

PLANNING COMMISSION

MINUTES OF THE REGULAR MEETING

June 30, 2020

CALL TO ORDER

The Chairperson called the meeting to order at 5:30 p.m. with Commissioners Emilson, Falk, Liske, Councilor Cheek, Mayor Clark and Chairperson Canright in attendance. Commissioner Nelson was absent.

PUBLIC HEARINGS

1. Application for Replat; Location: Block 12, Lots 1-3; Address: 953 Moffat Street; Zone; Historic Residential; Applicant: Ellen Hunter; Owner: Ellen Hunter

Staff Report dated June 30, 2020 presenting background, analysis and staff recommendation prepared by the Town Planner.

The Town Planner presented an application for replat that would convert 3 historic lots into 2 lots. She noted Lot A has the required improvements in place to serve the converted lot, and an active propane tank is currently situated between the existing residence on Lot A, and the new lot line. Coburn explained the request will require a conditional approval before the final plat can be recorded due to the location of an active propane tank. The propane tank will eventually be removed because the applicant will transition to natural gas. The Planner also noted the utility easement running thru Lot B serving Lot A is not large enough and suggested relocating the easement on the proposed plat map or revising the easement to encompass the existing service line. She commented that an easement across Lot A may be needed to provide phone/internet service to Lot B. Planner Coburn recommended approval of the application and noted the Applicant should clarify if the transition from propane to natural gas will be completed within the municipal code's 90 day requirement.

Applicant Ellen Hunter said the gas line might enter Lot A, closer to the corner of Elizabeth and Moffat Streets than what is indicated on the Utility Plan submitted for the hearing. She also said placement of the utility line running along Lot B of the Utility Plan will need to be verified and the proposed lot line will not change. The utility line will be relocated to accommodate the new lot line in order to provide service. Hunter explained existing phone service lines run along Moffat Street but she has contracted with a company to provide internet/phone service for both lots. Since this may not be completed until September more than 90 days will be needed to meet conditions of approval for the application she continued.

The Commissioners discussed the request with the Applicant and Planner. They agreed the applicant may need longer than 90 days to satisfy the conditions due to unprecedented times.

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

ACTION:

Commissioner Emilson moved to recommend approval of the Application to the Town Council for Replat; Block 12, Lots 1-3; Address: 953 Moffat Street; Zone: Historic Residential; Applicant: Ellen Hunter, with the following conditions: 1. the existing propane tank shall be moved. 2. The electrical service line located on Lot A shall be relocated to the easement on the proposed Utility Plan. 3. Phone/internet service to Lot B shall be sorted out. 4. Survey monuments shall be placed. 5. The conditions of approval must be met within 180 days. Mayor Clark seconded the motion, and it carried unanimously.

2. Application for Plat Amendment; Location: Parkside Subdivision, all lots, Addresses: 795,791,790,765,760,755,740,730,720 and multiple TBD North Laura Street addresses; multiple TBD Marion Overlook addresses; Zone: Residential; Applicant: Parkside Ridgway Community Association; Owners: Habitat for Humanity of the San Juans, Cameron L. Miller and Bertina A. Minjares, Kim Moriyama, Alpine Creek Homes LLC, Roger & Susan Stewart Trust, Will and Caitlin Lawshe, Meaghan McGuire, Mark Paigen, Riverside Investment Partners LLC, Brittany Christina Martin, Anton R. and Debbie Potochnk, Scott Robb and Norma Nyra Unfug, Parkside Ridgway Holdings LLC, Andre N. Jr. Bollaert, Matthew P. Sandoval, Stephen J. Hertzfeld, 425 N Laura Homestead LLC, John A. Jr. Malone, A. Henry Case, Bryce Lanier Jones and Ryan Andrew Jones, Justin R. Fagan

Staff Report dated June 30, 2020 presenting background, analysis and staff recommendation prepared by the Town Planner.

Planner Coburn presented an application for plat amendment to alter Note 2. She explained Plat Note 2 currently states *"no lot bordering Green Street or Parkside Drive shall use these streets for driveway or construction access"*. The original intent was likely to prevent cars from backing out onto Parkside Drive and Green Street due to the heavy traffic flow. However the garage constructed on Lot 9 was orientated to access Parkside Place when the new residence was built. The Town Planner proposed allowing driveway access for Lot 9 but continuing the existing restrictions for Lot 10. She further explained the speed limit for residential neighborhoods has been reduce to 15 miles per hour since the subdivision was originally platted. Allowing only one lot to have access and the reduction of the speed limt should ensure safety. Coburn recommended approval of the request and that Plat Note 2 be revised to say *"Lot 9 may use Parkside Place for driveway access. Notwithstanding the foregoing no lot bordering Green Street or Parkside Place shall use these streets for driveway or construction access"*. She also suggested the corner driveway curb cut should set back a minimum of 10 feet from the property line.

Applicant Tim Malone, Owner of Lot 9 said the driveway setback will be a minimum of thirty feet and there have been no accidents in that location since the home was built. He noted the majority of the traffic occurs on Green Street with little to no traffic on Parkside Place. Mr. Malone explained other alternatives have been considered to provide driveway access and this request is the best solution.

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

The Commission discussed the application with the Town Planner. She referred to the Staff Report which explains inconsistencies between page 1 and 2 of the Plat Map that references Parkside Drive as well as Parkside Place. The inconsistencies would be corrected with revised Plat Note 2 she added.

ACTION:

Mayor Clark moved to recommend approval of the Application for Plat Amendment to the Town Council revising Plat Note 2 for the driveway access along Parkside Place, Lot 9, in the Parkside Subdivision. The Encroachment Permit to be issued by the Town of Ridgway for curb cut shall require a setback that is greater than 10 ft. from the property line at the corner, or 20 ft. from the cross street. Staff shall correct the inconsistency with regard to the use of Parkside Place and Parkside Drive on the Plat Map if possible. Councilor Cheek seconded the motion, and it carried unanimously.

3. Application for Amended Plat; Location: Marie Scott Village Subdivision, all lots; Address: 275, TBD, 245, 255, South Amelia Street; 236, 242, 267, 247, 239, 227, 215 and multiple TBD Marie Street addresses; Zone: Residential; Applicant: Brad Blackwell; Owners: Gordon P. and Rebecca J. Reichard, Melissa B. Mann, Bradley K. Blackwell, David P. Drew, Angela Ferrelli and Matthew Pratt, BSSK Family Trust, Jacob Randolph Niece, Josephine Fallenius, Michael Karl Pennings, Mark A. and Carrie L. Cowan, Randall C. and Abigail S. Lang, Douglas and Mary Reinhardt

Staff Report dated June 30, 2020 presenting background, analysis and staff recommendation prepared by the Town Planner. Email dated June 30, 2020 from resident Douglas Reinhardt submitted as a late addition to the Agenda Packet.

The Town Planner presented an application to amend the Marie Scott Village Subdivision Plat Map. She explained that currently the use of each lot is limited to a single family dwelling and the request is to allow accessory dwelling units (ADU) on all lots. She explained ADUs are allowed on most residential lots throughout Town unless the plat map restricts that use. In addition the Town encourages construction of ADUs as a way to increase housing stock, long term rentals, density, affordability, and provide a way for home owners to reduce their housing costs. Coburn further explained no public improvements would be required because all necessary improvements are installed, and the request is consistent with the Town's Design Standards. She recommended approval of the application.

Applicant Brad Blackwell stated he thinks housing is important. He plans to rent either the ADU or the existing residence with a long term lease. He commented that he has received favorable comments about his request from neighbors and the HOA was dissolved when the last lot was sold.

Planner Coburn reviewed the ADU regulations for parking, lease terms, owner occupancy, water tap guidelines and structure size with the Commissioners. She also advised them of tap fees, other ownership costs and regulations associated with using an ADU as short term rental.

The Chairperson opened the hearing for public comment.

Melissa Mann said she supports the request and asked for clarification regarding the phrase "from time to time" used in reference to the municipal code in the proposed plat note revision and the Planner explained it is used to allow flexibility as the municipal code evolves over time.

Doug Reinhardt spoke in opposition of the request because he does not want more density in the Marie Scott Village Subdivision. He specifically purchased his property because of the plat restrictions. Mr. Reinhardt commented the request would put the plat in conflict with the

subdivision's covenants, conditions and restrictions and it would change the character of the subdivision.

Angela Ferrelli said she is in favor of the request because she supports density as opposed to urban sprawl.

The Chairperson closed the hearing for public comment.

The Commission discussed the application and agreed that 67%, or 2/3 of the subdivision's lot owners would need to sign the plat amendment showing they agree with allowing accessory dwelling units on all lots in the Marie Scott Village Subdivision.

ACTION:

Councilor Check moved to recommend approval to the Town Council for the Application for Amended Plat in the Marie Scott Village Subdivision, to edit the plat note to allow for accessory dwelling units on all lots. The Applicant must obtain 67% or more than two thirds of the subdivision's lot owners' signatures showing their approval. Mayor Clark seconded the motion, and it carried unanimously.

4. Application for Minor Subdivision; Location: Yates Subdivision, Lot 4; Address: 423 North Amelia Street; Zone: Historic Residential; Applicant: Dan Bartashius; Owner: Daniel J. Bartashius

Staff Report dated June 30, 2020 presenting background, analysis and staff recommendation prepared by the Town Planner.

Town Planner Coburn presented an application to split Lot 4 in the Yates Subdivision into two separate properties. She reviewed the criteria for a minor subdivision with the Commissioners, noting the requirements for approval. The Planner commented that the side and rear setbacks are not met in the Town's Design Standards due to the placement of legally nonconforming sheds. She recommended approval of the application with 7 conditions noted in the Staff Report.

The Planning Commission discussed the orientation of the nonconforming shed on the north end of proposed Lot 4A, and the orientation of the shed on proposed Lot 4B. The shed situated on proposed Lot 4A needs to relocate out of the setback. The proposed lot line between the two proposed lots needs to be moved to meet code requirements of being perpendicular to the road while maintaining the eight ft. setback for Lot 4B

Applicant Dan Bartashius confirmed the propose lot line could move to be perpendicular to North Amelia Street while maintaining a minimum 8 ft. setback. He said the nonconforming shed on the west aspect of proposed Lot 4B will be removed. However he had not planned to move the nonconforming shed on existing Lot 4.

The Commissioners discussed at length and agreed the nonconforming shed on existing Lot 4 may continue to be legally nonconforming.

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

ACTION:

Commissioner Emilson moved to recommend approval to the Town Council for the Application for Minor Subdivision in the Yates Subdivision, with the 7 conditions listed in the Staff Report dated June 30, 2020. Councilor Cheek seconded the motion, and it carried unanimously.

APPROVAL OF THE MINUTES

5. Approval of the Minutes from the Meeting of April 28, 2020

ACTION:

Commissioner Liske moved to approve the Minutes from April 28, 2020. Councilor Cheek seconded the motion and it carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk