

RIDGWAY PLANNING COMMISSION

AGENDA

Tuesday, August 28th, 2018
Regular Meeting; 5:30 pm
Ridgway Community Center
201 North Railroad Street, Ridgway, Colorado

ROLL CALL: Chairperson: Doug Canright, Commissioners: John Clark, Thomas Emilson, Larry Falk, Ellen Hunter, Bill Liske, and Jennifer Nelson

PUBLIC HEARINGS:

1. **Application:** Conditional Use; **Location:** Hollenbeck Lot Split, Lot 24A; **Address:** 400 Palomino Trail; **Zone:** General Commercial (GC); **Applicant:** Mary Beth Hollenbeck and Bob Kelly; **Owner:** Mary Beth Hollenbeck
2. **Application:** Variance – fence height; **Location:** Block 10, Lots 1-5; **Address:** 105 N Charlotte Street; **Zone:** Downtown Service (DS); **Applicant:** Barbara Cohen; **Owner:** Cohen – Bergerson Trust Dated 5-24-16
3. **Application:** Variance – setback; **Location:** McCabe Replat, Lot A; **Address:** 1025 Hyde Street; **Zone:** Historic Residential (HR); **Applicant:** Ruth Stewart; **Owner:** Timothy Stewart, Krista Stewart, Ruth Stewart
4. **Application:** Replat; **Location:** River Park Ridgway Business Park, Filing 1, Block 8; **Address:** TBD Cora Street; **Zone:** Light Industrial 1 (I-1); **Applicant:** Ridgway Light Industrial, LLC; **Owner:** Ridgway Light Industrial, LLC

OTHER BUSINESS:

5. Master Plan process update
6. Informal discussion for development in the River Park Industrial Park

APPROVAL OF MINUTES:

7. Minutes from the meeting of July 31st, 2018

ADJOURN

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING** at the Town Hall Community Center, 201 N. Railroad Street, Ridgway, Colorado, on Tuesday, August 28th, 2018 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for: Conditional Use

Location: Hollenbeck Lot Split, Lot 24A

Address: 400 Palomino Trail

Zoned: General Commercial (GC)

Applicant: Mary Beth Hollenbeck and Bob Kelly

Property Owner: Mary Beth Hollenbeck

ALL INTERESTED PARTIES are invited to attend said hearing and express opinions or submit written testimony for or against the proposal to the Town Clerk.

FURTHER INFORMATION on the above application may be obtained or viewed at Ridgway Town Hall, or by phoning 626-5308, Ext. 222.



DATED: August 17, 2018

Shay Coburn, Town Planner



TOWN HALL PO Box 10 | 201 N. Railroad Street | Ridgway, Colorado 81432 | 970.626.5308 | www.town.ridgway.co.us

Official Use Only

Receipt # CK#6462

Date Received: 8-10-18

Initials: HL

Planning Commission Hearing Request

General Information

Applicant Name MARY BETH HOLLENBECK AND BOB KELLY Application Date 8-10-18
Mailing Address P.O. BOX 402, RIDGWAY, CO 81432
Phone Number 970 275 4700 (BOB) Email stago@cowcreeksuites.com
Owner Name MARY BETH HOLLENBECK
Phone Number 970 209 3333 Email mb@cowcreeksuites.com
Address of Property for Hearing 400 PALOMINO TRAIL, RIDGWAY, CO 81432
Zoning District GC

Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Deviation to Single-Family Home Design Standards 6-6 | <input type="checkbox"/> Variance 7-3-16 |
| <input type="checkbox"/> Temporary Use Permit 7-3-13(L) | <input type="checkbox"/> Rezoning 7-3-17 |
| <input checked="" type="checkbox"/> Conditional Use 7-3-14 | <input type="checkbox"/> Subdivision 7-4 |
| <input type="checkbox"/> Change in Nonconforming Use 7-3-15 | <input type="checkbox"/> Other _____ |

Brief Description of Requested Action

APPROVE AS A CONDITIONAL USE RENTALS OF THE GROUND FLOOR RESIDENTIAL DWELLING UNIT FOR 31 DAYS OR MORE DURING THE MONTHS OF NOVEMBER THROUGH APRIL IN ADDITION TO THE USE BY RIGHT AS A SHORT TERM RENTAL YEAR-ROUND.

Required Fee Payable to the Town of Ridgway

Temporary Use Permit	\$100.00	Subdivisions	
Conditional Use	<u>\$100.00</u>	a. Sketch Plan	\$200.00 (plus \$10.00 / lot or unit)
Change in Nonconforming Use	\$100.00	b. Preliminary Plat	\$400.00 (plus \$20.00 / lot or unit)
Variances & Appeals	\$150.00	c. Final Plat	\$300.00
Rezoning	\$200.00	d. Minor Subdivision	\$200.00
Other Reviews Pursuant to 7-3-18	\$100.00	e. Lot Split	\$100.00
Variance from Floodplain Regulations	\$100.00	f. Replat	\$100.00 (plus \$20.00 / lot or unit)
Deviations from Single Family Design Standards	\$100.00	g. Plat Amendment	\$100.00
		h. Planned Unit Development	See b and c above

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred (P.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development exising taxes are due at approval of final plats.



Attachments Required

For ALL Applications

- ☐ Evidence of ownership or written notarized consent of legal owner(s).
- ☐ Information proving compliance with applicable criteria (see the Ridgway Municipal Code for criteria), like a narrative, site plans, and/or architectural drawings drawn to scale on paper size of 8.5 x 11 or 11 x 17.

Conditional Use Permits

- ☐ The site plan shall show the location of building(s), abutting streets, all dimensions, off-street parking requirements, and landscaping.
- ☐ Architectural drawings shall include elevations and details of building(s).

Changes in Nonconforming Use

- ☐ Description of existing non-conformity

Variance

- ☐ The site plan shall show the details of the variance request and existing uses within 100 ft. of property.

Rezoning

- ☐ Legal description, current zoning, and requested zoning of property.

Subdivision

- ☐ All requirements established by Municipal Code Section 7-4.
- ☐ Sketch plan submittals shall be submitted at least 21 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Preliminary plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Final plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.

Please note that incomplete applications will be rejected.

Mary B Hollenbein *[Signature]* 8-10-18
Applicant Signature Date

Mary B Hollenbein 8-10-18
Owner Signature Date

ACCOUNT # 1800720
Parcel # 430516412001
TAX DISTRICT: 209

PROPERTY TAX NOTICE
2017 TAXES DUE IN 2018

JEANNE CASOLARI
OURAY COUNTY TREASURER
BOX 149
OURAY, CO 81427-0149

TAX AUTHORITY	TAX LEVY	TEMP TAX CREDIT	GENERAL TAX	VALUATION	ACTUAL	ASSESSED
OURAY COUNTY (GENERAL FUN	9.12500	0.00000	\$272.10	LAND	\$67,170	\$4,840
OURAY COUNTY (ROAD & BRID	1.50800	0.00000	\$44.97	BUILDINGS/IMPROVE	\$346,910	\$24,980
OURAY COUNTY (SOCIAL SERV	0.56300	0.00000	\$16.79	PERSONAL	\$0	\$0
SCHOOL DISTRICT R-2 (RIDG	13.12100	0.00000	\$391.27	TOTAL	\$414,080	\$29,820
SCHOOL DISTRICT R-2 BOND	8.67900	0.00000	\$258.81	SR EXEMPTION	\$0	\$0
TOWN OF RIDGWAY	8.65100	0.00000	\$257.97	NET TOTAL	\$414,080	\$29,820
DALLAS PARK CEMETERY DIST	0.20300	0.00000	\$6.05			
COLORADO RIVER WATER CONS	0.25400	0.00000	\$7.57			
RIDGWAY FIRE PROTECTION D	3.59100	0.00000	\$107.08			
TRI-COUNTY WATER CONSERVA	1.90400	0.00000	\$6.78			
RIDGWAY LIBRARY DISTRICT	2.82400	0.00000	\$84.21			
REGIONAL SERVICE AUTHORIT	0.00000	0.00000	\$0.00			
RIDGWAY LIBRARY DISTRICT	0.19400	0.00000	\$5.79			
SCHOOL DISTRICT R-2 SALAR	6.61300	0.00000	\$197.20			
OURAY COUNTY (EMS FUND)	2.00300	0.00000	\$59.73			
TOWN OF RIDGWAY RAMP BOND	0.00000	0.00000	\$0.00			
TOTALS	NET LEVY → 59.23300		\$1,766.32			
			ADMIN FEES	\$0.00		
			GRAND TOTAL	\$1,766.32		
S B 25- In absence of State Legislative Funding, Your School General Fund mill levy would have been 40.4270						

Ouray County Treasurer 970 / 325-4487

If your property taxes are being paid through an Escrow Account with your mortgage payment, you will still receive a tax bill. Colorado law requires that each owner of record be sent a notice, even if a mortgage company pays your taxes. If you are unsure if your taxes are being escrowed, please check with your mortgage company BEFORE paying your taxes. Overpayments will be refunded to the payor.

Please see reverse side of this form for additional information.

LEGAL DESCRIPTION OF PROPERTY

Subd: HOLLENBECK LOT SPLIT Lot: 24A S: 16 T: 45
R: 8

Unpaid prior year taxes:

No

Contact Treasurer's Office immediately if a number appears above.

PAYMENT	DUE DATE	AMOUNT
FIRST HALF	FEB 28, 2018	\$883.16
SECOND HALF	JUNE 15, 2018	\$883.16
FULL PAYMENT	APRIL 30, 2018	\$1,766.32

SITUS ADDRESS: 400 PALOMINO TRL Ridgway

HOLLENBECK MARY BETH
PO BOX 402
RIDGWAY CO 81432-0402

Make Checks Payable To:
OURAY COUNTY TREASURER

POST DATED CHECKS OR PARTIAL PAYMENTS ARE NOT
ACCEPTED.

PLEASE INCLUDE SELF ADDRESSED STAMPED ENVELOPE
FOR RECEIPT.

DO NOT PAY THIS BILL IF YOUR MORTGAGE COMPANY
WILL MAKE THIS PAYMENT.

RETAIN TOP PORTION FOR YOUR RECORDS

August 10, 2018

To: Ridgway Planning & Zoning Commission

From: Mary Beth Hollenbeck and Bob Kelly, Owner/Applicant

Re: Planning Commission Hearing Request

This will supplement the Planning Commission Hearing Request submitted this date concerning the building located at 400 Palomino Trail on Lot 24A of the Eastside Subdivision.

Background. We currently operate two Town licensed, short-term rentals at this location, one on each floor. Both are marketed primarily on HomeAway and VRBO although we now have many repeat guests that prefer to book directly with us. The second floor, two-bedroom apartment known as Cow Creek Suite has been operated continuously since 2007 as an extraordinary value in a family friendly vacation rental and can be viewed at www.vrbo.com/130480. Based on the success of this rental, with Town approval we converted the ground floor from a retail space into a studio apartment and began marketing it as a vacation rental in May of 2014. It has been equally successful and can be viewed at www.vrbo.com/597318. These are both very nice vacation rentals and we encourage you to read the guest reviews as we think they reflect very well on Ridgway both as a tourist destination and for many a place they'd like to call home.

Occupancy rates for these units during the months of May through October run 80-85%, however they are less than half that during the months of November through April. In 2016 we began making the second floor unit available for monthly rentals beginning November 1st for anywhere from one to six months (the existing conditional use permit granted in April of 2005 allows this). It rented right away for the full six months to a family of four from the Chicago area who had relocated to Montrose but were eager to get their two young children in the Ridgway school system once they learned about it. They are now permanent residents having purchased a home on Log Hill. Later that same year we were granted a conditional use permit for two years (through October 31, 2018) to make the ground floor studio apartment available on the same basis. It also rented right away for five and a half months to two friends relocating to Ridgway – one from California and the other from Denver – in need of a place to live in town while they searched for employment and permanent living quarters in the area. They were successful.

During November, 2017, through April, 2018, the second floor unit was again rented this time for five months beginning December 1st to a career woman with a need to be near her parents residing on Log Hill. The ground floor unit was also rented from December into March to a new Ridgway restaurant owner/manager in need of a place to stay during commutes back and forth each week from the east slope while searching for a permanent residence. He's still looking but was able to arrange other temporary quarters in Ridgway during his time with us.

We now have a young couple who have committed to rent the ground floor unit for six months beginning November 1st on the condition the Town approves our request. One is employed at a local construction firm and the other will be teaching pre-school in Ridgway beginning in September. They are already booked into this unit short term from October 4th through 31st and are keen to take it for the additional six months while they search for a permanent home in Ridgway. We have attached a letter they have addressed to the Planning & Zoning Commission describing their situation and what this rental would mean to them.

These experiences have confirmed for us that there is a real need for flexible, “intermediate” term rentals in the Town of Ridgway to accommodate those transitioning here and needing time to search for a permanent home but for whom the typical one or two-year lease terms available (if you can find them) are not an option. We have also learned that there are a myriad of reasons why aspiring Ridgway employees, employers, residents and their friends and families need affordable and flexible lodging arrangements that simply cannot be met by area hotels, motels, bed & breakfasts and short term rentals.

Compliance With Applicable Criteria. As is the case with the existing approved conditional use of the 2nd floor, this identical conditional use meets all of the criteria for approval of conditional uses prescribed in Section 7-3-14 of the Zoning Regulations. Importantly, we would like to address how the approval of this conditional use will support the Town’s Land Use Plan.

A concern was raised by Town Staff during the hearing for our previous request that it would go against retaining commercial uses in commercial zones thereby putting the integrity of viable commerce for Ridgway at risk and contributing to the Town becoming a bedroom community to other regional commercial areas. Our experience over the past two years suggests that these concerns are unfounded and that, as the above examples clearly indicate, this use will actually make a positive contribution to the Town’s ability to meet the goals of its Land Use Plan, particularly those on housing (“encourage context-appropriate, non-traditional housing”) and economy (“encourage and facilitate a vibrant, diverse and sustainable local economy that reflects Ridgway’s social fabric, values and character”, “ensure land use regulations support and nurture a successful business environment”).

Action Requested. We are requesting the Commission allow, in addition to the existing approved conditional use for the second floor unit, a conditional use for the ground-floor unit for rentals for periods greater than 31 days during the months of November through April each year, without affecting our ability to rent these units on a short-term basis year-round. We further request that, given the obvious need for this type of rental and the positive experience it has afforded all stakeholders during the two-year conditional use permit granted in 2016, that it be made permanent to provide the certainty necessary for us to be able to block these months on our HomeAway/VRBO calendar well in advance to ensure their availability for monthly rentals.

Benefits. Based on the responses we received to our ads for these apartments over the past two years there are a large and increasing number of people taking jobs in the Ridgway area (or trying to) and/or looking to buy a house or get their kids in Ridgway’s schools or otherwise searching for a permanent residence in the Ridgway area who need the flexibility and convenience of an affordable and flexible monthly rental such as this. Approval of this application will benefit the Town of Ridgway and the people who live and work here (or wish to) by providing job and home seekers an affordable and flexible “intermediate” term lodging alternative that supports their search and that by all accounts remains nearly impossible to find.

Respectfully submitted.



Mary Beth Hollenbeck

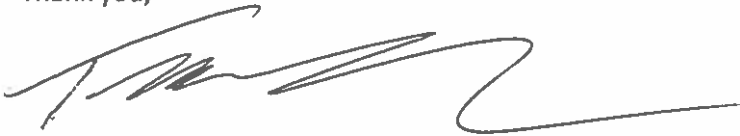


Robert J. Kelly

Dear Ridgway Planning and Zoning Commission,

My name is Trevor Croke and my girlfriend Kelly Sampson and I are planning on renting out the bottom unit of 400 Palomino Trail November of 2018 through April of 2019. Renting this unit is very important to us. Kelly is starting as a preschool teacher at Ridgway Elementary School and I currently work for Proset Construction, a local builder based out of Montrose. Ridgway is the perfect location for us as I am always going to either Montrose or Telluride for work and Kelly is right in town. We also love the community and love living in the area. We currently live in Colona and our current lease expires at the end of September and we really do not have anywhere else to go, renewal is also not an option as the place was really just rented as a temporary favor from a friend. Affordable housing is very hard to come by in the region and we feel very lucky to have the opportunity to live at 400 Palomino Trail. It is a very nice studio that is perfect for a single person or a couple. There literally are no other options in Ridgway that fit our budget. We are really counting on living in this space during this transitional period as we look for a home to purchase or rent a more long term place. I think this type of unit is very important to have in the community, as it provides local people in transition with a place to live. This is very hard to come by with the current housing situation in the valley. I hope you will renew the conditional use Mary Beth and Bob are requesting, because just as we do, locals in the future will need an apartment like this one; and until the housing situation improves I don't think the town of Ridgway can afford to lose places like this.

Thank you,

A handwritten signature in black ink, appearing to read 'Trevor Croke', with a long horizontal flourish extending to the right.

Trevor Croke

Project Data

Project Description: Residence over retail
 Owner: Mary Beth Hollenbeck - 970.626.3585
 Project Location: Palomino Trail, Ridgway USA
 Legal Description: Lot 24A, Eastside Subdivision
 Town of Ridgway
 Parcel Area: 9,678.9 SQ. FT.
 Asphalt Area: 3,445 SQ. FT.
 Crushed Gravel Area: 1632 SQ. FT.
 Zoning: Zone- General Commercial
 Height limit: Town of Ridgway 27 feet (35 feet w/ conditional use)
 Ridgway USA: 35 feet
 Town of Ridgway Setbacks: Front 15 feet, Rear 8 feet, Side 8 feet
 Ridgway USA Setbacks: Front 20 feet, Rear 8 feet, Side 12 feet
 Building Code: M-Retail Type V-N 1 HR Construction w/in <20'> of Property line
 R-3 occupancy Type V-N construction

Building Areas:	Retail	Living Space	Stairs	Total
1st Floor	917	0	102	1019
2nd Floor	0	916	0	916
Totals	917	916	102	1935
Customer Floor Area: 644 Sq. Ft.				

Sheet Index

- A-1 Title Sheet & Site Plan
- A-2 First & Second Floor Plans & Sections
- A-3 Elevations
- A-4 Section & Details
- MPE-1 Mech. & Electrical Plans & Schedules
- S-1 Foundation Plan & Floor Framing Notes & Data
- S-2 Roof Framing Plans & Notes & Details

General Notes

- All work shall conform with all Town of Ridgway codes and ordinances, and latest adopted editions of UBC (97), NEC and UMC.
- All trenching for footings and foundations to be inspected by Structural Engineer or Architect prior to any concrete placement.
- Provide foundation wall drainage per arch. and struct. drawings.
- Provide attic ventilation with a net free ventilating area $\frac{1}{30}$ of the space ventilated per UBC 1505.3
- Provide smoke detectors (hardwire and battery backup) per UBC 310.9.1. A detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each sleeping area.
- No changes are to be made to this project without written approval of Architect and Owner.
- No structural changes are to be made to this project without written approval of Architect and Structural Engineer.
- Any discrepancies between architectural and structural drawings are to be brought to the attention of Architect.
- All framing dimensions are to face of stud unless noted otherwise. All concrete dimensions are to face of finish concrete u.n.o.
- Landscape and Irrigation Plan by Others

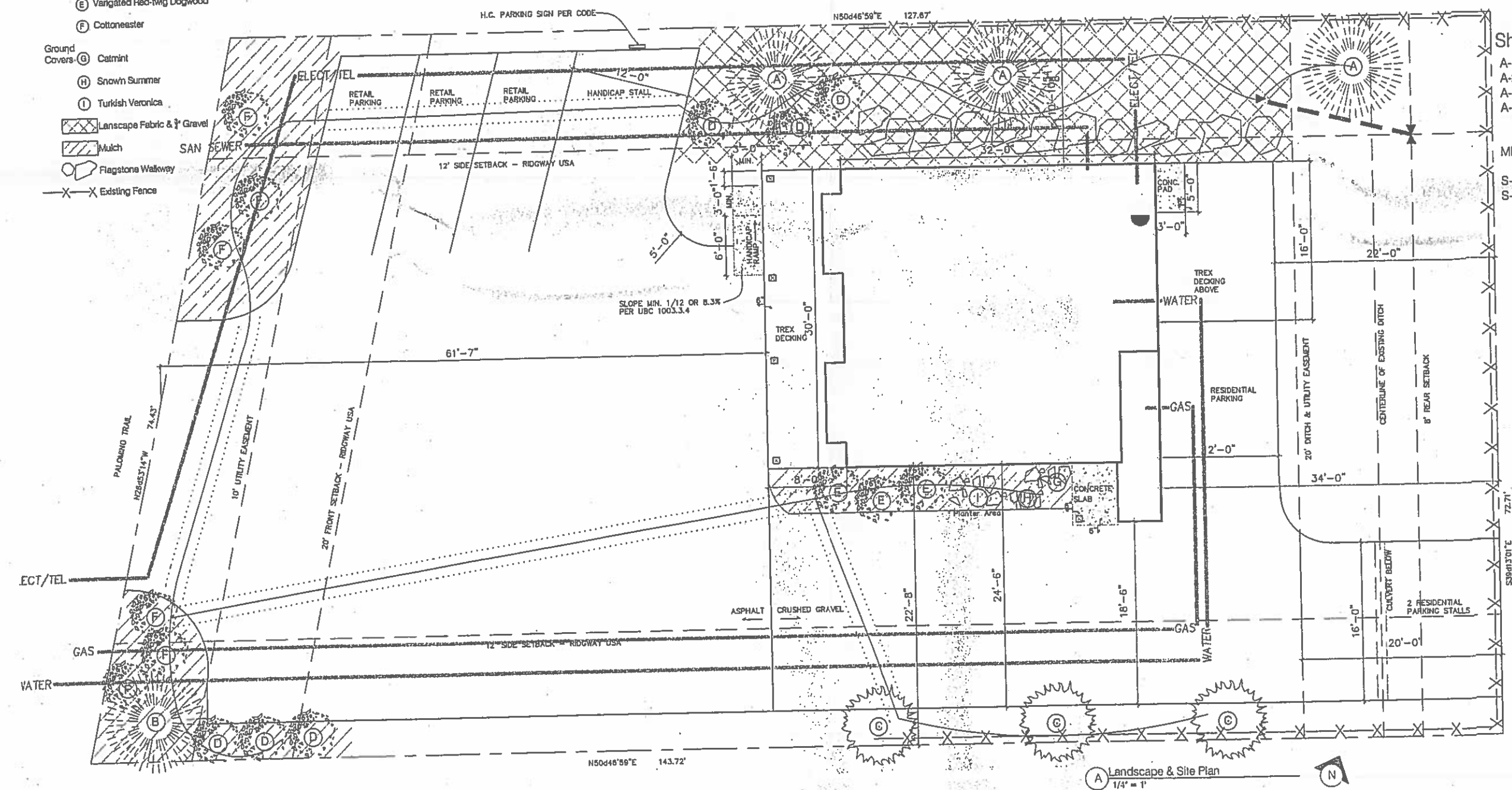
IRRIGATION LEGEND

- Rainbird ESP - 4mi Controller
- Point of Connection (Existing 4" Main)
- Rainbird 100PESB Electric Valve
- 1" PVC Mainline
- 3" Class 2000 Sleeve
- Drip Tube

Note: All plants to be watered with Disco Saturn 4 Bubblers

LANDSCAPE LEGEND

- Trees- (A) Cottonwood
- (B) Indian Crab Apple
- (C) Aspen
- Shrubs- (D) Spiraea 'Anthony Waterer'
- (E) Variegated Red-twig Dogwood
- (F) Cotteoneaster
- Ground Covers- (G) Catmint
- (H) Snown Summer
- (I) Turkish Veronica
- Landscape Fabric & 1/2" Gravel
- Mulch
- Flagstone Walkway
- Existing Fence



KnobenArchitects
 P.O. Box 725 Ridgway, CO 81432 970.626.2300
 All plans are the property of KnobenArchitects and shall remain confidential. No part of these plans may be reproduced without written consent of KnobenArchitects.

Hollenbeck Bldg.
 Ridgway, CO

SHEET TITLE: Title Sheet & Site Plan
 DATE: 11-06-05

REVISIONS: A-1

August 26, 2018

To: Ridgway Planning & Zoning Commission

From: Mary Beth Hollenbeck and Bob Kelly, Owner/Applicant

Re: Response to Staff Report

This will respond to the Staff Report associated with the hearing scheduled for August 28th regarding our Hearing Request dated August 10, 2018. We appreciate this opportunity to address any shortcomings in our request prior to the hearing.

Explanation of Compliance. The single-most important issue with our request as raised in the Staff Report is that we do not explain how our requested use is supported by the 2011 Land Use Plan. The one example cited several times in the Staff Report and seemingly of paramount importance states “this application is not supported by the Town’s Land Use Plan as it is not ideal to have residential uses in an established commercial area”. Our August 10th request included a two-page supplement with background information connecting this request to the Town’s conditional approval of an identical request we made in 2016. Since this issue was also raised in the Staff Report associated with our 2016 request, we made sure to specifically address it in the present request. It explains in some detail how our experience during the past two-year trial period has demonstrated that our requested use enhances the Town’s ability to meet the goals of its Land Use Plan. Commissioners can find this explained throughout the supplement included with our August 10th request and in particular on page 2 under the section titled “Compliance With Applicable Criteria”. Since Staff has deemed this explanation insufficient we will provide further explanation here and throughout the appended point by point response to the few remaining items identified in the Staff Report as lacking.

We understand why, from Staff’s standpoint, it may not be ideal to have residential uses in an established commercial area. Nonetheless the Municipal Code does allow residential uses in GC zones both as uses by right in the case of short term rentals (up to five units per building allowed) and as various residential conditional uses which it appears the Town has been inclined to approve. This is particularly so in the Eastside Subdivision where a majority of existing buildings incorporate Town approved dwelling units – to the point where lot ads highlight residential uses as being allowed.

As is supported by the examples cited in our request, we contend that the permitting of this use for this property for the past two years has proven it to be ideal from just about everyone’s standpoint. Particularly for the fine people we’ve had the privilege of hosting during the months of November through April these past two years who have found these affordable, flexible, intermediate term rentals, *including their location*, to be nothing less than ideal. We also offer their testimonials as additional proof that this use will enhance Town’s ability to meet the goals of the 2011 Land Use Plan.

We look forward to answering any questions or concerns commissioners may have at the hearing.

Mary Beth Hollenbeck

Robert J. Kelly

APPENDIX

RMC §7-3-9(D) Performance Standards

STAFF REPORT ISSUE: (1) The proposed residential use should not result in an unreasonable hazard to the community nor should it create a nuisance. However, a residential use in an established commercial area is not ideal for this district. The potential for other commercial uses, that are permitted by-right, to negatively impact this residential use is high. It is likely that these potential impacts will increase as the commercial area continues to fill in.

APPLICANT'S RESPONSE: Residential dwelling units certainly have their place in commercial zones like that in which Eastside Subdivision is located. In fact, at least one dwelling unit can be found in over half the buildings on Palomino Trail, all of which at one time or another have been Town-approved conditional uses. The two dwelling units in our building are permitted short-term rentals, a use by right. Staff's objection seems to be with the number of dwelling units being used in this area as permanent residences. That is not what we're requesting here, and we trust the commissioners will recognize and consider that the use we are requesting is quite different from typical long-term and for that matter short-term residential uses, an important distinction not made in the Staff Report.

It is possible, perhaps even likely, that at some point one or more uses by right could negatively impact our ability to successfully market this property for the use we are seeking. However, the same can be said for the property's use as either a short-term or long-term rental. This is a risk we have taken into full account from day the property was purchased in 2005, and it is a risk that would apply to just about any other business one might choose to establish on Palomino Trail or for that matter in any commercial zone. In the event the Eastside Subdivision builds out with commercial uses that have this effect, the market will tell us whether the use remains viable and if not, like any other commercial property owner, we will simply move on and seek the highest and best use for the property at that time.

STAFF REPORT ISSUE: (4) The existing property includes some landscaping and fencing that serves to mitigate impacts from surrounding businesses. The new fence installed along the south property line caused complications with the neighboring property owner who did not like that it cut off visual access to the commercial business.

APPLICANT'S RESPONSE: We're not sure what the fence extension we installed last year has to do with this request, however we must respond as it in fact does not "cut off visual access to the commercial business" at 402 Palomino Trail (Fiddler's Green). All of that business's signage and lighting has always been and remains now above the height of the fence and fully visible. Importantly, this fence extension meets all Town and HOA requirements. We should also point out it is virtually identical to this property owner's long standing fence along the lot's southern property line with identical visibility.

Before deciding to extend this fence, we waited two years after Fiddler's Green opened for business to see what effects their operation might have on our property (regardless of our use) and only then felt compelled to proceed mostly because their customers were routinely – daily - parking in our parking lot somehow mistaking our building for Fiddler's Green. Obviously more demarcation between the properties was required. Importantly, this is the case regardless of whether the uses on our property are residential or commercial.

RMC §7-3-14 Conditional Uses

STAFF REPORT ISSUE: (1) The use will not be contrary to the public health, safety, or welfare.

This use does not appear to be contrary to public's health, safety and welfare. However, this property is situated in a commercial district which is not ideal for residential uses.

APPLICANT'S RESPONSE: This is the same issue raised in item (1) under Performance Standards above and our response to that item is applicable here as well.

STAFF REPORT ISSUE: (2) The use is not materially adverse to the Town's Master Plan.

The proposed use is in an existing commercial area. The description of the commercial land use in the 2011 Land Use Plan mentions that the purpose is to create areas for tourist-oriented uses. It does not mention anything about residential uses. The following policies are somewhat related to this request:

Goal 3 "Housing", policy 4: Encourage context-appropriate, non-traditional housing and adjunct housing such as live/work housing, garage or garden apartments, and caretaker units.

Goal 5 "Economy," policy 4: Ensure land use regulations support and nurture a successful business environment.

Staff could not identify any goals or policies that directly support this request.

APPLICANT'S RESPONSE: The fact that residential use is not mentioned in the 2011 Land Use Plan's description of commercial land certainly does not mean that residential uses are not permitted in commercial areas, or vice-versa for that matter. Residential uses have been permitted by the Town, even encouraged, in commercial areas including in the Eastside Subdivision. This seems more an indication of how much the 2011 Land Use Plan has been overcome by events and in need of revision, particularly so if Staff will be using this aspect of the Land Use Plan to recommend requests such as ours not be approved. We would urge the Town to fix this in its upcoming revision of the Land Use Plan.

We do specifically address in our request how the above-mentioned goals and policies support our requested use. In addition, we also address in our request how Policy 3 under Goal 5 Economy supports our requested use; it reads "encourage and facilitate a vibrant, diverse and sustainable local economy that reflects Ridgway's social fabric, values and character". Our experiences over the past two years described in the request do add up to a compelling case that this use – and more to the point in this location - has and if approved will continue to make a positive contribution to a vibrant, diverse and sustainable local economy and will also support and nurture a successful business environment.

As for Goal 3 "Housing", policy 4, given the number of conditional uses currently permitted in this commercial area, particularly residential uses, the requested use certainly meets the standard of "context-appropriate". And we can think of no better way for the Town to encourage "non-traditional housing" than by permanently allowing this use in this location as it is unlikely property owners in residential zones will be interested in renting on anything other than a short-term or long-term basis. In fact, it seems to us that in light of the Town's affordable housing issues that the use we are proposing should be restricted to commercial districts so as to maintain and even enhance the supply of rentals in residential zones available as permanent residences under long-term leases.

STAFF REPORT ISSUE: (4) The use is compatible with existing uses in the area and other allowed uses in the District.

This residential use is not really compatible with surrounding commercial uses. The surrounding commercial uses include a hotel, pet therapy center, and marijuana dispensary. The second floor already has approval for residential use, meaning it can be used as a short and long-term rental. If the Planning Commission were to approve this residential use, the building would continue to lack a mix of uses, and be solely residential in an otherwise commercial area.

APPLICANT'S RESPONSE: This is the same issue raised in item (1) under Performance Standards above and our response to that item is applicable here as well. However, we should point out that the use we are requesting is very much compatible with the many surrounding residential uses.

STAFF REPORT ISSUE: (7) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.

This use should not generate unreasonable light, noise, vibration, or other effects. However, the surrounding uses are more likely to impact the tenant(s).

APPLICANT'S RESPONSE: We did have one couple in our upstairs unit mention last year that light from Fiddler's Green is bright enough to cast shadows into the great room at night even with the cellular shades drawn so we're not sure what to do about that just yet but the bedrooms are on the north side of the unit so it may not develop into a big issue. We have also experienced odors coming from Fiddler's Green when their exhaust system is running and the wind is right and even spoke with the Building Inspector about it but it has been infrequent enough to not be a priority for us right now. The air filtration system that serves the building makes this a non-issue for guests when they are inside but could be if they open windows on the south side of the building or when enjoying the outside decks. (None of our many property reviews on HomeAway/VRBO mention these issues.) We insulated the building from air infiltration so well that it is startlingly quiet inside both units (our property reviews do often mention this aspect of the property) so we are not concerned at all about noise or vibration coming from outside sources. These issues obviously apply to the short-term rental use by right as well.

CONCLUSION: In recommending this request not be approved, staff asserts that short-term rentals are a more appropriate use for this commercial zone than this requested use. However, we think it important to consider that to our knowledge there are more long-term residential uses in this commercial zone than there are short-term rentals (ours being the only two we know of in the Eastside Subdivision) and that the use we are requesting, limited as it is to the months of November through April and uniquely accommodating monthly rentals of up to all six months, is significantly different from both short-term and long-term residential use. Given this, we believe the Town should not only approve our requested use on a permanent basis but as a future consideration make it a use by right in GC zones.

#

From: stay@cowcreeksuites.com stay@cowcreeksuites.com
To: [Shay Coburn](#)
Subject: Fwd: Monthly Rentals at Cow Creek Suites
Date: Sunday, August 26, 2018 3:51:46 PM

Hi again Shay please include this testimonial from one of our "intermediate" term guests in the hearing packet. We are expecting more and will forward as we get them. Thanks!

Mary Beth and Bob Kelly

Cow Creek Suites

----- Original Message -----

From: Jennifer Shoemaker <jennyshoe@gmail.com>
To: "stay@cowcreeksuites.com stay@cowcreeksuites.com"
<stay@cowcreeksuites.com>
Date: August 25, 2018 at 11:37 PM
Subject: Monthly Rentals at Cow Creek Suites

Dear Ridgway Planning Commission,

I would like to express how much of a positive difference the flexible and affordable monthly rental at Cow Creek Suites made to my family. I stayed at Cow Creek Suites from December 2017 to March 2018, as I needed a clean, comfortable, close-to-amenities place to stay during my initial move to the area. I was also about to have a baby as a single parent by choice, so the location in which I could walk to Family Dollar, the market, the library, etc. was absolutely perfect - it kept me from feeling isolated and gave me much needed exercise over the winter.

My sister lives in Ridgway (I moved in part to be close to her) but didn't have enough room in her home for me to move in, and she and I looked for several months for an affordable place for me to rent that wouldn't require a year lease, as I wasn't able to commit to that long a lease given I didn't know if I'd have to return to my job out of state, choose to stay at home with the baby for longer, etc. I had almost given up and decide not to move to Ridgway until I found Cow Creek Suites. In the end, I did have to return to work and leave Ridgway a month before the end of my rental term, and Mary Beth and Bob Kelly showed an unexpected and deeply appreciated level of generosity in refunding a month's rent. The whole experience - the kindness of the owners, the neighborliness of the community and the pleasant surroundings right in town - completely won me over to Ridgway. I would love to return to live one day - it's the kind of town I didn't think existed anymore. A big part of that positive experience was my stay at Cow Creek.

I hope you'll consider allowing them to continue offering monthly rentals. It was an option that made a huge difference to me, and I'm sure it helps others as well. I imagine it helps the community, too, since having people staying longer than just a few nights allows them to become part of the community. Their extra presence probably also contributes to safety, particularly in commercial areas that would

otherwise be deserted at night during the slow seasons.

Please don't hesitate to call or email if you'd like to discuss my experience in more detail. Thank you for your time, and thanks for a lovely experience there in Ridgway!

Jen Shoemaker
202-360-8268
jennyshoe@gmail.com

From: stay@cowcreeksuites.com stay@cowcreeksuites.com
To: [Shay Coburn](#)
Subject: Fwd: Monthly Rentals at Cow Creek Suites
Date: Tuesday, August 28, 2018 8:29:43 AM

Good morning Shay please include this testimonial from another "intermediate term" past guest for our hearing tonight. Thanks!

Best regards,

Mary Beth and Bob Kelly

Cow Creek Suites

----- Original Message -----

From: Dina Spari <dina.gaspari@gmail.com>
To: "stay@cowcreeksuites.com stay@cowcreeksuites.com"
<stay@cowcreeksuites.com>
Date: August 27, 2018 at 5:17 PM
Subject: Monthly Rentals at Cow Creek Suites

Attn: Ridgway Planning Commission

My husband Robert and I and our two children, Meghan, now age 7, and Robert II, now age 6, moved to Ouray County in August 2016, with our RV and a plan to buy a home here. We enrolled the kids in RES and rented space on Sherman for our business. When our home buying process stumbled in late summer 2016, we needed to find a housing solution for our first winter here.

We rented the 2nd floor of 400 Palomino (Cow Creek Suites) from November 1, 2016 to April 30, 2017.

We were extremely happy with the arrangement, including the location on Palomino Trail. We loved the apartment, our street and our negligible commute to school and work. We lived there very happily for six months as we settled into the community. We had absolutely no issue with the property being in a "commercial zone." The situation was ideal for us and we are absolutely grateful to Mary Beth and Bob for the use of their property during this time period and their hospitality.

We have since settled into our new home on Log Hill. I continue to work on Sherman and the kids just started their third year at RES. I've been an officer of Friends of Ridgway Schools (FORS) since fall of 2016, supporting the children and the teaching staff. We are thrilled to be a part of this wonderful community.

Regards,

Dina Gaspari
708.420.4822
dina.gaspari@gmail.com

From: stay@cowcreeksuites.com stay@cowcreeksuites.com
To: [Shay Coburn](#)
Subject: Fwd: Monthly Rentals at Cow Creek Suites
Date: Tuesday, August 28, 2018 8:33:54 AM

Hi Shay here is another testimonial to include for tonight's hearing. Thanks!

Best regards,

Mary Beth and Bob Kelly

Cow Creek Suites

----- Original Message -----

From: Deirdre Lowry <deirdre@solasanlae.com>
To: "stay@cowcreeksuites.com stay@cowcreeksuites.com"
<stay@cowcreeksuites.com>
Date: August 28, 2018 at 4:00 AM
Subject: Monthly Rentals at Cow Creek Suites

Attn: : Ridgway Planning Commission

Bob & Mary Beth Kelly's Cow Creek Suites has provided my husband & myself a most wonderful rental option over the past few years in Ridgway. We are from New York & my husband has seasonal work opportunities in Ridgway.

Cow Creek Suites has provided us with affordable & flexible rent in the commercial zone location, which is necessary & ideal for us, when we visit. We look forward to our stay & take on work projects knowing that Cow Creek can provide us with the most suitable accommodations & location each year.

We are very grateful for their hospitality & professionalism. We do hope & encourage that they will be permitted to continue to offer this arrangement in the Ridgway. We would be most disappointed to not have this available in the future.

Sincerely,
Deirdre Lowry & Patrick Brown
— Rhinebeck New York

Deirdre Lowry
Artistic Director/SolasAnLae Dance
www.solasanlae.com

Patrick Brown
PAB-Inc. Fine wood Finishes
PatrickBrown@gmail.com

From: stay@cowcreeksuites.com stay@cowcreeksuites.com
To: [Shay Coburn](#)
Subject: Fwd: Re: Cow Creek Suite for Two
Date: Tuesday, August 28, 2018 4:14:21 PM

Hello Shay here's one more - these folks are repeat short term guests of both units that have just booked the upstairs unit for 3 months beginning January 1st...so they can look for a house to buy.

Best regards,

Mary Beth and Bob Kelly

Cow Creek Suites

----- Original Message -----

From: Clifford Cary <cncary@hotmail.com>

To: "stay@cowcreeksuites.com" <stay@cowcreeksuites.com>

Date: August 28, 2018 at 2:41 PM

Subject: Re: Cow Creek Suite for Two

Attn: Ridgway Planning Commission

We live in New Hampshire and for the last eight years have made frequent trips to the Ridgway area. While here we have stayed in both the Cow Creek Suite for Two and in the larger suite above it. It's a good location for visitors: quiet, good views,, and an easy walk or drive to the center of town. We hope you will let the Suite for Two continue to be available to visitors. There are not many other choices that are so convenient to the center of town.

Yours sincerely,

Clifford Cary

Joan Monroe

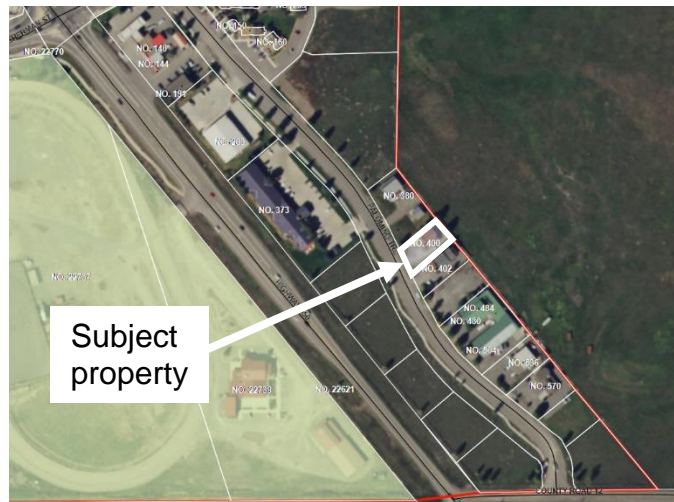
STAFF REPORT

Request: Conditional Use Permit
Legal: Hollenbeck Lot Split, Lot 24A
Address: 400 Palomino Trail
Parcel #: 430516412001
Zone: General Commercial (GC)
Applicant: Mary Beth Hollenbeck and Bob Kelly
Owners: Mary Beth Hollenbeck
Initiated By: Shay Coburn, Planner
Date: August 28, 2018

REQUEST

Applicant is requesting a conditional use in the General Commercial district for a residential use.

This property is on the east side of Highway 550 near other commercial uses, in the Eastside Subdivision. The subject structure is a 2-story building. Originally, this building contained a retail/commercial use on the ground floor and a residential unit on the top floor, for which a conditional use was approved on April 4, 2005. This top floor unit is now used as a short-term rental or a monthly rental for up to six months. The Applicant began using the ground floor as a short-term rental, which is also a use by-right; however, on August 30, 2016 the Applicant requested a conditional use for the ground floor to be used as a residential use for periods of 31 days or more. The Planning Commission approved this request with the following conditions: 1) permit to be in effect for duration of November 1, 2016 to October 31, 2018; 2) long-term rentals greater than 31 days will only be allowed November 1st to April 30th; 3) no rentals longer than six months. Due to the upcoming expiration date of the conditional use approval for the ground floor, the Applicants have returned to the Planning Commission to request a conditional use for the ground floor to be used a residential rental unit for 31 days or more during the months of November through April, as previously approved.



The Applicant has submitted an application, letter dated August 10, 2018, letter of support from Trevor Croke, and site plan.

The property and public hearing have been noticed in compliance with the Town Municipal Code.

CODE REQUIREMENTS

RMC §7-3-9 "GC" General Commercial District

Applicable code provisions for this public hearing:

(A) Intent: This District encompasses lands along the river and Highways 550 and 62. Its purpose is to create areas for retail, wholesale and service businesses, tourist and auto oriented uses, storage, manufacturing and industrial activities which require adequate space, light and air whose operations are quiet and clean, and extractive industry. Each use will be required to mitigate its particular negative impacts, as they exist, if they exist, so as to provide for the reasonable enjoyment of adjacent properties.

(C) Conditional Uses:

(1) Single family homes which meet the requirements of Section 6-6, duplexes, multi-family residences, and dwelling units in buildings with non-residential uses, which are not used for rentals for periods of 31 days or less.

(D) Performance Standards

(1) No use shall be established or maintained in the "GC" District which results in an unreasonable hazard to the community, creates a public or private nuisance, or creates unreasonable smoke, dust, noise, fumes, odors, vibrations or light observable off the premises.

(2) Buildings containing more than 10,000 square feet of gross floor area will be required to mitigate the visual impacts of their size by means of design, landscaping, berming and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings compatible with the mass and scale of buildings in the Town generally. (Ord 1-2014)

(3) Buildings containing more than 25,000 square feet of gross floor area shall not be allowed. (Ord 1-2014)

(4) All uses shall be required to mitigate the impacts of their operations by means of landscaping, screening, site design, fencing or other methods to assure the reasonable enjoyment of adjacent property.

(5) All outdoor storage areas must be screened by means of fencing, landscaping or other methods.

(6) (a) Residential uses must provide off-street parking as required by Subsection 7- 3-10(C).

(b) Repealed by Ordinance 19-1999

(c) Repealed by Ordinance 19-1999

(d) Residences shall be minimum of 21 feet wide with an average roof pitch of at least 3 to 12 and a minimum eave overhang of 12 inches.

(7) Drive-in restaurants, drive-in theatres, or any other retail stores and service establishments with drive-through facilities, other than banks or pharmacies, shall not be allowed in the "GC" District. (Ord 6-2004)

(8) Boarding and Rooming House(s) shall not be allowed in the "GC" District. (Ord 5-2016)

(9) A Dormitory shall not be allowed in the "GC" District. (Ord 5-2016)

RMC §7-3-14 Conditional Uses

(A) Uses listed as conditional uses for the various zoning districts provided in this Section shall be allowed only if the Planning Commission determines, following review pursuant to Subsection 7-3-18, that the following criteria are substantially met with respect to the type of use and its dimensions:

(1) The use will not be contrary to the public health, safety, or welfare.

(2) The use is not materially adverse to the Town's Master Plan.

(3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.

(4) The use is compatible with existing uses in the area and other allowed uses in the District.

(5) The use will not have an adverse effect upon other property values.

(6) The location of curb cuts and access to the premises will not create traffic hazards.

(7) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.

(8) Visual impact due to a building's size shall be mitigated by means of design, landscaping, berming, and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and scale of buildings in the Town generally. (Ord 1-2014)

(B) The burden shall be upon the applicant to prove that these requirements are met.

ANALYSIS

Duplexes used for a period of 31 days or more are a conditional use in the General Commercial District. The use of the unit as a rental for 31 days or less is a use by right subject to licensing procedures for short-term rentals. A conditional use may be considered if the Performance Standards of §7-3-9(D) and the criteria for a conditional use permit listed in §7-3-14 are met. The following is an analysis of applicable standards and criteria.

RMC §7-3-9(D) Performance Standards

(1) The proposed residential use should not result in an unreasonable hazard to the community nor should it create a nuisance. However, a residential use in an established commercial area is not ideal for this district. The potential for other commercial uses, that are permitted by-right, to negatively impact this residential use is high. It is likely that these potential impacts will increase as the commercial area continues to fill in.

(2) The existing building is not larger than 10,000 square feet. The building is almost 2,000 square feet and expansion of the building is not part of this request.

(3) The existing building is not more than 25,000 square feet.

(4) The existing property includes some landscaping and fencing that serves to mitigate impacts from surrounding businesses. The new fence installed along the south property line caused complications with the neighboring property owner who did not like that it cut off visual access to the commercial business.

(5) No outdoor storage is proposed.

(6) The proposed residential use would require 2 parking spaces and 2 are required for the 2nd floor unit. There are more than 4 parking spaces on this property. The building is more than 21 feet wide with a roof pitch of at least 3:12 and eave overhangs of 12 inches, except on the front where a parapet is included.

(7) No drive-in restaurant, theater or other drive-through facility is proposed.

(8) No boarding and/or rooming house is proposed.

(9) No dormitory is proposed.

RMC §7-3-14 Conditional Uses

(1) The use will not be contrary to the public health, safety, or welfare.

This use does not appear to be contrary to public's health, safety and welfare. However, this property is situated in a commercial district which is not ideal for residential uses.

(2) The use is not materially adverse to the Town's Master Plan.

The proposed use is in an existing commercial area. The description of the commercial land use in the 2011 Land Use Plan mentions that the purpose is to create areas for tourist-oriented uses. It does not mention anything about residential uses. The following policies are somewhat related to this request:

Goal 3 "Housing", policy 4: Encourage context-appropriate, non-traditional housing and adjunct housing such as live/work housing, garage or garden apartments, and caretaker units.

Goal 5 "Economy," policy 4: Ensure land use regulations support and nurture a successful business environment.

Staff could not identify any goals or policies that directly support this request.

(3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.

This proposed use is in an existing commercial area which contains an established road network and a sidewalk on the opposite side of the street. This use will likely not impact traffic.

(4) The use is compatible with existing uses in the area and other allowed uses in the District.

This residential use is not really compatible with surrounding commercial uses. The surrounding commercial uses include a hotel, pet therapy center, and marijuana dispensary. The second floor already has approval for residential use, meaning it can be used a short and long-term rental. If the Planning Commission were to approve this residential use, the building would continue to lack a mix of uses, and be solely residential in an otherwise commercial area.

(5) The use will not have an adverse effect upon other property values.

It is not evident that this use will have an adverse effect upon property values.

(6) The location of curb cuts and access to the premises will not create traffic hazards.

The existing driveway access to the premises has not caused any hazards that staff is aware of. Access to this property will be off of Palomino Trail via either CR 12 or Hunter Parkway, which are both established roads.

(7) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.

This use should not generate unreasonable light, noise, vibration, or other effects. However, the surrounding uses are more likely to impact the tenant(s).

(8) Visual impact due to a building's size shall be mitigated by means of design, landscaping, berming, and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and scale of buildings in the Town generally. (Ord 1-2014)

The existing building is fairly small, especially for this commercial district and it is nicely landscaped. No additional mitigation should be necessary.

STAFF RECOMMENDATION

All conditional uses must meet the required performance standards and conditional use criteria to be allowed. These criteria and performance standards exist due to the impact this use may have on the surrounding area.

While the Applicant has made an interesting argument about the need for this kind of mid-term rental in Town, the Applicant has not explained compliance with the performance standards and conditional use criteria nor does this application meet many of the performance standards and conditional use criteria. For example, this application is not supported by the Town's Land Use Plan as it is not ideal to have residential uses in an established commercial area. Short-term rentals in this area are much more compatible and are permitted by-right. As such, staff does not recommend approval of this application for a conditional use for a residential use on the ground floor of the subject property. If the Planning Commission is inclined to approve this conditional use, staff recommends at least the following conditions:

1. Approval for a 2-year period, with the conditional use expiring October 31, 2020
2. Long-term rentals greater than 31 days will only be allowed November 1st to April 30th, as requested in this application
3. No rentals may be longer than six months
4. The subject unit, the ground floor unit, must meet the building code requirements for a R-3 occupancy, the current CO is for residential use of 31 days or less



Posted property from Palomino Trail looking east.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING** at the Town Hall Community Center, 201 N. Railroad Street, Ridgway, Colorado, on Tuesday, August 28th, 2018 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for: Variance – fence height

Location: Block 10, Lots 1-5

Address: 105 N Charlotte Street

Zoned: Downtown Service (DS)

Applicant: Barbara Cohen

Property Owner: Cohen – Bergerson Trust Dated 5-24-16

ALL INTERESTED PARTIES are invited to attend said hearing and express opinions or submit written testimony for or against the proposal to the Town Clerk.

FURTHER INFORMATION on the above application may be obtained or viewed at Ridgway Town Hall, or by phoning 626-5308, Ext. 222.



DATED: August 17, 2018

Shay Coburn, Town Planner



Planning Commission Hearing Request

Official Use Only
Receipt # CK2109
Date Received: 8-15-18
Initials: JS

General Information

Applicant Name	Barbara Cohen	Application Date	
Mailing Address	PO Box 408 Ridgway CO 81432		
Phone Number	970-318-6966	Email	barbgc11229@gmail.com
Owner Name	Same as above		
Phone Number		Email	
Address of Property for Hearing	105 N. Charlotte St. JS		
Zoning District			

Action Requested

- | | |
|---|---|
| <input type="checkbox"/> Deviation to Single-Family Home Design Standards 6-6 | <input checked="" type="checkbox"/> Variance 7-3-16 |
| <input type="checkbox"/> Temporary Use Permit 7-3-13(C) | <input type="checkbox"/> Rezoning 7-3-17 |
| <input type="checkbox"/> Conditional Use 7-3-14 | <input type="checkbox"/> Subdivision 7-4 |
| <input type="checkbox"/> Change in Nonconforming Use 7-3-15 | <input type="checkbox"/> Other _____ |

Brief Description of Requested Action

Variance to allow 8' fence to be constructed along south property line abutting Hwy 62 from end of existing fence to the S.W. corner of property, approximately 77' long, rough cedar, like existing fence.

Required Fee Payable to the Town of Ridgway

Temporary Use Permit	\$100.00	Subdivisions	
Conditional Use	\$100.00	a. Sketch Plan	\$200.00 (plus \$10.00 / lot or unit)
Change in Nonconforming Use	\$100.00	b. Preliminary Plat	\$400.00 (plus \$20.00 / lot or unit)
Variances & Appeals	\$150.00	c. Final Plat	\$300.00
Rezoning	\$200.00	d. Minor Subdivision	\$200.00
Other Reviews Pursuant to 7-3-18	\$100.00	e. Lot Split	\$100.00
Variance from Floodplain Regulations	\$100.00	f. Replat	\$100.00 (plus \$20.00 / lot or unit)
Deviations from Single Family Design Standards	\$100.00	g. Plat Amendment	\$100.00
		h. Planned Unit Development	See b and c above

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.



Attachments Required

For ALL Applications

- ☐ Evidence of ownership or written notarized consent of legal owner(s).
- ☐ Information proving compliance with applicable criteria (see the Ridgway Municipal Code for criteria), like a narrative, site plans, and/or architectural drawings drawn to scale on paper size of 8.5 x 11 or 11 x 17.

Conditional Use Permits

- ☐ The site plan shall show the location of building(s), abutting streets, all dimensions, off-street parking requirements, and landscaping.
- ☐ Architectural drawings shall include elevations and details of building(s).

Changes in Nonconforming Use

- ☐ Description of existing non-conformity.

Variance

- ☐ The site plan shall show the details of the variance request and existing uses within 100 ft. of property.

Rezoning

- ☐ Legal description, current zoning, and requested zoning of property.

Subdivision

- ☐ All requirements established by Municipal Code Section 7-4.
- ☐ Sketch plan submittals shall be submitted at least 21 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Preliminary plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Final plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.

Please note that incomplete applications will be rejected.

Barbara Cohen
Applicant Signature

8-14-18
Date

Barbara Cohen
Owner Signature

8-14-18
Date

2018 REAL PROPERTY NOTICE OF VALUATION

In order to save postage and printing costs, this is a condensed version of your Notice of Valuation. You may view your entire account information, including a listing of property characteristics relevant to value online at www.ouraycountyassessor.org. Details on the appeal process and sales data used for this valuation cycle can be viewed at www.ouraycountyco.gov/139/Assessor. **IMPORTANT NOTE:** Any value or classification change will affect your tax bill.

Property Owner: COHEN - BERGERSON TRUST DATED 5-24-16

Account No:
R001975

Property Address/Description
Subd: TOWN OF RIDGWAY Lot: 1 Block: 10
Subd: TOWN OF RIDGWAY Lot: 2 Block: 10 S
Subd: TOWN OF RIDGWAY Lot: 3 Block: 10 Su

Classification	Prior	Current	Difference
RESIDENTIAL	416,990	447,290	28,300
Total	416,990	447,290	28,300

YOUR BUILDING IS BEING ASSESSED AS COMPLETE.

If you are unable to view your Notice of Valuation online, please call us at 970-325-4371.

YOUR RIGHT TO APPEAL THE PROPERTY VALUATION AND/OR CLASSIFICATION TO THE ASSESSOR EXPIRES JUNE 1, 2018.

If, after filing an appeal with the Assessor you do not agree with the Notice of Determination (NOD), or you do not receive a NOD, you may file a written appeal with the County Board of Equalization on or before July 15, 2018.

PLACE
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Post Office will
not deliver
without proper
postage.

☐ Check here if new address



Ouray County Assessor
PO Box 665, 421 6th Ave
Ouray CO 81427-0665

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Account Information

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Account: R001975

Location	Owner Information	Assessment History					
Situs Address 105 N CHARLOTTE ST	Owner Name COHEN - BERGERSON	Actual (2018)	\$447,290				
City Ridgway	TRUST DATED 5-24-16	Assessed	\$32,200				
Tax Area Id 201 - 201	Owner Address PO BOX 408	Tax Area: 201 Mill Levy: 59.233					
Parcel Number 430517403001	RIDGWAY, CO 81432-0408	Type	Actual	Assessed	Acres	SQFT	Units
Legal Summary Subd: TOWN OF		Improvements	\$270,050	\$19,440	0.000	1888.000	0.000
RIDGWAY Lot: 1 Block: 10 Subd: TOWN OF		Land	\$177,240	\$12,760	0.000	20164.000	0.000
RIDGWAY Lot: 2 Block: 10 Subd: TOWN OF							
RIDGWAY Lot: 3 Block: 10 Subd: TOWN OF							
RIDGWAY Lot: 4 Block: 10 Subd: TOWN OF							
RIDGWAY Lot: 5 Block: 10 S. 17 T. 45 R. 8							

Transfers			
Reception Number	Sale Date	Sale Price	Doc Description
216265		\$0	QUIT CLAIM
216196		\$0	MISC DEED
205673	07/13/2011		BENEFICIARY DEED
154990	11/12/1993	\$10,000	QUIT CLAIM
154989	11/02/1993	\$10,000	QUIT CLAIM
127905	02/29/1980	\$28,500	WARRANTY DEED
	05/31/1946		TREASURER'S DEED
	08/04/1938		TREASURER'S DEED
	04/25/1932		TREASURER'S DEED

Tax History		Images	
Tax Year	Taxes	Google Map (May not be accurate)	Photo Sketch GIS
*2018	\$1,907.30	Focusing On: 105 N CHARLOTTE ST Ridgway 81432	
2017	\$1,787.06		

* Estimated
Tax adjustments exist for 2018 and 2017



VARIANCE TO HEIGHT OF FENCE (6-4-1) (A) (1)

105 N. CHARLOTTE STREET

We would like to construct a continuation of our existing fence, rough cedar, along the southern backyard portion of our property which runs adjacent to Hwy 62. The structural portion of the fence will face to the interior, as does the existing fence. We would like to construct this portion, approximately 77' long, from close to the west end of the existing fence, along the property line, to the southwest corner of the property.

Practical Difficulties or Unnecessary Hardships

Why have a fence at all? Some reasons are: security, safety, to establish boundaries, for privacy, concealment of unattractive noises, concealment of unattractive sights.

This property runs along Hwy 62 and the problem of the increased traffic along the corridor was recognized by the Town in 7-3-8.5(A), when the 'DS' zone was created; its purpose was

'intended to provide some flexibility in use for existing residences located on or within 100 feet of Highway 62, west of Laura Street as depicted upon the Town Comprehensive Plan Land Use Map. The flexibility in use is intended to mitigate the impact of increasing traffic upon the highway upon residences.'

This was in 2002 and many things have changed since then including the volume of traffic, the width of the highway, the speed of traffic, sidewalks along the highway, the elevation of the highway, the removal of a pull-off area for vehicles along Hwy 62 just west of N. Charlotte Street, and the lack of any curb on Hwy 62 between N. Charlotte Street and N. Amelia Street.

Our property is unique in the sense that it runs along the highway with the entire backyard running along the highway, and the elevation at our property line, about 10-15 feet east of the alley, is about 5' below the elevation at the edge of the highway. A 6' fence would only be about 1' above the grade of the sidewalk and an 8' fence would only be about 3' higher than the sidewalk grade.

Many people hitchhike right outside our fence and since the old pullout is gone and no curb exists here, many vehicles use this area to stop for a variety of reasons. This has increased hugely since the highway has been remodeled. We have pets and sometimes small children in our yard, and we would like to have a measure of personal security since the highway/sidewalk grades are almost as high as a 6' fence would be.

A 6' fence would be a hardship in terms of the very reasons for having a fence at all: lack of security, lack of privacy, it would not help at all in abating noise or visual effects of a major highway, the only major east-west highway between Durango and Grand Junction. We would like to be able to enjoy hanging out in our backyard with somewhat of a sense of privacy and security and with the benefits that a 6' fence would give to almost every other property except ours, since it is so below grade. An 8' fence would help in providing these benefits.

THE SPIRIT OF THE ORDINANCE AND SUBSTANTIAL JUSTICE

The Town recognizes the wish of people to have a fence affording the amenities, as mentioned above. That is why fences are allowed in the Town. However, due to some extreme fences that were built in the past, for the purposes of concealing junk vehicles, trash, and other disallowed storage, the Town ordinance was passed to prevent these type of incidents. The Town does not want a fence that is unattractive, visually unsafe, or does not fit in with the style of the Town, ie, 12' chain link fences with slats or weave, barbed wire, etc, or built for the sole purpose of hiding junk, abandoned vehicles or other nuisances.

Our 8' fence will be made of rough cedar and will not block any access views. It will only extend along one side of the property, the south edge. Furthermore, since the line where the fence will be built is, on average, 5' below the grade of the highway, sidewalk, and the property across the highway, it will not appear to anyone else to be 8' high except to us, while we are sitting in and enjoying some measure of peace on our property.

We believe that, for all the above described reasons, the spirit of the ordinance will be observed, the public health, safety and welfare will be secured, and substantial justice will be done by granting this variance.

PHOTOS

1a – Street view from the east, Sept 2012, showing pull-off

1b – Current street view – no pull-off, no curb, cars go further west to pull off highway

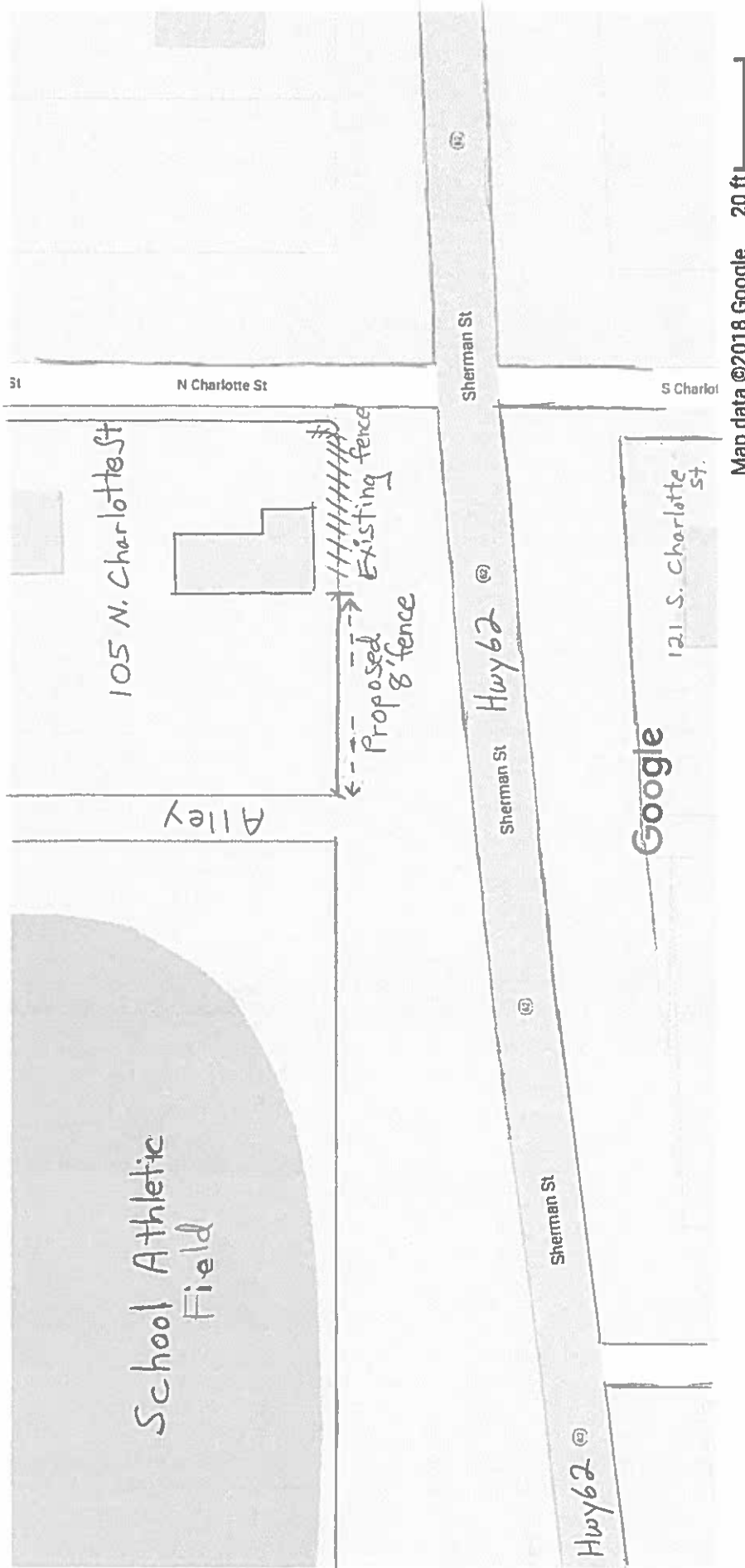
2a – Yard view with 8' marker

2b – View from across the street with 8' marker

3a & 3b – Views from the west showing elevation differences between highway / sidewalk and property / fence line.

4 – Existing fence to the east of proposed fence. New fence will be of the same material

Google Maps



Site Plan

Google Maps 899 Sherman St



Image capture: Sep 2012

Ridgway, Colorado

Google, Inc.

Street View - Sep 2012

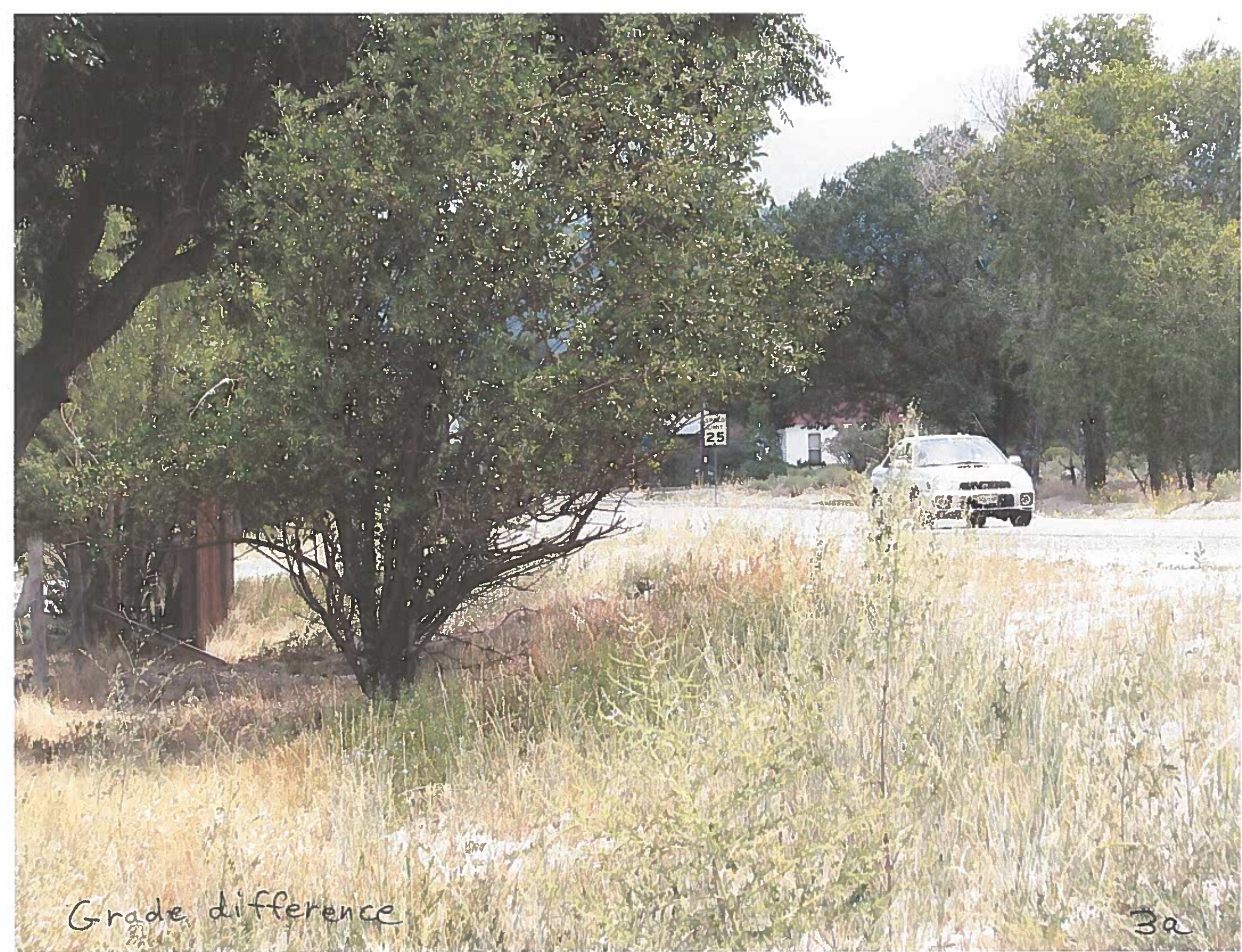


Street View
August 2018



2a





Grade difference

3a



Grade difference

136



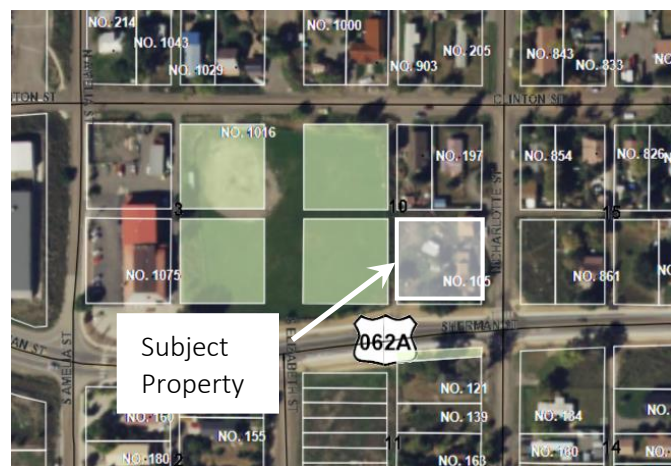
STAFF REPORT

Request: Variance - Fence Height
Legal: Block 10, Lots 1-5
Address: 105 N Charlotte Street
Parcel #: 430517403001
Zone: Downtown Service (DS)
Applicant: Barbara Cohen
Owner: Cohen – Bergerson Trust Dated 5-24-16
Initiated By: Shay Coburn, Town Planner
Date: August 28, 2018

BACKGROUND

The Applicant is requesting a variance to Ridgway Municipal Code (RMC) Section 6-4-1(A). The Applicant would like to construct an 8' tall fence along their side property line. The fence will be approximately 77' long on the south side of the property, along Sherman Street/Highway 62.

The Applicant submitted an application, diagram, letter explaining the request, and pictures. This hearing has been noticed and the property has been posted.



CODE PROVISIONS
RMC §6-4-1 Fence, Hedge and Wall Restrictions

(A) (1) No fence, rail or freestanding wall shall exceed six (6) feet in height within the Town, except for those located within the I-1 and I-2 Light Industrial Districts which may not exceed eight (8) feet in height.

(2) In the Residential and Historic Residential Zoning Districts, fences, rails or freestanding walls located within the area between the property line and the front set back line may not exceed four (4) feet in height, except for fences designed and intended to exclude deer may be up to six (6) feet high if they are substantially transparent at sight angles up to 45 degrees from perpendicular to the faces of the fence, and are constructed out of a (a) mesh; (b) woven wire; (c) rails and pickets or similar components which have a width no greater than their depth.

RMC §6-4-4 Variances

(A) A variance to the provisions of Section 6-4 may be granted by the Board of Adjustment following the review procedure set out in Subsection 7-3-18 of the Ridgway Municipal Code, if it determines that the requirements of Subsections 7-3-16(A), (C), and (D) of the Ridgway Municipal Code are met.

(B) The fees and costs provided for in Subsection 7-3-20 of the Ridgway Municipal Code shall apply to any variance request.

RMC §7-3-16 Variances and Appeals, applicable criteria include:

(A) The Planning Commission may grant a variance from the Dimensional Requirements, Sign Regulations, Design or Performance Standards and other provisions of these regulations not related to "use", and excluding Off-Street Parking Requirements, following the review procedure of Subsection 7-3-18, provided that the criteria of this Subsection will be met. No variance shall be granted from the provisions governing "Uses By Right", and "Conditional Uses" within any zoning district. Variances shall be granted only if all the following criteria are met:

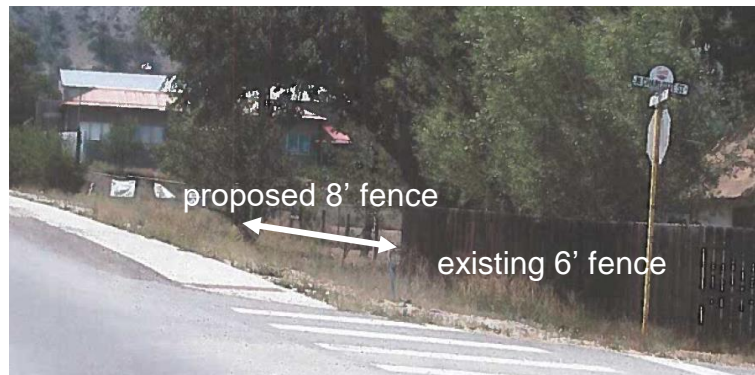
- (1) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and*
- (2) The spirit of the ordinance will be observed, the public health safety and welfare will be secured and substantial justice done by granting the variance.*

(C) The burden shall be on the Applicant to show that these criteria have been met.

(D) No variance on appeal shall be granted with less than 4 concurring votes of the Planning Commission.

ANALYSIS

Fences may be up to 6' tall in the Downtown Service district. The Applicant would like to build an 8' tall fence along about half or 77' of the south property line, which is along Sherman Street/Highway 62. The fence will match the existing solid cedar fence on the east side of the southern property line.



To address the criteria required for a variance, there is a practical difficulty due to the grade difference from Sherman Street/Highway 62 to the property line. The Applicant explained in the submitted letter that the grade difference is about 5', which would mean that a 6' fence would only be about 1' taller than the grade at the sidewalk along Sherman Street/Highway 62. The Applicant went on to explain that this is not adequate to offer privacy or protect views into and out of the property. The 8' tall fence would still only be about 3' above the grade of the sidewalk.

The spirit of the ordinance should be observed as the fence will be of quality materials (cedar) and this fence will not create any safety hazards. In addition, this fence will appear to be shorter due to the fairly significant grade change from where people may walk or drive to the property line where the fence will be located.

STAFF RECOMMENDATION

The Applicant appears to have submitted ample information to demonstrate that the criteria for a variance have been met. Staff recommends approval of this variance to fence height, to build an 8' fence along the southern property line as proposed by the applicant.



Property posted from Sherman Street/Highway 62 looking north.



Property posted from Charlotte Street looking west.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING** at the Town Hall Community Center, 201 N. Railroad Street, Ridgway, Colorado, on Tuesday, August 28th, 2018 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for: Variance – setback

Location: McCabe Replat, Lot A

Address: 1025 Hyde Street

Zoned: Historic Residential (HR)

Applicant: Ruth Stewart

Property Owner: Timothy Stewart, Krista Stewart, Ruth Stewart

ALL INTERESTED PARTIES are invited to attend said hearing and express opinions or submit written testimony for or against the proposal to the Town Clerk.

FURTHER INFORMATION on the above application may be obtained or viewed at Ridgway Town Hall, or by phoning 626-5308, Ext. 222.



DATED: August 17, 2018

Shay Coburn, Town Planner



Official Use Only

Receipt # _____

Date Received: 8-16-18

Initials: RS

Planning Commission Hearing Request

General Information

Applicant Name	Ruth Stewart	Application Date	8/16/2018
Mailing Address	P.O.Box 2101		
Phone Number	970-729-0726	Email	Ruth.Stewart.Mail@gmail.com
Owner Name	Ruth Stewart		
Phone Number	970-729-0726	Email	Ruth.Stewart.Mail@gmail.com
Address of Property for Hearing	1025 Hyde Street		
Zoning District	Historic residential		

Action Requested

- | | |
|---|---|
| <input type="checkbox"/> Deviation to Single-Family Home Design Standards 6-6 | <input checked="" type="checkbox"/> Variance 7-3-16 |
| <input type="checkbox"/> Temporary Use Permit 7-3-13(C) | <input type="checkbox"/> Rezoning 7-3-17 |
| <input type="checkbox"/> Conditional Use 7-3-14 | <input type="checkbox"/> Subdivision 7-4 |
| <input type="checkbox"/> Change in Nonconforming Use 7-3-15 | <input type="checkbox"/> Other _____ |

HR

Brief Description of Requested Action

Apply a previous variance for side/alley and front setbacks that was provided for an existing building to a new building to be built in the same location.

Required Fee Payable to the Town of Ridgway

Temporary Use Permit	\$100.00	Subdivisions	
Conditional Use	\$100.00	a. Sketch Plan	\$200.00 (plus \$10.00 / lot or unit)
Change in Nonconforming Use	\$100.00	b. Preliminary Plat	\$400.00 (plus \$20.00 / lot or unit)
Variances & Appeals	\$150.00	c. Final Plat	\$300.00
Rezoning	\$200.00	d. Minor Subdivision	\$200.00
Other Reviews Pursuant to 7-3-18	\$100.00	e. Lot Split	\$100.00
Variance from Floodplain Regulations	\$100.00	f. Replat	\$100.00 (plus \$20.00 / lot or unit)
Deviations from Single Family Design Standards	\$100.00	g. Plat Amendment	\$100.00
		h. Planned Unit Development	See b and c above

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.



Attachments Required

For ALL Applications

- ☒ Evidence of ownership or written notarized consent of legal owner(s).
- ☒ Information proving compliance with applicable criteria (see the Ridgway Municipal Code for criteria), like a narrative, site plans, and/or architectural drawings drawn to scale on paper size of 8.5 x 11 or 11 x 17.

Conditional Use Permits

- ☐ The site plan shall show the location of building(s), abutting streets, all dimensions, off-street parking requirements, and landscaping.
- ☐ Architectural drawings shall include elevations and details of building(s).

Changes in Nonconforming Use

- ☐ Description of existing non-conformity.

Variance

- ☒ The site plan shall show the details of the variance request and existing uses within 100 ft. of property.

Rezoning


- ☐ Legal description, current zoning, and requested zoning of property.

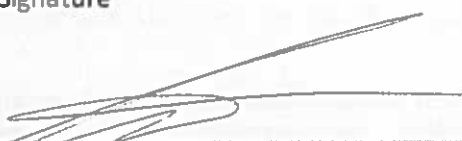
Subdivision

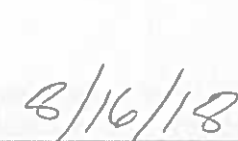
- ☐ All requirements established by Municipal Code Section 7-4.
- ☐ Sketch plan submittals shall be submitted at least 21 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Preliminary plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.
- ☐ Final plat submittals shall be submitted at least 30 days prior to the Planning Commission hearing at which the applicant wishes to have the application considered.

Please note that incomplete applications will be rejected.


Applicant Signature


Date


Owner Signature


Date

Rec 8/14/18 MC

CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS that the undersigned, being the Owner(s) of certain lands in the Town of Ridgway, Colorado, to wit:

Lots 23-24, Block 2, Town of Ridgway, County of Durango, State of Colorado

Has by these presents laid out, platted and subdivided the same into lots, as shown on the plat, under the name **MCCLARE PLAYAT**, and do hereby dedicate, grant and convey to the Town of Ridgway, State of Colorado as shown:

Executed this 9 day of May, A.D. 2016

Ruth Elizabeth Stewart

Timothy Alan Stewart

Krista Sweet Stewart

STATE OF Colorado

COUNTY OF Durango } SS

The foregoing certificate of ownership and dedication was acknowledged before me on

this 9 day of May, A.D. 2016 by Ruth Elizabeth Stewart, Timothy Alan Stewart and Krista Sweet Stewart

Witness my hand and official seal

My commission expires 04/29/2018 James C. Stewart



LIENHOLDER CERTIFICATE

The undersigned holder of a lien pursuant to an instrument recorded in the Durango County records Reception # 201670, do hereby join in this subdivision, any applicable subdivision improvement agreement, and the dedication of easements, property and streets as shown herein.

Lien holder(s) DDM LLC
DDM LLC, A Colorado Limited Liability Corporation

STATE OF Colorado } SS

COUNTY OF Durango

The foregoing certificate of ownership and dedication was acknowledged before me on

this 9 day of May, A.D. 2016 by Ruth Elizabeth Stewart, Timothy Alan Stewart and Krista Sweet Stewart

Witness my hand and official seal

My commission expires 04/29/2018 James C. Stewart



ATTORNEY'S CERTIFICATE

I, Robert B. Burns, an attorney at law duly licensed to practice before the courts of record of Colorado, do hereby certify that I have examined the title of all land herein platted and that such land is in the dedication(s) and owner(s) name(s) and that the property herein has been dedicated free and clear of all encumbrances, except as follows:
General Reservation, Burial Park, Records 18/201/158 & 17/202-56, and D.B.T. recorded 12/2015 Records 15/201/158 & 17/202-56, and 201671.
Dated this 10 day of MAY, A.D. 2016

Robert B. Burns 4-12-16
Attorney At Law



Document Search | Account Search | View Created Report(s) | Sale Search | Help? | Logout Public | Link to Treasurer Website

Account Information

Account: R006587

Location	Owner Information	Assessment History
Situs Address	Owner Name STEWART TIMOTHY ALAN	Actual (2018)
City <i>missing</i>	Owner Address PO BOX 2101	Assessed
Tax Area Id 201 - 201	RIDGWAY, CO 81432-2101	
Parcel Number 430517421001		Tax Area: 201 Mill Levy: 59.233
Legal Summary Subd: MCCABE REPLAT		Type Actual Assessed Acres SQFT Units
Lot: A S 17 T: 45 R: 8		Improvements \$43,130 \$3,110 0.000 1198.000 0.000
		Land \$41,530 \$2,990 5658.000 0.000

Transfers			
Reception Number	Sale Date	Sale Price	Doc Description
216341	06/07/2016	\$0	PLAT
209870	04/30/2013	\$128,000	WARRANTY DEED TENANTS IN COMMON
204322	10/29/2010	\$120,000	WARRANTY DEED
190479	09/08/2003	\$0	DEATH CERTIFICATE
132147	06/10/1982	\$35,000	WARRANTY DEED
	10/17/1946		TREASURER'S DEED

Tax History		Images	
Tax Year	Taxes	Photo	Sketch
*2018	\$361.32		
2017	\$361.32		

* Estimated



- Account Summary
- Remarks
- Owner Information
- Owner Information
- Owner Information
- Sale History
- Assessment History
- Tax History
- Estimate Taxes
- Verify E-mail
- Images
- Account Detail
- Land
- Residence
- Extra Feature
- Permits
- 2014-011
- Transfers
- 216341
- 209870
- 204322
- 190479
- 132147
- B: 139 P: 179
- External Links
- Link to Treasurer Web
- Print Forms
- Real NOV
- Create Report



Account Information

[Account Summary](#)
[Remarks](#)
[Owner Information](#)
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[190479](#)
[132147](#)
[B-139 P-179](#)
External Links
[Link to Treasurer Web](#)
Print Forms
[Real NOV](#)

 [Create Report](#)

Account: R006587 Ownership Information

Owner Name
STEWART RUTH ELIZABETH
In Care Of Name

Address

Owner Address
Address1

Address2
PO BOX 2101
City
RIDGWAY

State
CO

Zip
81432

Country

Utility Billing - Inquiry (Licensed to Town of Ridgway, CO)

File Main Menu Edit Search Maintenance Period Other Help



Customer:

Customer

47 of 1,470

1280.2 Stewart, Ruth PO Box 2101 Account Balance: 57.75
 1025 Hyde St Balance Due: 57.75
 1280 970-729-0726 Ridgway CO 81432-2101 Last Pmt: 07/31/18 67.75-

Display | Compare | History | Trans | Deposits | Services | Meters | Customer | Location | Delinq

Date	Type	Ref	Serv	Chk / Usg	Description	Amount
04/30/18	Billing	651	PW		0 Auto Billing - 05/01/18 12:43	5.00
04/30/18	Billing	651	PS		0 Auto Billing - 05/01/18 12:43	5.00
04/30/18	Billing	2107	SW		0 Auto Billing - 05/02/18 15:53	35.00
05/31/18	Billing	26	WA		0 Utility Reading - 06/01/18	22.75
05/31/18	Billing	2109	SW		0 Auto Billing - 06/04/18 14:10	35.00
05/31/18	Pmt	27	*	89679940		67.75-
06/30/18	Billing	26	WA		0 Utility Reading - 06/29/18	22.75
06/30/18	Billing	663	PW		0 Auto Billing - 07/02/18 13:15	5.00
06/30/18	Billing	663	PS		0 Auto Billing - 07/02/18 13:15	5.00
06/30/18	Billing	2123	SW		0 Auto Billing - 07/02/18 14:09	35.00
07/31/18	Billing	24	WA		0 Utility Reading - 07/31/18	22.75
07/31/18	Billing	2122	SW		0 Auto Billing - 08/02/18 09:44	35.00
07/31/18	Pmt	6	*	91595204		57.75-
07/31/18	Pmt	12	*	91849626		67.75-

Display

- ☒ Billings
- ☒ Payments
- ☒ Billing Adj
- ☒ Pmt Adj
- ☒ Dep App
- ☒ Interest
- ☒ Bal Trans
- ☒ Write-off

☐ Source ID

Summarize

- ☒ Payments
- ☒ Adjustmnts

Town of Ridgway

KC

M:\CslData

Thu Aug 16, 2018 11:57am

To the planning and zoning board of the Town of Ridgway,

I am requesting a variance to the setback requirements at 1025 Hyde street.

There is a existing house that currently sits partially outside of the property line. The setbacks in question are the west wall of the house that extends ~9 inches beyond the property line into the alley at it's furthest point as well as the front of the house which sits only 10 feet from the front property line.

I previously requested a variance for this property for no setback along the side/alley/west property line as well as to maintain the 10 foot setback from the front/south property line and was allowed a 2 foot side/alley setback and a 10 foot front setback. This variance was in regards to moving the existing building during the remodeling process.

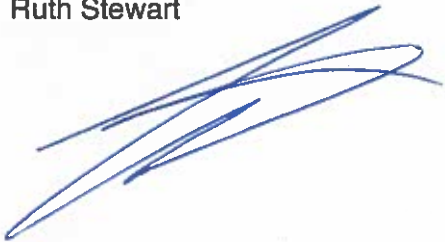
As I have worked on this process I have realized that by the time this building is moved, reinforced, and the wall built out to meet the insulation requirements I will have very nearly built an entirely new building.

I am now requesting a variance to maintain the 2 foot side/alley setback and the 10 foot front setback for an entirely new building as it will be easier, more affordable, and ultimately mean a better, stronger building if I complete the demolition of the exiting building and build a new house. I am committed to keeping the house in it's existing location as it fits well on the property, doesn't require disturbing existing trees and other landscaping, and creates a much more usable yard space than would be the case if I had to meet the existing set backs of 8 feet on the side and 15 from the front property lines.

This variance is needed due to the excavation work already done for a foundation under the existing footprint as well as the more affordable financial benefits of beginning a new building. The public health, safety, and welfare would not be jeopardized in any way by this variance. As this house has existed for many decades there is a passible and well used alley adjacent to the property and the alley would in fact be enlarged by this work. The planning commission previously awarded a variance for these identical setbacks in January of 2017.

Respectfully,

Ruth Stewart

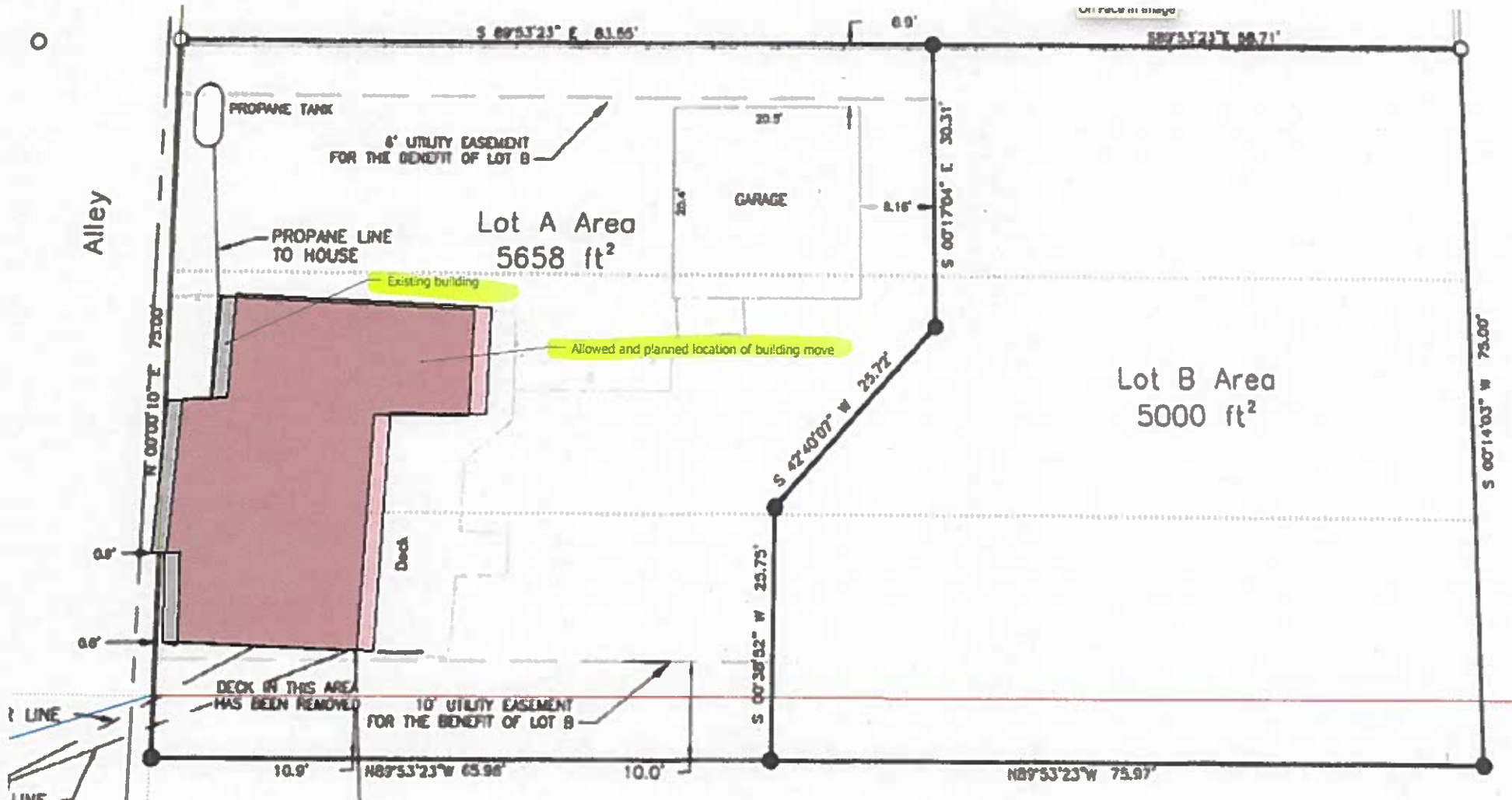


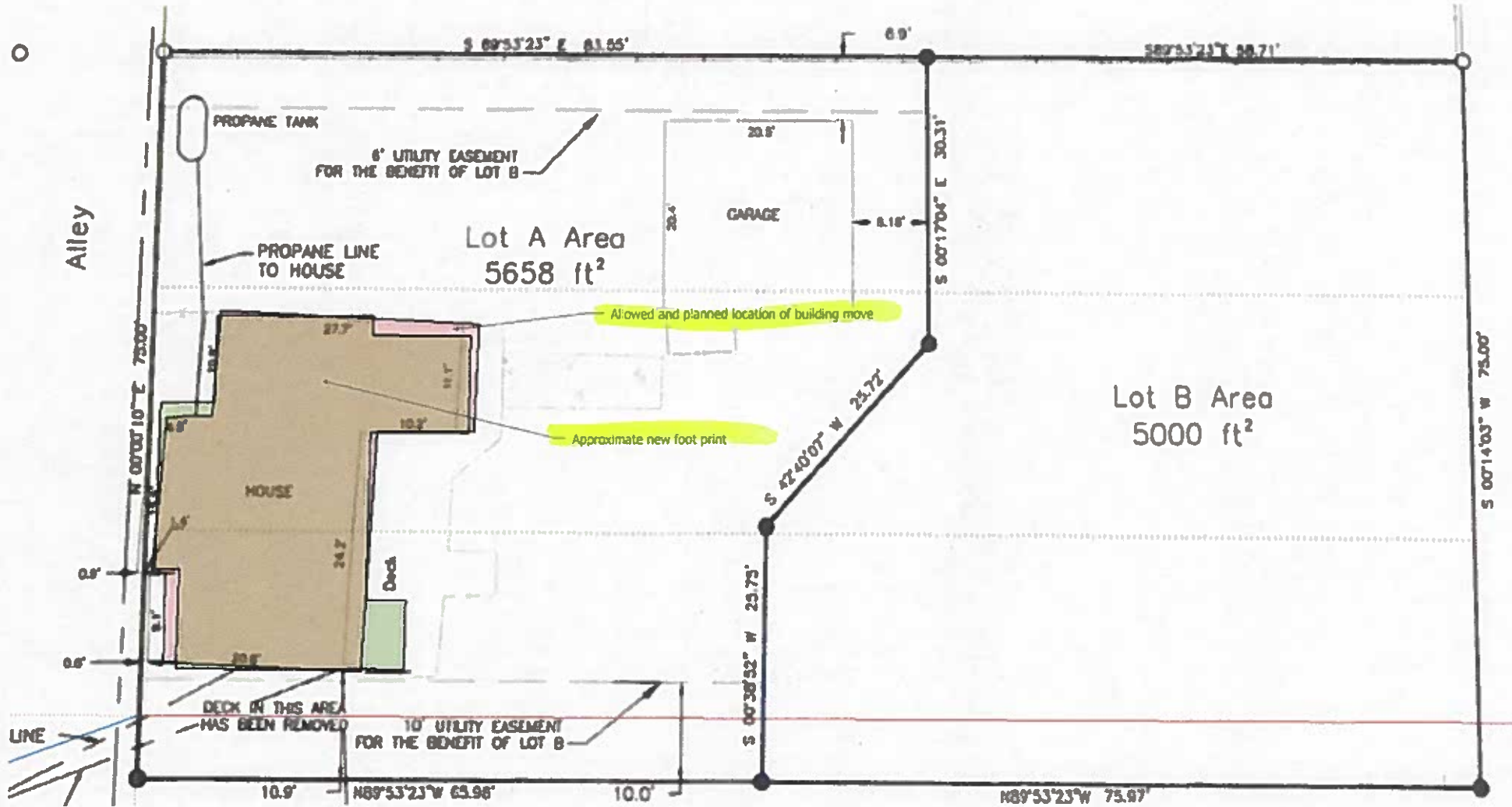


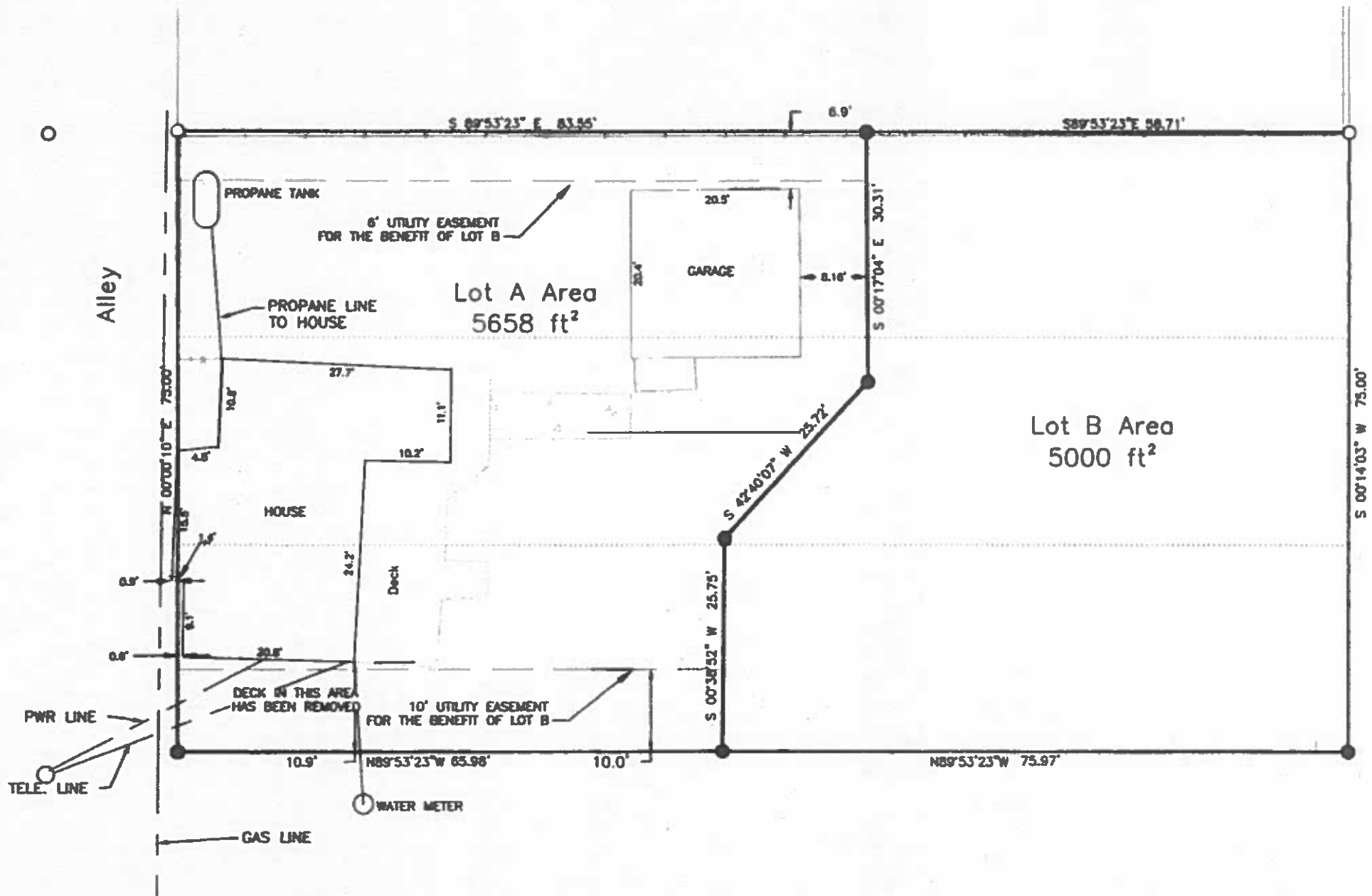
1025 Hyde street

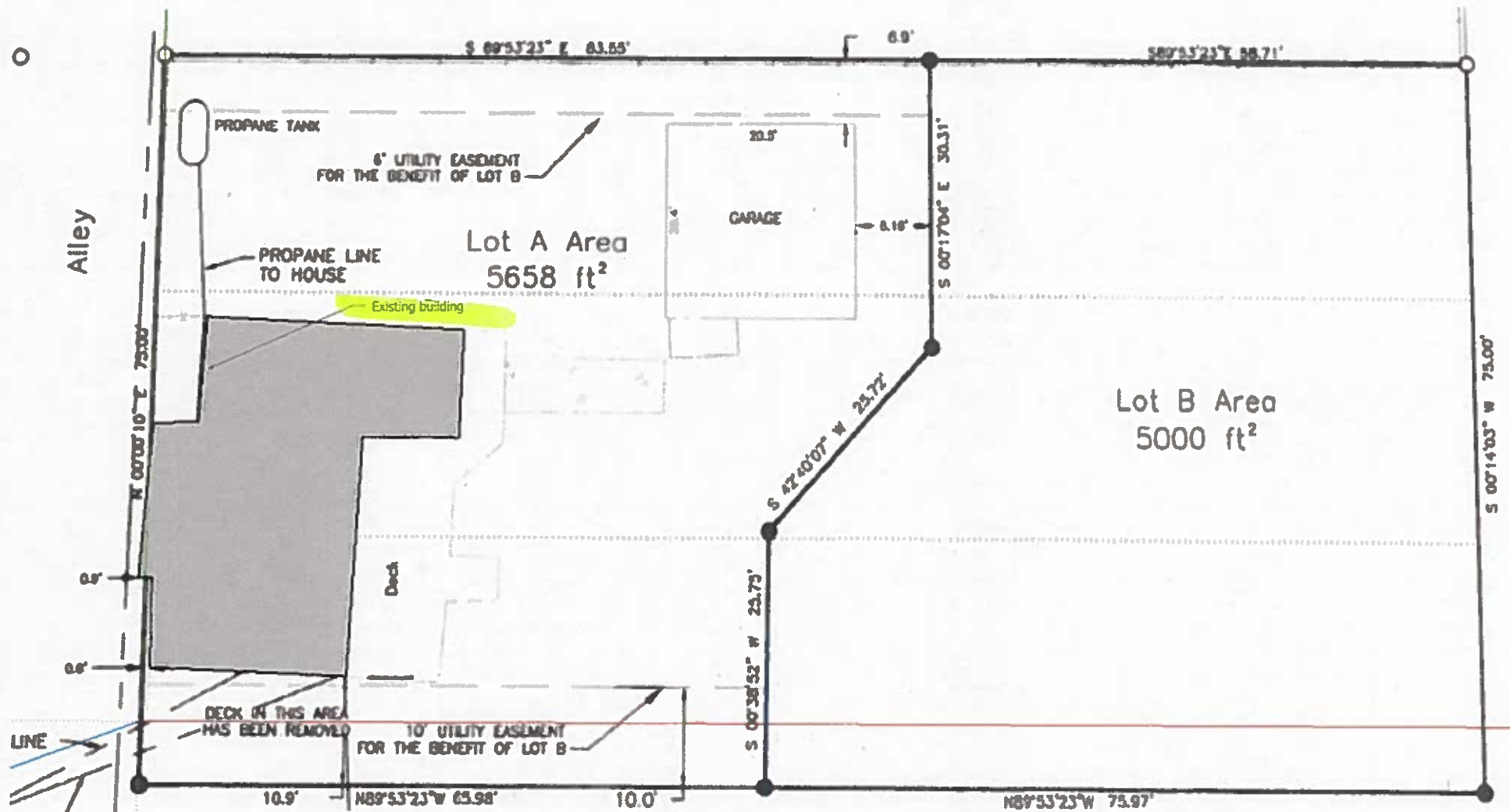
see 01/12/12 NW

01/15/20









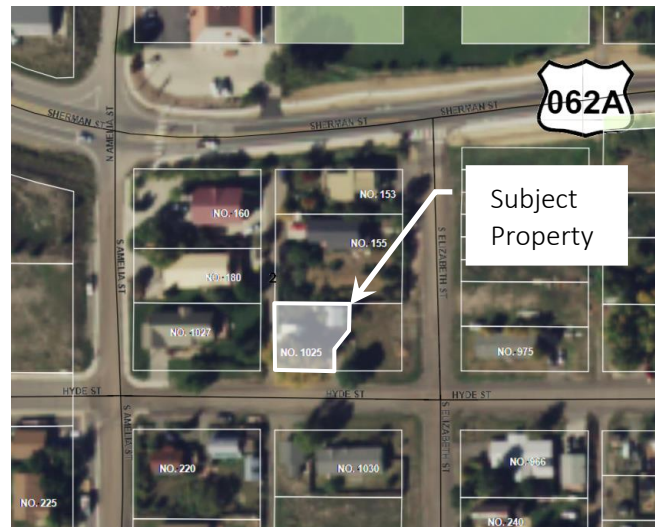
STAFF REPORT

Request: Variance - Setback
Legal: McCabe Replat, Lot A
Address: 1025 Hyde Street
Parcel #: 430517421001
Zone: Historic Residential (HR)
Applicant: Ruth Stewart
Owners: Timothy Stewart, Krista Stewart, Ruth Stewart
Initiated By: Shay Coburn, Town Planner
Date: August 28, 2018

BACKGROUND

The Applicant is requesting a variance to Ridgway Municipal Code (RMC) Section 7-3-10(A). The Applicant is requesting a reduced side setback along the alley right-of-way and a reduced front setback along Hyde Street.

On January 31, 2017 the Applicant applied for a variance for a 0' side setback and 10' front setback for the existing structure that she planned to remodel. The Planning Commission approved the variance for the 10' front setback and a 2' side/alley setback based on practical difficulty of moving an existing structure. See the Planning Commission meeting minutes from January 31, 2017 appended to this report. After working on relocating the building, the Applicant would now like to demolish the existing building and build a new structure. This application is a request for the new structure to have a 2' side/alley setback and 10' front setback, as was approved for the existing structure.



The Applicant submitted an application, letter explaining the request, and supporting diagrams. This hearing has been noticed and the property has been posted.

CODE PROVISIONS

RMC §7-3-16 Variances and Appeals, applicable criteria include:

(A) The Planning Commission may grant a variance from the Dimensional Requirements, Sign Regulations, Design or Performance Standards and other provisions of these regulations not related to "use", and excluding Off-Street Parking Requirements, following the review procedure of Subsection 7-3-18, provided that the criteria of this Subsection will be met. No variance shall be granted from the provisions governing "Uses By Right", and "Conditional Uses" within any zoning district. Variances shall be granted only if all the following criteria are met:

- (1) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and*

(2) *The spirit of the ordinance will be observed, the public health safety and welfare will be secured and substantial justice done by granting the variance.*

(C) *The burden shall be on the Applicant to show that these criteria have been met.*

(D) *No variance on appeal shall be granted with less than 4 concurring votes of the Planning Commission.*

ANALYSIS

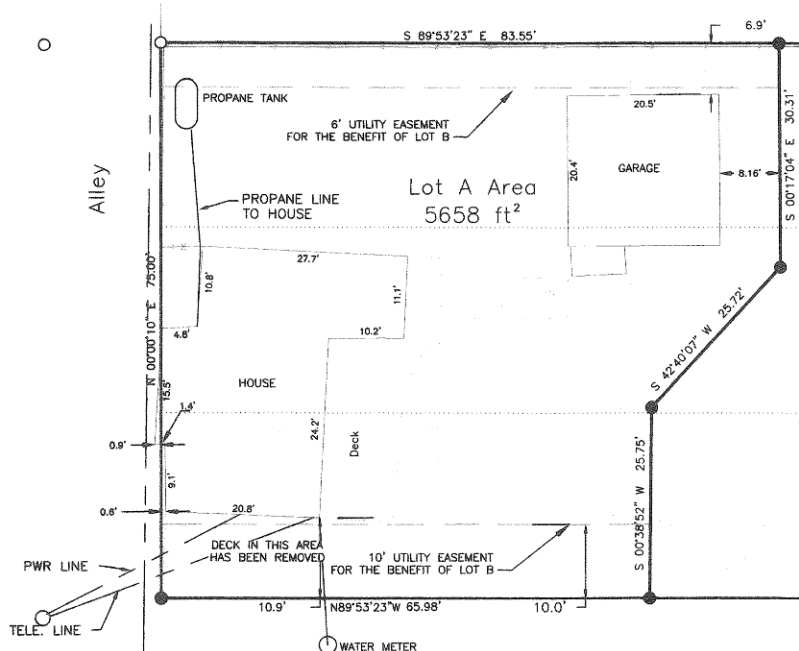
The McCabe Replat was recorded in May of 2016 at reception number 216341. This replat converted lots 22-24 of block 2 into two lots. The existing legally non-conforming structure sits 0.9' or less into the alley right-of-way and 10.9' or more from the front property line. The Applicant planned to do improvements and renovate the structure, triggering the need for the variance applied for in early 2017, as discussed above.

After working on relocating the existing historic structure, the Applicant has realized that it may be more work to relocate the structure than to just build new and is now requesting a variance for the side and front setbacks for a newly built structure to match what was approved for the existing historic structure.

The required setbacks for the subject property are 8' on the side/alley and 15' on the front. If this property had not been replatted, the rear setback along the alley for historic lots could be as little as 2' and the side setback (now front setback) as little as 8'.

To address the criteria required for a variance, there appears to be a practical difficulty due to the fact that the Applicant has begun to dig for a new foundation in the approved location for the relocated structure. The Applicant has stated that building new would be more affordable and that maintaining the existing footprint would disturb less landscaping and create a more usable yard space.

The spirit of the ordinance should be observed as the setbacks would be the same or greater than what would have been permitted by-right on the historic lots, before it was replatted. Also, the public health, safety and welfare should be secured as a new structure may be a "better, stronger building" as explained in the Applicant's letter.



Location of existing structure, per recorded plat map.

STAFF RECOMMENDATION

The Applicant appears to have submitted decent information to demonstrate that the criteria for a variance have been met. This request is a bit complicated as the practical difficulty for this request was created as a result of a previously granted variance. Considering the end result will be a much newer structure, private property will be removed from the Town right-of-way, and that the spirit of the ordinance will be observed, staff recommends approval of this variance to the side/east setback to be 2' and the front/south setback to be 10', congruent with the 10' easement.

Note that there is currently litter and/or junk on the property which will need to be cleaned up as it is considered a nuisance per RMC 10-1.

ATTACHMENTS

Planning Commission meetings minutes, January 31, 2017



Property posted from Hyde Street looking north.

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

JANUARY 31, 2017

CALL TO ORDER

The Planning Commission attended the Space to Create Survey Soiree from 5:00 p.m. until 6:30 p.m. The soiree was held at the Sherbino Theater, 604 Clinton Street in Ridgway. The Planning Commission convened to the regular meeting in the Community Center at 201 North Railroad in Ridgway.

Chairperson Canright called the meeting to order at 6:35 p.m. with Commissioners Emilson, Falk, Liske, Nelson, and Chairperson Canright in attendance. Councilor Hunter was absent. Mayor Clark was late.

REGULAR MEETING

PUBLIC HEARINGS

1. Application for Deviation to Single Family Home Design Standards; Location: Block 20, Lots 16-18; Address: to be determined (TBD); Zone: Historic Residential (HR); Applicant: Beth L. Lakin; Owner: Beth L. Lakin.

Email dated January 30, 2017, from Tom McKenney; Warranty Deed dated September 10, 2014, Site Plan and elevations with upper and ground level renditions depicting scale, dated January 16, 2017, submitted by the applicant. Staff Report dated January 30, 2017, from the Town Manager/Planner.

Town Manager Coates presented an application for deviation to single-family home design standards for a structure in which the footprint is less than the 21' X 24' requirement. She noted the requirement is intended to eliminate rectangular, singlewide modular structures, and the proposed structure appears to incorporate numerous architectural features compatible for the neighborhood.

Applicant Beth Lakin stated she is a schoolteacher trying to make efficient use of her construction dollars and desires a small efficient home. The renditions she drew meeting the 21' X 24' requirement had unusable dead space, and the current rendition is similar in size to a newer home recently constructed in the same neighborhood.

Chairperson Canright opened the hearing for public comment.

The email from Mr. McKenney was read to the Commission and audience. Mr. McKenney stated he is in "full support" of the project because there are not enough small homes in Ridgway.

Ruth Stewart said she was also in favor of the structure.

Chairperson Canright closed the hearing for public comment.

The Commission discussed the application with Staff.

ACTION:

Commissioner Liske moved to approve the Application for Deviation to Single Family Home Design Standards; Location: Block 20, Lots 16, 17, and 18; Address: TBD; Zone: HR, because the proposed structure appears to incorporate numerous architectural features including solids and voids, variation in the roof line, covered entry, deck space, and is of a scale that is compatible for the neighborhood. Commissioner Emilson seconded the motion, which passed unanimously.

2. Application for Variance; Location: Lot A, McCabe Replat; Address: 1025 Hyde Street; Zone: HR; Applicant: Ruth Stewart; Owner: Ruth Stewart.

McCabe Replat of Lots 22-24, Block 2, Town of Ridgway; Site Plan highlighting details of variance request, aerial photograph of property and surrounding lots, and variance request letter, submitted by the applicant; Staff Report dated January 30, 2017, from the Town Manager/Planner.

The Town Manager presented an application for a variance to the side yard setback for a legal non-conforming single-family residential structure encroaching .9' into the alley right-of-way. She explained the request would eliminate the side setback for that location, and the applicant must demonstrate that drainage will not be directly deposited into the alley with a 0' setback.

Applicant Ruth Stewart said the home was built in 1909 and she is trying to preserve as much of the house as possible. Ms. Stewart also commented the footprint of the building would not change and said she is trying to keep the costs as affordable as possible.

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

Mayor Clark arrived to sit with the Commission at 7:10 p.m.

The Commission discussed the application with staff and the applicant.

ACTION:

Commissioner Liske moved to approve the variance for Lot A, McCabe Replat, Address: 1025 Hyde Street; Zone HR, Applicant: Ruth Stewart, because relocating the structure 5 ' to meet the 8 ' setback would be practically difficult, and there would be unnecessary hardship in meeting the zoning regulation for fire separation because of the existing alley. The request is approved with the condition that the structure must be moved to accommodate a 2ft. alley setback on the west side, and the front setback must be 10ft. Commissioner Emilson seconded the motion, with Mayor Clark abstaining and it passed unanimously.

APPROVAL OF THE MINUTES

3. Approval of the Minutes from the meeting of January 3, 2017

Commissioner Liske moved to approve the minutes from January 3, 2017. Mayor Clark seconded the motion, and it passed unanimously, with Commissioner Falk abstaining.

NEW BUSINESS

4. Training with the Department of Local Affairs

Chairperson Canright reported on the training with the Department of Local Affairs and advised the Commission to review the email sent by the Town Manager.

ADJOURNMENT

The regular meeting adjourned at 7:35 p.m.

The Commission paused for a break at 7:40 p.m. and resumed at 7:45 p.m.

WORK SESSION

1. Review Zoning Land Use Code for High Density Residential (HDR) and Mixed-Use Business Zoning (MBR).

Email dated January 3, 2017, from Alpine Planning LLC. Coverage Examples submitted by Chairperson Canright. 2011 Land Use Map, Lot Zoning Discussion Report dated January 30, 2017, submitted by the Town Manager/Planner. The 6th Draft Summary for Ridgway Municipal Code (RMC) 7-3-6.5, High Density Residential, RMC 7-3-8.5 Mixed-Use Business Residential District ; and additions to RMC 7-3-10 (A), Dimensional and Off-Street Parking Requirements from the Town Manager/Planner and Assistant Planner. RMC 7-3-17, Amendments and Additions to the Official Zoning Map and Zoning Regulations, RMC 7-3-11 and 7-4-11, Planned Unit and Multi-Site Development; Town of Ridgway Commercial Design Guidelines, I.a.-III.e., dated April 18, 2014, from the Town Manager.

The Commission reviewed the 2011 Land Use Map with the Town Manager and discussed the type of services that would function in the proposed MBR and HDR zones. They also discussed access and performance standards, pedestrian and bike access, walkability, and maximum building heights within the proposed zones. The Commission agreed to review density, commercial design guidelines, housing requirements, and planned unit development agreements with Draft 7 at the next regular meeting.

ADJOURNMENT

The work session adjourned at 9:05 p.m.

Respectfully Submitted,

Karen Christian
Deputy Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a **PUBLIC HEARING** at the Town Hall Community Center, 201 N. Railroad Street, Ridgway, Colorado, on Tuesday, August 28th, 2018 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for: Replat

Location: River Park Ridgway Business Park, Filing 1 Block 8

Address: TBD Cora Street

Zoned: light Industrial 1 (I-1)

Applicant: Ridgway Light Industrial, LLC

Property Owner: Ridgway Light Industrial, LLC

ALL INTERESTED PARTIES are invited to attend said hearing and express opinions or submit written testimony for or against the proposal to the Town Clerk.

FURTHER INFORMATION on the above application may be obtained or viewed at Ridgway Town Hall, or by phoning 626-5308, Ext. 222.



DATED: August 17, 2018

Shay Coburn, Town Planner

PLANNING & ZONING PERMIT

Incomplete Applications will be Rejected

Receipt # _____ *

Date Received _____ *

By _____ *

* For Office Use Only

ACTION REQUESTED

TEMPORARY USE PERMIT [] 7-3-13c
CONDITIONAL USE PERMIT [] 7-3-14
CHANGE IN NON-CONFORMING USE [] 7-3-15
OTHER: _____ [] _____

VARIANCE [] 7-3-16
REZONING [] 7-3-17
SUBDIVISION ☒ 7-4-1 thru 7-4-12

APPLICANT/APPLICANTS:

NAME:

MAILING ADDRESS:

CITY:

TELEPHONE NO.:

FAX:

OWNER/OWNERS OF RECORD:

NAME: *Ridgway Light Industrial*

MAILING ADDRESS: *7676 Hwy 145*

CITY: *Telluride CO 81435*

TELEPHONE NO: *970-728-3540*

ADDRESS OF PROPERTY: _____

ACREAGE/SQUARE FOOTAGE: _____

ZONING DISTRICT: *Light Industrial*

BRIEF DESCRIPTION OF REQUESTED ACTION: *Replat of Block 8 To conform*

To the new alley and Railroad St right-of-ways.

ATTACHMENTS REQUIRED FOR ALL ACTIONS:

1. Evidence of ownership or written notarized consent of legal owner(s).
2. Copy of all site plans drawn to scale showing location of building(s), elevations, abutting streets, and all dimensions, must be submitted on paper size of 8.5 x 11 or 11 x 17.
3. A filing fee payable to the Town of Ridgway.

FILING FEE SCHEDULE:

Temporary Use	\$ 100.00
Conditional Use	100.00
Change in Nonconforming Use	100.00
Variances & Appeals	150.00
Rezoning	200.00
Reviews Pursuant to 7-3-18	100.00
Variance from Flood Plain Reg's	100.00
Deviations from Single Family	
Design Standards	100.00

Subdivisions

a. Sketch Plan	\$ 200.00
(plus \$10.00 per lot or unit)	
b. Preliminary Plat	400.00
(plus \$20.00 per lot or unit)	
c. Final Plat	300.00
d. Minor Subdivision	200.00
e. Lot Split	100.00
f. Replat/amended plats	100.00
g. Planned Unit Development	(a. b. & c.)

ADDITIONAL COSTS:

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.

SPECIFIC ATTACHMENTS REQUIRED FOR EACH ACTION:**CONDITIONAL USE PERMITS:**

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
4. Property shall be posted at least 10 days prior to the hearing.

TEMPORARY USE PERMITS:

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Property shall be posted at least 10 days prior to the hearing.

CHANGES IN NON-CONFORMING USE:

1. Description of existing non-conformity.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
4. Property shall be posted at least 10 days prior to the hearing.

VARIANCE:

1. Site plan showing details of the variance request and existing uses within 100 ft. of property.
2. Information showing compliance and/or non-compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.

REZONING:

1. Legal description, present zoning and requested zoning of property.
2. Notice of hearing shall be posted 10 days before the date of the hearing.
3. Property shall be posted at least 10 days prior to the hearing.

SUBDIVISION:

1. All requirements established by Municipal Code Sections 7-4-1 through 7-4-12.
2. Affidavit of notice sent to all surface and mineral owners and lessees of mineral rights.
(Proof of proper notice must be submitted prior to the hearing.)
3. The Preliminary Plat shall be submitted 21 days prior to the hearing.
4. The Final Plat shall be submitted 20 days prior to the next scheduled Planning & Zoning meeting.
5. Sketch plan required in subdivisions consisting of more than 5 proposed lots or units.

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, including recording costs, if incurred. (R.M.C. 7-3-20(B) and 7-4-12(B)). Water and sewer tap fees and development excise taxes are due at approval of final plats.

Signature of Applicant/Applicants

Signature of Owner/Owners

Date

5/30/18

Date

Ridgway Light Industrial, LLC

7676 Hwy 145
Telluride, CO 81435
970-728-3540

5/25/2018

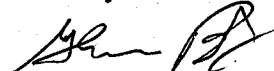
Jen Coates
Town of Ridgway
PO Box 10
Ridgway, CO 81432

Jen,

This replat of Block 8 of Filing 1 River Park and Ridgway Business Park is intended to correct the property lines that are now out of alignment with the Railroad St. right-a-way to the North and the future plating of Block 9 Phase 3 Ridgway Business Park. This will also re-align Alley A and remove the current circle behind Block 8. We intend to extend the sewer line under Alley A prior to finishing the extension of the gravel Alley A to connect with Railroad St. This will allow uninterrupted Alley use during Phase 3 construction.

We also believe that the replat is in line with our goals as well as the Town of Ridgway's master plan and don't see any reason to change the master plan at this time. We intend to list Block 8 for sale upon approval of this replat and begin construction this summer.

Thank you for considering this request for Replat of Block 8,


Glenn Pauls

NOTICE OF PUBLIC HEARING
Town of Ridgway ~~PLANNING COMMISSION~~ will hold a
Public Hearing on this property at 5:30 pm on
August 28 2018
Month Day Year
in the Town Council Chambers at Town Hall
Action Requested
REPLAT
For additional information call Town Clerk: 626-5308
NOTICE OF PUBLIC HEARING



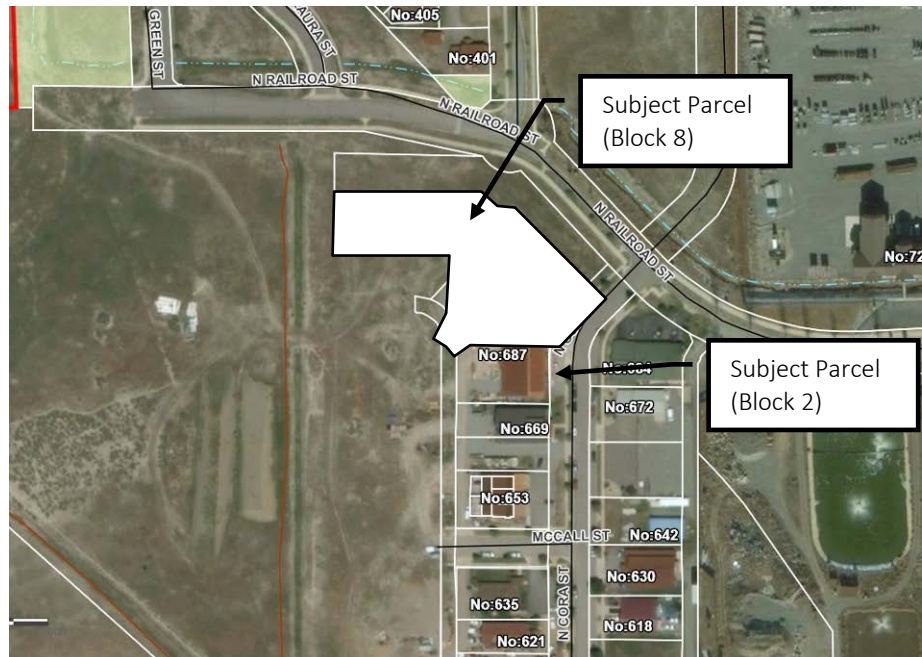
NOTICE OF PUBLIC HEARING
Town of Ridgway, Colorado, will hold a
Public Hearing on this property at 5:30 pm on
AUGUST 28 2018
in the Town Council Chambers at Town Hall
Action Requested:
REPLAT
For additional information call Town Clerk, 970-438-1000
NOTICE OF PUBLIC HEARING

Staff Report

Request: Plat Amendment, including preliminary plat amendment
Legal: Blocks 2 and 8, River Park Ridgway Business Park Planned Unit Development, Filing 1 and Preliminary Plat approval for River Park Ridgway Business Park Filing 3
Address: TBD Cora Street
Parcel #s: 430516223067
Zone: Light Industrial 1 (LI-1)
Applicant: Ridgway Light Industrial
Owners: Ridgway Light Industrial, LLC (Block 8) and Chad Baillie (Block 2)
Initiated By: Jen Coates, Town Manager
Date: August 24, 2018

BACKGROUND:

Owner / Applicant is requesting an amendment to Block 8 within Filing 1 of the River Park, Ridgway Business Park Planned Unit Development (PUD). Filing 1 of the River Park PUD was final platted on December 18, 2001 at Reception Number 176459. The development includes residential and industrial properties, streets, parks and open spaces. The original plat included 60 residential units on 53 lots and 9 blocks zoned for industrial uses, which have been subsequently re-subdivided. Both the industrial and residential properties are now largely sold and built-out.



The Applicant is applying to modify the configuration of Blocks 2 and 8 that considers the existing configuration of Railroad Street as it connects to Laura Street. Submitted with the Application for Public Hearing are the following:

1. Letter from the Applicant dated 5/25/2018
2. Draft Preliminary Plat map entitled "Ridgway Industrial Park A Preliminary Replat of Block 8 and Block 2 Ridgway, CO"
3. Block 8 utility relocation map
4. Alley A Plan and Profile
5. Black Hills Energy Map dated 8/2018
6. Zoom map of the proposed Block 8 with lots 1 and 2

On November 1, 2006 the Planning Commission approved an amended Block 8 request that would reconfigure the block similarly, without the internal subdivision of 2 lots (Lot 1 and Lot 2), see Exhibit A, and the Council subsequently approved the same on November 8, 2006, see Exhibit B. Subsequent to those approvals no action was taken and the prior approvals are now lapsed.

ANALYSIS:

Replats and Amended Plats are considered under RMC 7-4-10, as follows:

7-4-10 REPLATS AND AMENDED PLATS.

(A) Replats which reduce the number of separately described contiguous parcels of property may be approved and recorded pursuant to this Subsection in lieu of other procedures for subdivisions provided in these Regulations, if all required improvements are in and available to serve the lot, and the Design Standards of these regulations are met.

(B) Amended plats of subdivision plats previously approved by the Town, or parts of such plats, which do not make or require a material change in the extent, location, or type of public improvements and easements provided, and are consistent with the Design Standards of these Regulations may be submitted, approved and recorded in accordance with the provisions of this Subsection in lieu of other procedures provided for subdivision by these regulations, if all required improvements are in and available to serve each lot.

(C) Requirements:

(1) "Replats" or "amended plats" must also meet applicable dimensional requirements of Town zoning regulations.

(2) The subdivider shall submit the plat, fees, and supporting documents, as applicable, in substantial conformity with Subsection 7-4-5(C), with the exception that a certificate of improvements completed or security for completion are not required; and instead, there must be a certification that all required improvements are already installed, available and adequate to serve each lot of the subdivision to be signed by the Town.

(3) The plat shall be reviewed in accordance with the procedures and requirements of Subsection 7-4-5(C).

Amendments to Preliminary Plats are addressed in RMC 7-4-5(C)(1)(d) Final Plat: *The final plat shall be substantially consistent with the preliminary plat as approved. Alterations to lot lines, easements and rights of way which do not have consequential impact and which do not change the number of lots or density within the plat will be deemed substantially consistent.*

Amendment to Block 8

Applicant is requesting approval of the existing, reconfigured alignment of Railroad Street that occurred to accommodate new school access while avoiding a significant relocation of the drainage swale on the north side of Block 8, River Park Light Industrial Park. The alignment of Railroad Street was altered slightly to the north at this location, and the proposed turn-around was never constructed

as initially planned at preliminary plat. The revision requires alteration to Tract OS-4 and the northern portion of Block 8.

Applicants will be producing a plat at the hearing to show the new alignment that has been constructed.

Plat Map

1. Map title needs to be similar to other lot split/replat titles for this subdivision – eg: Replat of Blocks 2 and 8 of the River Park Ridgway Business Park Filing 1 Located in the Northwest ¼.... Town of Ridgway, County of Ouray, State of Colorado”
2. The owner of Block 2 needs to be signatory to the hearing application and the plat map
3. Is marked draft and needs to be final
4. All certificates and plat notes are missing
5. Needs a certificate of dedication, making necessary dedications to the Town including dedicating alley right-of-way to town
6. Dedication needs to include a conveyance of property from Block 8 to Block 2
7. Dedication needs conveyance of Block 8 property to Outlot P3-C and incorporating into Block 9 as approved through preliminary plat dated _____ on _____.
8. Dedication needs conveyance of northern part of alley (from Filing 1 where it curves into Filing 3), from the Town to RLI, LLC?
9. Add the following signatories for ownership and dedication of property:
 - a. Owner Block 8 - RLI, LLC
 - b. Owner, Block 2, Lot 4 – Chad Baillie
 - c. ROW owner - Town of Ridgway
10. Add the following standard certificates:
 - a. Lienholder’s Cert
 - b. Engineer’s Cert
 - c. PC Cert
 - d. TC Cert
 - e. Town Attorney’s cert
 - f. Surveyor’s Cert
11. A plat note referencing River Park Ridgway Business Park Filing 1 (as shown on all prior replats for the Industrial Park) needs added to the map
12. Add Excise Tax note
13. Add Outdoor Lighting note
14. Roundhouse Street is labelled on the top right corner map twice, which does not appear to be correct.
15. The Railroad Street Right of Way dedicated to the Town is not clear on the plat map, and it appears that the parcel labelled “Outlot PC/3” includes some of the Railroad Street right of way and should be dedicated to the Town instead of being an outlot? This parcel appears to connect to a “Railroad future right of way” that is on page 5 of the River Park Filing 1 plat map and also shown on the proposed replat map here on the upper right as “Outlot PC/3-R1”. The parcels, dedications and ownership are not clear and need to be with this replat. Applicant should show and demonstrate that the needed sections of Railroad Street have been sufficiently dedicated to the Town, as it appears to only be dedicated to the “roundabout” area just south of River Park Drive.

16. Do Lot 4 and Outlot PC/3 need to change to Lot 4R on Block 2 and PC/3-R1 and R2? This seems confusing and that they should retain the same legal description with the proposed Outlot PC/3-R1 called out and dedicated as Railroad Street right of way.
17. Lot frontage at Cora Street for Lot 2, Block 8 shows 18.6' but the Applicant has indicated it is 50'. This needs updated to show the correct lineal street frontage and 50' is the minimum under the Town Zoning code. Applicant is proposing to acquire 5 lineal feet from Block 2 to the south in order to have 100 lineal feet at Cora Street, 50' for each proposed new lot. This conveyance needs the appropriate language, signatory, dedication, etc. shown on the plat map. Block 2 is zoned I-2 and Block 8 is zoned I-1 so there may be a desire to rezone this small acquired section of property from Block 2 to I-1.
18. This application appears to request numerous changes and staff recommends this application be a request for a plat amendment for Block 2 and Block 8 including Town rights-of-way and an amendment to the preliminary plat approval for Filing 3.
19. It would be very helpful for the review of this replat if the surveyor could take the Filing 1 plat map and overlay the proposed revisions with this preliminary plat and also overlay the proposed replat over an aerial photo. This would clearly illustrate the changes for the Council, Commission, public and staff.

Utilities

Before recording the replat, all utilities will need to be installed, approved by town and all water and sewer taps purchased and stubbed out to the lot(s).

Amendment to the Filing 3 Preliminary Plat

Applicant should submit a similar map amending the Filing 3 preliminary plat approval.

Below is a zoomed capture of the River Park Filing 1 Plat Map. The proposed replat will vacate the 120' diameter "roundabout" at Railroad Street and River Park Drive, just north of Block 8. Staff recommends this be considered as a roundabout may be desirable in this location.

Exhibit A

RIDGWAY PLANNING & ZONING COMMISSION

MINUTES OF THE REGULAR MEETING – in part

NOVEMBER 1, 2006

2. Application for PUD Amendment and Replat; Location: Outlot P3/C (Laura Street, adjacent to Block 12, between Roundhouse and Otto Streets, River Park Ridgway Business Park Phase 3); Zoned: Light Industrial 1 (I1); Applicant: John Jennings representing Ridgway Light Industrial, LLC (RLI)

Documents distributed to the Commission prior to the meeting: Town Clerk's Notice of Public Hearing dated October 13, 2006. Staff Report from Town Manager Greg Clifton/Intern Jen Coates dated October 25, 2006 recommending approval of the amendments.

Commissioner Petrucci declared a conflict of interest and sat in the audience.

Town Manager Clifton outlined the requirements placed on the original Planned Unit Development (PUD) one of which is completion of the extension of North Laura Street in Phase 3 which requires an easement from an adjacent land owner. Applicant John Jennings stated the adjacent land owner is not interested in releasing the property at this time. There was discussion between the applicant, Commission and staff on the complications of gaining the Laura Street access and importance of providing an additional access to the new school. Applicant Jennings confirmed part of the Phase 3 requirements state the utility infrastructure and Otto Street roadway needs to be completed to Laura Street.

The Commission discussed with the Town Engineer the best scenario to complete the infrastructure on this project. Engineer Fagan presented variations in road widths and presented scenarios to provide a two way access on that portion of North Laura Street, with only half the normal road width available. The Commission agreed staff should continue to work with the adjacent property owner on resolving the access. Manager Clifton suggested there could be concessions to allow some progress on the development of Phase 3. The Commission discussed two options, realigning the road to provide a two way road on the block west of Block 12, or just having a one way road with room for the curb, gutter, sidewalks and drainage. They agreed the latter option, with just a gravel road that would be paved once the entire Laura Street access is obtained, would be preferable.

Engineer Fagan noted the streetscape plan depicts Laura Street one way southbound from Clinton to Hwy 62. The proposal for the road configuration on North Laura Street which the Commission is considering would route the street in the opposite direction which may create problems.

The Commission discussed the completion of the balance of the affected roads within Phase 3, including the realignment of Lot 8 to include a roundabout where it intersects with Railroad

Street and River Park Drive. Commissioner Anderson noted the lack of a sidewalk from River Park Drive to Cora Street on the north side of the street. Staff said the owner will be contacted.

ACTION:

It was moved by Mayor Pro Tem Clark to recommend approval to Town Council the application for PUD Amendment and Replat for River Park Ridgway Business Park, Phase 3, blocks 8, 9, 10, 11 and 12, with conditions:

1. To allow for developing of two blocks of Laura Street on the eastern half of the street only, from Frederick to Otto Streets and Otto to Roundhouse Streets, and completion of Otto Street from Cora to Laura Streets
2. The rest of the conditions and requirements of the development be completed and in place
3. Due to the temporary nature of the construction of Laura Street the road will be allowed to be constructed of gravel with a gravel sidewalk and the drainage in place
4. The realignment of drainage ditch will be dealt with at staff level
5. At some point in time when the western side of the land on Laura Street is obtained, the development be required to complete the roadway including hard surfacing and sidewalks between Otto and Roundhouse Streets
6. The Laura Street extension between Otto and Frederick Streets is contingent upon the Town owning the right-of-way on the eastern side
7. The replat of Block 8 in Phase 2 is approved to account for existing changes that were made in the road alignment to Green Street

The motion was seconded by Chairman Hunter and unanimously approved.

Commissioner Petruccelli returned to sit with the Commission.

Mayor Willits left the meeting at 7:20 p.m.

Exhibit B

RIDGWAY TOWN COUNCIL

MINUTES OF REGULAR MEETING (in part)

NOVEMBER 8, 2006

9. Planning and Zoning Commission recommendation to approve the application for PUD Amendment and Replat; Location: Outlot P3/C of River Park PUD Filing 1 (Laura Street between Roundhouse and Otto Streets); Zoned: Light Industrial 1; Applicant: Ridgway Light Industrial LLC

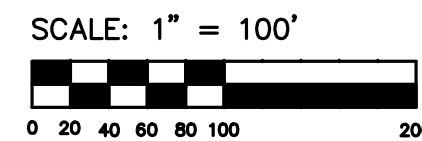
Manager Clifton presented a recommendation from the Planning and Zoning Commission to approve amendment of the River Park Filing 1 PUD Agreement pertaining to a condition in Phase 3 of the Light Industrial Park requiring construction of remaining roads. To complete the remaining street (Laura Street between Roundhouse and Otto Streets), the developer must obtain a 30 foot right-of-way from an adjacent land owner, and has been unsuccessful in this endeavour. The applicant has proposed as a temporary measure construction of half the street for two linear blocks, until a right-of-way can be obtained to complete the remainder. He noted all plat notes will carry over and all obligations will remain in place.

There was discussion by the Council.

ACTION:

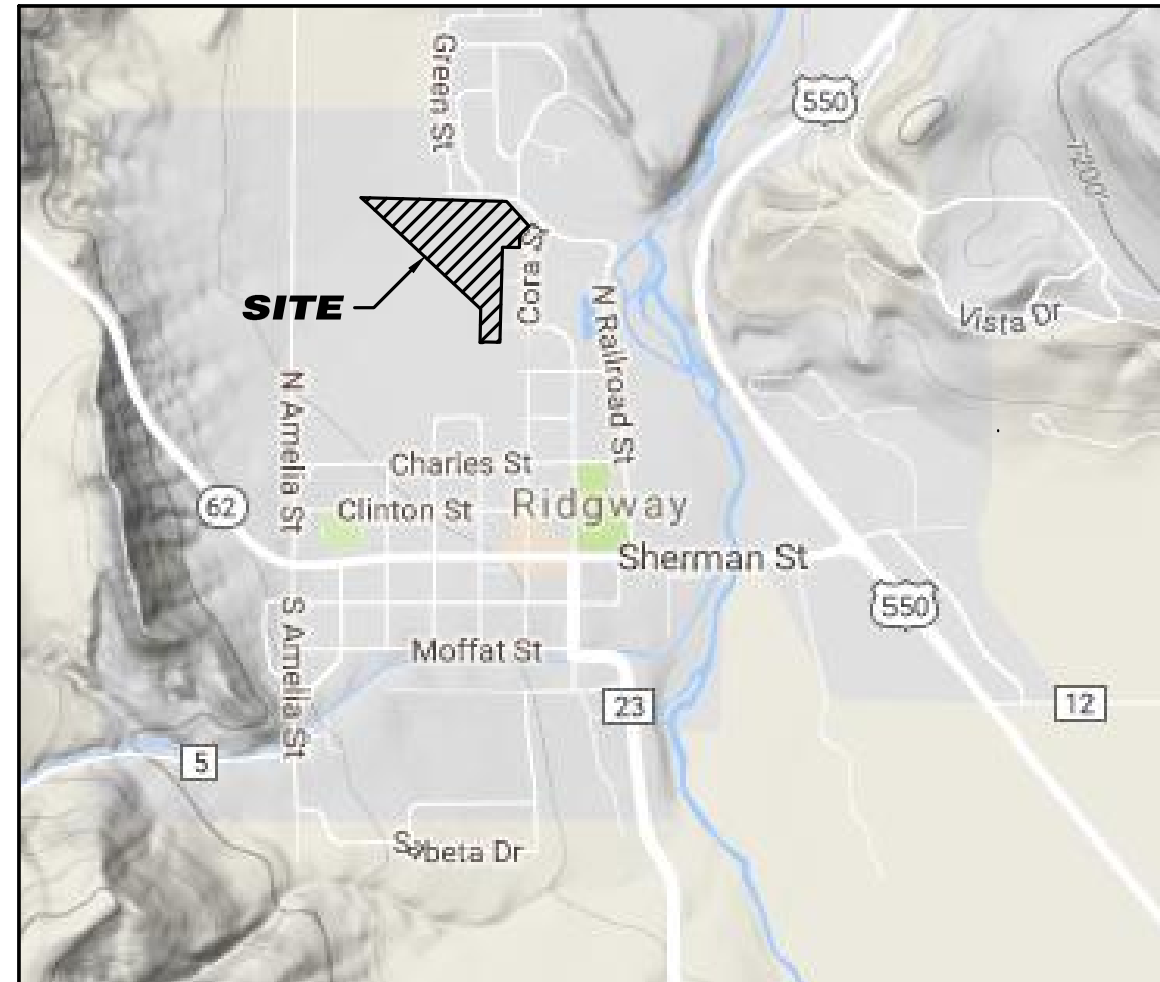
On a motion by Councillor Hebert with a second by Councilmember Fitzhugh the motion to approve the application for PUD Amendment and Replat of Outlot P3/C of River Park PUD Filing 1, regarding Laura Street from Fredrick to Otto Streets and Otto to Roundhouse, with all recommended conditions from the Planning and Zoning Commission carried unanimously.

The Council took a recess at 7:10 p.m. and reconvened at 7:25 p.m.



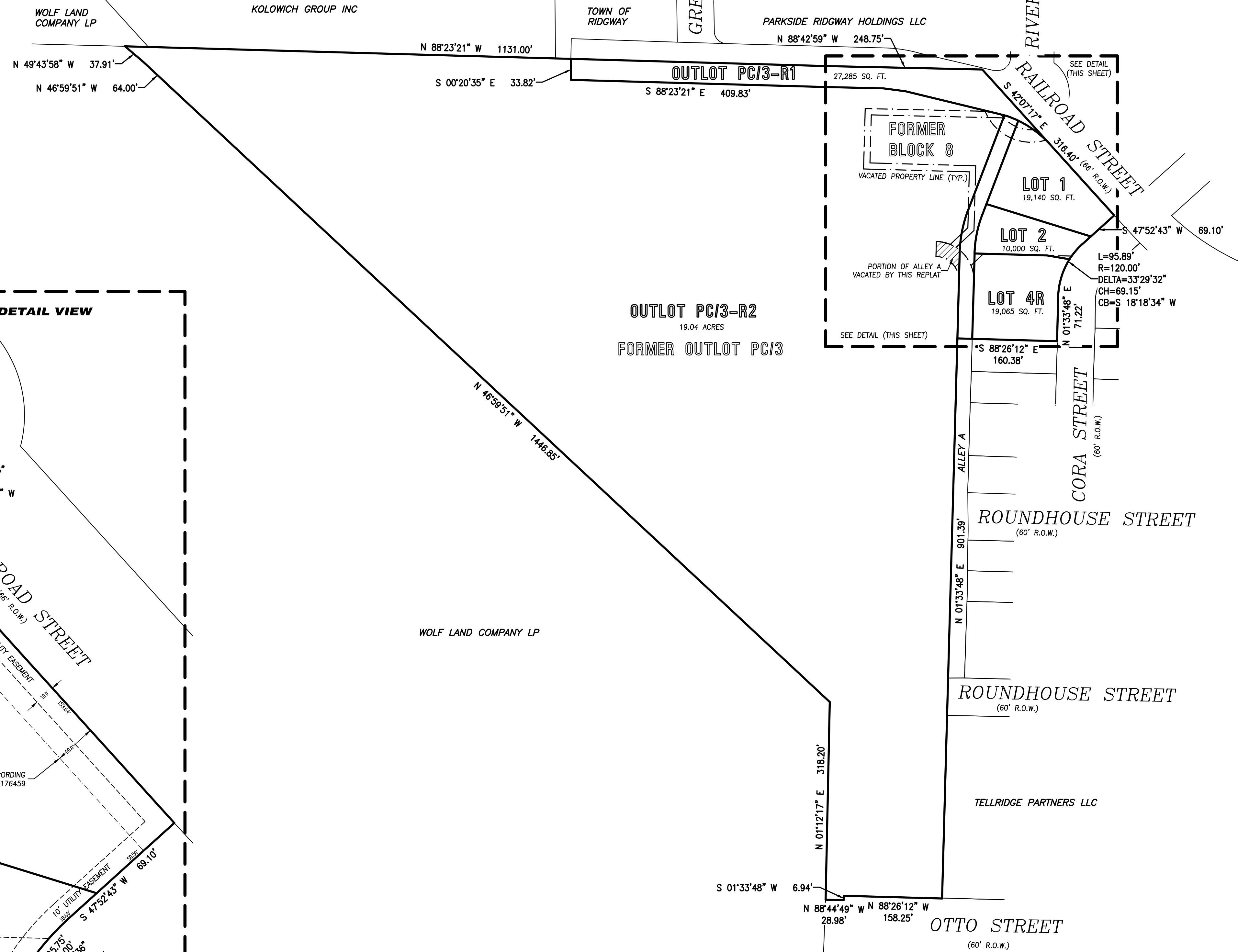
LEGEND

PROPERTY LINES VACATED BY THIS PLAT



VICINITY MAP
NOT TO SCALE

**RIDGWAY INDUSTRIAL PARK
A PRELIMINARY REPLAT OF BLOCK 8 AND BLOCK 2
RIDGWAY, COLORADO**



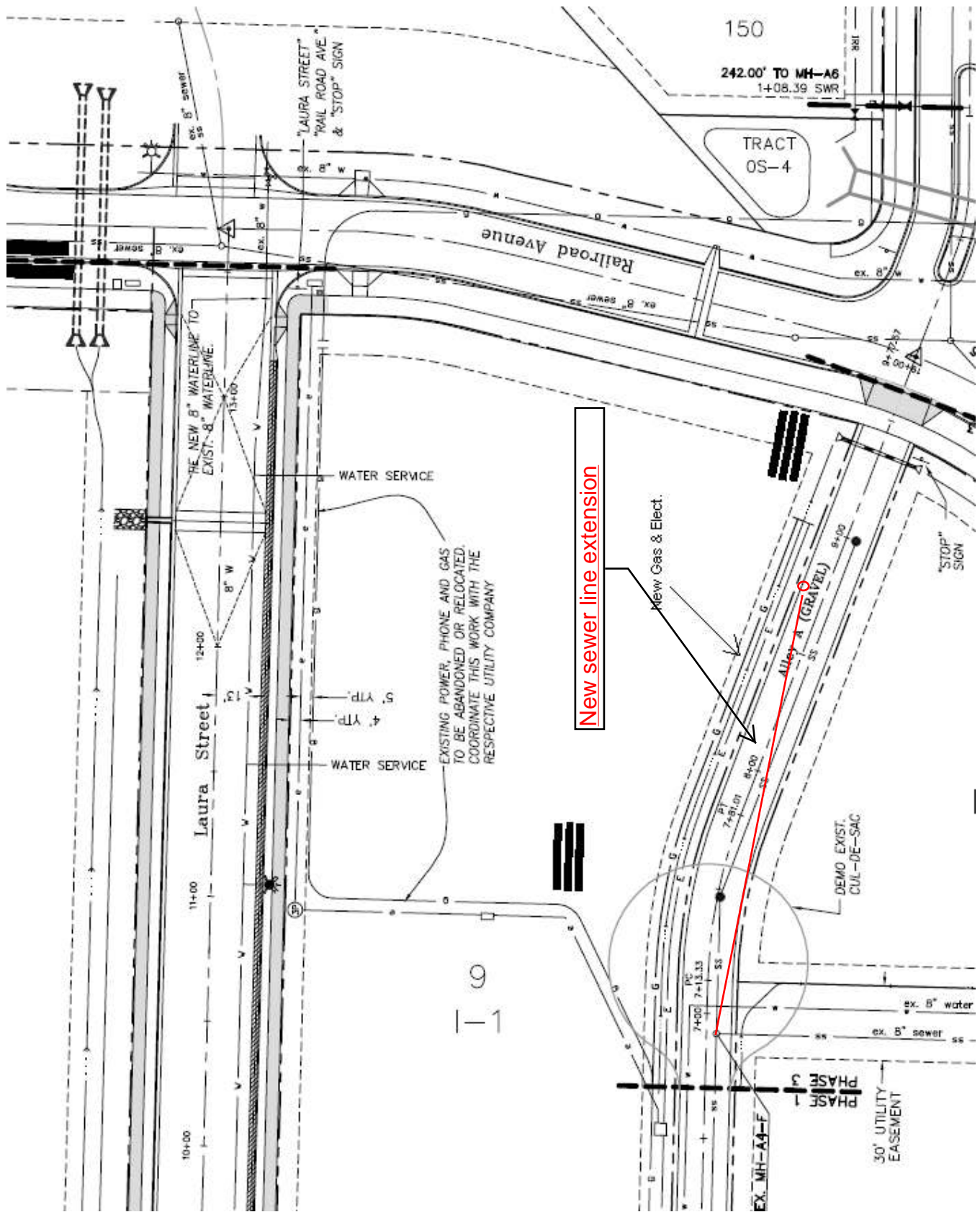
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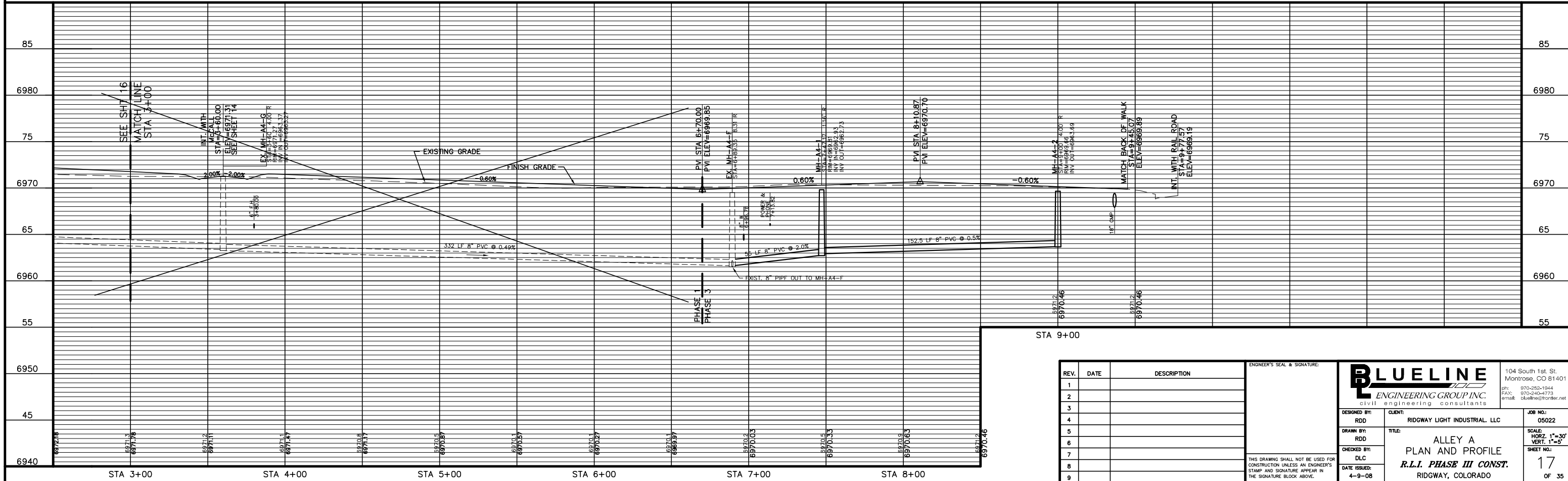
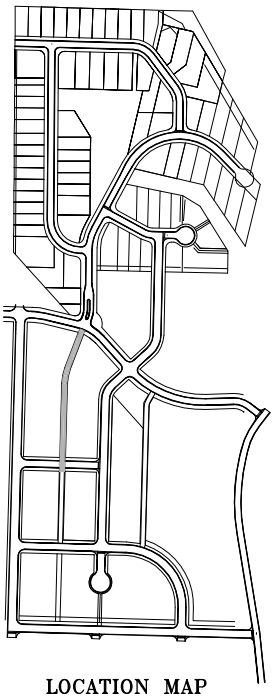
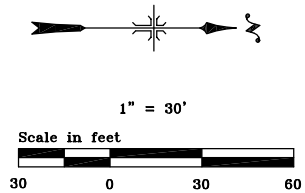
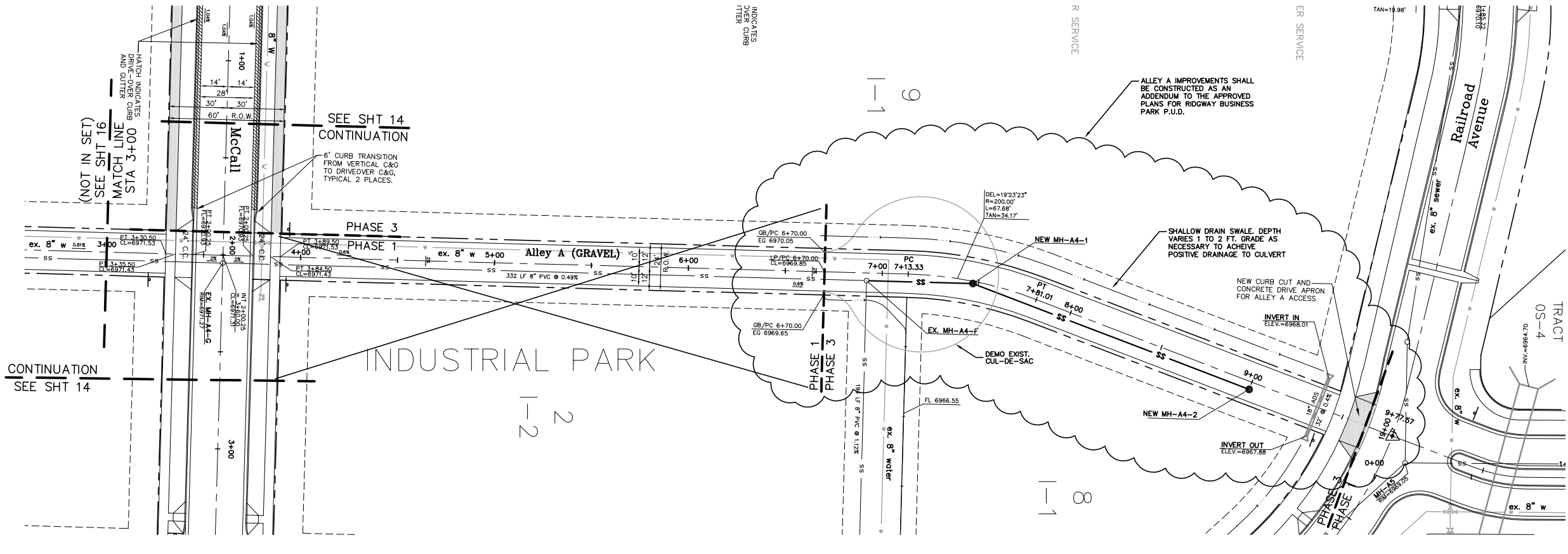
Project Mgr: DB	Rev	description	date	by	<div><p>FOLEY ASSOCIATES, INC. ENGINEERING • PLANNING • SURVEYING</p></div> <div>970-728-6153 970-728-6050 fax P.O. BOX 1385 125 W. PACIFIC, SUITE B-1 TELLURIDE, COLORADO 81435</div>	
Technician: FO						
Technician:						
Checked by:						
Start date: 08/2018						
Drawing path: dwt\18025 Replot 08-18.dwg					Sheet 1 of 1	Project #: 18025

FOLEY
ASSOCIATES, INC.
ENGINEERING • PLANNING • SURVEYING

970-728-6153 970-728-6050 fax
P.O. BOX 1385
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435

Sheet1	of 1	Project #: 18025
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ENGINEER'S SEAL & SIGNATURE:

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION UNLESS AN ENGINEER'S STAMP AND SIGNATURE APPEAR IN THE SIGNATURE BLOCK ABOVE.

BLUELINE
ENGINEERING GROUP INC.
civil engineering consultants

104 South 1st. St.
Montrose, CO 81401
ph: 970-262-1944
fax: 970-262-4773
email: blue@frontier.net

DESIGNED BY:
RDD

DRAWN BY:
RDD

CHECKED BY:
DLC

DATE ISSUED:
4-9-08

CLIENT:
RIDGWAY LIGHT INDUSTRIAL, LLC

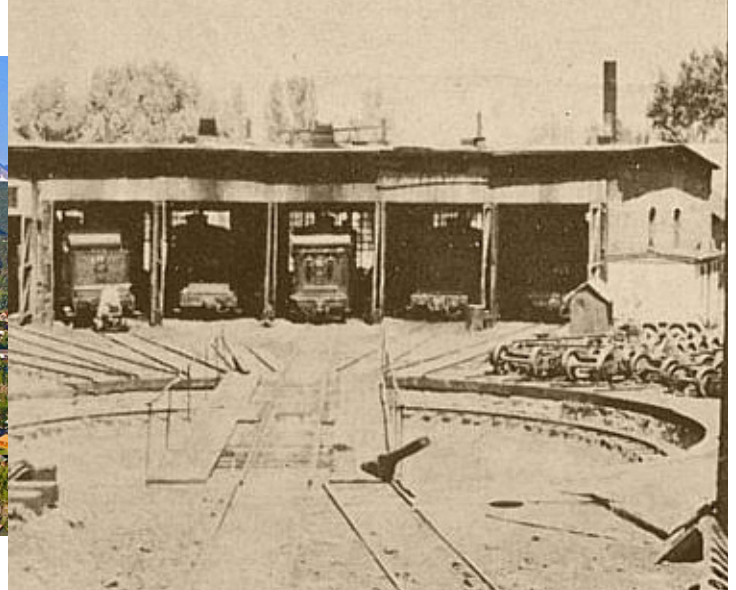
TITLE:
ALLEY A
PLAN AND PROFILE
R.L.I. PHASE III CONST.
RIDGWAY, COLORADO

JOB NO.:
05022

SCALE:
HORIZ. 1"=30'
VERT. 1"=5'

SHEET NO.:
17
OF 35

River Park Housing Informal Discussion



Background

There is an acute and urgent need for constructing housing in Ridgway due to:

- Employment growth and increase in commuters to Ridgway and Ouray;
- A significant decrease in regional housing construction;
- An extremely tight rental housing inventory with an exceptionally high demand;
- Limited number of planned, proposed, or under construction housing projects;
- Market demand for short-term rentals continues to grow;
- Exponential home price and rental increases; and
- Major employers are having a difficult time recruiting new employees due to housing shortage.

We have a solution to help with the housing problem through rezoning and amending the River Park - Ridgway Business Park Planned Unit Development (“**Business Park PUD**”) to allow for a mix of single-family/duplex and multi-family housing as shown in Figure 1 (“**Project**”). The Project is summarized in Table 1.

Table 1. Proposed Business Park PUD Amendment

Planning Area	Approximate Acreage*	Current PUD Zoning	Proposed Uses	Approximate Proposed Density
Area 1	1.7	Light Industrial	Single-family/Duplex	18 Units (11 units per acre)
Area 2	1.6	Light Industrial	Multi-family	35 Units (22 units per acre)
Area 3	1.7	Light Industrial	Light Industrial/Live-work	18 Units (11 units per acre)
Area 4	7.7	Light Industrial	No Change	NA
Area 5	1.1	Light Industrial	Multi-family	24 Units (22 units per acre)

*Excluding easements and right-of-ways.

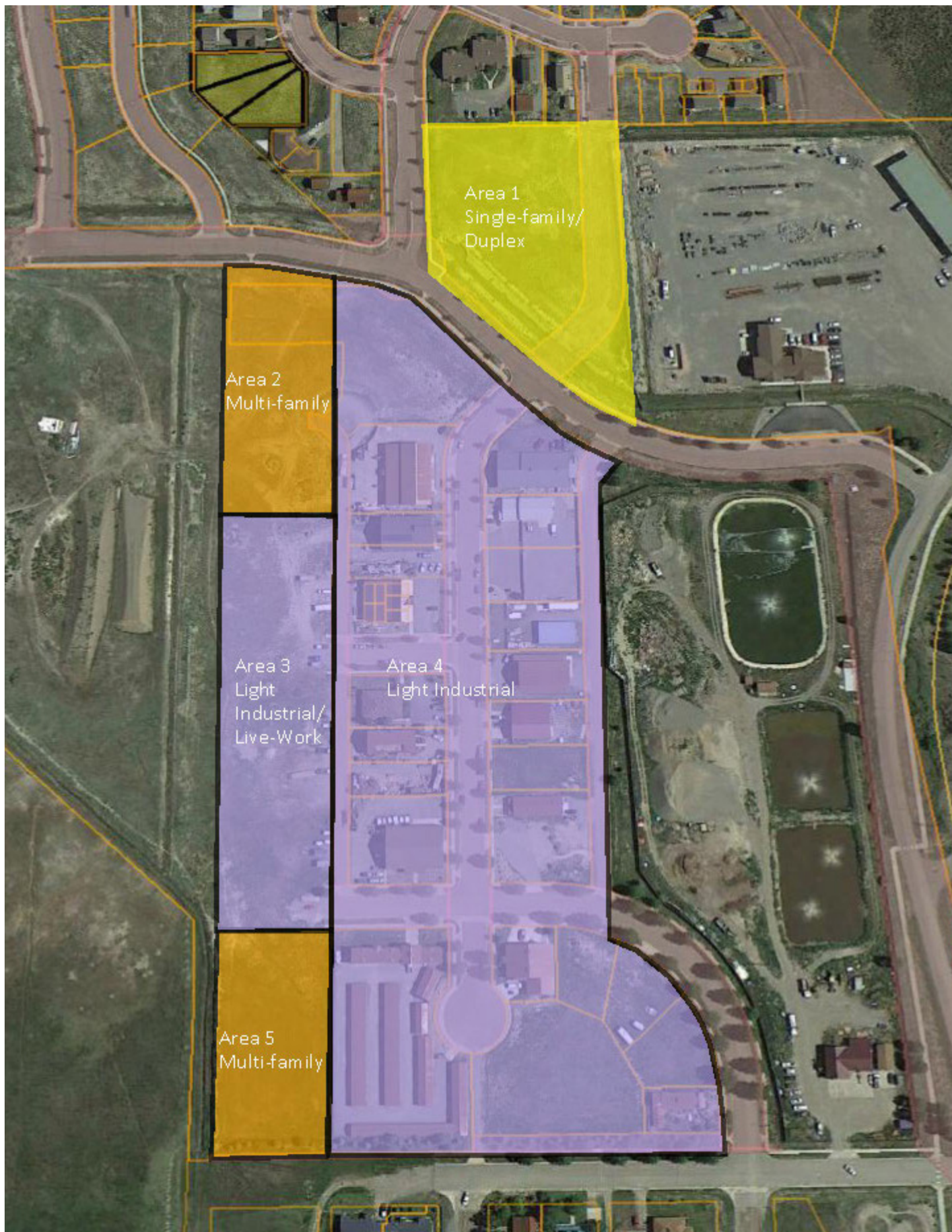
The Town Council and Planning Commission conducted an Informal Discussion on a similar proposal in April of 2016. The consensus of that meeting is that we should move forward with a rezoning and PUD amendment to allow for housing in the River Park light industrial area. Subsequently, the Town initiated the creation of new multi-family zone districts that would have better matched our proposal, and we actively participated in the code amendment process to create the new zone districts through early 2017. The Town abandoned the code amendment process and indicated we could move forward with the rezoning and PUD amendment towards the end of the first quarter in 2017.

General Conformance to the Ridgway Master Plan

The Project generally conforms to the Ridgway Master Plan (“**Plan**”) for several reasons. First and foremost, the Project will provide critically and urgently needed housing. The Plan establishes the following housing-related policies:

Goal 3, Housing. Encourage a diversity of housing opportunities that meet a range of income levels, and complement the Town’s existing character and heritage.

1. Encourage new developments to include a variety of housing sizes, types and prices.
2. Allow for the construction of a variety of residential building forms that respond to the need for affordable housing while maintaining neighborhood compatibility.



Area 1
Single-family/
Duplex

Area 2
Multi-family

Area 3
Light
Industrial/
Live-Work

Area 4
Light Industrial

Area 5
Multi-family

3. Encourage context-appropriate, non-traditional housing and adjunct housing such as live/work housing, garage or garden apartments, and caretaker units.
4. In all new neighborhoods, emphasize the importance of public spaces and walkability, to promote a high quality of life connecting all areas of Town.

A housing program has not been developed for the informal discussion since the details of such program will depend on the land area that is rezoned, the density and overall development costs. The development team will work closely with Town staff prior to submitting any formal zoning application to develop a mutually agreeable housing program that may include a wide variety of tools. The development team envisions two of the housing units to be deed restricted and conveyed to the Ridgway Affordable Housing Program.



The development team envisions two of the housing units to be deed restricted and conveyed to the Ridgway Affordable Housing Program.

In addition to the working with the area housing authority, the development team is committed to ensure the leases of the units prohibit subletting the units and/or bedrooms without landlord consent. No Airbnb, VRBO or other short-term rentals will be prohibited while the housing units are used for rental housing. This commitment from the development team will be honored as long as the units remain for rent; if the units are sold they will be governed by Ridgway's Municipal Code regarding short-term rentals.

The Project will also help to improve the local economy consistent with the following Plan policies:

Goal 5: Economy. Encourage and facilitate a vibrant, diverse and sustain-able local economy that reflects Ridgway's social fabric, values, and character.

The development team believes that adding housing opportunities will help to improve the local economy. More local residents will result in more business activity in the town due to more visits to the grocery store, restaurants, gas stations and other businesses. More local residents will also enhance the sense of community through volunteerism, event participation and organization participation. More local residents will also increase the diversity of the Ridgway community. In turn, more local residents should generate the demand for more businesses which should help reduce our dependence on tourism and create a more diverse and resilient economy.

Future Land Use Framework

The proposed density generally conforms to the Ridgway Master Plan's ("Plan") Medium Density Residential and High Density Residential class with the Plan recommending up to 18 units per acre plus the "Bonus Density" of 4 units per acre. The Plan recommends that the Town apply the Bonus Density for projects that uphold the community's vision for the future through the provision of community benefits. Community benefits identified by the Plan include clustered development with large areas of open space; projects that are closer to the Historic Town Core; a neighborhood that provides exceptional connectivity to nearby trails or a generous amount of green amenities.

The Project will provide critically and urgently needed housing consistent with Plan Goal 3 and associated Plan policies. We believe that this alone should justify the Plan's envisioned Density Bonus. However, the Project

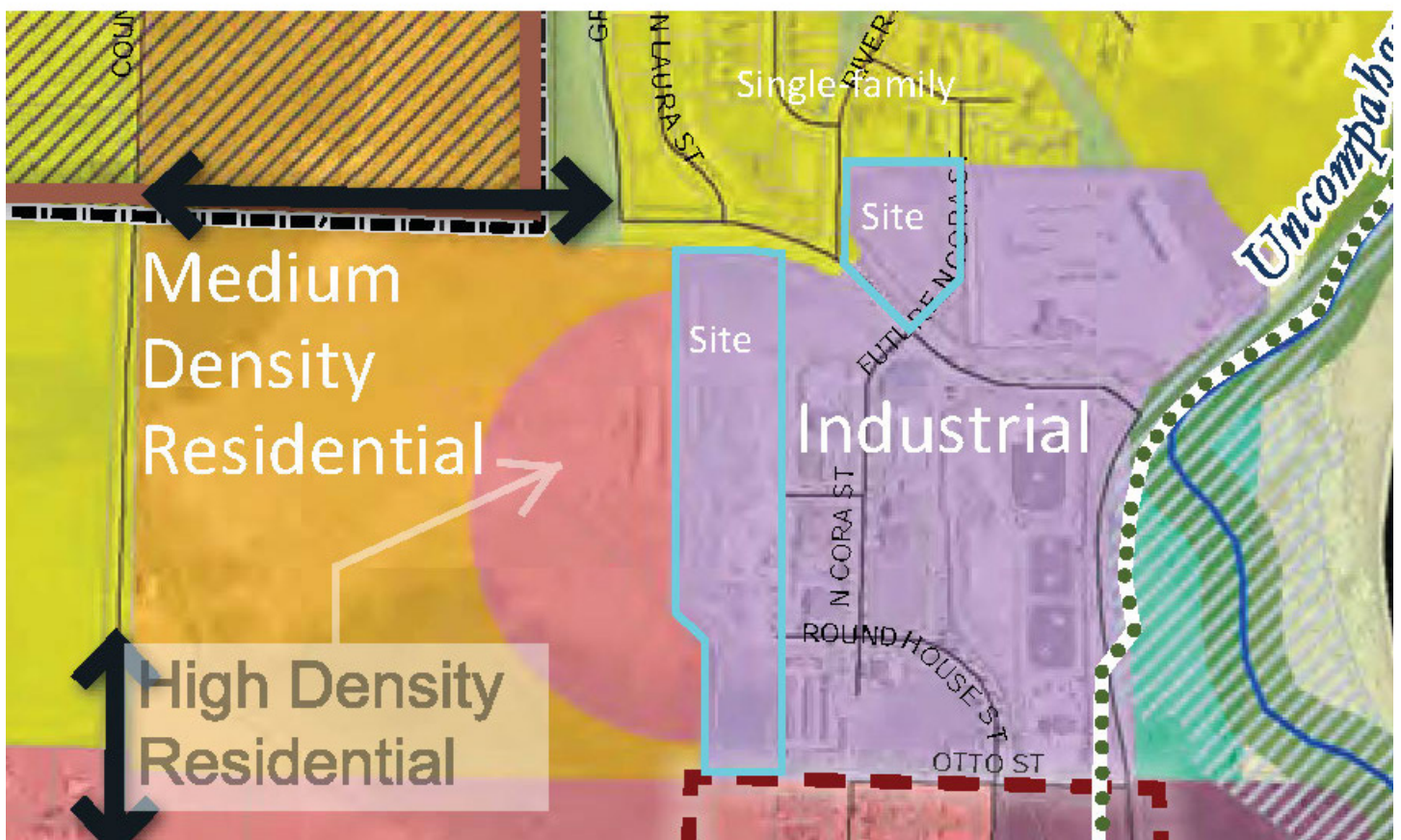
will also provide open space as a part of the overall River Park project, with open space credit currently held by the Property owner, Ridgway, Light Industrial, LLC. The Project will also provide exceptional connectivity to the overall sidewalk and trail system in the area, with new sidewalks linking to the current sidewalk along Railroad Street to the River Trail. A sidewalk will also connect into the street system to the south with easy pedestrian access to the Town Core by a 5 to 10 minute walk by Laura or Cora streets.

Next Steps

To change the use in the property will require the following steps to ensure development is compatible and fits into the broader community and the River Park Neighborhood:

1. Rezoning Process that has Planning Commission Recommendation and Town Council approval. We are proposing to rezone to the Commercial Zone District and to allow multi-family units and live-work units via the PUD process and not by the conditional use permit process.
2. PUD amendment to the Business Park PUD to create a new or amended PUD for the Property that has Town Council hearing and action concurrent with rezoning.

Thus, the overall development plan will be evaluated in several public hearings and will be shaped by community input, Planning Commission direction and recommendations and Town Council direction and actions. The development team will also be reaching out for one or more neighborhood meetings with the River Park Homeowners Association to ensure good communication and hopefully support what we believe is a good change for the community.



River Park Housing Informal Discussion II



Ridgway Planning Commission
August 28, 2018

- ❖ 2016 Town Council and Planning Commission conducted an Informal Discussion with a similar proposal in April of 2016.
- ❖ The consensus of that meeting is that we should move forward with a rezoning and PUD amendment to allow for housing in the River Park light industrial area.

- ❖ The Town initiated the creation of new multi-family zone districts that would have better matched our proposal, and we actively participated in the code amendment process.
- ❖ The Town abandoned the code amendment process and indicated we could move forward with the rezoning and PUD amendment towards the end of the first quarter in 2017.

There is an acute and urgent need for constructing housing in Ridgway due to:

- Employment growth and increase in commuters to Ridgway and Ouray;
- A significant decrease in regional housing construction;
- An extremely tight rental housing inventory with an exceptionally high demand;

- Limited number of planned, proposed, or under construction housing projects;
- Market demand for short-term rentals continues to grow;
- Exponential home price and rental increases; and
- Major employers are having a difficult time recruiting new employees due to housing shortage.

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Master Plan envisions 18 units per acre for Mixed Use Residential and Medium Density Residential with a “density bonus” of up to 22 units per acre for projects that uphold the community’s vision for the future through the provision of community benefits, such as projects that are close to the downtown core, or with exceptional connectivity.



A map showing various land use zones. A yellow zone on the left is labeled 'Medium Density Residential' with a horizontal double-headed arrow. A pink zone in the center is labeled 'Mixed Use Residential' with a vertical double-headed arrow and a pink arrow pointing to it. A purple zone on the right is labeled 'Industrial'. A green hatched area on the far right is labeled 'Uncompah'. Street names include N LAURA ST, RIVER, ELDER CORA ST, N CORA ST, ROUND HOUSE ST, and OTTO ST. A red dashed line is at the bottom.

Medium
Density
Residential

Mixed Use
Residential

Industrial

Uncompah

N LAURA ST
RIVER
ELDER CORA ST
N CORA ST

ROUND HOUSE ST
OTTO ST

Land Use Plan Classifications

Mixed Use Residential	Intended to provide some flexibility in use for existing residences within the Historic Town Core, as well as to provide an effective transition between the Commercial and Mixed Use Business area and nearby residential neighborhoods.
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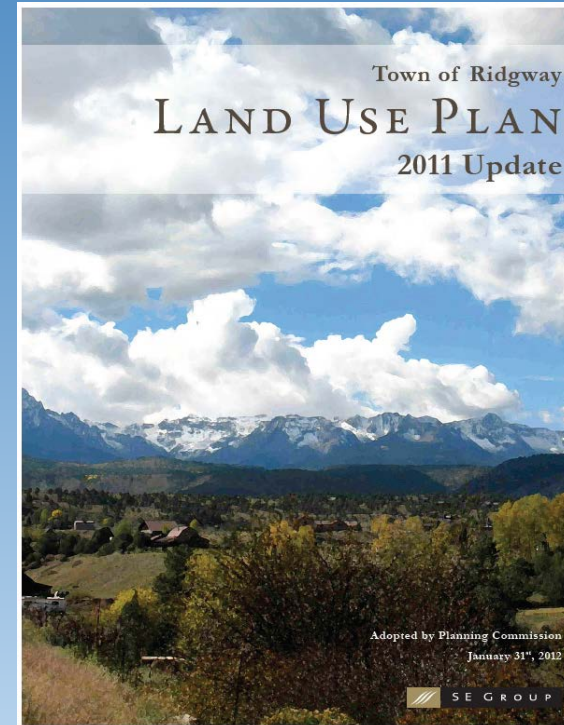
Medium Density Residential	A combination of single-family, duplex, and multi-unit housing development.
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Light Industrial	Include offices and light manufacturing and fabrication. This district is to provide opportunities for employment.
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The proposal is supported by the Ridgway Land Use Plan

Goal 3 Housing: Encourage a diversity of housing opportunities that meet a range of income levels, and complement the Town's existing character and heritage.

- **Encourage a variety of housing types – There are few rental or for sale opportunities.**
- **Encourage context-appropriate non-traditional and adjunct housing, such as live work.**
- **Emphasize public spaces and walkability.**



The proposal is supported by the Ridgway Land Use Plan

Goal 5: Economy. Encourage and facilitate a vibrant, diverse and sustainable local economy that reflects Ridgway's social fabric, values, and character.

- **Ridgway does not have an employment or economic development problem, we have a housing problem.**
- **Remaining light industrial land has sat vacant for over 16 years.**
- **Plan provides for transitional housing to surrounding and envisioned development.**
- **Within a 5 to 10 minute bike or walk of downtown.**
- **Close to schools.**
- **Plan also retains light industrial land for the future.**

- **Land Use Plan envisions residential development next to industrial development so we are trying to improve on this concept with transitional buffers to surrounding development.**
- **The live-work concept provides living spaces over work spaces, while also providing an additional housing and transitional area to the Mixed Use Residential area to the west.**
- **Alley, parking and landscaping will provide buffer to light industrial.**

The workforce housing elements of our proposal include (depending upon ultimate project density):

- Two deed restricted units conveyed to Ridgway.**
- Initially the units will be rented so market will dictate the maximum rent we can charge.**
- No short-term rentals while the units are rented (Town cap will further limit once the units are sold).**
- No subletting of units without landlord consent.**
- Work with the Town staff on final program.**

Our development group looks forward to working with the Town on creating more housing for the community.

Questions?



PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

July 31, 2018

CALL TO ORDER

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

PUBLIC HEARINGS

1. Application for Variance; Location Green Street Park; Address: Green Street; Zone: Residential; Applicant: Ridgway Community Garden; Owner: Town of Ridgway

Chairperson Canright recused himself due to his affiliation as liaison between the Ridgway Community Garden and the Town of Ridgway. Councilor Hunter led the discussion.

Staff Report dated February 28, 2017 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application for variance to exceed the fence height regulations by two feet. She explained the fence will resemble the wildlife fences used along the highway which are made of transparent wire in between wooden fence posts. She explained the variance criteria and noted the Applicant has proven unnecessary hardship, recommending approval of the request.

Kurt Jacobson, Chairman for the Ridgway Community Garden Steering Committee said fence is an approach to "a sustainable way to build a garden," and a taller fence is needed to keep deer, elk and other wildlife out of the plantings in the garden.

Councilor Hunter opened the hearing for public comment.

Sue Husch said she was a member of the first Ridgway Community Garden, and believes there is a precedence because an eight foot fence was used there as well.

Jack Pettruccelli said he would be opposed to a solid fence and requested the Commission to make the transparent fence a condition of the approval.

Councilor Hunter closed the hearing for public comment.

The Commission discussed the application.

ACTION:

Commissioner Nelson moved to approve the Application for Variance for an 8 foot fence for the Ridgway Community Garden, Location: Green Street Park; with the condition that the fence material will be transparent. Commissioner Falk seconded the motion, and it carried unanimously.

Chairperson Canright re-entered the public hearing

2. Application for Deviation; Location: Block 29, Lots 21-22; Address: 325 North Cora Street; Zone: Historic Residential; Applicant: Guthrie Castle; Owners: Guthrie Castle and Shari Braund

Staff Report dated July 31, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

The Town Planner presented an application for deviation from single-family home design standards for a flat roof not fully contained within a parapet that is higher than the adjacent roof. She noted the Applicant's previous request for an appeal on the interpretation of the word "contained" at the June 26, 2018 Planning Commission Meeting. Ms. Coburn reviewed the required design standards in the Municipal Code, noting the applicant has not demonstrated criteria has been met, and recommended the Commission request additional information from the Applicant.

Applicant Guthrie Castle said the roof is architecturally contained and the section of the roof in question cannot be seen from the street. He presented pictures of the structure showing compensating features in the design.

The Commissioners agreed the design has many compensating features to comply with the municipal code.

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

ACTION:

Councilor Hunter moved to approve the Application for Deviation to Single-Family Home Design Standards for Block 29, Lots 21-22; Address: 325 North Cora Street. Commissioner Liske seconded the motion, and it carried unanimously.

3. Application for Conditional Use; Location: Trailtown Subdivision Lot 26-B Amended Plat, Lot 26-B2; Address: TBD Palomino Trail; Zone: General Commercial; Applicant: Chimney Peak Storage, LLC; Owner: Trail Town Partners, LLC

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

Town Planner Coburn presented an application for conditional use for a storage facility because it must meet performance standards. Coburn explained the applicant is proposing to build five 1,600 sq. ft. storage buildings along with a 1,250 sq. ft. office building. Additional buildings may be added in phase two of the project and this application is for the first phase only she added. The Planner explained Lot 26-B2 has a lien on it as part of the Subdivision Improvements Agreement (SIA) with the Trail Town Condominium Subdivision, and it is expired. There are many corrections and improvements to be addressed with the SIA before the lien can be released and she noted staff is working with the SIA holders to resolve the outstanding items. She commented clarification is needed on a drainage swale and its relationship to the proposed drive lane; and the planting and fence line on the northwest side of the property needs adjusting because it is already part of the utility easement.

The Chairperson opened the hearing for public comment.

Guthrie Castle questioned if recreational vehicles (RV) would be stored during the winter.

Owner Julie Wesseling clarified the original request did include RV storage but this request does not include that because the location has changed.

The Chairperson closed the hearing for public comment.

Ned Bosworth, representing the applicant said the enclosed storage units will not be large enough to house RVs. Leaseholders will be required to sign a standard contract about what is allowed to be stored and the area will be well observed making it difficult for questionable activities in the rental lot. Mr. Bosworth also clarified that the swale in the drive lane is not a drainage ditch and no water flows through it.

ACTION:

Commissioner Liske moved to approve the application for Conditional Use; Location Trailtown Subdivision Lot 26-B Amended Plat, Lot 26-B2; Zone General Commercial with the conditions listed in the Staff Report dated July 31, 2018. Councilor Hunter seconded the motion, and it carried unanimously.

4. Application for Plat Amendment; Location: Willow Creek Trading Subdivision including Drashan Condominiums; Addresses: 167, 171, and 189 N Cora St.; 602, 604, and 610 Clinton St.; Zone: Historic Business; Applicant: Willow Creek Trading Subdivision Parking Maintenance Association, Inc.; Owners: Arapaho Partners LLC, 171 N Cora LLC, Christopher Senior, Eka Pada LLC, and Ridgway Chautauqua Society Inc.

Staff Report dated July 31, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

The Town Planner presented an application for plat amendment that is necessary to convert the 2nd floor of lots 2 and 3 into residential units to meet parking requirements in the current shared parking and access area. Ms. Coburn explained the parking area repairs discussed at the June Planning Commission meeting resulted in a reduction to the size of parking space 5 because of drainage needs on Lot 4. The space was proposed to be one foot shorter than the code requires and is instead reduced 4.5 feet of the requirement. The Planner reviewed additional proposed changes to the language in Plat notes J, K and General Plat note 2. She recommended approval of the plat amendment with the conditions outlined in the staff report.

Sue Husch clarified that space 5 was encroaching northward into the drainage area, not space 4. Ms. Husch added the national standard for small car spaces is 13.5 sq. ft., and the request is for the small space to be 14.5 sq. ft.

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

ACTION:

Councilor Hunter moved to recommend approval to the Town Council for the Plat Amendment for Willow Creek Trading Subdivision including Drashan Condominiums; Addresses: 167, 171 and 189

North Cora Street; 602,604 and 610 Clinton Street; Zone: Historic Business; Applicant: Willow Creek Trading Subdivision Parking Maintenance Association, Inc., as presented, and with all the conditions in the Staff Report dated July 31, 2018. Commissioner Nelson seconded the motion, and it carried unanimously.

5. Application for Preliminary Plat Review; Location Ridgway USA Subdivision, Lots 30-34; Address: To-Be-Determined Redcliff Drive; Zone: General Commercial; Applicant: Vista Park Development, LLC; Owners: Ridgway Land Company LLLP

Staff Report dated July 31, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Coburn presented a preliminary plat application for the Vista Park Commons. Coburn explained there are many outstanding items to reconcile and suggested the hearing be continued to provide more time for staff and the applicant to resolve them. However, feedback is needed regarding proposed landscaping measures and the drainage retention area in the Town right-of-way.

Ms. Coburn calculated the landscaping requirements and noted the proposed trees and shrubs exceed what the code requires. However, the applicant has requested to deviate from the single-family-home-design standards on each individual lot by using weed control cloth covered in gravel instead of live vegetation. Home owners could then change the landscaping when a lot is purchased.

Architect Doug MacFarlane representing the applicant said a sidewalk, parallel parking for guests and a landscape berm is being provided along the right-of-way. The location of the 100 ft. right-of-way along Redcliff Drive provides a means to filter silt, slow down water run-off, and will become part of the landscape along the right-of-way. He noted that deeper retention ponds on the property could be used but they tend to be problematic; whereas the more shallow ponds as proposed in the right of way are not and serve a dual purpose. Mr. MacFarlane suggested a maintenance agreement for the greenway. He further explained that new home owners will have the flexibility to do spot plantings if each lot is xeriscape with the weed cloth and gravel; the common area is vegetated and the gravel areas are in the private back yards. He also noted that more landscape would affect the affordable purchase price intention of the project.

The Chairperson opened the hearing for public comment.

Janet Smith suggested using decorative mulch for weed control and landscaping as opposed to the cloth and gravel because the home owner can till the mulch into the soil when changes are made to the landscaping.

The Chairperson closed the hearing for public comment.

The Planning Commission discussed the requests with the applicant and staff. The Commission agreed the applicant should find a solution for the drainage retention area that is not on Town property and the gravel area should be somewhat reduced with the use of other material.

ACTION:

Councilor Hunter moved to continue the Application for Preliminary Plat for Vista Park Commons to the next meeting that is noticeable and that all deficiencies noted in the Staff Report dated July 31, 2018 have been remedied. Commissioner Liske seconded the motion, and it carried unanimously.

6. Application for Temporary Use Permit; Location: Block 22, Lot 5; Address: 749 Sherman Street; Zone: Downtown Service; Applicant: Will McGown; Owners: Will and Eugenia McGown

Staff Report dated July 31, 2018 presenting background, analysis and staff recommendation prepared by the Town Planner.

Planner Coburn presented an application for temporary use to have a travel home parked and intermittently occupied while the new home is under construction. She explained the trailer is lawfully parked on Lot 5, setbacks are being observed and the code allows occupancy for no longer than 30 days on a vacant lot. She also noted the McGown's primary residence is out of state and they will occupy the trailer during brief visits to check on the construction progress.

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

The Commission discussed the application with Staff regarding visibility of the trailer

ACTION:

Commissioner Falk moved to approve the Application for Temporary Use Permit Location: Block 22, Lot 5; Address: 749 Sherman Street; Zone: Downtown Service; Parcel: 430517401004; Applicant: Will McGown; Owners: Will and Eugenia McGown. Commissioner Liske seconded the motion, and it carried unanimously.

OTHER BUSINESS

7. Informal Discussion-Ouray County Draft Ordinance for Establishing Regulations for Non-Commercial Camping

Draft Ordinance NO. 2018-XX: An Ordinance of the Board of County Commissioners of Ouray County, Colorado Establishing Regulations for Non-Commercial Camping, Draft Non-Commercial Camping Permit Application, and Memorandum regarding Draft review dated July 30, 2018 from the Town Planner.

The Town Planner presented the working draft ordinance to the Planning Commission because it could impact the Town. She reviewed concerns stated in the memorandum and asked the Commission for feedback prior to submission to the Town Council, and then to the Board of County Commissioners (BOCC). The Commission agreed with the content of the memorandum. Planner Coburn said she will forward to the Town Council for input, and then to BOCC.

8. Update to the Master Plan Process

Ms. Coburn informed the Commissioners that the survey is still open and only one third of local residents have participated. She asked the Commission to encourage residents to participate in the survey, especially the 20-40 year old population. Planner Coburn noted the survey will close September 3, and a community event is planned for September 27.

9. Conference for the American Planning Association (APA) Colorado Chapter

Town Planner Coburn mentioned the conference will be held October 3-5 in Keystone. She asked that anyone interested in attending the conference contact her.

APPROVAL OF THE MINUTES

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

ACTION:

Commissioner Liske moved to approve the Minutes from June 26, 2018. Commissioner Nelson seconded the motion, and it carried with Commissioners Liske and Nelson abstaining.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk