

## RIDGWAY PLANNING COMMISSION

### AGENDA

Tuesday, January 28<sup>th</sup>, 2020  
Regular Meeting; 5:30 pm  
Ridgway Community Center  
201 North Railroad Street, Ridgway, Colorado

**ROLL CALL:** Chairperson: Doug Canright, Commissioners: Tessa Cheek, John Clark, Thomas Emilson, Larry Falk, Bill Liske, and Jennifer Nelson

#### PUBLIC HEARINGS:

1. **Application:** Variance, request for building envelope relocation; **Location:** RiverSage PUD – Filing No. 1, Lot 4; **Address:** TBD RiverSage Drive; **Zone:** Residential (R); **Applicants:** David and Ellie Kehmeier **Owner:** Kehmeier 2000 Living Trust

#### OTHER BUSINESS:

2. Master Plan Implementation: Land Use Code Updates Phase 1, Address Housing. A reminder to the Commission that a workshop is planned to discuss this Monday, February 10 at 6pm, Ridgway Community Center.

#### APPROVAL OF MINUTES:

3. Minutes from the meeting of December 3, 2019
4. Minutes from the meeting of January 7, 2020

#### 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, January 28<sup>th</sup>, 2020 at 5:30 p.m., to receive and consider all evidence and reports relative to the application described below:

Application for:       **Variance, request for building envelope relocation**

Location:               **RiverSage PUD – Filing No. 1, Lot 4**

Address:                **TBD RiverSage Drive**

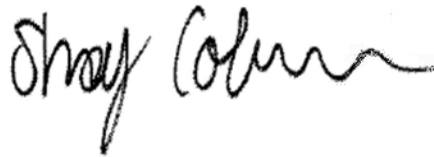
Zoned:                  **Low-Density Residential (R)**

Applicants:            **David and Ellie Kehmeier**

Property Owner:       **Kehmeier 2000 Living Trust**

**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: January 17, 2020

---

Shay Coburn, Town Planner

## STAFF REPORT

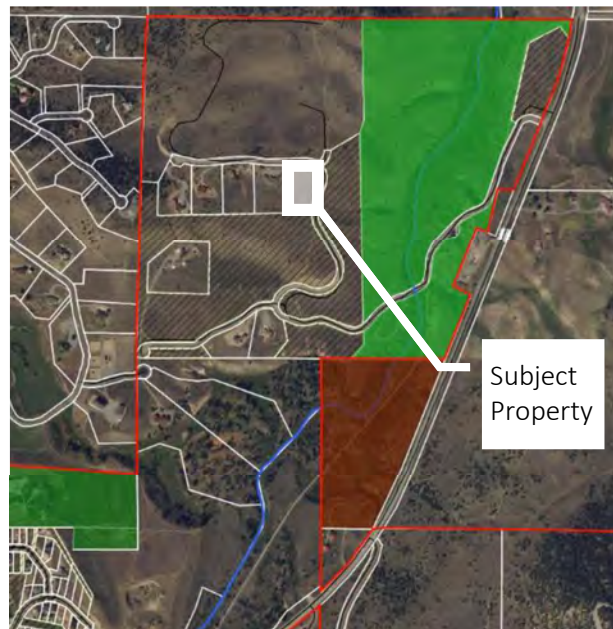
**Request:** Variance, request for building envelope relocation per plat map  
**Legal:** RiverSage PUD – Filing No. 1, Lot 4  
**Addresses:** TBD RiverSage Drive  
**Parcel #:** 430509211004  
**Zone:** Low-Density Residential (R)  
**Applicants:** David and Ellie Kehmeier  
**Owner:** Kehmeier 2000 Living Trust  
**Initiated By:** Shay Coburn, Town Planner  
**Date:** January 28, 2020

### REQUEST

Phase 1 of the RiverSage Subdivision was platted in 2009 at Reception No. 200985. The subdivision is the northern boundary of the Town. The properties are zoned Low-Density Residential and are each roughly 2 acres in size with approximately half-acre building envelopes surveyed and platted for each lot. Lot 4 is the middle of the development, on RiverSage Drive. This variance request is to relocate the building to improve views, minimize visual impact of the residence, and minimize impacts to create access/a driveway.

Submitted with this application are the following:

- Hearing application and fee
- November 8, 2019 letter to RiverSage HOA Design Review Board requesting approval to change the building envelope
- November 11, 2019 letter from RiverSage DRB approving the request for building envelope relocation
- November 8, 2019 email from neighboring Lot 5 owner supporting the request to move the building envelope
- Warranty Deed and Certificate of Trust
- Site Plan, floor plans, elevations and 3D images



The property and hearing have been noticed and posted pursuant to the Town's regulations.

### REQUIREMENTS

#### Plat Map

There are a couple of plat notes on the RiverSage P.U.D. - Filing No. 1 plat map that are related to this request. Plat Note 7 identifies the intent of the building envelopes, HOA approval, procedures for relocating building envelopes (including implicating review procedures in Municipal Code Section 7-3-18), review considerations, and requires a survey and new plat recording with any approved envelope relocation. Plat Note 8 prohibits any excavation or locating of the septic or leach field outside of the building envelope

without receiving a variance from the Town. Plat note 8 was amended on 12/07/2016 under reception number 217549 in the Ouray County records. The variance criteria specified in Plat Note 8 do not appear to apply to this request. The criteria and procedures in Plat Note 7 are being applied to this request.

Plat Notes 7 reads as follows:

**7. BUILDING ENVELOPE LOCATION.** This Plat Designates a Building Envelope on each lot which is approximately one half acre (21,780 square feet) in size, or smaller. Building Envelopes have been located by the Declarant in locations designed to minimize the visual and environmental impact of the homes in the subdivision. Building Envelopes may be relocated only if a Lot Owner follows the following Process:

**A.** A Lot Owner must apply for and receive written approval from the RSHOA DRB to relocate the building envelope. The RSHOA DRB shall only approve the relocation of the Building Envelope if it finds that the new location will mitigate the visual impact of the structures on the Lot in a manner equal to or better than the original building envelope. In making this determination, the RSHOA DRB may take into account the lot contours, proposed home design, proposed landscaping, solar access and the location of the neighboring building envelopes.

**B.** The Lot Owner must apply for and receive approval from the Ridgway Planning Commission. The Lot Owner must submit all application materials requested by Town Staff and pay a fee equal to the fee charged by the Town for an application for other land use reviews. The application and review procedure by the Town Planning Commission shall be as set forth in RMC section 7-3-18 as the same may be amended in the future. The Planning Commission shall only approve the relocation of the Building Envelope if it finds, after a public hearing, that the new location will mitigate the visual impact of the structures on the Lot in a manner equal to or better than the original building envelope. In making this determination, the Planning Commission may take into account the lot contours, proposed home design, proposed landscaping, solar access and the location of the neighboring building envelopes.

**C.** Upon approval of the Town Planning Commission, the Lot Owner shall, at his sole expense, record a "Building Envelope Relocation Plat" prepared by a licensed surveyor, which has the signatures of both the RSHOA DRB and the Town Planning Commission.

#### **RMC §7-3-18 Review Procedure**

*(A) All requests for approval of an appeal, a variance, a conditional use, a change in a nonconforming use, or other action which is required to be reviewed pursuant to this Subsection by these Zoning Regulations or other Town Ordinances, shall be reviewed by the Planning Commission, or Board of Adjustment, as provided in these Regulations.*

*(B) The applicant requesting approval of a variance, appeal, conditional use, change in a nonconforming use, or other action required to be reviewed pursuant to this Subsection shall submit an application upon forms supplied by the Town accompanied by any other required information or information which he may desire to submit. A single application may contain a request for more than one action. The application shall be accompanied by application fees as set by Subsection 7-3-20. No formal application need be submitted or fee paid for action initiated by the Town or Planning Commission.*

*(C) A hearing shall be set before the appropriate Board after receipt by the Town of a properly completed application form and all other required information.*

*(D) Notice of the hearing shall be posted at Town Hall 10 days before the hearing and posted, visible from each street frontage abutting the property, for at least 10 days prior to the hearing in addition to any other notice required by Town regulations. (Ord 14-1998)*

*(E) At the hearing scheduled, the applicant and other interested parties may appear and present such evidence and testimony as they may desire. Anyone presenting evidence or testimony shall be subject to cross-examination by other interested parties, although the Reviewing Board may limit testimony, evidence, and cross-examination which is merely cumulative and is not required to follow any set procedure during the hearing, nor to strictly follow the Rules of Evidence as applied by the Courts. The hearing may be tape*

recorded or otherwise electronically recorded. The applicant, or other interested party may, if he desires, have the hearing recorded by a court reporter, at his expense. The hearing may be continued from time to time as necessary. The burden is upon the applicant in all cases to establish that all applicable criteria for any action are met, including proper notice.

(F) The Reviewing Board shall announce its decision within 20 days of the completion of the hearing. It shall not be necessary for the Reviewing Board to provide written findings or conclusions, except upon the request of the applicant, or other party appearing or participating in the hearing. The decision of the Reviewing Board with respect to requests for approval of a variance, conditional use, or change in a nonconforming use, or appeal shall be final, subject only to review by certiorari in the courts. The Town shall have the right to appeal any such decision to the courts. Upon the filing of an appeal or request for review in the courts, the Town shall cause a transcript of any tape recording of the hearing to be made and certified to the court, and the party filing such appeal or such review, shall pay the Town the reasonable cost incurred in producing such transcript, unless such party has a transcript produced by a court reporter at his expense.

(G) The Reviewing Board may approve the requested action only upon finding that all applicable criteria and requirements of these Zoning Regulations or other Town ordinances have been met. If it determines that such criteria have not been met, the application shall be denied. The application may be granted upon conditions or limitations which the Reviewing Board determines are necessary in order to ensure that the applicable criteria are met. Such conditions or limitations shall be provided to the applicant and interested parties, in writing, as part of the decision.

## ANALYSIS

This request is to move the building envelope to the north. The diagram to the right shows the existing building envelope in black and the proposed relocated envelope in red. It should be noted that per Plat Note 8, building or septic systems cannot be located outside of the building envelope. The Applicant has stated that they will comply with Plat Note 8 and are not requesting a variance to that note.

### Plat Note 7 Requirements

A. RSHOA DRB Approval - Letter dated November 11, 2019 from the RSHOA DRB approves this request to relocate the building envelope.

B. Approval from the Ridgway Planning Commission - Through a public hearing, the Commission will determine if the relocated building envelope “will mitigate the visual impact of the structures on the lot in a manner equal to or better than the original building envelope. In making this determination the Commission may take into account the lot contours, proposed home design, proposed landscaping, solar access and the location of the neighboring building envelopes.”



a. Lot contours – It appears as if access from the north of the lot will reduce the amount of excavation needed to install a driveway in order to access to the property. This is similar to neighboring lots to the west. Also, the current building envelopes straddles a natural drainage path for the neighboring lots and building on or very near this natural drainage ways is not preferable.

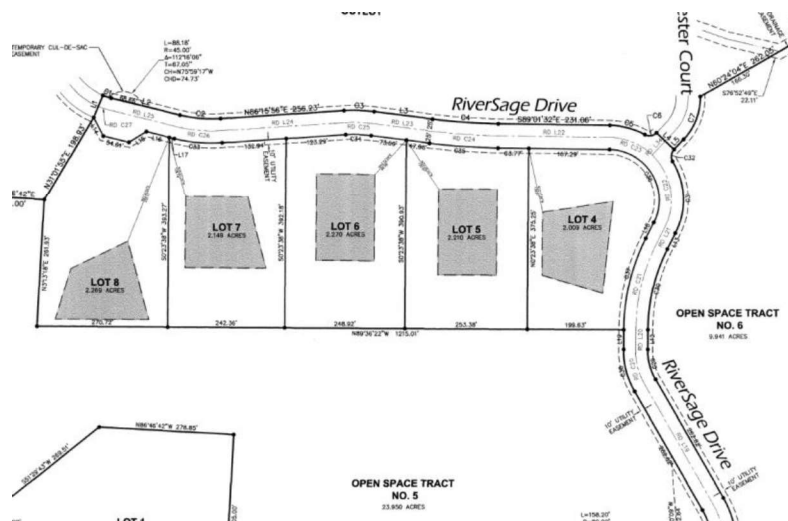
b. Proposed home design – It appears as if the proposed home design is similar to those neighboring lots to the west. This includes a single story visible from the portion of RiverSage Drive that runs east west and a second floor below that serving as a walkout level. See graphic below looking at the proposed home from about the northeast, or near the intersection of RiverSage Drive and Chester Court.



c. Proposed landscaping – while a landscape plan for this lot is not present with this application, the Applicant mentioned in their letter that there are mature trees that would have to be removed if they had to build in the existing building envelope. In this type of large lot development, it is preferable to preserve as much of the native landscape as possible and was one of the original intents of this subdivision. The landscape plan will be reviewed at upon submittal for a building permit.

d. Solar access – solar access for the neighboring lot should not be affected. By moving this building envelope to the north, and up higher in elevation, solar access should be improved for the Applicant.

e. Location of the neighboring building envelopes – Lot 5 is the closest and only neighboring lot to the west. See snapshot below from the plat map. By siting this building envelope further north, this will preserve views of the Cimarron range for neighboring Lot 5 and reduce the overall visual impact to that one neighbor. The Applicant has summited an email from the owners of Lot 5 stating their support for this application.





### C. Survey and record a new "Building Envelope Relocation Plat"

This will need to happen with any approval of the Commission to relocate the building envelope, and will need to occur before any building permit could be issued. The plat certificates for the RSHOA DRB and Town Planning Commission need to be present as indicated by Plat Note 7. The plat will need to be prepared, signed by the HOA and surveyor, and then submitted to the Town for review and signatures. Town will record the plat map and request reimbursement from the Applicant. For an example, see the plat recorded at reception number 216707 in Ouray County records. The Applicant has already contacted staff to begin to work on this requirement.

---

### STAFF RECOMMENDATION

The burden is on the Applicant to prove the criteria have been met. It appears as if the criteria have been met through the detailed materials submitted. Staff recommends approval of this application to amend the building envelope for Lot 4 RiverSage PUD Filing 1.



*Posted notice from RiverSage Drive looking southwest.*



Official Use Only

Receipt # \_\_\_\_\_

Date Received: 11/20/19

Initials: SC

## Planning Commission Hearing Request

### General Information

Applicant Name

David and Ellie Kehmeier, TTE

Application Date

11/15/2019

Mailing Address

6620 Creekview Court, San Jose, CA 95120

Phone Number

408-859-3283

Email

djkehmeier@sbcglobal.net

Owner Name

David and Ellie Kehmeier, TTE

Phone Number

408-859-3283

Email

djkehmeier@sbcglobal.net

Address of Property for Hearing

905 Riversage Drive, Ridgway, CO 81432

Zoning District

Residential

### Brief Description of Requested Action

Approval to relocate the building envelope on Riversage Lot 4

### Action Requested and Required Fee Payable to the Town of Ridgway

<input type="checkbox"/> Temporary Use Permit per 7-3-13(C)	\$150.00	<b>Subdivisions per 7-4 unless noted</b>	
<input type="checkbox"/> Conditional Use per 7-3-14	\$250.00	<input type="checkbox"/> Sketch Plan	\$300.00 (+ \$10.00/lot or unit)
<input type="checkbox"/> Change in Nonconforming Use per 7-3-15	\$150.00	<input type="checkbox"/> Preliminary Plat	\$1,500.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Variances & Appeals per 7-3-16	\$250.00	<input type="checkbox"/> Preliminary Plat resubmittal	\$750.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Rezoning per 7-3-17	\$250.00	<input type="checkbox"/> Final Plat	\$600.00
<input checked="" type="checkbox"/> Other Reviews Pursuant to 7-3-18	\$250.00	<input type="checkbox"/> Minor Subdivision	\$450.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Variance to Floodplain Reg. per 6-2	\$150.00	<input type="checkbox"/> Lot Split	\$450.00
<input type="checkbox"/> Master Sign Plan Pursuant to 7-3-12	\$150.00	<input type="checkbox"/> Replat	\$150.00 (+ \$25.00/lot or unit)
<input type="checkbox"/> Deviations from Single Family Design	\$175.00	<input type="checkbox"/> Plat Amendment	\$250.00
Standards per 6-6		<input type="checkbox"/> Planned Unit Dev. per 7-3-11	See Preliminary and Final Plat
<input type="checkbox"/> Other	\$ _____	<input type="checkbox"/> Statutory Vested Rights per 7-5	\$1,500.00

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.

#### For 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).

#### For Changes in Nonconforming Use

- ☐ Description of existing non-conformity.

#### For Variances

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



#### For Rezoning


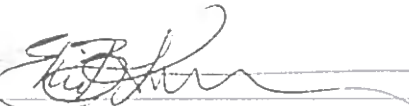
- ☐ Legal description, current zoning, and requested zoning of property.

#### For Subdivisions

- ☐ 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.*

  11/15/2019  
Applicant Signature Date

  11/15/2019  
Owner Signature Date

**Attachments:**

1. Letter to Riversage HOA Design Review Board (DRB) requesting approval to relocate building envelope.
2. Riversage HOA DRB approval letter
3. Approval email from neighboring Lot 5 owner (Kent)
4. General Warranty Deed (proof of ownership)

November 8, 2019

To the Members of the Riversage HOA Design Review Board (DRB):

Per Note 7 of the Riversage Plat, we hereby request written approval from the DRB to change the building envelope on Riversage Lot 4.

The general design concept for the home we plan to build on Lot 4 is a main level above a “walk-out basement.” The main level will include the primary living areas, the garage, and main entryway. The home will be oriented to optimize views of the San Juans to the south and Cimmarons to the east. For ease of access, and to minimize visual impact to ourselves and neighboring lots, the parking area will be located north of, and at the same elevation as the main level. If necessary, we will construct a berm to hide the parking area from the road and lots to the north. The existing homes on Lots 5-6 have similar configurations.

Based on this design concept and the topography of Lot 4, we would like to relocate the existing building envelope to the north and change its shape as needed for the following reasons:

- The topography of the northwest corner of Lot 4 is relatively flat, so siting our home up the slope to the north will significantly reduce the amount of excavation needed to create a level parking area north and “behind” the home. This will also minimize the length of the driveway (and its associated excavation), as we would access the home from Riversage Drive on the north side of the lot. This home site location will also decrease the trenching needed for utility access.
- The existing building envelope straddles a natural drainage for the neighboring lots. Any structures or landscaping in this area would impede the natural drainage of the neighborhood. Likewise, the leach field for the septic system should not be located near the natural drainage area.
- Given the location and orientation of the home on Lot 5, siting our home within the existing building envelope places it directly in the sight line to the Cimmarons of the Lot 5 home. Siting our home as far to the north as possible will significantly reduce its visual impact on the Lot 5 home. We have spoken to the owners of Lot 5 (the Kents) and they approve.
- Siting the home as far north and west as possible will likely avoid having to remove existing trees that are too mature to be successfully transplanted to other locations on the lot. This will also create a larger, uninterrupted wildlife corridor to the south. Both factors help realize objective #5 of the Riversage Design Guidelines and Standards: “To preserve and protect natural resources within the subdivision and to preserve the natural environment for all wildlife which exists throughout the property.”

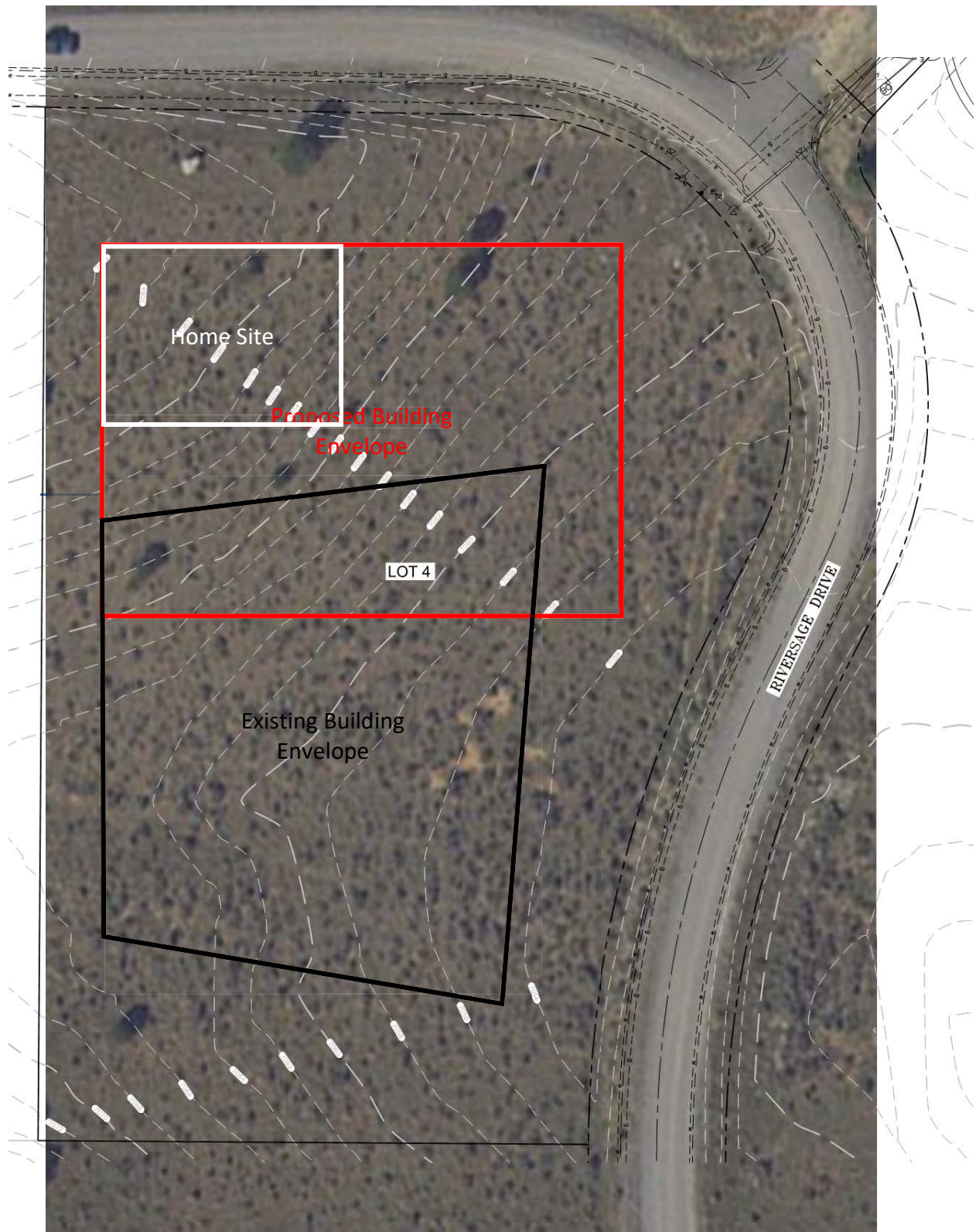
To meet the setback requirements of the Riversage Design Standards and Guidelines, no part of the new building envelope will be within 50 feet of any roadway or within 15 feet of any lot lines. Also, the enclosed area of the new building envelope will be no greater than that of the existing building envelope (0.5 acres).

The attached drawing shows the current and proposed building envelopes along with a general location for the home site itself. The drawing is not to scale; locations and sizes are approximate.

Thank you for considering this request. Please let us know if you have questions or need additional information.

Sincerely,

Dave and Ellie Kehmeier





RIVERSAGE RIDGWAY. LLC  
P.O. BOX 557, Ridgway, CO 81432  
970-275-8866  
rweaver2401@gmail.com

November 11,2019

TO: Ridgway Planning Commission  
FROM: RiverSage DRB  
RE: Lot 4 Building Location Relocation Approval

To the Ridgway Planning Commission:

David Kehmeier, the new owner of RiverSage Lot 4, is requesting to relocate his 1/2 acre building envelope. Pursuant to Plat Note #7, the RiverSage Design Review Board has met and approved his application. Thank you for your consideration and assistance.

Regards,

Rick Weaver

RiverSage DRB

**From:** kelvin kent kelvinbeckykent@gmail.com

**Subject:** Re: Request for DRB Approval to Change the Building Envelope on Lot 4

**Date:** November 8, 2019 at 12:38 PM

**To:** Dave Kehmeier djkehmeier@sbcglobal.net

**Cc:** Kelvin Kent kelvinbeckykent@gmail.com, Sarah Marino sarahmarinophoto@gmail.com, David Young gdavidyoung@hotmail.com, Kim Hughes kdhughes2008@gmail.com, Rusty Weaver ruslonweaver@gmail.com, Rick Weaver rweaver2401@gmail.com, Ellie Kehmeier ekehmeier@yahoo.com



As you all know, we are the adjacent lot and the ones to be most affected. We have looked at the impact of moving the building pad as Dave has indicated and have no problems with this.  
Kelvin and Becky

On Nov 8, 2019, at 12:48 PM, David Kehmeier <[djkehmeier@sbcglobal.net](mailto:djkehmeier@sbcglobal.net)> wrote:

Hi Everyone -

I met with three local architects while I was in Ridgway in September to discuss designing and building our home on Lot 4. All three of them recommended we consider moving the building envelope to the north for the reasons explained in the attached letter, which is our formal request to the Riversage Design Review Board for approval to make the change.

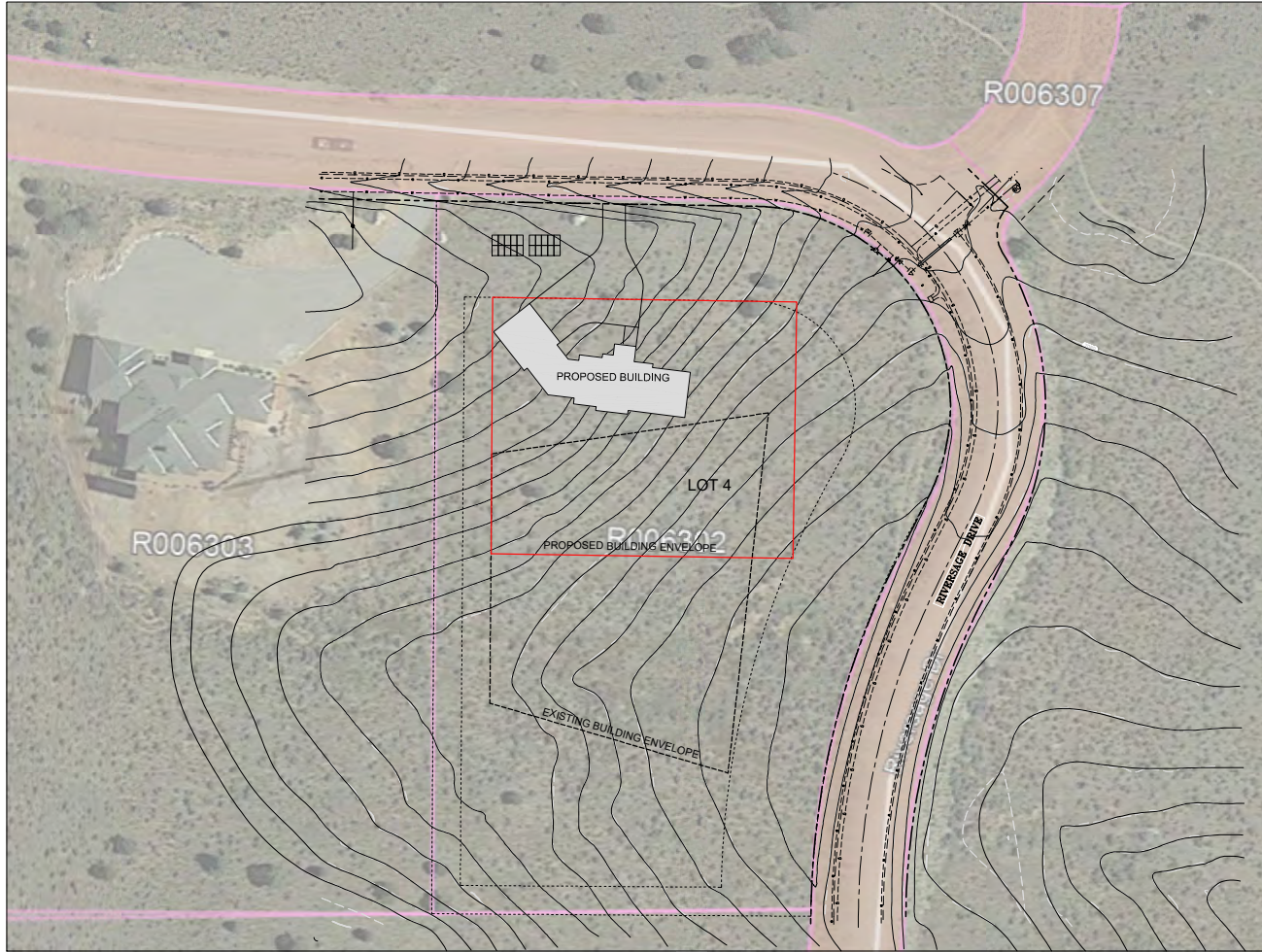
If you approve this request, we would like to go before the Ridgway Planning Commission in December or January at the latest. They require a written approval from the DRB, which I assume would be in the form of a signed letter.

Please let me know if you have questions or need anything else from me to approve this request.

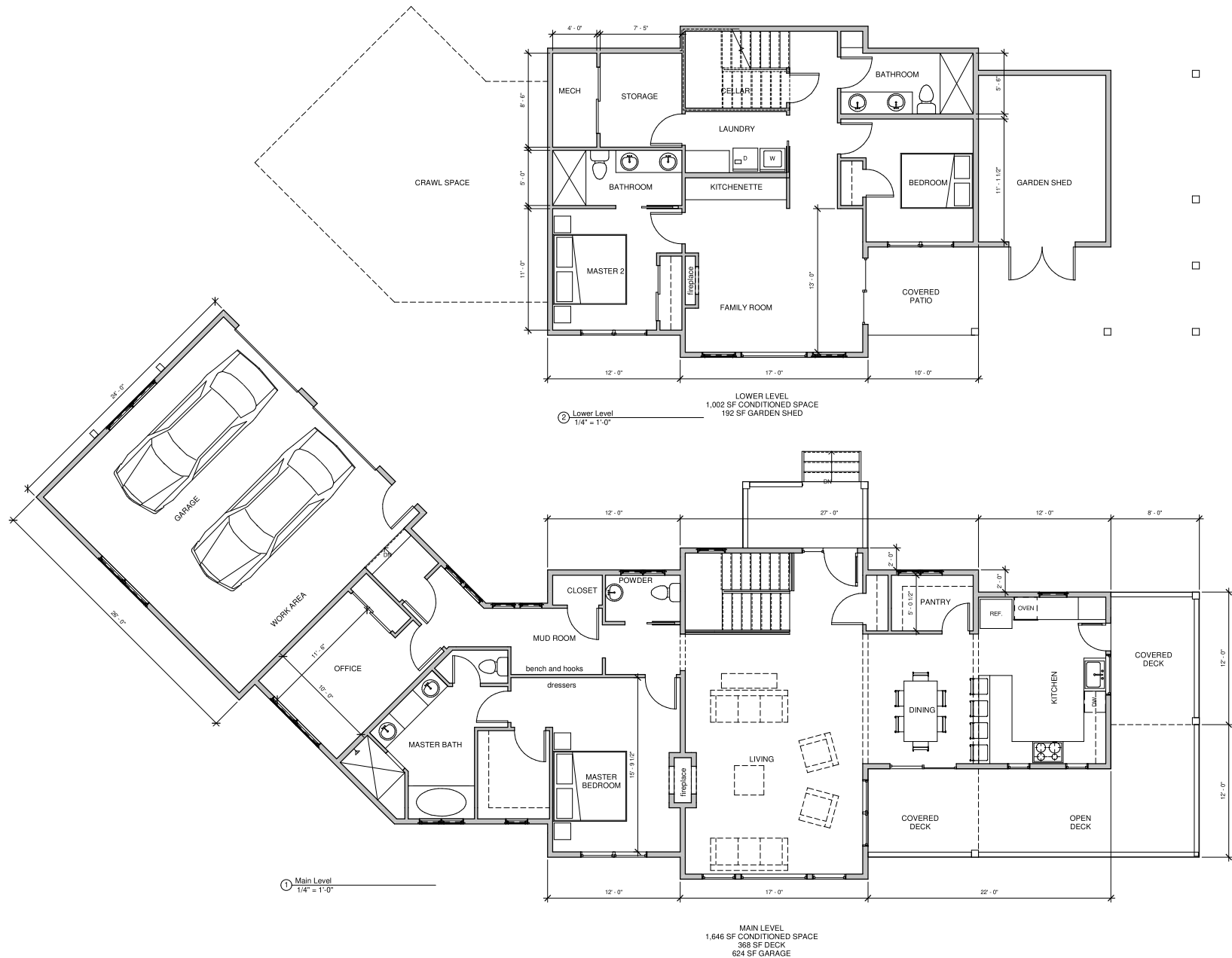
Thanks,

Dave

<Microsoft Word - Lot 4 Building Envelope Change Request.docx.pdf>



1 PROPOSED SITE PLAN  
1" = 30'





① North  
1/4" = 1'-0"



② South  
1/4" = 1'-0"

HINES DESIGNS, LLC

PHONE: 970.636.2300  
185 NIMBLE STREET, BOGARTOWN, CO 81602

Kehmeier Residence  
Riversage Lot 4

All contents of these drawings are the property of Hines Designs, LLC. No part of these drawings may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without prior written permission from Hines Designs, LLC.

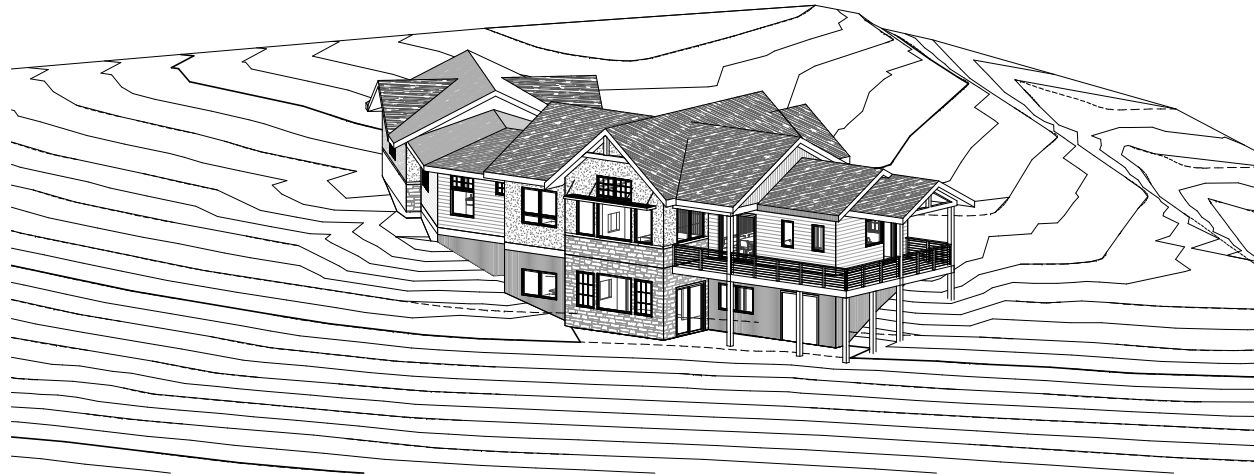
Schematic Design

January 17, 2020

Preliminary Elevations

A4.1





① View 1



② View 2

HINES DESIGNS, LLC

PHONE: 970.636.2300  
185 NIMBLE STREET, BOWEN, CO 81602

Kehmeier Residence  
Riversage Lot 4

All contents of these drawings are the property of Hines Designs, LLC. No part of these drawings may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without prior written permission from Hines Designs, LLC.

Schematic Design  
January 17, 2020

Preliminary 3d Views

A4.2

PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING

DECEMBER 3, 2019

CALL TO ORDER

The Chairperson called the meeting to order at 5:30 p.m. with Commissioners Falk and Liske, Mayor Clark and Chairperson Canright in attendance. Councilor Cheek, and Commissioner Emilson were absent. Commissioner Nelson was not present for the roll call.

Commissioner Nelson entered the hearing at 5:32 p.m.

PUBLIC HEARINGS

1. Application: Variance for Parking Regulations, Variance for Building Height, Variance for Building Area and Conditional Use for Building Area; Location: Block 34, east 92 feet of Lots 11-12, Lots 13-15; Address 185 N Lena Street and TBD North Lena/Clinton Street; Zone: Historic Business (HB); Applicant: Conterra Workshop; Owners: Catherine and Steven Chevalier and Firehouse Investment Real Estate LLC

Staff Report dated December 3, 2019 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application for a mixed use culinary arts complex proposed to include a restaurant, cooking school, tavern, commercial kitchen, event/flex space, micro-gardens, and eight residential units to be constructed in the core of the Historic Business District. She explained the net square footage of commercial space will require 13 parking spaces, and the variance request is to not provide any onsite commercial parking; the maximum building height in the HB District is 35 feet, and the variance request is for building height of 39 ft. Coburn further explained the variance request for building area greater than 15,000 sq. ft., and conditional use request for a building area over 7,500 sq. ft., is a requirement for the residential mixed-use building that is intended to be 30,000 sq. ft.

Planner Coburn commented the project is in alignment with the Mater Plan, but the Applicant did not yet clearly prove criteria has been met for the variance or conditional use requests. She advised the Planning Commission to carefully consider the application.

Patrick O'Leary, Managing Member of Firehouse Investment Real Estate LLC said the iconic firehouse property should be preserved because it is important to the history and culture of Ridgway. He noted extensive community outreach provided many great ideas for the project that will revitalize the east end of Clinton Street. Mr. O'Leary said the project's primary goal is to "create a fully integrated environmentally sustainable mixed-use development which hugs the old firehouse, and enlivens a restored firehouse with a synergistic blend of both commercial, residential, horticultural, culinary and arts-oriented event and exhibition center."

John Baskfield of Conterra Workshop and architect for the project explained the required criteria and noted the site challenges such as the neighboring CenturyLink property limiting alley access, limited curb cuts allowed in the district; and the location of the existing historic firehouse, existing

jailhouse and existing Lucy's Garden. Mr. Baskfield explained surface parking is limited due to the location of the CenturyLink buildings and the alternative to provide parking would result in a complete loss of Lucy's Garden which is considered an important green and art space. He noted that residential parking would be provided but on-site commercial parking is not congruent with the downtown goals and objectives. On site commercial parking would create an undesirable effect on the streetscape and noted the Owner is prepared to pay a fee in lieu of providing the parking spaces. Mr. Baskfield further explained the Firehouse is the center focus of the project design and the proposed adjacent buildings are limited in their building heights to maintain the focus. As such other elements of the project must be stacked vertically on two stories in other buildings. Mr. Baskfield commented 3<sup>rd</sup> story construction is only proposed in a few areas and explained the factors that prevent the building from meeting the maximum height restriction. He reviewed a variety of site plan renditions for the proposed complex and mentioned the building is large because it will act like a campus.

The Commissioners discussed the proposed arts complex with the Applicant, Owners, and Staff.

The Chairperson opened the hearing for public comment.

Steven Chevalier, owner of the vacant lot proposed for construction with this project said he has been unable to develop the lot due to the CenturyLink building obstructing the alley way for required parking access. He clarified "as a former CenturyLink employee" that the green drum will go away, and the tan drum will be raised up and aesthetically modified.

The Chairperson closed the hearing for public comment.

The Planning Commission further discussed the application with the Town Planner.

The Commissioners paused for a break at 8:07 p.m. and returned at 8:16 p.m.

#### ACTION:

Commissioner Nelson moved to approve the request for 185 North Lena Street and TBD North Lena/Clinton Street; Block 34, east 92 feet of Lots 11-12, Lots 13-15 as follows; (1.) Approve the variance for 3 required on-site Commercial Parking Spaces because the Applicant has met criteria; (2.) Recommend a continuance of the hearing for the building height variance in order to receive more information before the March Regular Planning Commission Meeting; (3.) Approve the Variance for Building Area over 15,000 sq. ft. and the Conditional Use for Building Area over 7,500 sq. ft. because the Applicant has met the criteria. Commissioner Liske seconded the motion, and it carried unanimously.

#### OTHER BUSINESS

##### 2. Land Use Code – Project Update

Planner Coburn updated the Commission and explained the consultant will meet with the committee via telecom on January 7. She noted a workshop is scheduled for the week of February 10, 2020 and the Commissioners agreed to attend the workshop.

##### 3. Ouray County Multi-Hazard Mitigation Plan, 2019 Update

The Town Planner said the Plan is in the final stages of the process. Public survey comments are being collected, and the Plan will be presented to the Town Council for adoption soon. Coburn provided a link to the survey and encouraged the Commissioners to review the survey and make comments.

#### APPROVAL OF THE MINUTES

4. Approval of the Minutes from the Meeting of October 29, 2019

ACTION:

Mayor Clark moved to approve the Minutes from October 29, 2019. Commissioner Liske seconded the motion, with Chairperson Canright abstaining, and it carried unanimously.

#### ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Karen Christian  
Deputy Clerk

PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING

JANUARY 7, 2020

CALL TO ORDER

The Chairperson called the meeting to order at 5:35 p.m. with Commissioners Falk, Nelson, Councilor Cheek, Chairperson Canright and Mayor Clark in attendance. Commissioner Liske was absent and Commissioner Emilson entered the hearing at 5:37p.m.

PUBLIC HEARINGS

1. Application for Final Plat; Location: Weaver Annexation, RiverSage "Outlot" as platted on RiverSage PUD Filing No. 1 under Reception Number 200985, County of Ouray, State of Colorado; Address: TBD Chester Court (8 lots); Zone: Residential; Applicant: RiverSage Ridgway LLC, c/o Rick Weaver; Owners RiverSage Ridgway LLC

Staff Report dated January 7, 2020 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Shay Coburn presented an application for Final Plat for the RiverSage Subdivision. The final phase for the subdivision consists of 8 lots situated on new cul-de-sac for constructing single family homes. She noted that most of the comments in the Staff Report pertain to the plat map and those comments have been emailed to the surveyor. Planner Coburn further explained the Subdivision Improvements Agreement (SIA) for the pedestrian bridge and lights on the vehicular bridge in Phase 1 of the development should be released because that has been reconciled with the Applicant, and a new SIA should be executed for Phase 2 regarding finalizing installation for phone service, drainage and road work to be completed in the spring. Coburn suggested the Planning Commission recommend approval of the application with the condition that the edits to the Plat Map noted in the Staff Report dated January 7, 2020, be completed and that the drafted Subdivision Improvements and Lien Agreement be executed.

Applicant Rick Weaver commented that most of the outstanding items are due to unfavorable weather conditions. He reviewed dirt mitigation, drainage and revegetation issues with the Planning Commission and noted the easement issue with the Dallas Meadows HOA is resolved.

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

ACTION:

Councilor Nelson moved to recommend approval of the Final Plat for the Weaver Annexation Address: TBD Chester Court, for RiverSage Ridgway LLC, with the conditions that the Plat Map edits requested in the Staff Report dated January 7, 2020 be completed and that the new Subdivisions Improvement Agreement is executed for Phase 2. Councilor Cheek seconded the motion, and it carried unanimously.

OTHER BUSINESS



## 2. Master Plan Implementation: Land Use Code Updates Phase 1, Address Housing

The Town Planner presented proposed edits to Ridgway Municipal Code 6:6 *Single Family Home Design Standards*, and 7:3 *Zoning Regulations* and explained the overall goal with the proposed changes is to make homes more affordable in Town, increase housing options and create more density. She requested the Commissioners email comments to her by January 17.

Darcie White and Don Elliott, consultants from Clarion Associates, reviewed the proposed changes with the Planning Commission. They recommended a wider variety of housing types throughout the residential districts in town, allowing additional housing types as a use by right or as a conditional use, reducing lot sizes, higher lot coverage, reducing parking requirements and proposed adding a new higher density mixed use residential district. Regulations for mobile homes, manufactured homes, and accessory dwelling units, along with work force housing were also discussed.

Planner Coburn encouraged the Commissioners to spread the word about the proposed land use changes and noted a joint workshop for the Planning Commission and the Town Council on February 10 in which the proposed changes will be discussed with the community.

## APPROVAL OF THE MINUTES

### 3. Approval of the Minutes from the Meeting of September 24, 2019

#### ACTION:

Mayor Clark moved to approve the Minutes from September 24, 2019. Commissioner Nelson seconded the motion, and it carried with Commissioner Falk and Councilor Cheek abstaining.

## ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Karen Christian  
Deputy Clerk