



PLANNING COMMISSION REGULAR MEETING
Zoom Webinar and/or **Clearview Library**
5 S. Timber Ridge Parkway, Severance, CO 80550

AGENDA
PLANNING COMMISSION REGULAR MEETING
Wednesday, September 18, 2024, at 6:00 PM

A. CALL TO ORDER

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Public Comment**

The purpose of the Public Comment is for members of the public to speak to the Planning Commission on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minute for those attending in person or an appropriate time as deemed by the Chair. The Planning Commission shall make no decisions or take action on comments, but may choose to schedule the matter for a decision later. Those addressing the Planning Commission, please state your name and address. and sign-in.

- 4. Approval of Minutes 01.17.24 Minutes**

B. PRESENTATION

- 1. Planning Commission Staff Presentation**

C. REGULAR MEETING

- 1. Land Use Code Revisions**
 -
 - Staff Presentation:
- 2. Resolution PC-2024-03R: A Resolution of the Severance Planning Commission approving a Use by Special Review application to operate a Home Based Business on real property located within the Town of Severance, commonly known as 275 Mount Harvard Avenue.**
 - Legislative
 - Staff Presentation: Shani Porter, Planning Director

D. COMMUNICATIONS

Commission approval may be sought for administrative actions in association with staff reports.

1. Town Staff
2. Town Management
3. Commission Members

E. ADJOURN

Planning Commission MEETING
Wednesday, September 18, 2024, 6:00 PM (MDT)

Registration URL

https://us02web.zoom.us/webinar/register/WN_OCx-DpESRialWI915_tEgg

The Town of Severance does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services. For disabled persons needing reasonable accommodation to attend or participate in a town service, program, public meeting, or activity, call 970-686-1218 at least 72 hours in advance. Disabled access is available from the front entrance of the Town Hall.



PLANNING COMMISSION REGULAR MEETING
Zoom Webinar and/or Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

REGULAR MEETING MINUTES

Wednesday, January 17, 2024, at 6:00 PM

Present:

Chair:

Julie Stout

Vice-Chair:

Derk Grimes

Commissioners:

David Rau

Kris Quandt

Joe Pirrone

Dan Spykstra

Absent:

Audience:

Staff:

Nicholas Wharton, Town Manager

Shani Porter, Town Planner

Leah Vanarsdall, Town Clerk

A. CALL TO ORDER

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addressing the Planning Commission, please state your name and address. and sign-in.

4. Approval of 12.20.23 Minutes

MOTION WAS MADE BY Commissioner Quandt, seconded by Commissioner Pirrone to Approve the 12.20.23 Minutes as amended to add Commissioner Quandt in attendance. All Commission Members present voting Yes,

MOTION PASSED

B. REGULAR MEETING

1. Appointment of Chair and Vice-Chair

- Legislative
- Staff Presentation: Nicholas Wharton, Town Manager

MOTION WAS MADE BY Commissioner Pirrone, seconded by Vice-Chair Grimes to Appointment Julie Stout as Chair. All Commission Members present voting Yes,

MOTION PASSED

MOTION WAS MADE BY Commissioner Pirrone, seconded by Chair Stout to Appointment Derek Grimes as Vice-Chair. All Commission Members present voting Yes,

MOTION PASSED

2. Resolution PC-2024 01: A Resolution of the Town of Severance Planning Commission approving, with conditions, a Use by Special Review application on real property located with the Town of Severance, commonly known as 10845 County Road 74

- Legislative
- Staff Presentation: Shani Porter, Town Planner

Tony Ollila-Applciant & Justin Spaeth-Property Owner Presented

MOTION WAS MADE BY Vice-Chair Grimes, seconded by Commissioner Pirrone to Approve **Resolution PC-2024 01: A Resolution of the Town of Severance Planning Commission approving, with conditions, a Use by Special Review application on real property located with the Town of Severance, commonly known as 10845 County Road 74 with conditions.** All Commission Members present voting Yes,

MOTION PASSED

3. Resolution PC-2024 02: A Resolution of the Town of Severance Planning Commission approving, with conditions, a Site Plan application on real property located with the Town of Severance, commonly known as 10845 County Road 74

- Legislative
- Staff Presentation: Shani Porter, Town Planner

MOTION WAS MADE BY Commissioner Pirrone, seconded by Commissioner Quandt to Approve **Resolution PC-2024 02: A Resolution of the Town of Severance Planning Commission approving, with conditions, a Site Plan application on real property located with the Town of Severance, commonly known as 10845 County Road 74.** All Commission Members present voting Yes,

MOTION PASSED

4. Severance Police Station Site Plan

- Discussion
- Staff Presentation: Shani Porter, Town Planner

MOTION WAS MADE BY Commissioner Pirrone, seconded by Commissioner Spykstra to Approve the Severance Police Station Site Plan. All Commission Members present

voting Yes,

MOTION PASSED

C. COMMUNICATIONS

Commission approval may be sought for administrative actions in association with staff reports.

- 1. Town Staff**
- 2. Town Management**
- 3. Commission Members**

D. ADJOURN

6:30 pm



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Resolution PC-2024-03R: A Resolution of the Severance Planning Commission approving a Use by Special Review application to operate a Home Based Business on real property located within the Town of Severance, commonly known as 275 Mount Harvard Avenue.	Shani Porter, Planning Director	Shani Porter, Planning Director
ACTION REQUESTED		
Town Staff requests the Planning Commission review and take action on the proposed Home Based Business (Type II) as follows: 1. Move to approve the Home Based Business (Type II) at 275 Mount Harvard Avenue with conditions 2. Move to deny the Home Based Business (Type II) at 275 Mount Harvard Avenue 3. Take no action		<u>Resolution</u> <u>Action Requested</u>
BRIEF SUMMARY		
The owners of 275 Mount Harvard Avenue are requesting a Use by Special Review for a Home-Based Business (Type II) for a large home daycare to be named "Where the Wild Things Play LLC". The applicant has submitted all required application materials.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Town staff recommends approval of the Use by Special Review at 275 Mount Harvard Avenue and that the Planning Commission review and take action on the proposed Home Based Business with the following condition: 1. Proof of an approved building inspection of the home-base business shall be submitted prior to the issuance of the required Town of Severance Business License		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. PC 2024-03R 275 Mt Harvard Ave 2. Application 3. Property Information 4. SPO letter 5. Affidavit of Compliance SPO		

- | | |
|----|--------------------------------------|
| 6. | Affidavit of Sign Posting |
| 7. | Email-Webb 931 Mt Andrew Dr_Redacted |

**TOWN OF SEVERANCE PLANNING COMMISSION
RESOLUTION NO. PC -2024-03R**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, APPROVING A USE BY SPECIAL REVIEW APPLICATION TO OPERATE A HOME-BASED BUSINESS (TYPE II) ON REAL PROPERTY LOCATED WITHIN THE TOWN OF SEVERANCE, COMMONLY KNOWN AS 275 MOUNT HARVARD AVENUE

WHEREAS, Paul and Natalie Pakiz (together, the “Applicant”) are the owners of certain real property located in the Town of Severance, legally described as Lot 13, Block 7, Overlook Filing No. 1, Town of Severance, County of Weld, State of Colorado (the “Property”), and have submitted an application for Use by Special Review to operate a large home daycare on the Property (the “Application”); and

WHEREAS, the Property is located within the Suburban Perimeter zoning district in the Town of Severance; and

WHEREAS, Applicant has also submitted a conceptual site plan relating to such special use review; and

WHEREAS, after considering all the testimony, evidence, and argument presented at the public hearing held before the Planning Commission on September 18, 2024, the Planning Commission finds and determines that the Application is complete, and that the Applicant has met the relevant standards and criteria for use by special review of a Home-Based Business (Type II) set forth in Sections 16.9.20 and 16.19.130 of the Severance Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. The above recitals and findings of the Planning Commission are hereby incorporated into this resolution.

Section 2. Paul and Natalie Pakiz’s application for a Use by Special Review to operate a large home daycare as a Home-Based Business (Type II) on the Property, within the existing Suburban Perimeter zone district, is hereby approved, subject to and contingent upon compliance with the following conditions:

- (a) Such special use approval shall not authorize the use or conversion of the facility to a commercial use facility.
- (b) Approval of a use by special review shall lapse and be considered null and void:
 - (i) If the use itself, or if permanent construction in conjunction with such use, has not commenced within one (1) year of the approving action; or
 - (ii) If the use is no longer active or in operation for a period of twelve consecutive months; or
 - (iii) Upon a change of primary use of the Property.

- (c) Failure to use the Property for the uses authorized by this special use approval for a period of 12 consecutive months shall terminate the right to use the Property for the specified special use.
- (d) The applicant shall provide proof of an approved building inspection of the home-based business which shall be submitted prior to the issuance of the required Town Business License.

RESOLVED AND APPROVED this ____ day of _____, 2024.

PLANNING COMMISSION
TOWN OF SEVERANCE, COLORADO

Chair of the Planning Commission

ATTEST:

Secretary

TOWN OF SEVERANCE
3 S. TIMBER RIDGE PARKWAY, P.O. BOX 339, SEVERANCE, CO 80546
PHONE: (970) 686-1218 FAX: (970) 686-6250

APPLICATION FOR HOME-BASED BUSINESS PERMIT

FEE: \$250

(TYPE OR PRINT CLEARLY)

Business Name: Where the Wild Things Play, LLC
Business Address: 275 Mt. Harvard Ave Severance CO 80550
Name of Property Owner(s): Paul and Natalie Pakiz Phone: 651-815-5025
Mailing Address: 275 Mt. Harvard Ave
City: Severance State: CO Zip: 80550 Email Address: wherethewildthingsplay1@gmail.com
Type of Business: Large Family Home Childcare

Description of Proposed Home-Based Business – include type of products sold and services provided:

Childcare

Will There Be Outdoor Activities? ☒ YES ☐ NO
If Yes, Please Describe: outside playtime

Hours of Operation: 7am - 5pm

Will Deliveries Be Made to This Location? ☒ YES ☐ NO If Yes, Please Describe: Amazon with deliveries of new equipment

I declare, under the penalty of perjury, that this application has been examined by me and to the best of my knowledge and belief, are true, correct and complete.

Signature of Applicant: Natalie Pakiz

Printed Name: Natalie Pakiz Title: Owner / Director

Date: 7/22/24

CHECKLIST FOR HOME-BASED BUSINESS PERMIT

Please fill out and return to the Community Development, PO Box 339,
Severance CO 80546

Business Name: Where the Wild Things Play, LLC
Name of Property Owner(s): Paul and Natalie Pakiz Phone: 651-815-5025
Location Address: 275 Mt Harvard Ave
City: Severance State: CO Zip: 80550 Email Address: wherethestildthingsplay1@gmail.com

Circle Answer

1. How many employees will come to your residence? 1 ☒ Yes ☐ No
2. Do you have _____ HOA _____ Metro District Approval? ☒ Yes ☐ No
3. Does your business operation exceed 1,000 square feet or 30% of the floor area of the dwelling? 1st Floor _____ 2nd Floor _____ Basement _____ Business Area _____ ☒ Yes ☐ No
4. Is your business operation located in an accessory building? ☐ Yes ☒ No
If so, does it exceed 500 square feet? ☐ Yes ☒ No
5. Is your dwelling used primarily for business? ☐ Yes ☒ No
6. Does your business operation change the residential character of the dwelling? ☐ Yes ☒ No
7. Is there any change in the outside appearance of the building or premises or any visible sign of a home-based business? ☐ Yes ☒ No
8. Will you have an advertising sign-Must adhere to Sign Code? ☐ Yes ☒ No
9. Do you have any exterior storage on your property for equipment or materials for your business? ☐ Yes ☒ No
10. Does your business operation create any noise, glare, fumes, odors or other objectionable conditions detectable to the normal senses outside the dwelling? ☐ Yes ☒ No
11. How many customers per day will come to your residence? 12 or less ☒ Yes ☐ No

The following uses, because of their tendency to go beyond the limits permitted for home-business and thereby impair the use and value of the residential area, are NOT permitted as home-based businesses:

- ANY Medical Marijuana or Marijuana related Business
- Auto Repair, painting or motorized vehicles or Motorized Implement Repair
- Dance, Music or other types of instruction (if more than 4 students are instructed at one time)
- Welding Shops
- Nursing Homes
- Any retail or wholesale sales to consumers upon the premises not incidental to the home-based business

FOR ADMINISTRATIVE USE

Business Classification

☐ Home-Based Business Type I
☒ Home-Based Business Type II

Additional Home-Based Business Type II Required Documents

- ☒ Proof of Ownership
- ☒ Aerial Image
- ☒ Site Plan (Access & Exit Points Indicated)
- ☒ Mailing Labels & Stamped Envelopes (500 Ft. Radius)
- ☒ HOA/Metro District Approval

Town will produce and send billing to you.

TOWN USE ONLY BELOW THIS POINT

Public Hearing Date 1920 2020

Public Hearing Notification of Surrounding Property Owners within 500 feet (15 days prior to Hearing)

Decision _____

Date of Decision _____

Account: R8949931

Open/Close All Sections

July 22, 2024

Account Search

Account Number: R8949931

Search

Account Information

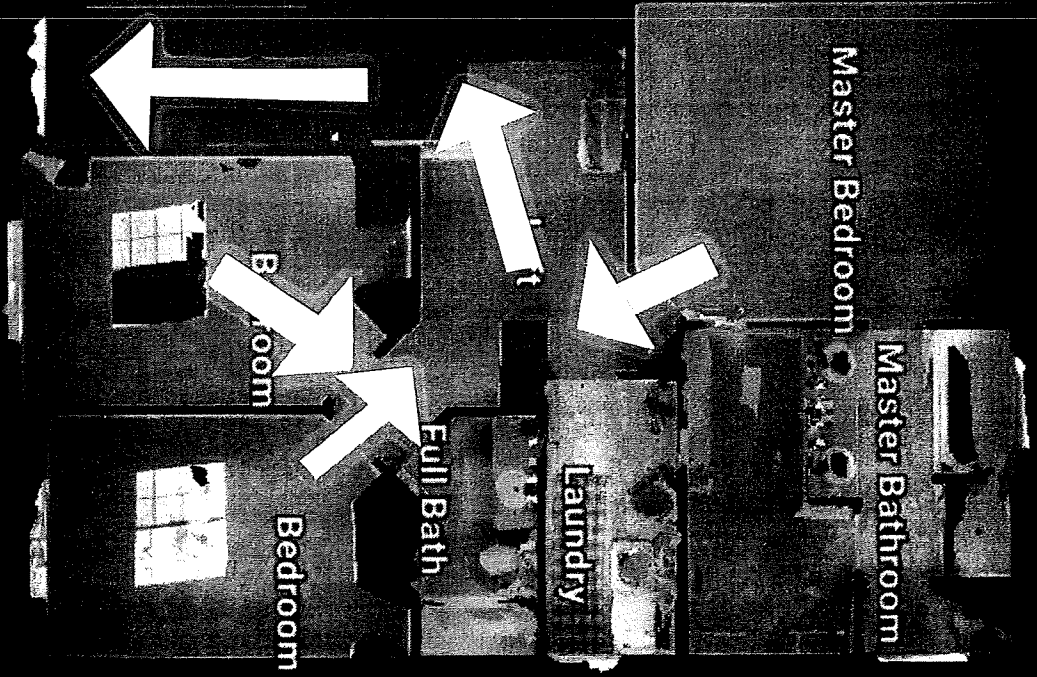
Owner(s)

Account	Parcel	Space	Account Type	Tax Year	Buildings	Actual Value	Assessed Value
R8949931	080702407013		Residential	2024	1	523,201	35,060

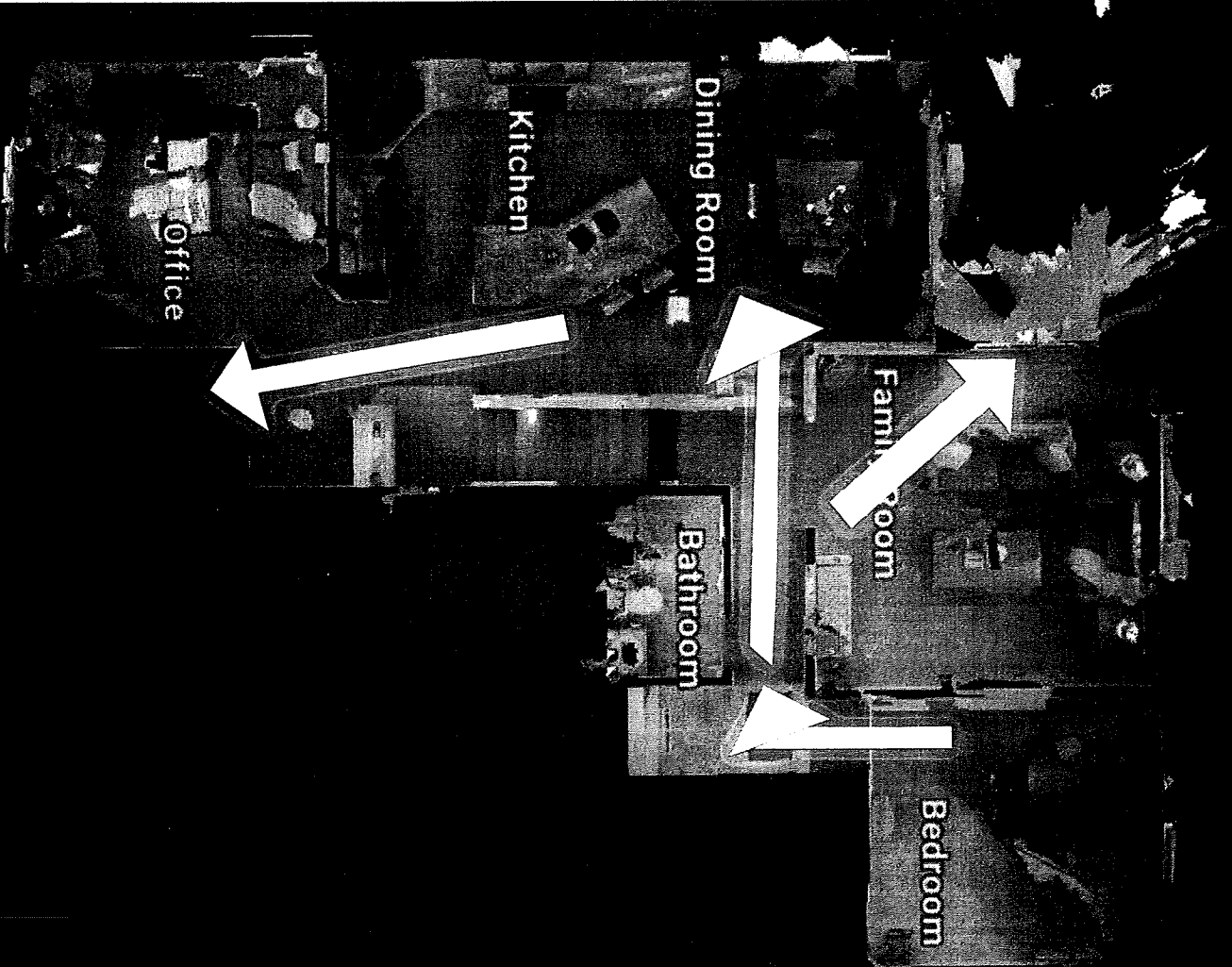
Account	Owner Name	Address
R8949931	PAKIZ NATALIE	275 MT HARVARD AVE SEVERANCE, CO 805504861
R8949931	PAKIZ PAUL	



Upper Level X



Main Level X





RE: 275 Mt. Harvard Ave - Use by Special Review

Dear Resident/Property Owner:

The Town of Severance would like to invite you to a public meeting to discuss the property located at 275 Mt. Harvard Ave's Use by Special Review for a Home-Based Business Type II for a large in-home childcare center that may affect your property. The Planning Commission meeting will be held on **Wednesday, September 18th, 2024, at 6:00 P.M. at Clearview Library, located at 5 S. Timber Ridge Parkway, Severance, Colorado.**

Please note that the schedule is subject to change. To confirm the schedule, please visit our website at www.townofseverance.org or call 970-686-1218.

The Town of Severance considers your interest and input in this matter, as well as your neighbor's input, an important part of its consideration of this proposal. If you are unable to attend the meeting but would like to provide input, written comments are welcome. You may contact Regina Olson at rolson@townofseverance.org or 970-686-1218.

The list of affected property owners for this public notice is derived from official records of the Weld County Assessor by the applicant. Because of the lag time between occupancy and record keeping or because of rental situations, a few affected property owners may have been missed. Please feel free to notify your neighbor of these pending meetings so all neighbors may have the opportunity to attend.

Cordially,
TOWN OF SEVERANCE

Regina Olson
Town Planner



CERTIFICATE OF COMPLIANCE AFFIDAVIT FORM: SURROUNDING
PROPERTY OWNER MAILING FOR PUBLIC NOTICE

Surrounding Property Owner Notification is required at least fifteen (15) days prior to any required public hearing regarding an application pursuant to Section 16.19.40 of the Town of Severance Land Use Code, *Notice Requirements*.

I, Regina Olson, as the Applicant, Town Staff or Applicants representative for **Where the Wild Things Play, LLC** (project name/type), do hereby swear and aver that to my own personal knowledge the following is true:

1. Notice of the public hearing was given to all surrounding property owners pursuant to the requirements of the Land Use Code.
2. Notice was completed by mailing to all surrounding property owners on 8-28-2024 (date), at least fifteen (15) days prior to the hearing date.

Signature Regina Olson

STATE OF COLORADO)

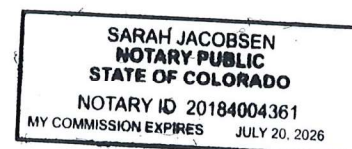
) ss.

COUNTY OF WELD)

Subscribed and sworn to before me this 28 day of August, 20 24, by
Regina Olson, the Affiant.

Witness my hand and official seal. My commission expires: July 20, 2026

Sarah Jacobsen
Notary Public





Affidavit of Compliance Sign Posting

I confirm that the below site has been posted per the requirements of Section 16.2.40(b)3 of the Town of Severance Land Use Code.



Subject Property(ies): **275 Mt. Harvard, Severance**

Shani Porter
Signature: _____

Date: 9-6-24

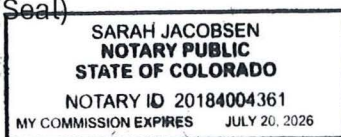
COLORADO NOTARY ACKNOWLEDGMENT

State of Colorado

County of Weld

The foregoing instrument was acknowledged before me on September 6, 20 24
by Shani Porter (name of person acknowledged).

(Seal)



(Notary's Official Signature)
My Commission Expires:

7/20/2026

From: Shani Porter
Sent: Wednesday, September 18, 2024 2:42 PM
To: [REDACTED]
Cc: Regina Olson <rolson@townofseverance.org>
Subject: RE: 275 Mt Harvard

Randall – Thank you for your email regarding the proposed large in-home childcare facility at 275 Mt. Harvard. The proposed use, if approved, could have up to 12 children. The minutes from the Planning Commission meeting will be available on the Towns website following tonight's meeting: <https://www.townofseverance.org/home/pages/minutes-agendas>

We appreciate your concern regarding increased traffic levels. Your email will be shared with the Planning Commission this evening and made part of the record. If you have additional questions, please don't hesitate to call our office.

Thank you



Shani Porter
Planning Director
Office: 970-686-1218
Web: www.townofseverance.org
3 S. Timber Ridge Parkway, Severance, CO 80550

TOWN PRIDE through Leadership, Service and Collaboration.



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From: Randy >
Sent: Wednesday, September 18, 2024 1:24 PM
To: Regina Olson <rolson@townofseverance.org>
Subject: 275 Mt Harvard

Caution: This is an external email and may have a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your OnixIT at support@onixit.com or (970) 223-0300.

Regina,

My name is Randall Webb. I live at 931 Mt Andrew Dr. Unfortunately I won't be able to attend the planning meeting concerning the new childcare on Mt Harvard. My concerns are how many kids will be attending the center and how will it impact the already heavy traffic on Mt Andrew? Mt Andrew has a steady flow of vehicles especially in the morning and evening. Even a small increase in vehicles will be a negative for the neighborhood. Will there be a way to see the minutes from the meeting?

Thank you and regards,

Randall Webb

