

Alpine Planning, LLC

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Town of Ridgway, Colorado
Ridgway Town Council
Sent via Email

June 11, 2019

RE: Ridgway Master Plan Update – Housing Opportunity

Dear Town Council Members,

I am writing this letter to you in my roles as the project planner and as a partner in a potential development of housing, and mixed use (live/work) with service commercial and light industrial uses (“**Project**”). The Project is located in the Phase III Ridgway Light Industrial Area and Parcel D (“**Project Site**”). We do not have any pending or submitted land use applications and may provide comments on the Project to the Council as a part of the legislative Mater Plan amendment process. No ex parte communication rules apply to legislative matters before the Council or Planning Commission. I have attached a memo that I previously provided to the Council to refresh your memory on the Project in Exhibit A.

Housing is the number one issue facing all mountain communities including Ridgway. Most mountain towns would bend over backwards to facilitate a housing development, but we are not finding that the case with Ridgway. We have been working on the Project since 2016, and for the last three months we have been seeking a simple amendment to the pending Ridgway Master Plan update: To envision the potential development of the Project. We hope the Council is supportive of the Project since there are very limited opportunities for providing meaningful and desperately needed housing in the community in concert with employee generating uses. We are therefore respectfully requesting that any Council approval of the Ridgway Master Plan update include the condition:

The Mater Plan shall be amended to allow for housing in the Employment Area either through code amendments to allow for housing and mixed use (live/work) in the light industrial zone districts; by rezoning and/or by PUD amendment with Town review of site specific considerations such as sewer plant setbacks.

A majority of the Planning Commission was supportive of an amendment to the Mater Plan to allow for housing to be considered in the Employment Area at the May 28, 2019 meeting but was talked out of any conditions of approval by the Town Manger due to her statements that the Project Site and whole Employment Area was subject to a setback from the sewer lagoons. She had never presented the sewage lagoon setback as a major issue that would preclude development during our informal discussions with the Planning Commission and Town Council (please refer to project history below). Staff has stated in the past that we could not be located within 500 feet of a sewer lagoon. We informed her and Town staff at the time that the State does not mandate a setback after the establishment of a sewer plant and that it is up to the Town to determine if any sewer lagoon setbacks are needed. This is confirmed by our sewer engineering consulting firm as shown in Exhibit B. The

Town Manager's May 28, 2019 position on opposing the Planning Commission support of a change to the Master Plan was truly surprising and disappointing to us given the Planning Commission support, the clear ability to reduce sewage lagoon setbacks, and the outcomes of our two informal discussions. We had even pointed out to Town staff and the Town Manager that most of our development areas with habitable buildings were located more than 500 feet away as is shown in Exhibit C.

To understand why we are here today I wanted to inform the Council of the Project background with the Town since it provides a framework and lens for how our Project has been treated in the Master Plan update process. We have been working on trying to facilitate the Project since 2016 so we are over three years into this long process with the Town.

1. **Informal Discussion I.** We submitted an informal discussion to the Town in 2016. The official minutes of a joint meeting with the Planning Commission and the Town Council was held as documented in the following excerpt from the April 26, 2016 meeting:

"The Council and Commission agreed the property owner should move forward with conceptual development ideas and make application to request rezoning."

The concept plan presented at that meeting is shown in Exhibit C which included a map that illustrated the sewer plant setback. We were prepared to move forward with the required rezoning and PUD amendment when Town staff asked us to work with the Town on creating new zone districts that would facilitate our project with new zone districts for high density housing and mixed use development (please refer to Section 2 below).

2. **Town Code Amendments.** The Town conducted a discussion of creating new zoning districts in the Town of Ridgway addressing high density residential and multi-use zoning on June 28, 2018. This was the initial conversation that started the formal creation of new zone districts that were eventually called the High Density Residential and Mixed-Use Business Residential Zone Districts. We participated in most of the Planning Commission meetings on the Code amendments through the first quarter of 2017. At some point the Town pulled the plug on this and we had lost approximately one year on our housing project following the Town lead. We do not have any documentation on why the Town Code amendment process ceased. Town staff then said we could move forward with rezoning and the PUD amendment.
3. **Informal Discussion II.** Because our project scope had changed Town staff recommended a new informal discussion application that we submitted in 2018 with a new concept plan as shown in Exhibit D. The August 28, 2018 Planning Commission meeting minutes stated the following regarding this discussion:

"The Commission agreed Area 5 of the map would be good for residential use. They expressed concerns regarding the lack of development of Laura Street, depletion of Industrial Zoned land and the transition of industrial to light industrial to residence. The Commissioners also expressed concerns regarding the access in and out of the subdivision, increased traffic with no map to analyze the load, not enough deed restricted units, and the proposed proximity to the Town's sewer lagoons."

We stated at that meeting that we will work on a Sketchup model and address the Planning Commission's concerns. We did not move forward with submitting a rezoning or PUD amendment application due to the Town's Master Plan update process that was initiated in 2018, knowing that this would be a good time to reflect both the Planning Commission and Town Council's comments during the Informal Discussions I and II.

During all these steps we had numerous emails and meetings with Town staff on the Project that included our attorney, the Town Attorney, the Town Manager and eventually the Town Planner. None of the Town correspondences were negative or against moving forward with a housing project with mixed service commercial/light industrial uses. Some correspondence from the Town Manager are very clear on the path forward. Part of the process presented to the Town included an amendment to the Master Plan (prior to the Town commencing with the Master Plan update) to allow for our desired project. Needless to say we were shocked to see the first complete draft of the Ridgway Master Plan update did not allow for any housing at all in the Employment Area. Thus, we began actively communicating with Town staff, the consultant team, the Planning Commission and Town Council. We are having a really hard time understanding why we have been hitting a wall with Town staff, especially since the Planning Commission and Town Council had viewed housing favorably in the area during our informal discussions. We want to develop a meaningful and substantial housing project with turnkey light industrial and service commercial uses. It is clear to us now that Town staff has some issues with the loss of employment generation land or other unspoken issues. There is more than enough employment land in the Town and our project is compatible with existing service commercial and light industrial uses as documented in my memo shown in Exhibit A.

A few weeks ago, the Planning Commission desired to include an allowance for housing in the Employment Area in the Master Plan update but that was shut down by the Town Manager as discussed above based on an issue that does not exist. You can approve housing within 500 feet of the sewage lagoon, but we are not asking for any setback reduction at this time. We are simply asking for the Town's help to develop urgently needed housing with desired turnkey service commercial and light industrial uses.

I hope that you agree that we need to allow for housing and mixed use development in the Employment Area and to open that door by the above stated condition. A vote to not allow housing and mixed use development in the Employment Area would be significant change of course for the Town on the Project and against housing in the community.

Thank you for your time and consideration.

Respectfully,

Chris Hawkins, AICP
Alpine Planning, LLC

Alpine Planning, LLC

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**MEMO**

Date: April 24, 2019
To: Ridgway Planning Commission and Town Council
From: Chris Hawkins
Subject: **Master Plan Update Comments**

I am providing these comments to the Planning Commission and Town Council for the Master Plan Update as a 13 year resident of the Town with the last 10 years at 730 Sabeta Drive, and as land use planner for the development of Filing 3 and Parcel D.

Alpine Planning, LLC has been working with Ridgway Light Industrial, LLC on a plan to provide critically needed housing for the community within Filing 3 and Parcel D of the River Park Ridgway Business Park PUD (“**Property**”) for the last three years. Some members of the Planning Commission and Town Council may recall that we have completed two informal discussions on our housing plans with refinements made each time to address Planning Commission concerns. We also participated in the abandoned process to create zone districts to facilitate multi-family development that was initiated in part by our proposed development. The most recent informal discussion was held on August 28, 2018 with the following excerpt from the minutes:

“The Commission agreed Area 5 of the map [west of the self-storage area] would be good for residential use. They expressed concerns regarding the lack of development of Laura Street, depletion of Industrial Zoned land and the transition of industrial to light industrial to residence. The Commissioners also expressed concerns regarding the access in and out of the subdivision, increased traffic with no map to analyze the load, not enough deed restricted units, and the proposed proximity to the Town’s sewer lagoons.”

We have been actively participating in the Master Plan Update process with the Planning Commission and Town Council hearings providing the first opportunity where we can discuss land use with the community. We presented a revised concept plan and proposed Future Land Use Plan map revision to Town staff on March 15th. Our current concept plan and proposed Future Land Use Map amendments are shown in Exhibit A.

Our concept is to provide approximately 40 live work units; 46,000 sq. ft. of service commercial/light industrial uses; and 60 to 70 multi-family dwellings with 20 of the multi-family dwelling units deed restricted to an Average Median Income (“**AMI**”) that will be determined working with Town staff. Our initial thought is that the income range for the deed restricted units should be from 80 to 120% of the AMI, with the actual restriction developed during a future rezoning and PUD amendment process. These units would be either for rent or for sale and would be deed restricted for an initial period of 50 years which could be renewed by the Town after a public hearing. The remaining units would be based on the free market rents or sales prices for the area. We will work with the San Miguel Regional Housing Authority and the Town on determining the appropriate unit mix of units and bedrooms, with a variety provided based on market need.

We are respectfully requesting both the Planning Commission and the Town Council consider amending the Future Land Use map as shown in Exhibit A to allow for an innovative development plan that provides for both housing and the desired service commercial/light industrial uses. It should be noted that this area of the Ridgway Light Industrial PUD is located in the I-1 Light Industrial Zone District as shown in Exhibit 2. The uses permitted in both the I-1 and I-2 zone districts cannot “create an adverse impact on adjoining uses from lighting, noise, vibration, glare, smoke/fumes/odor, outside storage or other similar impacts.” Permitted uses in the I-1 Zone District include wholesale uses; service uses (including office buildings, contractor shops, etc); fabrications of limited products and manufacturing; processing and packaging of food and beverages; and storage or warehousing facilities.

Multi-family housing is compatible with the service commercial and limited light industrial uses located to the east in the I-2 Zone District as well as the light industrial uses permitted in the I-1 Zone District. The current light industrial I-2 Zone District area contains approximately 64,430 sq. ft. of floor area, with approximately 53,656 sq. ft. (85%) in service commercial uses (self-storage, business center, professional building, auto service, coffee roaster, etc.), and approximately 9,766 sq. ft. (15%) in true light industrial uses (Bennet Forgeworks, Telluride Millworks). Several these uses could easily be located in the Town’s Commercial Zone District or the Historic Business Zone District.

It is very common to have multi-family housing within or next to commercial or service commercial uses. We have changed the plans to include a live work component on the north side of the site to the west of the current light industrial uses (forgeworks and millworks). The zone district standards prohibit any adverse impacts on surrounding uses, with most uses occurring in closed garages and buildings for large parts of the year. We will ensure all of our renters, owners and others are very aware of the surrounding service commercial and light industrial uses through a document that is provided as a recorded documents with the property and on any leases. This will assure that people are aware that manufacturing and more intensive land uses are occurring in the area.

Here is a summary of why the Planning Commission and Town Council should support amending the Future Land Use Map as shown in Exhibit A.

1. Ridgway does not have an employment or economic development problem, it has a major and urgent housing problem.
2. The Town Community Profile indicates that “At the high end, the amount of non-residential development that could be built within Ridgway’s IGB [Initial Growth Boundary] would more than double the 358,652 sq. ft. of commercial and industrial space currently built”. The 2011 Regional Housing Needs Assessment indicated that the total average commercial job generation rate was 3.35 jobs (employees) per 1,000 sq. ft. This equates to approximately 1,201 employees within the Town of Ridgway today, and another 1,000 plus if the commercial area is doubled. The City of Ouray has even more commercial area and future non-residential capacity. So a critical and urgent question that should be addressed in the Master Plan Update is to get a more accurate number of existing and future employees and determine areas that are appropriate for housing. This may necessitate higher densities than envisioned in the Plan, or more aggressive housing policies in order to create a more sustainable community. Otherwise we are going to continue to force development downvalley and increase the Town’s carbon footprint. Ridgway is already losing community members because there is no housing for locals so we should take the time in the Master Plan Update process to ensure Ridgway will not become a hollowed out, cold bed community.
3. Ridgway should strive to provide housing to a majority of the employees. The only way this can be accomplished is through strong Master Plan and subsequent code policies. Any dwelling unit that is not deed restricted will most likely not be attainable to a large group of employees in

the long run. So we have a long way to go in creating and implementing any meaningful housing program.

4. The Community Profile indicates that there are approximately 74 acres¹ for non-residential growth within the IGB for commercial, mixed use business, light industrial and green enterprise uses. Removing approximately 7 acres for housing and live-work development leaves 67 acres for employment generation and economic development uses. The Town Community Profile states an additional 34.7 acres are located outside the IGB, which brings the total potential non-residential development to over 100 acres. This is an exceptionally high amount of land dedicated to non-housing/ economic development and employee generation uses. Shouldn't the Master Plan Update look at converting these to higher density residential housing development?
5. Employment generation and economic development land remains within the current I-2 Zone District with approximately 2.22 acres of vacant land remaining.
6. There has been very little demand for non-residential development with Filing 3 land remaining vacant for over almost 20 years due to lack of demand for service commercial/light industrial uses.
7. Our plan proposes approximately 46,000 sq. ft. of service commercial/light industrial uses with the developer intending to build some of the units. The current I-2 Zone District area contains approximately 64,430 sq. ft. of floor area, so we are proposing to provide a significant amount of service commercial/light industrial uses.
8. There are few large land tracts within the current Town boundary and the IGB that are (A) next to good infrastructure; (B) good candidates for higher density development; (C) pedestrian oriented; and (D) not zoned Future Development (FD). Thus, there are very limited opportunities for projects in the Town that can provide meaningful housing.
9. The Town Community Profile indicates that "One of the largest constraints to development in Ridgway is, and will continue to be, the availability of necessary infrastructure and services. Over half the Town's residential development is located outside the IGB, and not all areas within the IGB have the infrastructure and services in place that would be necessary to support development." Our development area has the required infrastructure readily available.
10. Multi-family residential is compatible with the existing uses in the I-2 Zone District as shown in Exhibit A, with office buildings, a veterinarian office, self-storage, an auto shop, coffee roaster, general contractors, and similar uses.
11. The existing fabrication businesses are located to the northwest of our proposed multi-family development, with the prevailing wind from the southwest which helps with the limited fumes generated by the shops.
12. The proposed multi-family development is located more than 500 feet away from the existing sewer lagoon. Limited live-work development on Parcel D is proposed within 500 feet. The prevailing wind is from the southwest away from the proposed development areas.
13. Laura Street will be installed within existing and planned rights-of-way with a one-way route from Frederick Street to Roundhouse until the Wolf Cattle Company land is developed (We have approached the Wolf Cattle Company three times for a right-of-way easement but it has refused to provide an easement).
14. A sidewalk will be provided on the east or west side of Laura Street to Frederick Street connecting to the existing sidewalk to the school.
15. The proposed multi-family buildings are located more than 50 feet from the I-2 Zone District property lines. We will provide fencing and landscaping in between the alley parking and the buildings for buffering and screening.
16. We will provide an overall access plan for the development showing how the improvements will provide for safe automobile and pedestrian traffic with appropriate levels of service.

¹ The Community Profile reduced the acreages for the non-residential uses by percentages to account for development efficiencies. So the actual non-residential acreage in the IGB is higher.

Housing is the number one issue facing our community so we sincerely hope that the Planning Commission and Town Council take a deep look into the Future Land Use map and associated Master Plan policies to determine appropriate locations for higher density multi-family and single family development. We have had a project in the pipeline for three years that can provide critically needed housing with 20 deed restricted units and approximately 50 free market multi-family dwellings; 40 live-work units; and 46,000 sq. ft. of service commercial/light industrial uses. This will provide for meaningful housing that is compatible with surrounding area development while also providing the desired service commercial/light industrial uses.

We appreciate the efforts of the Steering Committee, Planning Commission, City Council, Town staff, and the consulting team on the Master Plan Update, and look forward to the Master Plan meetings.

20 Live-Work
Dwellings above
23,180 sq. ft. Light
Industrial/Service
Commercial

20 Live-Work
Above
23,180 sq. ft. Light
Industrial/Service
Commercial

Exhibit A

Multi-family
Dwellings

- Telluride Millworks
- Colorado Boy Depot
- Bennett Forgeworks
- Standing Mtn. Professional Bldg.
- Ridgway Animal Hospital
- Ridgway Business Center
- Sunset Auto
- Ridgway Plumbing
- Ridgway Self Storage
- Valley Flooring
- Old Black Hills Energy Office
- Greenblock Storage
- isun Skincare
- San Juan Huts
- Exotic Earth Coffee Roasters
- Single-family home

SMPA

Railroad

Sewer

Roundhouse

Otto

SHEET 5

STREET

REVISION 40.32

Replat of Outlot P2/A
Reception N o. 186268

Replat of Outlot P2/A
Reception N o. 186268

Lot A

Filing 3
Area

Parcel D

Parc

Tract E
SMPA

Replat of
Outlot P2-A

Frederick St

Otto Street



June 11, 2019

Chris Hawkins, AICP
Alpine Planning, LLC
523 Clinton Street, Ste. 2
Ridgway, CO 81432

EXHIBIT B

JVA, Incorporated
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RE: Lagoon Wastewater Treatment Facilities Residential Setback Requirements

Dear Chris:

The Colorado Department of Public Health and Environment (CDPHE/Division) Water Quality Control Division Regulation 22, *Site Location and Design Approval Regulation for Domestic Wastewater Treatment Works* (5 CCR 1002-22) provides the regulatory framework for the review of new and expanded wastewater treatment works. Section 22.3(2)e (Section) specifically pertains to Odor, Noise, and Aerosol Mitigation from Domestic Wastewater Treatment Works. Per the Regulation 22 Guidance Document (Guidance Document), this section was developed to provide a consistent approach to addressing potential neighbor concerns while still protecting public health and the environment.

The proposed setbacks for new wastewater treatment facilities from habitable structures, as stated within this Section are developed primarily for mitigation of odors. Habitable structures include residences, schools, and commercial structures. For new wastewater treatment facilities, the Guidance Document provides setbacks dependent on the type of facility/ technology employed. For new facilities, habitable structures are still permitted within the setback limits under the conditions that any new wastewater treatment works incorporate odor control mitigation techniques.

For wastewater treatment works increasing treatment capacity, the setbacks required for new wastewater treatment works from habitable structures to reduce the need for odor control are not often feasible; as it is common for communities to grow towards the envelope of the wastewater treatment works site. The Guidance Document states “where a new habitable structure(s) has been built near the original approve site location boundary after the construction of the original domestic wastewater treatment works, the Division and the applicant shall consider whether the proposed changes will increase the already existing odor levels at those new habitable structures and whether the existing facility already impact public health, welfare, and safety as related to wastewater treatment and/or water quality.” Requirements for the expanded facility to provide odor control will depend on the results of this evaluation.

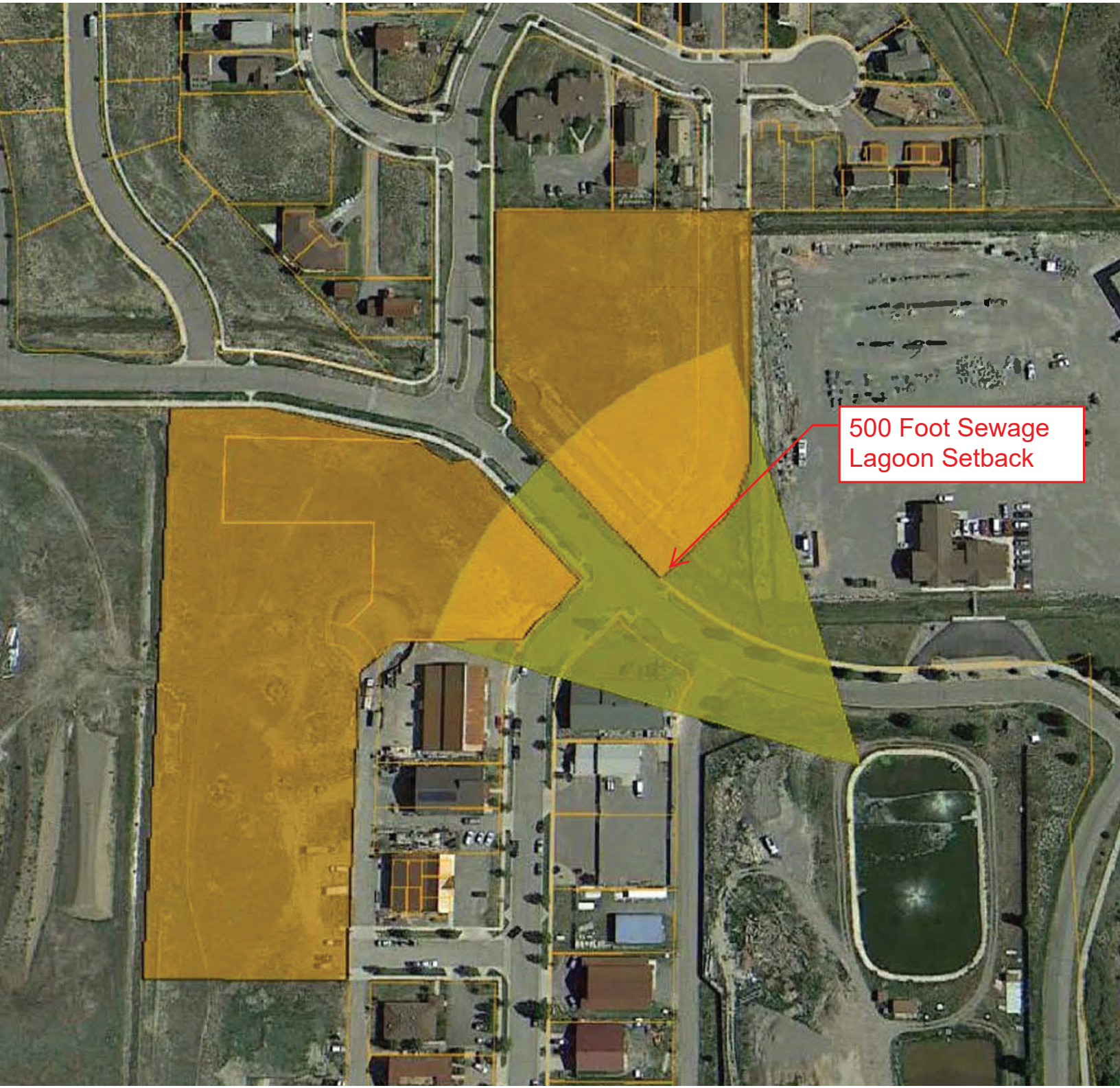
In no instance within the Site Location Regulatory Framework does the Division provide specific setbacks required for habitable structures or new developments in relation to an existing or proposed wastewater treatment works site. If there are questions regarding this regulation or the information provided above, please do not hesitate to contact me.

Sincerely,
JVA, INCORPORATED

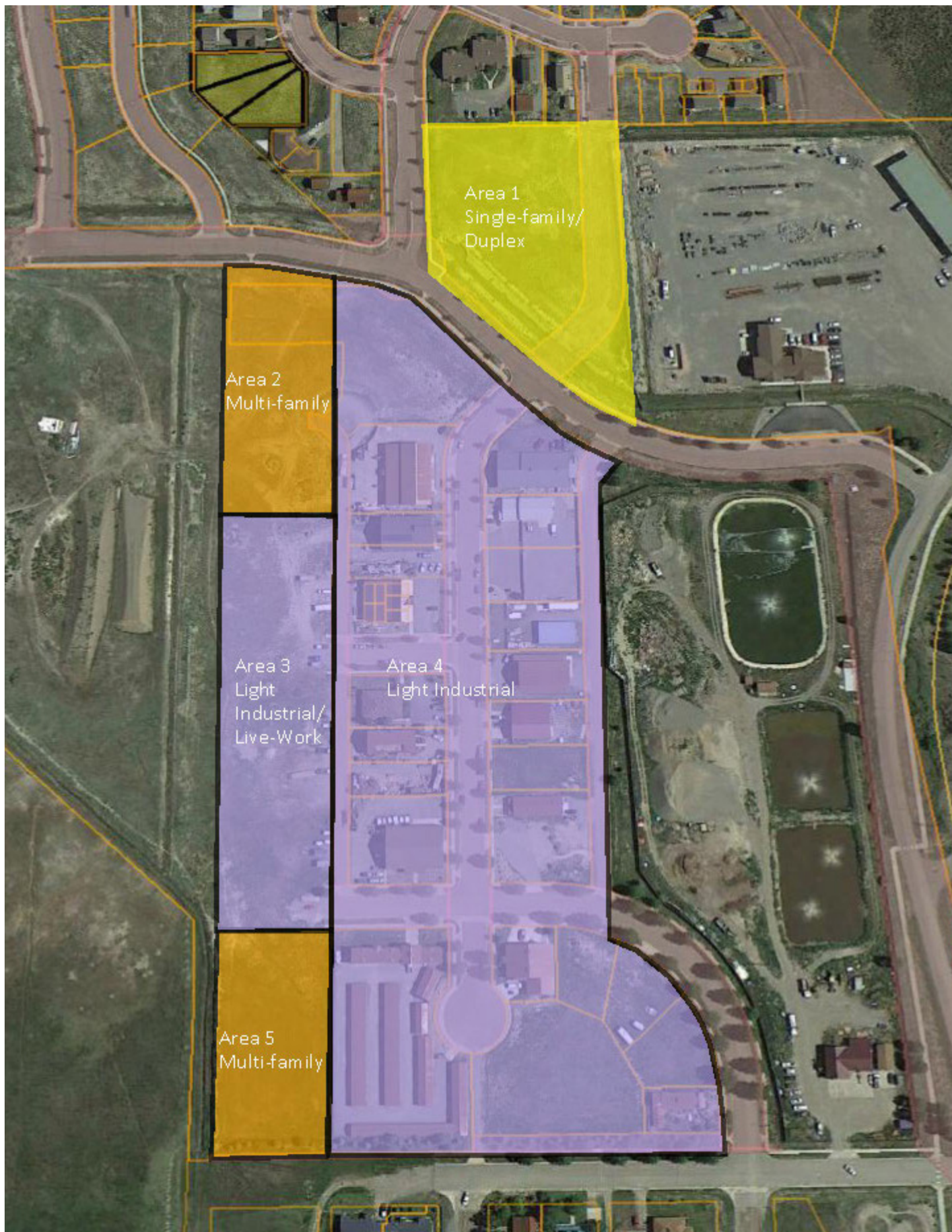
By: _____
Leanne Miller, P.E.
Project Manager

Block 8, 9 and 10:
Condominiums

Parcel D:
Duplexes and
Townhomes



500 Foot Sewage
Lagoon Setback



Area 1
Single-family/
Duplex

Area 2
Multi-family

Area 3
Light
Industrial/
Live-Work

Area 4
Light Industrial

Area 5
Multi-family