

PLANNING COMMISSION

MINUTES OF THE REGULAR MEETING

May 29, 2018

CALL TO ORDER

The Chairperson called the meeting to order with Commissioners Emilson, Falk, Liske, Nelson, Councilor Hunter, Mayor Clark and Chairperson Canright in attendance.

PUBLIC HEARINGS

1. Application for Plat Amendment; Location: Parkside Subdivision, all lots; Address: 755,760,765, and multiple To-be-determined North Laura Street; multiple To-be-determined Marion Overlook; Zone: Residential; Applicant: Parkside Ridgway Community Association; Owners: Habitat for Humanity of the San Juans, Cameron L. Miller, Kim Moriyama, Alpine Creek Homes LLC, Meaghan McGuire, Riverside Investment Partners, Brittany Christiana Martin, Parkside Ridgway Holdings LLC, Matthew P Sandoval, Kierstin Janal Strand, Stephen J. Hertzfeld, Kelly Lynn Finegan, John A. JR Malone, A. Henry Case ,Bryce Lanier Jones, and Justin R. Fagan

Staff Report dated May 29, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application to amend the Parkside Subdivision plat map. She explained the applicants are requesting four changes to the plat as follows: 1. Amend note 7 by allowing accessory dwelling units (ADU) on all single family lots, 2. Allow landscaping to be planted in the rear drainage easement as long as no water flow is impeded, 3. Allow trees in the right-of-way between the street and sidewalk to count toward required landscaping and 4. Require pavement between the curb and sidewalk for all driveways in the subdivision. Coburn explained the criteria in the municipal code and noted the request to allow landscaping to be planted in the rear drainage easement is not needed because it is already clearly noted on the plat. Additionally, the request that all driveways are paved between the curb and sidewalk is not needed because it is already a requirement of the Ridgway Municipal Code 14-5-15(B).

Planner Coburn explained that ADU's are allowed on most lots in town except when excluded on the plat map such as in the Parkside Subdivision and reviewed the proposed language with the Commission to accommodate the change on the plat. She stated staff is recommending approval of the ADU request for single family lots as well as allowing the trees between the street and sidewalk to count toward landscaping requirements.

Jack Pettruccelli, Home Owners Association President representing the applicant stated he supports the comments in the staff report, and received clarification from staff that plantings are already allowed in the drainage easement as long as the water flow is not impeded, and that the Town already requires pavement between the curb and sidewalk in the driveways.

The Chairperson opened the hearing for public comment.

Susan Long expressed concerns regarding ADUs being used as short term rentals, increased density and traffic resulting from the proposed uses, and asked if rental fees would be controlled to ensure they serve as affordable units. She expressed concerns for the safety of the family-oriented neighborhood, cars parked on both sides of the street during peak hours essentially making the road one lane, and degradation of the streets. Ms. Long questioned if the additional density is correct for the low-density subdivision and asked what the maximum lot coverage would be with the addition of an ADU. Ms. Long opposed landscaping in the drainage area because the homes will visually appear to be crowded, affecting property values.

Tim Malone said he is in favor of ADU's and questioned whether the already existing ADU's in the subdivision were built prior to addressing the plat notes changes. He stated he is not in favor of allowing short term rental in ADU's, and questioned if this use would be allowed. Mr. Malone also questioned why the driveways are not required to be paved up to the house.

The Chairperson closed the hearing for public comment.

The Commission discussed the application with staff and found the single family lots in the Parkside Subdivision are approximately 7,000 - 8,500 sq. ft., including the drainage easement, and the current zoning code limits lot coverage to 40%. Only long term ADU rentals are allowed in any residential zone, and additional tap fees must be paid to convert an ADU into a short term rental dwelling. Paved driveways are already a requirement in town because of how it effects the drainage to the road.

Planner Coburn clarified the existing "ADU's" are not technically permitted as such because they are not considered a full dwelling since they do not have a kitchen. The existing dwellings will be allowed to convert to a conforming ADU if the plat amendment request is approved.

ACTION:

Mayor Clark Moved to approve the Plat Amendment for Parkside Subdivision to amend Plat Note 7 as worded in the Staff Report dated May 29, 2018 to allow for an accessory dwelling unit (ADU) on single family lots, and the addition of Plat Note 10 as worded in the Staff Report dated May 29, 2018 to allow for trees planted in the right of way to be counted as part of the landscaping requirements. The request to allow tree plantings in the drainage easement is denied because it is already clearly noted on the plat. The request that all driveways are paved between the curb and sidewalk is denied because it is already a requirement of the Ridgway Municipal Code 14-5-15(B). Councilor Hunter seconded the motion, and it carried unanimously.

2. Application for Conditional Use; Location: Cedar Creek Minor Subdivision, Lot 1; Address: 705 South Amelia Street; Zone: Residential; Applicant: Megan Gardner; Owner: Trio Trio LLLP, c/o Dana Ivers

Staff Report dated May 29, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

The Town Planner presented an application for a conditional use permit to convert one structure on the lot from a residential use to a nature-based preschool for up to 15 children. Ms. Coburn explained the property has two existing dwelling units with number of established uses that are accessory to those units. This includes a maintenance building, storage sheds, a barn, a pole barn and arena that would become accessory uses to the school. The existing structures are believed to be legally nonconforming because they existed prior to the adoption of Ridgway Municipal Code 7-3-15. The legal nonconforming use of the structure to be converted would then be in compliance with the approval of the Conditional Use Permit. She further explained that schools are not allowed as an accessory use in a low density residential district unless they care for 8 or fewer children.

Ms. Coburn reviewed the conditional use criteria with the Commission. She noted safety issues such as increased traffic from vehicles dropping off and picking up children, neighboring vacant and built residential lots, frequent trips by the Town's Public Works crew in large vehicles needing frequent daily access on the road that leads to the water plant, undeveloped pedestrian facilities, and cars backing into the public right-of-way. She added staff will need a parking area map approved by the Town, and recommended reserving the right to work with the applicant on a solution if noise or other effects becomes an issue with the surrounding properties.

Planner Coburn further explained that the property is within a conservation easement held by the Colorado West Land Trust. A letter from the executive Director, Rod Bleiberg said "the proposed use is consistent with the conservation easement and its goals and therefore do not object to the application before the Town."

She concluded that while the applicant has addressed all of the criteria for conditional use, there is still concern the Applicant has not clearly demonstrated that the criteria has been met, and additional mitigation measures may be needed.

Applicant Megan Gardner said the entire parcel will be used as an accessory to the school because it is a working ranch and the operations of the ranch will be part of the school's curriculum. The caretaker currently living in the other residence will be employed by the school to be on call 24 hours a day and will be responsible for snow plowing, shoveling, mowing and bear patrol.

The Chairperson opened the hearing for public comment.

Comments in support of the pre-school were given by Pat Willits, Dana Ivers, Deborah Wheeler, Jack Pettruccelli, Angela Hawse, Clea Willow, Rebecca Hazen, Avery McKenzie and Vickie Hawes. There were no opposing comments.

The Chairperson closed the hearing for public comment.

The Commission discussed the application with Staff.

ACTION:

Mayor Clark moved to approve the Application for Conditional Use; Location: Cedar Creek Minor Subdivision, Lot 1; Address 705 South Amelia Street because the current nonconforming use will be brought into conformance with the approval of the conditional

use for a school on the property. The criteria for conditional use has been met by the Applicant since the other residence on the lot is for the caretaker on behalf of the school. Parking should be limited to the front of and around the barn area that is closer to Sabeta Street. Parents can use the area around the school for drop off and pick up only. The Town reserves the right to work with the Applicant on finding a solution if traffic, safety, noise or other effect which interfere with reasonable enjoyment of surrounding properties becomes an issue. The conditions on the conservation easement must be met as well. Councilor Hunter seconded the motion, and it carried unanimously.

3. Application for Variance; Location: Ridgway Land Co. Subdivision, Lot 28; Address: 130 Redcliff Drive; Zone: General Commercial; Applicant: Doug Macfarlane; Owner: Praise Him Ministries, Inc.

Staff Report dated May 29, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Coburn presented an application for variance to the fence height regulations. The request is to exceed the standard height by two feet for an enclosed basketball court. She noted the applicant explained a six foot fence will not contain the balls in the basketball court causing children to go into the driveway to retrieve them.

Applicant Doug Macfarlane said the fence will keep the children from retrieving balls out of the irrigation ditch as well.

The Chairperson opened the hearing for public comment and there was none.

ACTION:

Commissioner Emilson moved to approve the application requesting a variance to Ridgway Municipal Code 6-4-1(A) for a variance to fence and hedge wall regulations for Applicant Doug Macfarlane. The Applicant has demonstrated that practical difficulties or unnecessary hardship, have been met as well as the public health safety and welfare. The variance is approved for a color coded 8 ft. chain link fence for the surrounding area of the basketball court as shown in the diagram in the Staff Report dated May 29, 2018. Councilor Hunter seconded the motion, and it carried unanimously.

4. Application for Multiple Conditional Uses; Location: Eastside Subdivision, Lot 18; Address: To-be-determined Palomino Trail; Zone: General Commercial (GC); Applicant: Jason Matesevac; Owner: Jason Matesevac

Staff Report dated May 29, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

The Town Planner presented an application for two conditional use permits. She explained the applicant has submitted plans to construct one building to include a shop, roofing business office, a small retail store and one dwelling unit. She further explained that both requests must meet mitigation and performance standards in order for the uses to be approved.

Applicant Jason Matesevac said the dwelling will be used by the foreman and manager to the roofing business as housing. Rent will be charged and collected separately, and will not be part of the employment compensation. He also said the materials business will not stock inventory because the space will be used primarily as a retail show room. Materials shipments will be for specific orders.

The Chairperson opened the hearing for public comment and there was none.

ACTION:

Commissioner Liske moved to approve the first Conditional Use Permit for the building materials business for Eastside Subdivision, Lot 18; Address: To-be-determined Palomino Trail; Applicant: Jason Matesevac. Commissioner Falk seconded the motion, and it carried unanimously.

ACTION:

Commissioner Liske moved to approve the second Conditional Use Permit for the dwelling unit with the conditions in the Staff Report dated May 29, 2018, for Eastside Subdivision, Lot 18; Address: To-be-determined Palomino Trail; Owner: Jason Matesevac. Commissioner Nelson seconded the motion, and it carried unanimously.

The Commission paused for a break at 8:30 p.m. and resumed at 8:38 p.m.

OTHER BUSINESS

5. Informal Discussion-Multi-Site Planned Unit Development

Landscape Architect Ned Bosworth presented a Site Plan for Chimney Peak Storage LLC on behalf of Julie and Danny Wesseling. The Site Plan, informally discussed at the March 27 Planning Commission meeting, proposed the storage business to be built on a gateway lot in the Eastside Subdivision. The new Site Plan proposes to place the business on a different lot in the same subdivision. The Site Plan revealed five 12 ft. tall units, with an office building. More storage buildings will be developed as demand arises, and recreational vehicle storage will not be allowed.

The Commission discussed fencing and building materials with Mr. Bosworth and the Wesselings. The Commissioners agreed that the new location is better suited for the proposed business. Staff advised the applicant that the project would be processed as a multi-site planned unit development, pursuant to Ridgway Municipal Code 7-4-11 because of the multiple buildings on the lot, even though there will be a single use on the property.

6. Update on the Master Plan Process

Ms. Coburn stated a \$25,000 grant has been received from the Department of Local Affairs. The steering committee and focus groups are currently being formed. Clarion Associates is the consulting group assisting with the master plan process, and they will arrive on site June 12. The Commission is scheduled to meet with the consultants that evening at 6:00 p.m.

7. Update on the Downtown parking Assessment

The Planner informed the Commission that a focus group meeting was held with the consultants DHM Design. A preliminary report has been prepared. She noted the Historic Business District was the primary study area and they found that the parking spaces available are more than the requirement for that district. The Commission agreed the final assessment report will be a useful tool for making future decisions.

8. Reschedule December 25 Regular Planning Commission Meeting

There was consensus to reschedule the Regular Planning Commission Meeting to December 18, 2018.

APPROVAL OF THE MINUTES

9. Approval of the Minutes from the meeting of March 27, 2018

ACTION:

Councilor Hunter moved to approve the Minutes from March 27, 2018. Chairperson Canright seconded the motion, and it carried with Commissioners Liske and Nelson abstaining.

10. Approval of the Minutes from the meeting of April 24, 2018

ACTION:

Commissioner Liske moved to approve the Minutes from April 24, 2018. Councilor Hunter seconded the motion, and it carried with Commissioners Emilson and Nelson abstaining.

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk