

PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING

APRIL 27, 2021

CALL TO ORDER

Mayor Clark called the meeting to order at 5:35 p.m. via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy due to COVID-19. Commissioners Emilson, Montague, Nelson, Mayor Pro Tem Meyer and Mayor Clark were in attendance. Chairperson Canright joined the meeting at 5:37 p.m. and Commissioner Liske was absent.

GENERAL BUSINESS

1. Welcome New Planning Commissioner

Mayor Clark introduced Michelle Montague to the Planning Commission. Ms. Montague was appointed by the Mayor to replace Commissioner Larry Falk who resigned in March.

PUBLIC HEARINGS

2. Application for Variance to Fence Height; Location: Crabb-Mitchell Amended Subdivision, Lot 2; Address: 311 Sherman Street; Zone: General Commercial (GC); Applicant: Adam Johnson; Owners: Adam and Cristin Johnson.

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

TJ Dlubac presented an application for variance to fence height for a residential lot situated in the GC District. He explained the Ridgway Municipal Code allows for a 6 ft. fence for all homes, and this request is to construct an 8 ft. privacy fence along all property lines. Dlubac noted criteria for unnecessary hardship and practical difficulty are met due to the close placement of an active railroad track that runs along the residence's north property line. The increased fence height will provide a buffer for noise and visual impacts to the residence. Mr. Dlubac recommended approval of the 2 ft variance for only the north property line with 3 conditions listed in the Staff Report dated April 23, 2021.

Applicant Adam Johnson said constructing the fence on the north property line would be for privacy. Though the residence is surrounded by other commercial entities, the remaining fence line is not emergent at this time. Johnson commented that the remaining property lines, except for the west property line, would require a fence much taller than 8 ft. due to the extreme reduction in grade between his property and surrounding properties.

The Commissioners discussed the request with the Applicant.

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

ACTION:

Commissioner Emilson moved to approve the Application for Fence Height for a 2 ft. variance to construct an 8ft. fence along the north property line at 311 Sherman Street, Lot 2 in the Crabb-Mitchell Subdivision, with the 3 conditions stated in the Staff Report dated April 23, 2021. The motion was seconded by Mayor Clark. On a call for the roll call vote, the motion carried unanimously.

3. Application for Temporary Use; Location: Block 22, Lots 16-20; Address: To-Be-Determined (TBD) Clinton Street; Zone: Historic Residential (HR); Applicant: Stryker & Company, Inc.; Owners: Ridgway Runners

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies. Email dated April 27, 2021 from town resident JT Thomas entitled *Questions for Planning Commission: Item 3, Temporary Use Permit for Stryker & Co.* submitted as a late addition to the Agenda Packet.

Planner Dlubac presented an application for temporary use (TUP) for the purpose of storing construction materials for the Space to Create project that will be constructed on a nearby vacant lot. He explained the terms of the permit would be for 9 months and the Applicant would need to renew the permit if an extension is needed. The Planner noted the same lot was used as a storage site during the Responsible Acceleration of Maintenance and Partnerships Project (RAMP). He explained the storage site would be secured with fencing and a locked gate. Dlubac recommended approval for the request with the 3 conditions listed in the Staff Report dated April 23, 2021.

Mark Clutts, Project Manager and Jimmy Merritt, General Manager represented Stryker & Company, Inc. They assured the lot would be used only for staging and parking, with no continual activity during the day and the permit might not need to be renewed.

The Commission discussed the application with Mr. Clutts and Mr. Merritt.

The Chairperson opened the hearing for public comment.

JT Thomas read his letter stating opposition over the approval of the TUP because of the nuisances created when the lot was used during the RAMP project.

Gigi McGown expressed concern that the staging site may negatively impact her short-term rental home because it is located directly across the street.

Jack Petruccelli said the HR zone is an inappropriate storage site and should instead be in the Industrial District.

General Manager Merritt assured the residents and Commissioners the lot will not be used as a work site and will be used for storage and sub-contractor parking only. He noted storing the materials at this site would reduce time, costs, and would be less of an impact to the town than transporting materials from the Industrial District.

The Chairperson closed the hearing for public comment.

The Commission discussed the request with the Applicants.

Mark Clutts said the materials could be arranged on the lot to buffer noise, the fence will not be transparent, trash and clutter will be maintained and removed daily, and dirt or debris will be removed from paved roads daily. Mr. Clutts noted other parcels were reviewed for the storage site and this lot will have the least impact on the Town and the project. He further noted that materials will be moved on a schedule; mornings and the lunch time hour, and that the crew will work 4-ten-hour days (7:00 a.m. - 5:30 p.m.), Monday through Thursday to further minimize the impact to residents.

The Planning Commission discussed the application. The Commission recognized there will be an impact to residents from the Space to Create construction project across from the proposed storage site. They noted the nuisance regulations in the Municipal Code are a sufficient reference for residents to use when making formal complaints about construction impacts or any other type of nuisance. The Commission requested the Stryker Team have a biweekly community outreach meeting with a designated community representative. The Team agreed this would be a way to ensure residents' concerns are heard and to communicate project updates. Town Manager Preston Neill said periodic updates regarding staging, project impacts, hours of operation, etc. will be generated so town residents can stay informed about upcoming project impacts and progress.

**ACTION:**

Mayor Clark moved to approve the Temporary Use Permit to allow for construction staging on Block 22, Lots 16-20; Address: TBD Clinton Street, with the following conditions: (1.) Equipment of any kind should not be idled between the hours of 7pm-7am (2.) The Applicant shall provide adequate traffic control or monitoring when equipment is moved from the construction staging site to the project site (3.) The Temporary Use Permit shall expire on January 31, 2022 (4.) The Contractor will agree to work with the Community via biweekly (at minimum) meetings to ensure concerns are addressed. The motion was seconded by Commissioner Nelson. On a call for the roll call vote, the motion carried with a vote of 5 to 1.

**4. Application for Final Plat; Location: Parkside Subdivision, Lot 14; Address TBD North Laura Street; Zone: Residential; Applicants: Josh and Terese Seal; Owner: Josh C. Seal**

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

Mr. Dlubac presented an application for final plat for a lot with affordable housing provisions. He explained the low-density zoning district allows for 2 dwelling units per parcel and the plat note allows for up to 3 single family dwelling equivalents. Dlubac explained the Applicant is requesting to subdivide the parcel into 3 separate lots so they can be sold individually. The Planner further explained the request does not affect utilities, easements, or improvements already in place as required in the plat notes. However, Plat Note 7 requires all 3 units to be constructed simultaneously before a Certificate of Occupancy (CO) can be issued. The Applicant cannot construct the units simultaneously and is requesting a change in the plat requirement. The Applicant is requesting the requirement to be that a building permit is issued simultaneously for all 3 lots before a CO can be tied to construction. Mr. Dlubac recommended Planning Commission approval to the Town Council for the application, with the 5 conditions listed in the Staff Report dated April 23, 2021. He noted the Town Council's approval of the Application for Variance to Lot Width (agenda item 5.) be included as another condition for this approval.

The Commissioners discussed the process for amending plats verses the final plat process with Dlubac. They expressed concern about the creation of new lot lines and consistency with the required design standards.

Applicant Terese Seal commented that 3 dwelling units can fit on the oddly shaped lot. She explained there was difficulty drawing the new lot lines due to the 50' utility easement on the southern aspect of the lot, the 8' irrigation easement on the western aspect and 15' utility easement along the eastern aspect of the lot. The guardrail on the southeast corner of the lot also made it difficult to provide access and required parking in that location.

The Chairperson opened the hearing for public comment.

Jack Petrucelli spoke in favor of the request but noted the Homeowners' Association had not seen the variance request.

The Chairperson closed the hearing for public comment.

The Commissioners discussed this application and the Application for Variance to Lot Width because of how both requests would be affected by any decision made. They expressed concern that the HOA Board had not reviewed the request for comparison against the Subdivision's Covenants, Conditions and Restrictions.

Applicant Terese Seal requested the hearing for this application be continued until the June Regular Planning Commission Meeting.

**ACTION:**

Mayor Clark moved to continue the Application for Final Plat; Location: Parkside Subdivision, Lot 14 until the May Regular Planning Commission Meeting, and no later than the June Regular Planning Commission Meeting. The motion was seconded by Mayor Pro Tem Meyer. On a call for the roll call vote, the motion was unanimously approved.

5. Application for Variance to Lot Width; Location: Parkside Subdivision; Lot 14; Address: TBD North Laura Street; Zone: Residential (R); Applicants: Josh and Terese Seal; Owner: Josh C. Seal

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

Planner Dlubac presented the application for variance to lot width and suggested the request be deferred to the June Regular Planning Commission Meeting after any public comments have been acknowledged.

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

**ACTION:**

Mayor Clark moved to continue the Application for Variance to Lot Width; Location: Parkside Subdivision, Lot 14, until the May Regular Planning Commission Meeting, and no later than the June

Regular Planning Commission Meeting. The motion was seconded by Mayor Pro Tem Meyer. On a call for the roll call vote, the motion was unanimously approved.

6. Application for Preliminary Plat for Riverfront Village Planned Unit Development; Location: Triangle Subdivision, Lot 1; Address: TBD Highway 550; Zone: General Commercial (GC); Applicant: John Simon, Alpine Homes Ridgway, LLC; Owner: Alpine Home Ridgway, LLC

Staff Report dated April 23, 2021 presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies. PowerPoint presentation dated April 27, 2021, entitled *Riverfront Village Ridgway*, presented by Jim Kehoe, Alpine Homes Ridgway Design Team.

The Planning Commission paused for a break at 8:12 p.m. and resumed at 8:21 p.m.

The Planner presented an application for a mixed use planned unit development consisting of 38 residential units and one commercial building in which retail commerce is proposed for the ground floor. He noted the Staff Report dated April 23, 2021, page 6, *Utilities; Water Service* should be amended. (The internal waterlines will be owned and maintained by the Town and not by the Applicant as stated in the Staff Report.) Mr. Dlubac reviewed details about the development as outlined in the Staff Report and recommended the hearing be continued because more conversation is needed with the Applicant before a recommendation can be provided to the Planning Commission. He explained more discussion is need regarding the easements, architectural design, building height, signage, utility design and the development agreement.

Applicant John Simon said the primary focus of the project is to provide residential housing with a commercial component. The project is geared toward promoting pedestrian traffic. Density has been reduced and replaced with green space he further explained.

Designer Jim Kehoe reviewed the proposed project site via PowerPoint presentation. The presentation revealed the revised preliminary design, site plan, opportunities and constraints dwelling unit mix, site ecology, landscape considerations, a proposed park, dwelling placement and architecture, River Trail restoration, and development access.

The Planning Commission noted the proposed design is on track but expressed concerns with pedestrian traffic moving thru the development, crossing Highway 550.

The Chairperson opened the hearing for public comment.

Resident Jennifer Cram said it is difficult to reconcile the Site Plan Map for the river corridor with the Land Use Map in the Master Plan. She requested an overlay map to be provide with the next presentation for the development. Cram also expressed concerns with the traffic plan included in the hearing packet due to the anticipated increase in traffic from the development once it is completed.

Christopher McAnany of Dufford Waldeck Law, representing the owner for neighboring Lot 2, submitted a letter that was included in the hearing packet. The letter outlined concerns about the easement for access to Highway 550. Mr. McAnany said the owner is concerned about the change in access negatively affecting the business on Lot 2, and the historic access recorded on

the plat must be reconciled to the proposed access designed by CDOT. He noted more dialogue is needed between the owners of Lots 1 and 2 before the development is approved.

The Chairperson closed the hearing for public comment.

The Commissioners discussed the request with the Applicant and Staff.

Applicant John Simon reviewed traffic flow with the recent highway access design and noted CDOT dictates the highway plan. However, the current design proposal has reduced the amount of traffic utilizing the access and he will work with the owner of the Lot 2 to ensure the needs are met for both lots.

**ACTION:**

Commissioner Nelson moved to continue the hearing to the May 25 Regular Planning Commission Meeting to provide an opportunity to resolve the outstanding issues for Lot 1 in the Triangle Subdivision. The motion was seconded by Mayor Clark. On a call for the roll call vote, the motion was unanimously approved.

**APPROVAL OF THE MINUTES**

**7. Approval of the Minutes from the Meeting of February 23, 2021**

**ACTION:**

Mayor Clark moved to approve the Minutes from February 23, 2021. The motion was seconded by Commissioner Nelson. On a call for the roll call vote, the motion carried with Commissioner Montague abstaining.

**ADJOURNMENT**

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Karen Christian  
Deputy Clerk