

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
DECEMBER 5, 2017

CALL TO ORDER

The Chairperson called the meeting to order at 5:30 p.m. with Commissioners Emilson, Falk, Liske, Nelson, Councilor Hunter, Mayor Clark and Chairperson Canright in attendance.

PUBLIC HEARING

1. Application for Preliminary Plat for Lena Street Commons; Location: East of Blocks 31 and 32, north of Hartwell Park and Charles Street, south of Otto Street, and west of the Library District property and Town of Ridgway property at North Railroad Street; Address: 316 North Lena Street; Zone: General Commercial (GC) and Historic Business (HB); Applicant: Tate Rogers: Owner; Arthur Travis Spitzer Revocable Trust.

Notice of Public Hearing dated 12-5-17; Application for Conditional Use Permit dated 4-14-17; Application for Preliminary Plat Approval, dated 8-28-2017; Town Planner Staff Report dated 12-5-17 presenting background, analysis and staff recommendation.

Town Planner Shay Coburn presented an application for preliminary plat review for the proposed Lena Street Commons subdivision. She outlined previous discussions with the Planning Commission and Town Council held August 30, 2016, October 25, 2016, November 29, 2016 and January 3, 2017. She added the application is the third version of the preliminary plat that staff has reviewed.

Ms. Coburn explained the applicant is requesting a permanent easement encroaching along the north side of the Town's property, along Otto Street to accommodate private storm drainage for the development. She explained staff worked with the development team to establish a reciprocal utility easement along the south side of the subject property and in addition to that reciprocal easement, the development team is requesting an additional five feet of Town property. The development team is also requesting a 10 foot wide easement for the sewer serving the A units. The Town Planner noted that staff has recommended the development team explore other utility lay-out options or purchase the Town-owned property. She explained these easements would need to be worked out with Town Council as they have final say regarding the use of Town property. The Commission questioned the possibility of the development team purchasing the triangular portion of Town property if a line was drawn roughly north from where there is an angle in the property line behind the A units.

The Planner updated the Commission regarding Lena Street grade and building heights. She explained Lena Street will need to be hard surfaced with the increase in traffic from the development. Changing the grade of the street will affect the building heights causing

it to exceed the maximum building height of 35 feet for the D units. Staff is working with the applicant's development team to find a solution. Options are still being explored though staff inquired if paving Lena Street should be included as part of the Planned Unit Development negotiations. The Commission agreed that this should be explored.

Planner Coburn explained the development team has requested that improvements required between preliminary and final plat be deferred for construction and secured through a Subdivision Improvements Agreement that will be completed after Final Plat. Though the decision is that of the Town Council, staff recommends the applicant adhere to the provisions of the Ridgway Municipal Code Section 7-4-6(B)(1) which requires particular improvements before Final Plat and only allows minor items to be secured through a Subdivision Improvement Agreement.

Ms. Coburn recommended modification of several proposed plat notes in addition to a revision of notes 4, 11 and 17 which are in regards to short term rentals, project phasing and affordable housing. She also commented that moving the property lines on the lots between the GC and HB Districts will require rezoning to be completed or coincident with the final plat.

The Town Planner noted that nearly every dimensional standard in the development has a variance request and reviewed 3 of 9 highlighted in the Staff Report. The requests reviewed were in regards to changes in setbacks from the original Sketch Plan and reductions in the number of required parking spaces for Units E and Building A.

Town Manager Jen Coates spoke at length and advised the Commission regarding the types of processes that could be used to secure the vested development rights. She noted since the development has numerous requests to deviate from town code the plan should be clearly outlined either by notes on the Final Plat Map or a Development Agreement. The Commission agreed that a Development Agreement or notes on the Final Plat should be used to secure the vested development rights.

The Commission reviewed the application with the Town Planner and Manager.

The Planning Commission reviewed development models and drawings with the development team architect Sundra Hines.

Commissioner Emilson left the meeting at 6:35 p.m.

Applicant Tate Rogers stated he is in agreement with the staff comments regarding short-term rental considerations.

Attorney Tom Kennedy, representing the applicant, said he is concerned about vested development rights for the project because the Town requires major infrastructure requiring significant funds to be in place before final plat approval. His concern was in regards to code changes affecting the project while in development, and prefers that a Development Agreement be drafted. Mr. Kennedy also agreed the affordable housing plat note should be compliant with current standard language used by the Town and asked Town staff to send the language to him. Tom Kennedy also said he would work on a more detailed phasing plan.

ACTION:

Councilor Hunter moved to continue the hearing for the Preliminary Plat for the Lena Street Commons to the regular January 30, 2018 meeting. Commissioner Liske seconded the motion, and it carried unanimously.

APPROVAL OF THE MINUTES

2. Approval of the Minutes from the meeting of October 31, 2017.

ACTION:

Mayor Clark moved approve the Minutes from the meeting of October 31, 2017. Councilor Hunter seconded the motion and it carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Respectfully Submitted,

Karen Christian
Deputy Clerk