

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
OCTOBER 25, 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 Franz, Liske, Nelson, Petruccelli, Mayor Clark, Mayor Pro-Tem Meyer and Chairperson Montague were in attendance.

APPOINTMENT OF COMMISSIONER

1. Chairperson Montague welcomed Jack Petruccelli as the newly appointed commissioner who will replace Thomas Emilson.

PUBLIC HEARINGS

2. Application for Variance to Fence Height; Location: Cottonwood Creek Subdivision, Lot 17; Address: 320 S. Amelia St.; Zone: Residential; Applicant: Efren Ramos Delgado; Owner: Efren Ramos Delgado

Staff Report dated October 21, 2022, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

Planner Dlubac noted the original hearing was continued from the September 25, 2022, Regular Planning Commission Meeting to provide the applicant the opportunity to clarify the existing conditions on the property, to clarify what sections of the fence would be newly constructed and what section of the fence needed to be amended. He explained a written request from the applicant was received prior to the meeting to withdraw the application. The applicant said the standards in the Municipal Code would be met and that landscaping would be used for the privacy issue so there would be no reason to request a variance for the fence the Planner clarified.

The Chairperson opened the hearing for public comment.

Lucy Boody, adjacent neighbor to the applicant said she and the Delgado's originally agreed a privacy fence would be needed due to the 4-foot change in elevation transitioning from her property to the applicants' property, but they have since worked out the issue.

The Chairperson closed the hearing for public comment.

The Planning Commission noted that elevation changes between properties in town should be reviewed during the work sessions to update the Ridgway Municipal Code, Chapter 7, Planning & Zoning.

3. Application for Rezone; Location: Solar Ranches Filing No. 2C, Lot 110A; Address: TBD Sabeta Dr.; Zone: General Commercial; Applicant: Michael Len Wilson and Susan Carriere Wilson, trustees of the Wilson Living trust dated 12-5-2017; Owner: Wilson Living Trust dated 12-5-2017
4. Application for Variance to Lot Width; Location: Solar Ranches Filing No. 2C, Lot 110A and Lot 110B; Address: TBD Sabeta Dr.; Zone: Residential; Applicant: Michael Len Wilson and Susan Carriere Wilson, trustees of the Wilson Living trust dated 12-5-2017; Owner: Wilson Living Trust dated 12-5-2017

5. Application for Final Plat; Location: Solar Ranches Filing No. 2C, Lot 110A and Lot 110B; Address: TBD Sabeta Dr. and 604 Sabeta Dr.; Zone: Residential; Applicant: Michael Len Wilson and Susan Carriere Wilson, trustees of the Wilson Living trust dated 12-5-2017; Owner: Wilson Living Trust dated 12-5-2017

Staff Report dated October 21, 2022, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

TJ Dlubac explained agenda items 3-5 are for a parcel consisting of 2 lots purchased by the Wilsons and the 3 requests intend to bring both lots into compliance with the Ridgway Municipal Code (RMC) standards, the 2019 Master Plan and the Future Land Use Map. He explained vacant Lot 110A was rezoned from a Residential District to a General Commercial District in 2001 to accommodate a proposed holistic center that was never constructed. Mr. Dlubac further noted that the plat note restrictions provide for only health care uses on Lot 110A. The applicants are requesting Lot 110A be rezoned for residential use he concluded.

Dlubac explained an amended plat is needed to readjust the property lines for structural improvements placed on Lot 110A that were intended for Lot 110B. Once the property lines are adjusted, neither lot will meet the minimum lot width requirement, so a variance approval is needed along with an approval for the final plat. The Planner noted the new lot number assignments with the amended plat will be Lot 110A-1, and Lot 110B-2 and the driveway access will be shared by both lots. He recommended approval of all three requests with the *conditions intended to tie each of the approvals together so no one request is approved unless all three are approved* as explained in the Staff Report dated October 21, 2022.

The Commissioners discussed the request with Planner Dlubac.

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

Applicant Susan Wilson stated the requests in the applications are being made to provide the option of selling one of the lots in the future. She explained that the shared driveway access would be legally documented if one of the lots were to be sold.

ACTION:

Commissioner Nelson moved to recommend approval to the Town Council to rezone Lot 110A, Amended Plat of Lot 110, Solar Ranches, Filing No. 2 from the General Commercial District to the Low Density Single-Family District, finding that the criteria set forth in RMC Section 7-3-22(A)(1) have been met with the condition that the Town Council approves the Wilson variance request to reduce the minimum lot width and the amended plat. Mayor Clark seconded the motion. On a call for the roll call vote, the motion carried unanimously.

ACTION:

Mayor Clark moved to approve a 3.56 ft. variance to allow a 46.44 ft. lot width for Lot 110A-1, Wilson Solar Ranch Subdivision in the Low-Density Residential District finding that the criteria set forth in RMC Section 7-3-21 have been met with the condition that the Town Council approves the Wilson Subdivision rezoning and amended plat. Mayor Pro-Tem Meyer seconded the motion. On a call for the roll call vote, the motion carried unanimously.

ACTION:

Mayor Clark moved to approve the request of a 4 ft. variance to allow a 46 ft. lot width for Lot 110B-2, Wilson Solar Ranch Subdivision in the Low-Density Residential District finding that the criteria set forth in RMC Section 7-3-21 (A) have been met with the condition that The Town Council approves the Wilson Subdivision rezoning and amended plat. Commissioner Franz seconded the motion. On a call for the roll call vote, the motion carried unanimously.

ACTION:

Mayor Clark moved to recommend approval to the Town Council for the Wilson Solar Ranch Subdivision finding that the criteria set forth in RMC Section 7-4-5 and 7-4-10 have been met with the following conditions: 1.) Update the Attorney Certificate to include exceptions included on the Title Commitment. 2.) The Town Council approves the Wilson Subdivision rezoning and variance requests to reduce the minimum lot width. Mayor Pro Tem Meyer seconded the motion. On a call for the roll call vote, the motion carried unanimously.

6. Application for Final Plat; Location: Ridgway Land Company Subdivision, Lots 30-34; Address: TBD Redcliff Dr.; Zone: General Commercial; Applicant: Vista Park Development, LLC; Owner: Vista Park Development, LLC

Staff Report dated October 21, 2022, presenting background, analysis and recommendation prepared by TJ Dlubac, AICP of Community Planning Strategies.

The Planner explained the Preliminary Plat for Vista Park Commons Planned Unit Development (PUD) expired on August 14, 2021, which was an oversight by both staff and the applicant. However, Staff believes the spirit and intent of the regulation were met, and it was clear that a final plat submission was forthcoming because the project was proceeding with active construction and the applicant had been communicating with Town Staff throughout the course of project improvements.

Dlubac explained that 5 lots are proposed to be divided into 23 lots that will include 19 single-family residents, 4 duplex units, common area buildings for storage and commercial use, parking spaces and 2 deed restricted units.

He reviewed the variances, conditions, deviations and waivers approved with the PUD, and the standards to approve the final plat. The Planner explained the preliminary plat was approved prior to the 2020 revisions to the Ridgway Municipal Code so the analysis is based on the standards prior to the code revisions. He noted insignificant changes made to the final plat that were not proposed with the preliminary plat such as changes in the square footage for lots 22 and 23 to accommodate duplex structures, originally proposed for Lots 17 and 18, and reductions in the overall lot sizes within the development.

Planner Dlubac noted the required final PUD Plan was not submitted and suggested the applicant ensure consistency within the existing document and submit it with the current information and date. He further noted an updated Phasing Plan should be submitted indicating when the 2-duplex deed restricted units will be constructed. The required updated architectural, elevations and landscape plans, recorded with the final plat were not provided, and the comments regarding the As-built drawings must be addressed and included prior to submitting the final plat to the Town Council for approval. Curb/gutter/sidewalk improvements, parking, and a drainage facility will be included in the Subdivisions Improvement Agreement for public improvements that are not already finished Dlubac concluded. The Planner recommended approval of the application with the following conditions:

1. *Applicant shall submit updated architectural designs, landscape plans, phasing plans, and as-builts to the Town to be reviewed by town staff prior to the final plat and PUD being considered by the Town Council.*
2. *Applicant shall address all redlines in Attachment C of the Staff Report dated October 21, 2022 and resubmit necessary plans and documents for review prior to the final plat and PUD being considered by the Town Council.*
3. *Applicant shall address all outstanding review comments in the comment letter dated July 18, 2022 and submit the necessary documentation for review prior to the final plat and PUD being considered by the Town Council.*

Attorney David Reed, representing the applicant stated the application is in substantial compliance and will meet the conditions suggested by staff. He noted the applicant's Development Team would need to meet with staff for clarification regarding the conditions noted in the Staff Report.

The Commissioners discussed the request with the applicant. Joe Nelson, member of Vista Park Development LLC explained the sidewalks, internal paths, gutter, drainage, primary and secondary irrigation, and interior fencing have been completed. Nelson explained the Landscaping Plan was modified to replace aspen trees with pine and other disease resistant trees and the remaining landscaping would be completed as the units are constructed.

The Planning Commission noted ownership clarity is needed for the Greenbelt Lot referred to as Tract A so that the parcel can be legally dedicated to the Town as a utility easement since Tract A is not part of the plat for the to-be-developed Lots 30-34.

Circulation within the proposed development was discussed and Mr. Nelson explained the subdivision is intended to be pedestrian oriented. He noted the painted lines for parallel parking and cross walks would need to be completed and that will be included in the Subdivisions Improvement Agreement. Nelson also explained that there is a desire to complete the development in one phase, but it may require two phases due to pending orders for specific lots. He further noted the 560 sq. ft. studio units would sell for approximately \$234,000.

The Chairperson opened the hearing for public comment.

Patsy Young requested approval of the project, stating it is good for the community, and noting the continual rise in construction cost and loan fees.

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 for Ridgway Land Company Subdivision, Lots 30-34: Address: TBD Redcliff Dr., finding that the criteria set forth in RMC Section 7-4-5(8)(b) have been met with the following conditions: 1.) Applicant shall submit updated architectural designs, landscape plans, phasing plans, and as-builts to the Town to be reviewed by town staff prior to the final plat and PUD being considered by the Town Council. 2.) Applicant shall address all redlines in Attachment C of the Staff Report dated October 21,2022 and resubmit necessary plans and documents for review prior to the final plat and PUD being considered by the Town Council. 3.) Applicant shall address all outstanding review comments in the comment letter dated July 18,2022 and submit the necessary documentation for review prior to the final plat and PUD being considered by the Town Council. Commissioner Liske seconded the motion. On a call for the roll call vote, the motion carried unanimously.

APPROVAL OF THE MINUTES

7. Approval of the Minutes from the Special Meeting of September 22, 2022

ACTION:

Mayor Clark moved to approve the Special Meeting Minutes from September 22, 2022. Mayor Pro-Tem Meyer seconded the motion. On a call for the roll call vote, the motion carried unanimously with Commissioners Liske and Franz abstaining.

8. Approval of the Minutes from the Regular Meeting of September 27, 2022

ACTION:

Mayor Pro-Tem Meyer moved to approve the Regular Meeting Minutes from September 27, 2022. Mayor Clark seconded the motion. On a call for the roll call vote, the motion carried unanimously with Commissioners Liske and Franz abstaining.

9. Ridgway Municipal Code, Chapter 7 “Planning and Zoning” Update

TJ Dlubac reported that a detailed outline of the chapters and sections should be ready for review by the Town Manager, Engineer and Attorney by the first week in November. He suggested a draft review by the Planning Commission at the November Regular Planning Commission Meeting.

10. Discussion Regarding November Meeting Schedule

Town Manager Neill said the Regular Planning Commission Meeting scheduled for November 29 will proceed as scheduled and the agenda may include the draft update for Chapter 7, “Planning and Zoning” depending on the number of complete hearing applications received in time for that meeting. Neill will advise the Commissioners if a separate meeting should be scheduled to review Chapter 7 prior to posting the agenda for the Regular Meeting.

11. Updates from Planning Commission Members

Mayor Clark reported the Final Plat for the Lakin-Arnold Subdivision was approved by the Town Council.

Mayor Clark also reported that the Town Council Budget Retreat is scheduled for October 29, in the Town Hall Community Center which is open to the public.

12. Discussion Regarding December Meeting Schedule

The Planning Commission agreed to defer the December Regular Meeting to January 2023. The date for that meeting will be decided in December.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Karen Christian
Deputy Clerk