

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
MARCH 26, 2019

CALL TO ORDER

The Chairperson called the meeting to order at 5:35 p.m. with Commissioners Emilson, Nelson, Councilor Hunter, Mayor Clark and Chairperson Canright in attendance. Commissioners Falk and Liske were absent.

PUBLIC HEARINGS

1. Application for Amended Plat; Location: True Grit Subdivision, Lot A; Address: 109 North Lena Street and 545 Sherman Street; Zone: Historic Business; Applicant: Nathan Worswick; Owner Nathan Worswick

Staff Report dated March 26, 2019 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application for an amended plat to split Lot A of the True Grit Subdivision into two separate lots. She explained that two buildings exist on the lot and the lot split will not *make or require a material change to the extent, location or type of public improvement or easements*. The Planner reviewed the requirements for plat amendment and noted all requirements are met with the exception of the dimensional standards, which requires a variance and the variance is being requested at this time. She noted the dimensional requirements might also be met with a variance due to practical difficulty as explained in the Staff Report and recommended approval of the request for the amended plat with a variance to the rear setback for both lots.

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

The Commission discussed the application and agreed that the requirements for the amended plat had been met and there was a practical difficulty in meeting the rear setbacks required for both lots because the existing buildings on the lot were built to code when developed, and further modifications to achieve the current setback requirements would be impractical.

ACTION:

Mayor Clark moved to recommend approval of the Amended Plat to the Town Council for the True Grit Subdivision Lots A1 and A2. Councilor Hunter seconded the motion, and it carried unanimously.

ACTION:

Commissioner Nelson moved to approve the two Variances to Rear Setbacks as stated in the Staff Report dated March 26, 2019. Councilor Hunter seconded the motion, and it carried unanimously.

2. Application for Deviation to Single Family Home Design Standards; Location: Solar Ranches Filing 2D, Lot 59; Address: TBD Sabeta Drive; Zone: Residential; Applicant: Doug Byerly; Owners: Alex Mitchell and 47 Investment Holdings, LLC c/o Jeff Pryor

Staff Report dated March 26, 2019 presenting background, analysis and staff recommendation prepared by the Town Planner.

Ms. Coburn presented an application for deviation to single family home design standards for a roof pitch of less than the required 3:12 pitch. She explained compensating features are proposed in the structure through varied roof lines, varied heights, varied building mass, and the inclusion of solids and voids so that it will be harmonious with surrounding structures. Coburn recommended approval of the request because the deviation criteria has been met by the applicant.

Property Owner, Jeff Pryor said design approval for the structure has been received from the Solar Ranches Home Owners Association, and the Architectural review Committee.

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

ACTION:

Councilor Hunter moved to approve the Deviation to Single Family Home Design Standards for Roof Pitch, Location: Solar Ranches Filing 2D, Lot 59; Address: TBD Sabeta Drive; based on the application showing multiple types of features to offset the different types of roof pitch throughout the design. Commissioner Emilson seconded the motion, and it carried unanimously.

3. Application for Preliminary Plat; Location: Outlot on RiverSage Planned Unit Development Plat; Address: TBD RiverSage Drive and Chester Court; Zone: Residential; Applicant: Rick Weaver; Owner: RiverSage Ridgway, LLC

Staff Report dated March 22, 2019 presenting background, analysis and staff recommendation prepared by the Town Manager.

Town Manager Jen Coates presented an application to amend the preliminary plat for RiverSage Phase 2 which was previously approved by the Town Council on March 12, 2008. She explained the applicant is requesting that the number of lots proposed for Phase 2 of the development be reduced by four lots, and those lots would not be developed in any current or future filing. The applicant is proposing that the pedestrian bridge and associated lights required in the Security Improvements Agreement (SIA) in Phase 1 be forgiven, thereby releasing both Lot 4 as security and the SIA agreement in full. Coates further explained the SIA was required because the Developer requested to increase the number of developed lots in Phase 1 by one lot, which triggered the requirement of constructing a pedestrian bridge under the PUD regulations, and the Developer agreed to construct the pedestrian bridge and vehicular bridge lights at a later date, after recording the final subdivision plat map. The Applicant is now proposing that Phase 3 lots be removed from the development plan and instead, two of the lots planned for Phase 3 be relocated into the Phase 2 development plan, and the total RiverSage PUD be reduced by 4 lots, from the originally approved 20 lots to a total of 16 residential lots. The Applicant has requested that the pedestrian bridge and bridge lights not be required with the reduction in the total number of residential lots for the PUD. The Applicant is also proposing that the property that would have been developed in Phase 3 now be dedicated to the Town as additional park land for the Dennis

Weaver Memorial Park, and that RiverSage Drive be a dead-end street at the existing cul-de-sac and not extended up through what was originally planned to be Phase 3 of the PUD, land that is now proposed to be dedicated to the Town as part of the Dennis Weaver Memorial Park.

Ms. Coates reviewed the required changes with the plat certificate, plat notes and plat map. She recommended approval of the proposed Phase 2 modifications with dedication of park space to the Town and removal of Phase 3 from the PUD. The Town Manager also noted further considerations such as a pedestrian trail system along Chester Court; visible scaring of the land that could be seen from the highway; the completion of the cul-de-sac on River Sage Drive; the lot frontage for lot 14 has less than a 50' street frontage which will require a variance within the PUD process, and safety lights to be installed on the existing traffic bridge.

Applicant Rick Weaver stated the engineers advised him that Lot 14 will be modified so it will not need a variance, and the foot path on Chester Court would dead end, noting the residents use the road as a pedestrian trail with no complaints. Mr. Weaver said lights are not needed on the existing traffic bridge because there has not been any safety complaints in ten years regarding the lack of lighting, the reflectors currently on the bridge function adequately in the car headlights, the park closes at 8:00 p.m., and the speed limit entering into the park and subdivision is 15 miles per hour.

The Applicant reviewed where the proposed amended "20' fire-access easement" /Dallas Meadows water tank access road would be on the final plat extending west and north to the Dallas Meadows subdivision. He commented the Dallas Meadows Water Association has a road to access their water tank and suggested the easement could be part of the future Town property that would be dedicated to the Town. The Applicant provided Town Staff with a paper copy of a License Agreement dated October 24, 2014 between RiverSage LLC and Dallas Meadows Community Association. =

The Chairperson opened the hearing for public comment.

Rick Taylor and Val Schwarz Dallas Meadows Board members said they may not be able to bypass the Town land dedication to access the water tank that provides service to the Dallas Meadows Subdivision. They said a single use agreement may be needed with the Town to maintain access. They further explained that access to the water tank is difficult on the northern aspect of the subdivision because it is on a 20 degree slope making access extremely difficult to traverse, especially in the winter. They suggested south side access and an agreement similar to the one with RiverSage.

Martin Kemp, Owner of RiverSage Lot 7 asked if the temporary cul-de-sac at the end of Riversage Drive meets the standards to make it permanent. He was assured by the Commission the cul-de-sac would be addressed as a condition for final plat as noted in the Staff Report. Mr. Kemp said the proposed easement needs further examination to ensure the water tank can be accessed and asked if a fire access easement is necessary.

The Chairperson closed the hearing for public comment.

The Commission discussed the application with Staff. The Planning Commission agreed 2 bollard lights should be placed at each end of the existing bridge for safety, most of the criteria in the Staff Report can be resolved at the staff level, the land dedication is a fair exchange to

forgive the pedestrian bridge requirement, and the footpath along Chester Court is not needed because of the reduction in structures to be built in the subdivision.

The Commission thanked the Owners for the land dedication because has resulted in maintaining the skyline, increased the Town's park acreage and will reduce the number of structures in the subdivision.

ACTION:

Mayor Clark moved to recommend approval to the Town Council for the Preliminary Plat for Riversage 2 with the conditions noted in the Staff Report dated March 22, 2019; and with the following conditions: 1. Work with Staff to resolve all issues noted in the Staff Report dated March 22, 2019, 2. Install 2 bollard lights at each end of the existing bridge, 3. Work with Dallas Meadows owners to resolve the Dallas Meadows access road/easement to the water tank, 4. Modify lot frontage on lot 14 to not require a variance. Councilor Hunter seconded the motion, and it carried unanimously.

The Planning Commission paused for a break at 6:50 p.m. and returned at 6:57 p.m.

4. Application(s) for: Variance to Building Height and Building Area Regulations; Variance to Parking Regulations; Application for Conditional Use Permit; Location: Block 28, Lots 6-10; Address: TBD Clinton Street and North Laura Street; Zone: Historic Business (HB); Applicants: Artspace and HHL Architects, c/o Mathew Meir; Owner: Town of Ridgway

Staff Report dated March 26, 2019 presenting background, analysis and staff recommendation prepared by the Town Manager, Town Planner and Community Initiatives Facilitator.

Town Manager Coates presented an application for the Space to Create Colorado which is a state-led initiative for affordable housing. The application included a request for variance to the building height regulations for a 3rd story setback and for a building area of greater than 15,000 sq. ft.; a request for variance to the residential parking regulations for the number of onsite parking spaces and the required access; and a request for conditional use for a building area over 7,500 sq. ft. The proposed project is planned to include 26 live/work units and approximately 3,000 sq. ft. of non-residential space. The units are planned to be deed restricted for a minimum of forty years, with Artspace's model being perpetual deed-restriction Coates stated.

The Town Manager reviewed the Town's process to achieve an affordable housing project which included a feasibility study, market survey, community outreach and feedback including numerous public meetings to review the site plan and architecture, and noted 20 percent of the demand for affordable housing is projected to be met with this project.

Planner Coburn reviewed the code requirements for the variance and conditional use requests. She explained the building design is based on community needs and the general desire to weave affordable housing within the community while respecting its character. Coburn noted the practical difficulty criteria has been met because of the overall programming goals and needs, and in order to achieve the desired number and mix of units for the building. A taller building is required to provide as much onsite parking as possible, with the proposed parking proposed at ground level below and behind the structure. The spirit of the ordinance will be observed because the structure is designed to look like multiple separate buildings with steps

incorporated into the wall structure, as opposed to a single large structure, and the project is completely for public benefit with affordable live/work units, she continued. The Planner further noted the setback reduction for the 3rd story is compensated with varying setbacks for all stories, varied roof lines, angles and other features to avoid a monolithic three-story facade.

The Town Planner explained the variance request for a reduction of 19 required residential parking spaces is reasonable for a development of this size; twenty six parking spaces are being provided onsite; and the site was chosen to place more residences downtown to support local businesses and a vibrant downtown. She further explained a variance for the building area is needed in order to achieve a certain number of affordable workforce units to make the project competitive with tax credit financing and to provide the most benefit to the public as possible.

Ms. Coburn recommended approval of the application because it comports with the Master Plan; the applicant has made significant efforts to meet the code requirements and to address the needs and desires of the community; tax credit projects are extremely difficult to obtain and are competitively awarded; and meeting all of the criteria in the Town Code for a building of this size is not be feasible for this project.

Andrew Michaelson of Artspace said the design team strived to minimize the impact of affordable housing while providing as much affordable housing as possible. Mathew Meier commented he has been involved with many of these projects across the country. He commended the staff for their thorough review and reporting of information. Mr. Meier reviewed renditions of the proposed structure with the audience. The Chief Operations Officer of Artspace, Will Law said they heard loud and clear during the design process that parking was of high interest for the community and Artspace worked hard to address parking and the design was in part driven by the parking requirements and he noted the larger units in the building are usually occupied by cottage businesses that do not necessarily house more adults that otherwise might equate to having more cars.

The Chairperson opened the hearing for public comment.

Eric Johnson encouraged approval of the application saying the benefits outweigh the potential risks and Ridgway might not get another opportunity like this.

Bart Lichtenbelt said he is in favor of affordable housing, expressed concern about the building's tenants utilizing the eight parking spaces allocated for the restaurant across the alley, Kate's Place and questioned how the power lines on the north side of the lot will be addressed.

J.T. Thomas spoke in favor of the spirit and execution of affordable housing. Mr. Thomas further stated that he and his neighbors in the HB District felt immediately impacted by the RAMP (Responsible Acceleration of Maintenance and Projects) project during the development stages and that their concerns were not heard throughout the duration of that project. He said there must be careful consideration regarding parking, staging and development impacts.

Theresa Goge was concerned that the parking study was done in a low census month and asked since the Town is in a partnership for this project, would that also make the Town an applicant for the hearing.

Gary Dick said the mass or facades of the proposed structure do not reflect the history and nature of the area because it is too large, and the Town should set an example for other developers and not consider the lack of financing as criteria for hardship. He distributed photos that illustrated why he felt the building should not be erected in Ridgway.

Patrick O'Leary said this is a "pivotal project" for the Town and is worthy to be supported; he may be impacted most by this development as the owner of adjacent property; the building is needed and it will bring an economic boost to Clinton Street. He said this is a major leap in distinguishing our town to be a truly creative community and a community that walks its talk.

John Baskfield said "this is a great project, a shot to commerce; we must think of the future." He said the parking allowances seem reasonable and agreed with the setback request. He cautioned about the materiality and design at the streetscape level so that it will survive over time.

Clint Estes said, "There is a public panic for parking", and questioned if parking regulations are necessary and stated the building height is a non-issue. He commented the variance process is inefficient and the Town may need to address this but he is in favor of the project and the variance because of the opportunity for his employees not to commute long distances.

Sue Husch spoke in favor and said parking will continue to be an issue; asked about payment in lieu of parking spaces, and questioned where trash storage would be placed.

Jack Petruccelli said this is a pivotal building and development that will put Ridgway into a new development arena. He suggested changing the zoning regulations as opposed to granting variances for the same types of requests (size, parking, etc.).

Sara Marino said the project has a bigger benefit because it helps creatives to afford to live in the community, Artspace brings vibrant projects to integrate the community and keep a place vibrant, and she is in support of the project and variances.

Jim Courson spoke in full support of the project. He encouraged Staff, the Commission and the Community to creatively work toward parking solutions within the code to encourage pedestrian and bike traffic.

Cat Lichtenbelt urged the Town to promote pedestrian traffic as a way to address the parking issue and noted residents need cars to commute out of town.

Kuno Vollenweider felt the pedestrian traffic is a myth because many people in town use cars to drive to locations within the town limits. He expressed concern about residential uses on the ground floor and ice and snow removal, and spoke in favor of the proposed parking and "floating" structure, but was not in favor of the parking variance request or the variance request for the building height. Mr. Vollenweider asked how the water drainage running east and west along the Laura Street alley would be mitigated.

Terese Seal spoke in favor of workforce housing saying this is a "great idea" and makes the community proud, did not think parking is an issue, and suggested a different approach for parking such as public education suggesting the community learn to live differently.

Bob Mann said he is in favor of affordable housing and the Space to Create project. He felt the staging of materials, noise, and fumes from equipment during the RAMP Project had a negative impact on his home in the HB District. Mr. Mann felt his concerns were ignored during RAMP and hopes the residents in the area will be shown respect during this project.

Ashley King spoke in support of the project, approval of variances, and requested the alleyways in the commercial zones be paved due to the impact of increased traffic and erosion during construction.

The Deputy Clerk read letters addressed to the Planning Commission from the following residents:

Rose Mary Janes said she is strongly against the project because the proposed diagonal parking would adversely affect access to her property in the HB District. She suggested more research and community input before moving forward.

William McGown said he is in favor of the project, but is opposed to the third floor and setback variance requests. He said there should be a more thoughtful solution to parking and is concerned about 24 families living in a dense location.

Richard Hamscher said requiring parking for businesses in the Historic Residential (HR) neighborhoods violates the intentions of Ridgway Municipal Code 7-3-8.5. He said there will be “no effective transition” between the HR and HB neighborhoods with the elimination of the parking lot at the corner of Clinton Street and North Laura Street.

The Chairperson closed the hearing for public comment.

The Planning Commission acknowledged the variance process could be revised, and noted the intent of the regulations is not to discourage a project of this size. They explained the Town is the land owner of the property to be used for this development and the land is planned to be leased to ArtSpace to construct and manage the property.

ACTION:

Mayor Clark moved to approve the Variance for Building Height because the maximum heights are associated with the back side of the building and not with the street side building area, and the break-up of the façade of the building with the proposed design addresses the intent of the 3rd story setback; with the conditions listed in the Staff Report dated March 26, 2019. Councilor Hunter seconded the motion, and it carried unanimously.

ACTION:

Councilor Hunter moved to approve the Variance for Parking Access and Residential Parking Area for the number of spaces provided, because criteria has been met as noted in the Staff Report dated March 26, 2019; with the conditions that the alleyways be surfaced, and that a plan is developed to insure drainage issues have been addressed. Mayor Clark seconded the motion, and it carried unanimously.

ACTION:

Councilor Hunter moved to approve the Variance for Building Area greater than 15,000 sq. ft., and the Conditional Use for a building area over 7,500 sq. ft. because criteria have been met as noted in the Staff Report dated March 26, 2019, and due to the additional information presented in this hearing. Mayor Clark seconded the motion, and it carried unanimously.

5. Application for Temporary Use Permit; Location: Cottonwood Creek Subdivision, Lot 11; Address: To Be Determined Elizabeth Street; Zone: Residential; Applicant: Lacy Davis; Owner: Davis Revocable Trust dated July 8, 2013 c/o Dwight and Lacy Davis

Staff Report dated March 26, 2019 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Coburn presented an application for temporary use permit to have a travel trailer parked and occupied on the lot while the residence is being constructed. She explained the applicant may need to park the trailer for 5 months and sanitation has been considered. The Planner noted that while this is allowed in the code for a duration of one year, it must first be approved by the Commission.

The Commission discussed the application with staff for clarification regarding the order the primary residence and accessory dwelling unit would be constructed, and to ensure the trailer would be placed outside the setback.

The Chairperson opened the hearing for public comment.

Kuno Vollenweider asked how the trash, water and sewer will be mitigated while the home is under construction and found the trailer will be self-sufficient, and the applicant is already enrolled into the Town's trash program for the lot.

The Chairperson closed the hearing for public comment.

ACTION:

Councilor Hunter moved to approve the Application for Temporary Use for the Cottonwood Creek Subdivision, Lot 11; Address: To Be Determined Elizabeth Street, for placement of a self-contained travel home, with the conditions stated in the Staff Report dated March 26, 2019, for a maximum period of one year, and with the condition that the Building Inspector issue a Temporary Certification of Completion for the accessory dwelling unit before it is occupied. Commissioner Emilson seconded the motion, and it carried unanimously.

OTHER BUSINESS

6. Update on the Master Plan Process

The Town Planner informed the Commissioners the survey will close March 29. She will review that data from the survey with the consultants and anticipates the plan will be ready for adoption at the next month's meeting.

7. Val Schwark, representing the Dark Skies Committee thanked staff for bring the initiative to the Planning Commission last month and renewed his offer to work with staff to update the outdoor Lighting Regulations in the Municipal Code.

APPROVAL OF THE MINUTES

8. Approval of the Minutes from the Meeting of March 26, 2019

ACTION:

Councilor Hunter mover to approve the Minutes from March 26, 2019. Mayor Clark seconded the motion and it carried unanimously.

ADJOURNMENT

The meeting adjourned at 9:44 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk