board to layout ground rules for the Chapel if they do approve the application.

**Jordan Alder, 925 Bear Creek Avenue.** Alder addressed the Board and stated he does not support the chapel having a higher occupancy of 119. Alder stated that is important to get the occupancy correct, the road up to the chapel cannot handle a higher occupancy. Alder encouraged the applicants to have a plan for parking and consider all of the suggestions from the Town Board.

**Margaretta Caesar, 102 Canon Street.** Caesar addressed the Board and voiced concern over the amount of conditions that were suggested by Town Staff. Caesar voiced concern over limited amount of parking the chapel has and how the high volume of events would affect traffic in the Town. Caesar also voiced concern over the lighting and noise from the events. Caesar stated that she believed the proposal did not fit Morrison and wants to keep Morrison Morrison.

**Sheri Tabor, 207 Bear Creek Lane.** Tabor voiced concern over the environmental impacts the chapel will have and how the new fence and gate will affect the wildlife.

**Jordan Adler, 925 Bear Creek Avenue.** Alder addressed the Board and suggested that the applicant limit the hours of operation for the event center. Adler stated the entrance road cannot handle the high volume of events on top of Red Rocks Amphitheatre events. Adler suggested the applicant submit a plan for parking at their events.

**Brewster Caesar, 102 Canon Street.** Caesar addressed the Board voiced concern over the occupancy load suggested by the applicant. Caesar voiced concern over the level of noise that would come from the events. Caesar voiced concern of the suggested uses of gaming and general get togethers listed in the application. Caesar also voiced concern over the hours of operation the applicant has applied for and how the high volume of events will affect the traffic in town. Caesar mentioned to the Board that this application does not fit Morrison and he wants to keep Morrison Morrison.

**Closing Statement. Justin Clark and Rey Chavarria, 905 Bear Creek Avenue.** Clark mentioned to the Board that that he has an email form the Building Inspector giving him the formula to create an occupancy load. Clark mentioned to the Board that he feels he is getting different treatment than other business in Town. Clark also stated that he wanted to do a soft scape parking lot for the wildlife. Chavarria thanked the public for their comments. Chavarria mentioned to the Board they are on the same side of the Town and they are not trying to hurt the resident's wellbeing.

Mayor Wolfe closed the Public Hearing at 8:03 PM.

Attorney Rivera informed the Board this is a quasi-judicial hearing and the decision of the Board needs to be based on the information received during the hearing.

#### **Board Discussion.**

Trustee Gill stated when the Board first met with the applicant the proposed business plan was to restore the original wedding chapel and at the time the other uses were not included in the proposal. Trustee Gill stated that the Board was clear about the occupancy needing to be between 119 to 140 people. Trustee Gill stated the resubmittal did not include dust suppressant plans for the parking lot. Trustee Gill stated the hours of the operation would impact the residents in way that is not compatible to the community. Trustee Gill stated that the resubmittal did not address the Boards concern over amplified noise from events. Trustee Gill mentioned the proposed uses would require a larger building. Trustee Gill mentioned the Board takes Town Staff's suggestion seriously, the list on conditions for approval is too long and open ended to be addressed in one sitting. Trustee Gill stated the concerns from the Board, Town Staff and Public Comment should have been addressed in the resubmittal. Trustee Gill recommended the application be denied and the applicant submit a new application to align with the original use.

Mayor Wolfe stated that he does want to see a business at the chapel, the original chapel had a Morrison feel to it and the submitted application does not have the Morrison feel. Mayor Wolfe mentioned the occupancy, hours, traffic and parking need to be addressed. Mayor Wolfe suggested the applicant submit a new application and start with clean slate.

Trustee Forey mentioned the application still needs a lot of work before it could be approved.

**A motion was made by Trustee Forey to deny the Special Use Application for 905 Bear Creek Avenue. The motion was seconded by Trustee Sutton. The vote passed with four aye votes and one nay vote.**

**A Motion was made by Trustee Way to direct Attorney Rivera to draft a written findings and formalize the Town Boards action for the Mayor to sign. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.**

**General Business**

**Proclamation- Clerks Week.**

**Trustee Gill made a motion to approve the Proclamation for the 53<sup>rd</sup> Annual Professional Municipal Clerks week. The motion was seconded by Trustee Way. All members present votes aye. The motion carried.**

**Colorado Regional Opioid Intergovernmental Agreement.**

**Trustee Gill made a motion to approve the Colorado Regional Opioid Intergovernmental Agreement. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.**

**Departmental Reports.**

**Parking.** Trustee Gill asked if a sign can be posted notifying the public about the safest and fastest way to get to Town for parking on Union Street.

Trustee Gill asked if Interstate Parking can post a sign stating where the free parking is located in town.

Trustee Way asked if the Town was being monitored on the weekends. Town Clerk Neverdahl told the Board Town Staff will follow up with Interstate Parking about monitoring the Town on the weekends.

Mayor Wolfe suggested adding more QR codes at parking spaces that are further from the kiosks.

**Public Works.** No oral report.

**Town Manager.** No oral report.

**Town Attorney.** Mayor Wolfe thanked Joe Rivera for being at the meeting.

**Consent Agenda.**

**A motion was made by Trustee Sutton to approve the Consent Agenda for May 11, 2022 with the corrections to the April 19<sup>th</sup> minutes made by Trustee Gill. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.**

**Board Comments.**

- Trustee Sutton mentioned that the Town may want to look at Special Event Liquor License, to further protect the Town.
- Trustee Gill thanked the Morrison Police Department for being back on the street and providing the Town with Public Safety.

**Adjournment.** Mayor Wolfe adjourned the regular Town Board Meeting at 8:35 P.M.



TOWN OF MORRISON

*Chris Wolfe*

Chris Wolfe, Mayor

ATTEST:

*Ariana Neverdahl*

Ariana Neverdahl, Town Clerk