

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
AUGUST 30, 2022

CALL TO ORDER

The Planning Commission convened both in-person at 201 N. Railroad Street, Ridgway, Colorado and via Zoom Meeting, a virtual meeting platform, pursuant to the Town's Electronic Participation Policy, due to the COVID-19 pandemic.

The Chairperson called the meeting to order at 5:30 p.m. Commissioners Liske, Nelson, Mayor Pro-Tem Meyer, Mayor Clark and Chairperson Montague were in attendance. Commissioner Franz was absent, and Commissioner Emilson was late.

PUBLIC HEARING

1. Application for Sketch Plan Location: McChesney Minor Subdivision, Lot 2; Zone: Residential and Future Development; Applicant: Chris Hawkins DBA/Alpine Planning, LLC, Owner: Four Winds Ranch, LLLP and Estate of Bernadine C. Endicott

Staff Report dated August 26, 2022, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies. The Staff Report included public comment letters received for the May 30, 2022 Regular Planning Commission Meeting, from Ridgway residents Charles and Kathy Ewert, Nichole Moorman, Fred and Margaret Quist, Glen and Connie Anderson, Anthony Gegauff, Kevin Chismire, Dan Brillon, David Burger, Jeannemarie Smith, Michelle and Mark Smail, Joan Chismire, Audra Duke, Jack and Karen Fay, Stephen McComb and Bob Tesch. Ann Mellick, Anthony Gegauff and David Burger submitted additional comment letters after the agenda packet was published, but prior to the meeting.

TJ Dlubac presented an Application for a Sketch Plan for a subdivision that would include 20 single family homes, with the possibility of 20 accessory dwelling units (ADU) as a use by right. The subdivision would be constructed on the vacant Lot 2 of the McChesney Subdivision (zoned Future Development) and include 9.5 adjacent acres of the Endicott parcel (zoned Residential) in which a single-family home exists. He reviewed access to the proposed subdivision, parking, utilities, Master Plan conformance, land use and dimensional standards. Dlubac noted that though the proposed project conforms to the Master Plan, impacts for up to 20 ADU's, and only one access point to the subdivision via Terrace Drive from Highway 550 should be considered.

The Planner explained the proposed project would trigger improvements to Highway 550 and the applicant has had preliminary discussions with the Colorado Department of Transportation (CDOT) since the highway is CDOT's jurisdiction. He commented Staff is agreeable to the requests for gravel roads within the proposed subdivision, but safe pedestrian connections must be provided through the subdivision.

Dlubac said there is an existing water main line going to the subdivision and the applicant is recommending the installation of a second water tank, though Staff does not think this is a comprehensive solution to ensure water supply or pressure. The Planner explained septic systems will be utilized for each parcel's sewer as an interim solution for a sanitized treatment system, noting the proposed project cannot be served by the existing sewer lines which would require a significant investment from the Town for the lines to be extended to each parcel. He recommended plat notes for each parcel stating the property owner would be required to contribute to a General Improvement District for the subdivision's future public improvements and utility connections.

Planner Dlubac recommended approval of the application with the conditions noted in the Staff Report dated August 26, 2022, and per the comments discussed in the review letter dated September 10, 2022 (noted as August 10, 2022, in the Staff Report).

Commissioner Emilson entered the meeting at 6:10 p.m.

The Planning Commission discussed the application with staff. The Commission noted the parcel is not in the Town's initial growth boundary on the Land Use Map.

Eric Foust, Developer for the Applicant introduced the Development Team. He noted the team members live and/or work in Montrose or Ridgway, explained their diverse backgrounds and stressed the level of commitment and accountability to the Town from the Team. Foust explained that the subdivisions' ADU covenants would be long-term rentals only and would be available only to people who live or work in Ouray County. He further explained the covenants will require homes to be 70% solar powered, require conduit for electric vehicle charging; the sagebrush habitat will remain protected, grass watering will virtually be eliminated; the square footage of the homes will range from 2500sq. ft.- 4800sq. ft. and 30% of the parcel will remain open space.

Applicant Chris Hawkins explained the parcels were annexed into the town limits in 1981 and designated as a residential zone at that time. He outlined the zoning and rezoning occurring with Lot 1 and Lot 2 pursuant to town archives, noting development has always been the intention for both parcels. Hawkins also compared the proposed subdivision with the Vista Terrace Subdivision. He revealed the Vista Terrace Subdivision consists of more acreage, more lots, has higher density and less open space than the proposed neighboring subdivision.

Mr. Hawkins explained protecting the sage brush habitat for wildlife is a priority with the development and will be incorporated into the landscaping. No permanent fencing will be allowed, fenced dog runs and bear-proof trash containers that are stored inside will be required. He clarified the development is not intended to mirror the Vista Terrace Subdivision.

Roger Freeman, renewable energy specialist and member of the Development Team provided background on renewable energy covenants and the advantages of installing sustainable, renewable technology at the time homes are constructed verses retrofitting. He explained the solar and sustainable technologies for each home in the proposed subdivision will have an integrated design for current and future trends.

Hawkins commented that the Master Plan allows up to 43 units to be developed on the parcel and the request before the Commission is for 20. He noted the open space consists of natural slopes with a 30% grade, and that is considered a buildable area in most communities. Mr. Hawkins further explained the proposed development comports with the Master Plan, and water conservation will be encouraged. He commented that the development may propose a pedestrian/bike trail to the river, homeowners will be required to participate in an improvement district, ADU's may be capped at 25%, and a traffic study will be coordinated with the Department of Transportation (CDOT).

The Planning Commission acknowledge the change in philosophies over time and with the current population in Ridgway regarding zoning, de-zoning, and rezoning that has occurred. They also expressed concerns regarding the number of proposed homes.

Chairperson Montague confirmed that each Commissioner reviewed the 3 letters submitted to the agenda packet as a late addition.

The Chairperson opened the hearing for public comment.

Steven McComb expressed concerns regarding the lack of a secondary egress in the entrance plan. He produced and presented a traffic analysis video of the Terrace Drive/ Highway 550 intersection. The video illustrated in real-time traffic flow, the dangerous congestion and difficulty for pedestrians crossing the

highway, and difficulty for vehicles to enter the highway at the intersection. Mr. McComb said the current northbound acceleration lane is too small for the existing traffic, the proposed pedestrian/bike path discharges at the intersection, and a secondary egress is needed to relieve the traffic at the intersection. He asked the Commission to thoroughly review the application and not approve it *since this dangerous situation has not been adequately addressed in the hearing packet.*

Dan Brillon said the proposed subdivision does not match the look and feel of the Vista Terrace Subdivision, the proposed subdivision changes the neighborhood's character and is not an appropriate transition.

Anthony Gegauff expressed concerns that Terrace Drive is the only entrance or exit to the Vista Terrace Subdivision and the proposed Subdivision. He noted concern that there would be no way out of either subdivision if a fire broke out in the dense vegetation located at the intersection of Terrace Drive and Vista Drive. Mr. Gegauff also stated gravel roads are not acceptable due to maintenance on steep slopes, and that the plowed mud and ice would flow down to the catch basin in Vista Terrace causing additional road maintenance issues. He stated there needs to be a separate emergency egress for the proposed subdivision.

Pam Foyster said the proposed project *does not meet criteria for approval when put into context of the Master Plan's community values, specifically items 1-5.* Foyster expressed opposition to funding a general improvement district, allowing dogs and cats to roam unattended in yards and only one egress into the Vista Terrace Subdivision. She said Lot 2 was intentionally categorized out of the Initial Growth Boundary during the Master Plan process because growth has been focused on the core of town and expanded from that point. Ms. Foyster called the proposed project a "leap-frog project" because it is proposed to occur prior to the 2019 Master Plan's projected growth. Foyster pointed out that the Master Plan's projected growth for this parcel is to occur within 10-20 years. Allowing the development to proceed before the Town can accommodate the growth creates problems that are dealt with reactively she concluded.

Ouray County resident, Russ Caplan, who considers himself a "candidate resident" said the all-electric nature of the proposed project makes sense and expressed concern about the ingress and egress into the subdivision. He suggested reducing the speed limit through that section of the highway to enhance safety.

Ann Mellick said the proposed size for the homes is not in character with Ridgway and asked that the allowed size for the structures be reduced. Mellick questioned if the step plan for the Endicott acreage means more future development. She said the open space is not useable and expressed concerns regarding water delivery. Mellick asked the Commissioners to "slow down" consideration of the application.

Roy Clingan expressed concerns regarding the validity of the Water Assessment Report and current water availability and use, as well as the number of deer hit on Highway 550. Clingan asked if the proposed homeowners association would affect Vista Terrace residents and if modular homes would be allowed.

Kuno Vollenweider shared his experience with erecting structures on slopes greater than 20 degrees and warned that building on a slope invites erosion and visual impact issues.

The Chairperson closed the hearing for public comment.

The Planning Commission discussed the application with staff. They acknowledged that the ingress/egress issue is the biggest concern with residents, and that it is an existing issue with the Vista Terrace Subdivision. They noted the proposal does not address fire safety issues, expressed concern for the number of septic systems, the density proposed, homes constructed on the ridge lines and the parcel not being situated in the Initial Growth Boundary on the 2019 Land Use Map.

The Chairperson opened the hearing for public comment so that Contractor Foust could address their questions.

Foust said the project would move forward with conditional approval. A traffic study has already been performed by an independent traffic engineer and that has been submitted to CDOT to address the highway issue. The Development Team would work with the Town to find a reasonable solution to the egress problem. The Team will also try to resolve the existing egress problem on the highway that currently affects the Vista Terrace Subdivision on behalf of the neighborhood.

The Chairperson closed the hearing for public comment.

The Commissioners continued the discussion with staff and the applicant. They commented that a revised Sketch Plan should include a secondary easement, resolution for the wildlife corridor running through the parcel, resolution for the egress issue, reduced density, and how to deliver adequate water supply and sewer sanitation to the new development.

Mr. Foust requested a 4-month continuance to address the concerns discussed in the hearing.

ACTION:

Mayor Clark moved to continue the Application for Sketch Plan for: Location: McChesney Minor Subdivision, Lot 2; Zone: Residential and Future Development; Applicant: Chris Hawkins DBA/Alpine Planning, LLC to the December Regular Planning Commission Meeting to provide time for the Applicant to work through the findings in the Staff Report dated August 26, 2022, and to address the Planning Commissions concerns discussed in this hearing. The motion was seconded by Mayor Pro-Tem Meyer. On a call for the roll call vote, the motion carried unanimously.

The Commission paused for a break at 8:15 p.m. and resumed at 8:25 p.m.

2. Application for Final Plat; Location: Town of Ridgway, Block 20, Lots 16-18; Zone: Historic Residential; Applicant: Beth Lakin; Owner Beth Lakin

Chairperson Montague recused herself from the hearing due to a conflict of interest. Mayor Clark assumed the role of Chairperson during the hearing.

Staff Report dated August 26, 2022, presenting background, analysis and recommendation and Review Letter dated August 26, 2022, regarding plat review comments, prepared by TJ Dlubac, AICP of Community Planning Strategies.

Dlubac presented an Application for Final Plat that would subdivide one parcel containing Lots 16-18 into 2 lots; requiring the sewer line to be extended to the newly created lot. The Planner explained the work is underway and will be completed before a structure is built on the newly created parcel. He reviewed the current dimensional standards, access and utilities as they exist after the lot split. Mr. Dlubac noted the gravel driveway for Lot 1 encroaches onto Lot 2 and will require an easement if the driveway is to remain in place or it will need to be removed. He recommended approval of the application with the following conditions: 1.) *The applicant shall address all outstanding planning comments identified in the review comment letter dated August 26, 2022, to the satisfaction of the Town Staff prior to the application being scheduled for consideration at the Town Council.* 2.) *The sewer line extension shall be completed and accepted by the Town prior to a building permit being issued for Lot 2.*

Applicant Beth Lakin said a garage will be constructed off the alley for Lot 1 and parking will be off the alley. She said the encroaching driveway is no longer needed so she will park in the alley from now on.

The Chairperson opened the hearing for public comment.

Michelle Montague said she is in favor of the lot split.

The Chairperson closed the hearing for public comment.

ACTION:

Mayor Pro-Tem Meyer moved to recommend approval to the Town Council for the Application for Final Plat; Location Town of Ridgway, Block 20, Lots 16-18; Zone: Historic Residential; Applicant: Beth Lakin; Owner Beth Lakin, with the following conditions: 1.) The applicant shall address all outstanding planning comments identified in the review comment letter dated August 26, 2022, to the satisfaction of the Town Staff prior to the application being scheduled for consideration at the Town Council. 2.) The sewer line extension shall be completed and accepted by the Town prior to a building permit being issued for Lot 2. The motion was seconded by Commissioner Nelson. On a call for the roll call vote, the motion carried unanimously.

Chairperson Montague re-entered the public hearing.

3. Continuance Request for Application for Sketch Plan; Location: Lot 3 PUD, Ridgway Land Company Subdivision; Zone: General Commercial; Applicant: 2-Build Ridgway, LLC; Owner: Ridgway Land Company, LLLP

Staff Report dated August 26, 2022, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

The Planner explained the application was continued at the July Regular Planning Commission Meeting and the applicant is requesting another continuance to the September Regular Planning Commission Meeting. Dlubac noted Staff agrees with the Applicant.

Joe Nelson, member of 2-Build Ridgway, LLC, stated the Team's engineer passed away and the application should be ready for the Commission's review in September.

The Chairperson opened the hearing for public comment.

Jack Petruccelli asked for clarification regarding the application continuance process as it relates to the current emergency ordinance which established a temporary moratorium on accepting applications for minor subdivisions, lot splits, replats, plat amendments, multisite developments, planned unit developments and rezoning applications. He was advised that applications accepted by staff and the Planning Commission prior to, and up to the day of the moratorium are exempt.

The Chairperson closed the hearing for public comment.

ACTION:

Mayor Pro-Tem Meyer moved to approve the continuance for the Application for Sketch Plan for Lot 3 PUD until the September 27, 2022, Regular Planning Commission Meeting. The motion was seconded by Mayor Clark. On a call for the roll call vote, the motion carried unanimously.

APPROVAL OF THE MINUTES

4. Approval of the Minutes from the Meeting of July 26, 2022

ACTION:

Mayor Pro-Tem Meyer moved to approve the Minutes from July 26, 2022. The motion was seconded by Mayor Clark. On a call for the roll call vote, the motion carried unanimously with Commissioner Emilson abstaining.

OTHER BUSINESS

5. UPDATES FROM PLANNING COMMISSION MEMBERS

Planner Dlubac said that planning process and standards, along with Ridgway Municipal Code, Chapter 7 Planning and Zoning should be reviewed during the moratorium. He requested a special workshop meeting to present proposed updates and to identify problems and to discuss the scope of the project.

The Planning Commission agreed to hold a Special Workshop Meeting on September 22, 2022, at 5:30 p.m.

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk