

RIDGWAY PLANNING COMMISSION

AGENDA

Tuesday, December 1st, 2009, 5:30 pm
Ridgway Community Center
201 North Railroad Street, Ridgway, Colorado

ROLL CALL Commissioners Rani Guram, Tom Landless, Bill Liske, Chris Whaling, Mayor Pro Tem John Clark, Mayor Pat Willits and Chairperson Jack Petrucelli

PUBLIC HEARINGS

1. Application for Variance to construct pergola into side setback; Location: Block 12, lots 23-24 at 291 South Charlotte Street; Zone: Historic Residential (HR); Applicant: Priscilla Peters
2. Request for Approval of CDPHE Site Application for New Lift Station; Location: Tract K, Park Subdivision, County Fairgrounds at Highway 62; Zone: General Commercial (GC); Applicant: Town of Ridgway

DISCUSSION ITEMS

3. Community Survey – presentation and discussion of preliminary results

STAFF UPDATE

4. Mitchell-Crabb plat; CDOT rezone

APPROVAL OF MINUTES

5. Minutes from the regular meeting of October 27th, 2009

ADJOURNMENT

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Ridgway Planning Commission will hold a PUBLIC HEARING in the Community Center, 201 N. Railroad Street, Ridgway, Colorado, Tuesday, December 1, 2009 at 5:30 p.m. to receive and consider all evidence and reports relative to the application described below:

Application for: Variance to construct pergola over entry stairs to accessory dwelling unit within setback

Location: 291 S. Charlotte

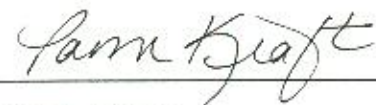
Zoned: Historic Residential (HR)

Applicant: Priscilla Peters

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 the Community Development Office, Ridgway Town Hall, or by phoning 626-5308 Ext. 15.

DATED: November 11, 2009



Pam Kraft, MMC
Town Clerk

PLANNING & ZONING PERMIT APPLICATION

Incomplete Applications will be Rejected

Receipt # Nov. 11, 2009 \$150*
Date Received date 10/16 *
By [Signature] *
* For Office Use Only

ACTION REQUESTED

TEMPORARY USE PERMIT	<input type="checkbox"/>	7-3-13c	VARIANCE	<input checked="" type="checkbox"/>	7-3-16
CONDITIONAL USE PERMIT	<input type="checkbox"/>	7-3-14	REZONING	<input type="checkbox"/>	7-3-17
CHANGE IN NON-CONFORMING USE	<input type="checkbox"/>	7-3-15	SUBDIVISION	<input type="checkbox"/>	7-4-1 thru 7-4-12
OTHER: _____	<input type="checkbox"/>	_____			

APPLICANT/APPLICANTS:

NAME: Priscilla Peters
MAILING ADDRESS: Box 113
CITY: Ridgway Co 81432
TELEPHONE NO.: 626 5084
FAX: same

OWNER/OWNERS OF RECORD:

NAME: Priscilla Peters and Kimberly Allen
MAILING ADDRESS: same
CITY: same
TELEPHONE NO: same

ADDRESS OF PROPERTY: 291 S. Charlotte
ACREAGE/SQUARE FOOTAGE: 7100 sq ZONING DISTRICT: HR
BRIEF DESCRIPTION OF REQUESTED ACTION:
Variance to construct pergola over entry stairs to ADU within setback

ATTACHMENTS REQUIRED FOR ALL ACTIONS:

- Evidence of ownership or written notarized consent of legal owner(s).
- Copy of all site plans drawn to scale showing location of building(s), elevations, abutting streets, and all dimensions, must be submitted on paper size of 8.5 x 11 or 11 x 17. (12 copies unless otherwise noted)
- A filing fee payable to the Town of Ridgway.

FILING FEE SCHEDULE:

Temporary Use	\$ 100.00	Subdivisions	
Conditional Use	100.00	a. Sketch Plan	200.00
Change in Nonconforming Use	100.00	(plus \$10.00 per lot or unit)	
Variations & Appeals	150.00	b. Preliminary Plat	400.00
Rezoning	200.00	(plus \$20.00 per lot or unit)	
Reviews Pursuant to 7-3-18	100.00	c. Final Plat	300.00
Variance from Flood Plain Reg's	100.00	d. Minor Subdivision	200.00
Deviations from Single Family		e. Lot Split	100.00
Design Standards	100.00	f. Replat/amended plats	100.00
		g. Planned Unit Development	(a. b. & c.)

SPECIFIC ATTACHMENTS REQUIRED FOR EACH ACTION:

CONDITIONAL USE PERMITS:

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
4. Property shall be posted at least 10 days prior to the hearing.

TEMPORARY USE PERMITS:

1. The site plan shall show off-street parking requirements, landscaping and architectural features.
2. Information showing compliance with applicable criteria.
3. Property shall be posted at least 10 days prior to the hearing.

CHANGES IN NON-CONFORMING USE:

1. Description of existing non-conformity.
2. Information showing compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.
4. Property shall be posted at least 10 days prior to the hearing.

VARIANCE:

1. Site plan showing details of the variance request and existing uses within 100 ft. of property.
2. Information showing compliance and/or non-compliance with applicable criteria.
3. Notice of hearing shall be posted at Town Hall 10 days before the hearing.

REZONING:

1. Legal description, present zoning and requested zoning of property.
2. Notice of hearing shall be posted 10 days before the date of the hearing.
3. Property shall be posted at least 10 days prior to the hearing.

SUBDIVISION:

1. All requirements established by Municipal Code Sections 7-4-1 through 7-4-12.
2. Affidavit of notice sent to all surface and mineral owners and lessees of mineral rights. (Proof of proper notice must be submitted prior to the hearing.)
3. The Preliminary Plat shall be submitted 21 days prior to the hearing.
4. The Final Plat shall be submitted 20 days prior to the next scheduled Planning & Zoning meeting.
5. Sketch plan required in subdivisions consisting of more than 5 proposed lots or units.

Applicant and owner shall be jointly and severally responsible for legal, engineering, planning, administrative and miscellaneous fees, 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.

Priscilla Peters
Signature of Applicant/Applicants

11/5/09
Date

Priscilla Peters
Signature of Owner/Owners

11/5/09
Date

209127#1

RECEPTION#: 201927, 11/03/2009 at 11:55:48 AM, 1 OF 2 PAGES, Total Fees: \$16.00
MICHELLE NAUER, OURAY COUNTY, CO. CLERK & RECORDER

NO REAL PROPERTY
TRANSFER DECLARATION
ACCOMPANIED THIS DOCUMENT

Recording requested by: Priscilla Peters

When recorded, mail to:

Name: Priscilla M. Peters
Address: 196 S. Laura / P.O. Box 113
City: Ridgway
State/Zip: CO 81432

Space above reserved for use by Recorder's Office

Document prepared by:

Name _____
Address _____
City/State/Zip _____

430517411004 / out # R002041
Property Tax Parcel/Account Number:

Town of Ridgway Block: 12 Lot 23 and;
Lot 24, S: 17 T: 45 R: 8

Quitclaim Deed

This Quitclaim Deed is made on Nov 2nd 2009, between
Priscilla Peters, Grantor, of _____

_____, City of Ridgway, State of Colorado,

and Kimberly E. Miller, Grantee, of joint tenants
and Priscilla Miller Peters, City of Ridgway, State of Colorado.

For valuable consideration, the Grantor hereby ~~quitclaims and transfers all right~~ adds to title, to be joint tenants to title, and interest held by

the Grantor in the following described real estate and improvements to the Grantee, and his or her heirs and assigns, to have and hold forever, located at 291 S. Charlotte,
_____, City of Ridgway, State of Colorado:

Town of Ridgway Block: 12 Lot 23 and; Lot 24, S: 17 T: 45 R: 8
County of Ouray

NA
Subject to all easements, rights of way, protective covenants, and mineral reservations of record, if any.
Taxes for the tax year of _____ shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

Dated: Nov 2, 2009

Russella M. Peters
Signature of Grantor

Kimberly Eileen Miller
Name of ~~Grantor~~ Grantee.

Signature of Witness #1

Printed Name of Witness #1

Signature of Witness #2

Printed Name of Witness #2

State of Colorado County of Duray
On Nov 2, 2009, the Grantor, Russella Miller Peters
personally came before me and, being duly sworn, did state and prove that he/she is the person described
in the above document and that he/she signed the above document in my presence.

Cindy M. Hollinbeck
Notary Signature

Notary Public,
In and for the County of Duray State of Colorado
My commission expires: 9/22/2010



Seal

My Commission Expires
09/22/2010

Send all tax statements to Grantee. NA
Grantor

November 10, 2009

To the P & Z Commision,

I would like to apply for a variance to allow a pergola to cover my entry on the street side of existing building on Moffet. It is for safety concerns that I request this.

The overhang or pergola will help with easier access to the entry, especially with snow. It will also enhance the visual of the existing building.

The requested variance does not interfere with the parking requirements.

The building exists as a shop, which I'm converting to a ADU with the primary entry on Moffet, which is the existing entry.

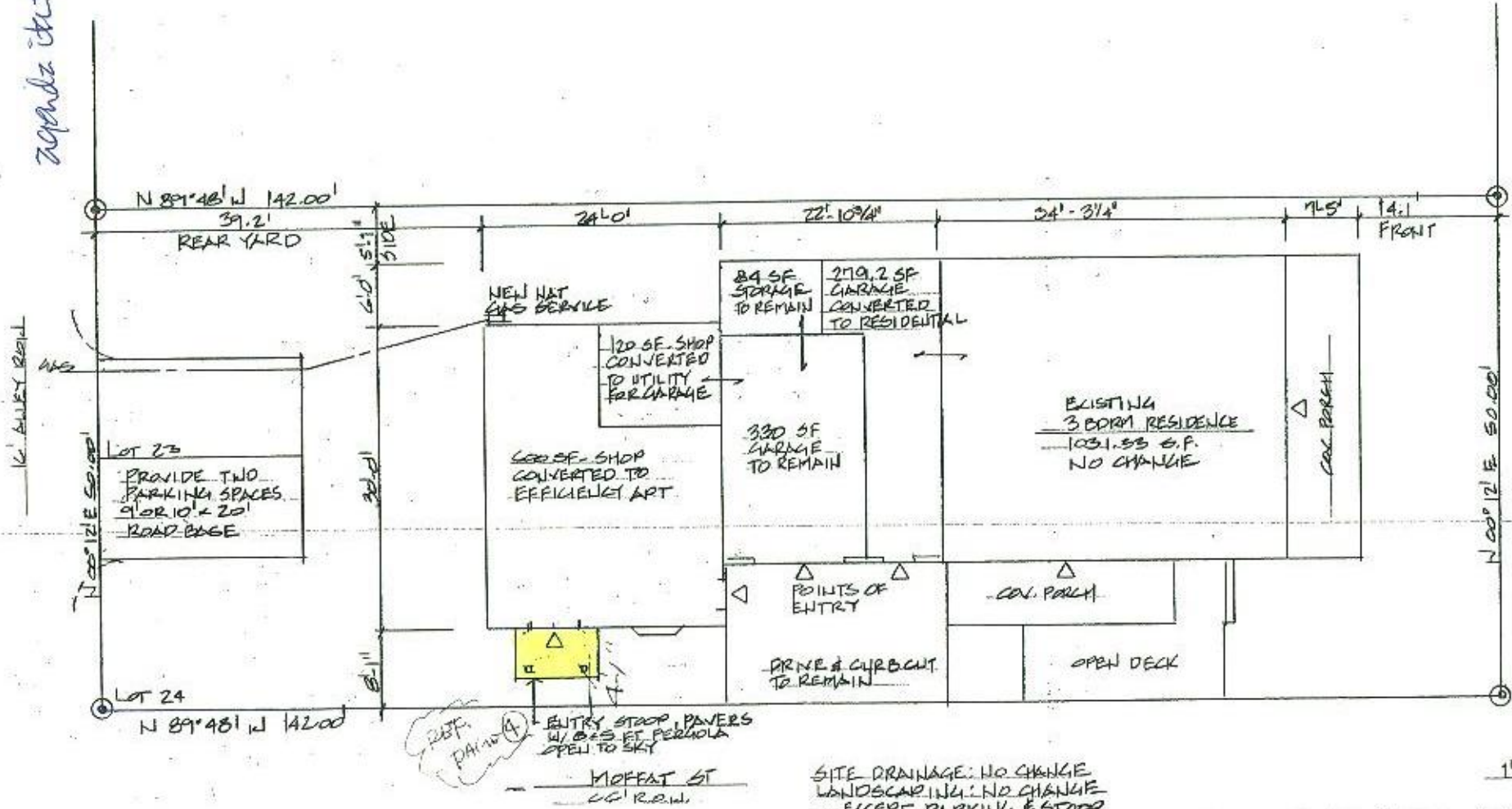
Thank you for your consideration in this matter.

Priscilla Peters

Zogendz itc #1

Zogendz itc #1

S CHARLOTTE
CC R.O.W.



REF. PAVING

ENTRY STOOP, PAVERS
W/ 6' X 3' FT PERGOLA
OPEN TO SKY

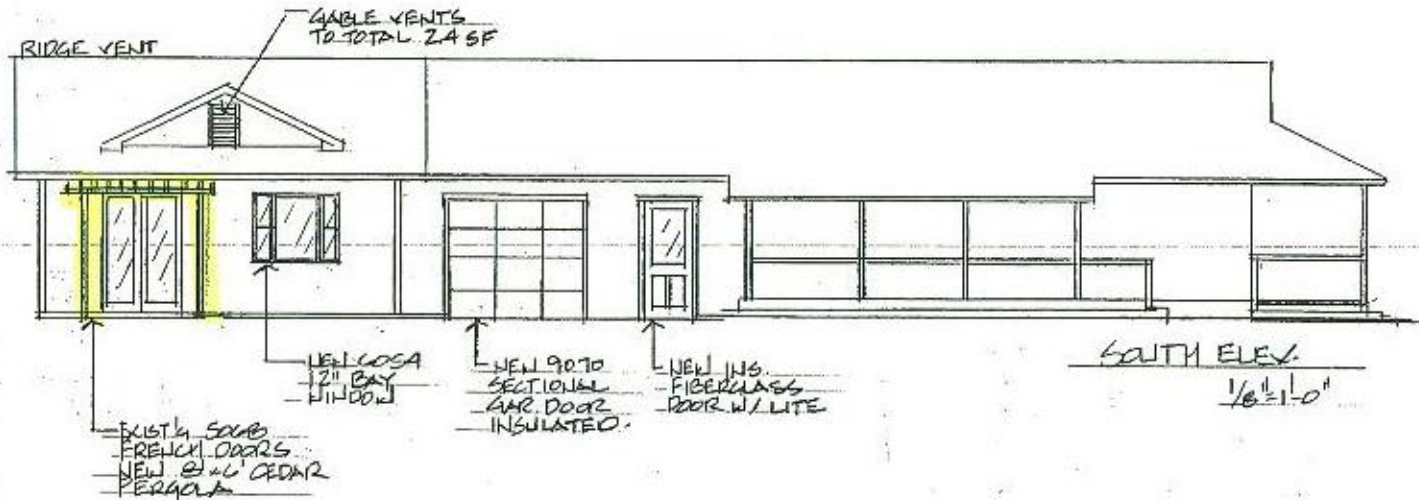
MOFFAT ST
CC R.O.W.

SITE DRAINAGE: NO CHANGE
LANDSCAPING: NO CHANGE
EXCEPT PARKING & STOOP
SITE UTILITIES: NO CHANGE
EXCEPT NEW NATURAL GAS

REMODEL FOR PRISCILLA PETERS
2915 S CHARLOTTE, L23-A, B, 12, RIDGWAY
SITE PLAN

BH 9-30-09

Agenda item #1

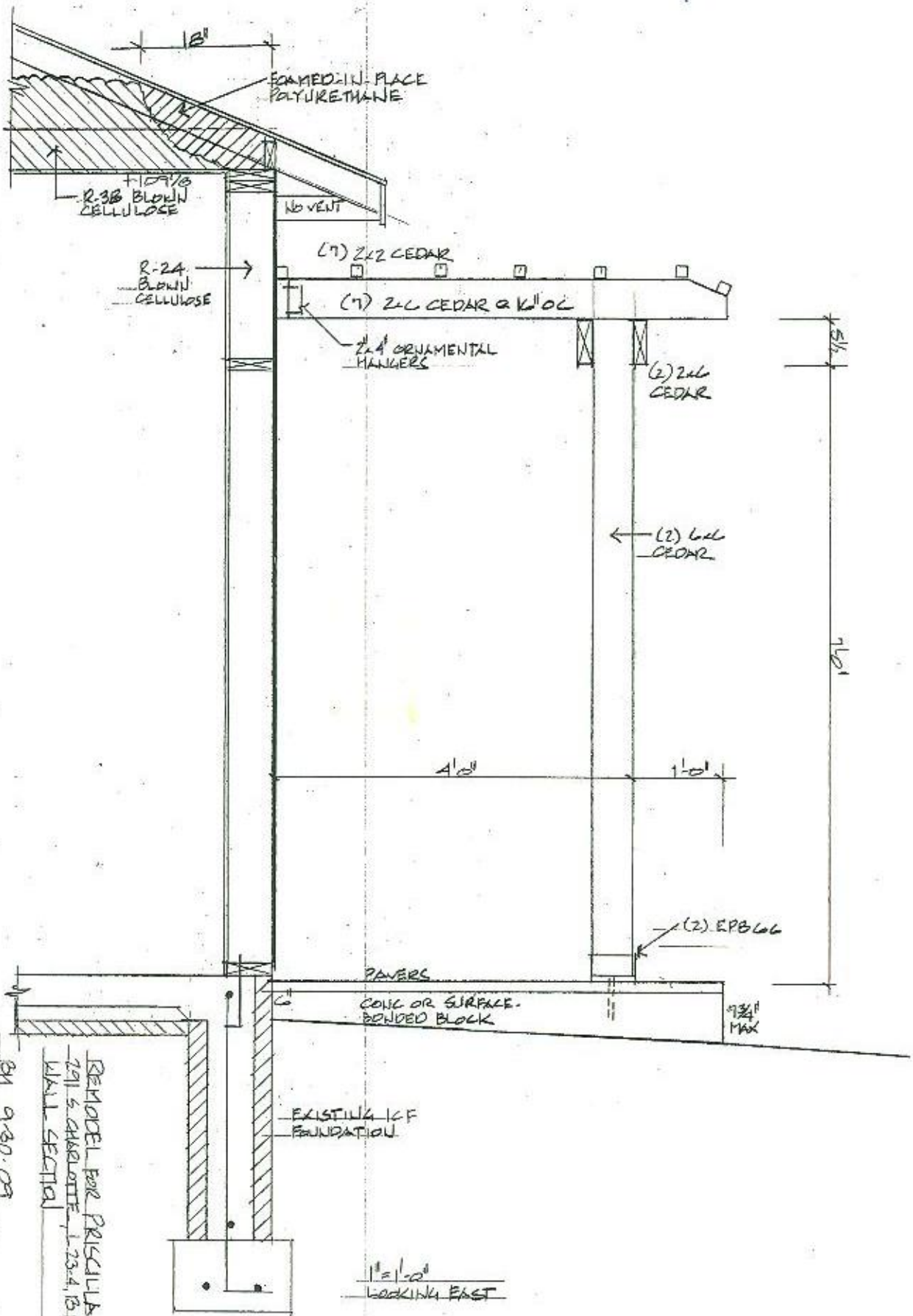


REMODEL FOR PRISCILLA PETERS
2916 CHARLOTTE, L23-4, B12, RIDGEWAY
ELEVATION CHANGES

BH 9-30-09

5

20endaiken #1



REMODEL FOR PRISCILLA PETERS
291 S. CHARLOTTE, 1-23-4, 1312, RICHMOND
WALL SECTION

STAFF REPORT

Request: Variance to construct pergola in the side yard setback
Location: 291 S. Charlotte Street, Block 12, Lots 23-24
Zone: Historic Residential
Initiated By: Jen Coates, Town Planner
Date: November 18, 2009

BACKGROUND:

Applicant is requesting a variance to construct a pergola over the entry of a planned accessory dwelling unit at 291 South Charlotte Street in the Historic Residential District. The property is at the southeast corner of Block 12, at the intersection of Charlotte and Moffat Streets. The property consists of 2 historic town lots and contains a single family home, garage and adjoining workshop. The Applicant is the co-owner of the property.

The Applicant applied for a building permit to convert the shop space to an accessory dwelling unit, pursuant to RMC §7-3-13(G), and the permit was issued on November 17th. The building permit plans comport with the building codes and municipal code, although construction of the pergola is not permitted at this time as it is subject to this variance approval by the Planning Commission.

The Applicant submitted an application, proof of ownership, site plan, pergola plan and design, and letter of request for the variance. These documents are appended to this report. This hearing has been noticed and the property is appropriately posted.

ANALYSIS:

Variances are defined under RMC §7-3-16 and reviewed under RMC §7-3-18.

Variances RMC §7-3-16

Applicable criteria include:

Subsection (A)

The Planning Commission may grant a variance from the Dimensional Requirements, Sign Regulations, Design or Performance Standards and other provisions of these regulations not related to “use”.

- (1) There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and
- (2) The spirit of the ordinance will be observed, the public health safety and welfare will be secured and substantial justice done by granting the variance.

Subsection (C)

The burden shall be on the Applicant to show that these criteria have been met.

The following are considered with this application:

- The definition of “Building Line” under RMC §7-3-2 provides for some minor encroachments into setbacks

- The side yard setback for this property is 7.5' from the Moffat Street right-of-way
- The shop/ ADU structure in question is built within one foot of the side yard setback, where the primary entrance is currently located, at Moffat Street
- The proposed encroachment is for a minor roof structure, encroaching 4.5' into the setback, and will not impair vehicular line of sight as designed and located
- An overhead covering greater than 6" at the primary entrance will provide for safer access to and from the dwelling unit through mitigation of ice and snow build-up as well as limiting the amount of precipitation entering the dwelling unit
- Practical difficulty exists in that relocating the structure is not a realistic alternative
- Unnecessary hardship may be present in not allowing construction of the entry covering as there are not adjacent buildings or property owners abutting the setback area where the Applicant desires the encroachment; the abutting property is street right-of-way; the proposed encroachment is 4.5' into the setback and is for a minor structure; any future improvements in the right-of-way such as sidewalk or landscaping should not be impacted
- The spirit of the ordinance appears to be met as the permanent structures are all within the setbacks and this minor structure will improve the visual appeal of the residential unit, and the community has expressed a desire for smaller, affordable accessory units

STAFF RECOMMENDATION

Staff recommends approval of the variance to construct the pergola a maximum of 4.5' into the side yard setback at Moffat Street, as designed and submitted with this application for the planned accessory dwelling unit at 291 South Charlotte Street.



STAFF REPORT

Request: Approval of Site Application for New Lift Station
Location: Park Subdivision, Tract K; Fairgrounds access via Highway 62
Zone: General Commercial
Initiated By: Jen Coates, Town Planner
Date: November 23, 2009

BACKGROUND:

The Town is in the process of applying to the Colorado Department of Public Health and Environment (CDPHE), Water Quality Control Division for approval of a new lift station to increase sewer service to properties east of the Uncompahgre River, within the Town. The proposed location is on the northwest aspect of the County Fairgrounds property at Highway 62 (see map). The property is zoned General Commercial (GC) and is owned by the Town.

Page 3, Section C of the attached CDPHE application requests the following:

This application shall be forwarded to the planning agency of the city, town, or county in whose jurisdiction(s) the lift station and force main is to be located. The applicant [Town] shall obtain, from the appropriate planning agency, a statement(s) of consistency of the proposal with the local comprehensive plan(s) as they relate to water quality subject to the provisions of 22.3(2)(b).

Water Quality Control Commission Regulation 22.3(2)(b) reads as follows:

That the proposed treatment works is developed considering the local long-range comprehensive plans for the area as it affects water quality and the approved water quality management plans for the area;¹

The property was previously posted per the CDPHE requirements. The proposed application is appended to this report.

ANALYSIS:

The proposed lift station is a use-by-right as “Government buildings and facilities” in the General Commercial zone, RMC §7-3-9(B)(4); therefore, a land use approval is not required under the Town code. Performance standards within the GC district appear to be met, including no unreasonable hazard, nuisance, smoke, dust, noise, fumes, odors, vibration or light observable off-premises. The lift station will be primarily underground with minimal surface impact after construction.

The proposed lift station is sited to service properties within the Town boundary including those not yet built-out. The Town estimates 30 years to build-out of the service area for this lift

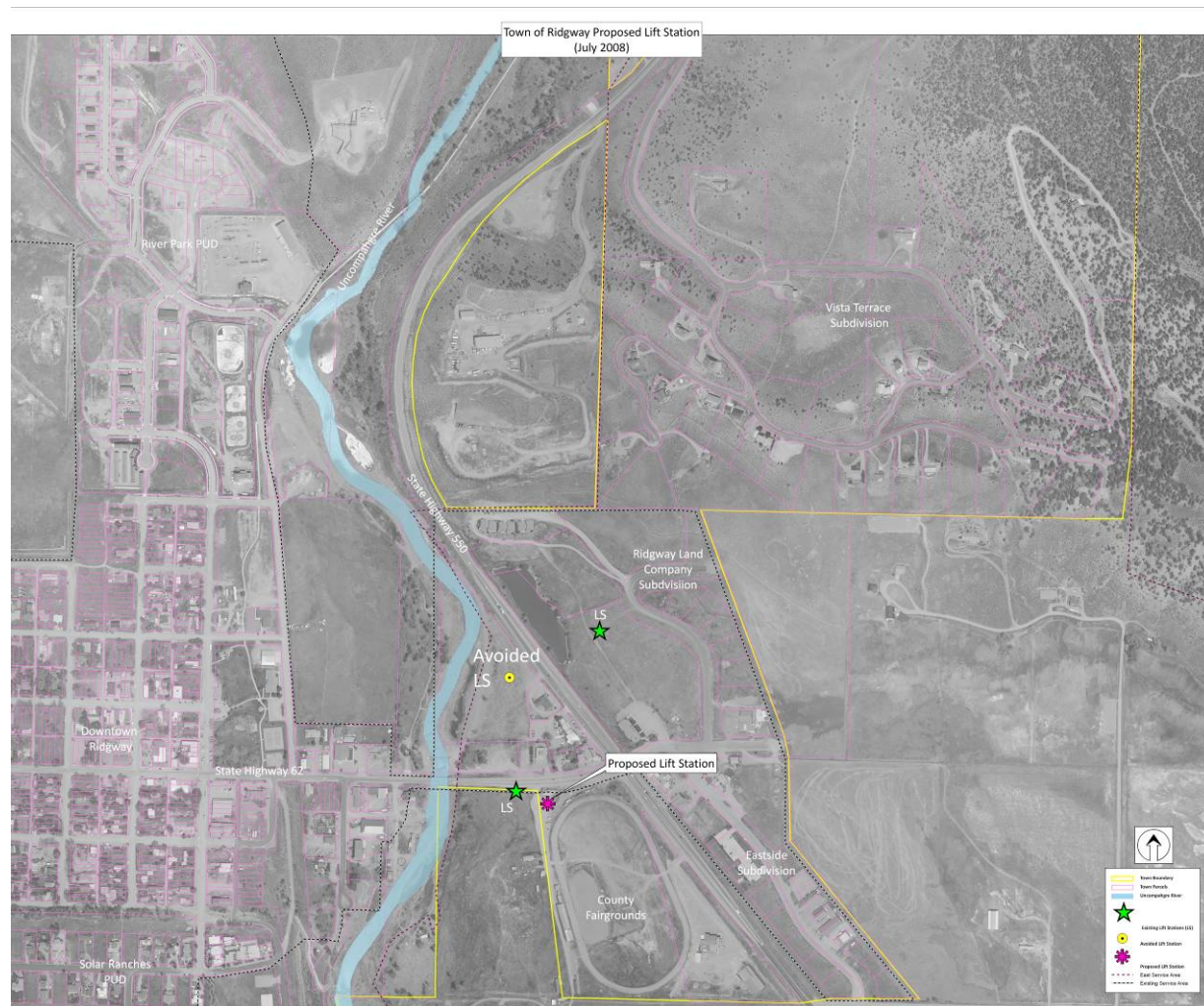
¹ Department of Public Health and Environment, Water Quality Control Commission, Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works, 5-CCR-1002-22; retrieved November 20, 2009 from <http://www.cdphe.state.co.us/regulations/wqccregs/>

station. Planning efforts to expand the current wastewater treatment plant will possibly commence by 2015. The construction of this lift station will replace two, existing stations and eliminate the need for a third.

In addition to the Town’s water quality management plan, the purpose of the lift station, which is to service properties within the Town boundary, comports with long-range plans for the Town outlined in Goals I and II of the 2000 Comprehensive Plan, which call for a 5% annual rate of growth, and development that occurs in an “orderly fashion from the existing developed part of town out to the Ridgway municipal boundary” (p. 26).

STAFF RECOMMENDATION

Staff recommends approval of the site application to CDPHE for the new lift station at the proposed location, to provide service to future users, and premised on the fact that the new station and location are in compliance with the Town’s long range plans for wastewater treatment and water quality.



COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
Water Quality Control Division
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
(303) 692-3574

APPLICATION FOR SITE LOCATION APPROVAL FOR CONSTRUCTION OR EXPANSION OF
NEW OR EXPANDED LIFT STATION or INTERCEPTOR SEWERS NOT ELIGIBLE FOR
CERTIFICATION

(Section 22.7, Regulation No. 22)

Applicant Town of Ridgway

Phone: 970 626 5308

Address: P O Box 10

City, State, zip: Ridgway, CO 81432

Email Address jfagan@town.ridgway.co.us

Primary Contact (for project inquiries) Joanne Fagan

Phone 970 626 5227

Consulting Engineer: Town of Ridgway (in house)

Phone: 970 626 5227

Address: P O Box 10 Ridgway, CO 81432

City, State, Zip: Ridgway, CO 81432

Email Address jfagan@town.ridgway.co.us

A. Summary of information regarding lift station:

1. Is this New Lift Station Expansion of Existing Lift Station Interceptor Sewer

2. Proposed Lift Station Location County: Ouray

Municipality (if applicable): Ridgway

(Legal Description NE ¼, SW ¼, Section 16

Township: 45N Range: 8W

Lat. 38o09'04.49"N Long. 107o45'00.75"W

Street Address applicable: Hwy 62, Ridgway

3. Capacity of facility proposed: Lift Station & Force Main Interceptor Sewer

Maximum Monthly Average Hydraulic: _____ gal/day or MGD (refer to Regulation 22 for definition)

Peak Hydraulic 0.44 MGD gal/day or MGD

Present PE: about 200 Design PE: about 850

4. Mapping of Facility:

Attach a map of the area, which includes the following: Attachments 1,2

1-mile radius: location of proposed/existing Lift Station, habitable buildings, topography and neighboring land uses.

15. Name and address of wastewater treatment plant providing treatment: Town of Ridgway Wastewater Treatment Plant, 401 Otto St. Ridgway, CO 81432

Be sure to Provide confirmation statement required in section 22.7(1)(f)(i)(ii)(iii) of Regulation 22.

B. If the facility will be located on or adjacent to a site that is owned or managed by a federal or state agency, send the agency a copy of this application for the agency's review and recommendation.

C. Recommendation of governmental authorities:

The application shall be forwarded to the planning agency of the city, town, or county in whose jurisdiction(s) the lift station and force main is to be located. The applicant shall obtain, from the appropriate planning agency (agencies), a statement(s) of consistency of the proposal with the local comprehensive plan(s) as they relate to water quality subject to the provisions of 22.3(2)(b).

The application shall be forwarded to the water quality planning agency (agencies) for the area in which the facilities are to be constructed and for the area to be served by those facilities. The applicant shall obtain, from the appropriate planning agency (agencies), a statement(s) of consistency of the proposal with any adopted water quality management plan(s).

If you have any further comments or questions, please call (303) 692-3574.

APPLICANT

I certify that I am familiar with the requirements of the "Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works", and have posted the site in accordance with the regulations. An engineering report, as described by the regulations, has been prepared and is enclosed.

Date April 20, 2009

Signature of Applicant*

Greg Clifton, Town Manager

Typed Name and Title

*The applicant must sign this form. The Consulting Engineer cannot sign this form.

TREATMENT AGENCY

The proposed lift station or interceptor sewer, when fully developed, will increase the loading of the treatment plant

to in about 15 yrs to 70 % of hydraulic and 70 % of organic capacity and Town of Ridgway - Note that the Town intends to start planning for plant expansion in the next 5 years.

agrees to treat this wastewater? Yes No

(Name of Treatment Agency)

April 8, 2009
(Date)

(Signature and Title)

Greg Clifton, Town Manager
(Typed)

<u>Date</u>	<u>Recommend Approval</u>	<u>Recommend Disapproval</u>	<u>Signature of Representative</u>
1.	_____	_____	_____ Local Planning Agency Typed
2.	_____	_____	_____ 208 Planning Agency Typed

5. Is the facility in a 100-year flood plain or other natural hazard area? No

What Agency designated the flood plain? FFMA
(Agency Name)

If the site is in the flood plain, what precautions are being taken? N/A

6. Present zoning of site? County "Valley" Zone

Zoning within a 1-mile radius of site (for new lift stations only)? Town Zones: General Commercial (GC), Historic Business (HB), Historic Residential (HR), Residential (R). (See Zoning Map Attachment 2).

7. Who owns the land upon which the facility will be constructed? Town of Ridgway

(If the applicant does not own the site, please attach copies of the legal documents allowing the applicant to construct the proposed Lift Station at this site.)

8. Estimated project cost: \$800,000

If the applicant is not directly responsible for constructing the new facilities, who is responsible for the construction of the facility? N/A

(Attach documentation of the legal responsibility of the party constructing the Lift Station (or expansion) to complete that work and transfer the Lift Station to the Applicant.)

9. Will a State or Federal grant or loan be sought to finance any portion of this project? Yes, DOLA funds secured

10. What entity has the responsibility for owning and operating the proposed facility? Town of Ridgway

11. Please include any additional factors that might help the Water Quality Control Division make an informed decision on your application for site approval. The project will construct a new lift station that will ultimately replace two existing stations and eliminate the need for a third.

12. Please describe the period over which build-out of the service area will occur and the flows expected in the first 5 years and 10 years of operation of the Lift Station (expansion): about 30 years to build out. Current peak monthly flows are about 20,000 gpd. In the next 5 years, given the economic slow down, that is expected to increase to about 25,000 gpd. When the economy turns around the increase in demand will increase more rapidly. Perhaps in 15 years to 85,000 gpd if the economy turns around in the next couple of years. Build out is projected to take over 30 years.

13. Will this Lift Station replace an existing Lift Station? Yes No

If YES, please describe the current flows and loadings that will be switched to the proposed new Lift Station: Currently peak monthly flows are about 20,000 gpd. Loading, assuming a BOD of about 275 mg/l would be about 46 ppd. Total flow and loading of the new station in +/-15 years is projected to be 75,000 gpd with a load of 172 ppd.

14. Describe emergency back-up system in case of lift station and/or power failure. The system will include an automatic transfer switch and backup generator capable of powering the lift station. The lift station will in the short term have 3 pumps with 2 pumps capable of handling peak demand for at least 10 years. In initial construction will include provisions for a 4th pump to handle flows anticipated in 25-30 years.

PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
OCTOBER 27, 2009

CALL TO ORDER

The Chairperson called the meeting to order at 5:30 p.m. with Commissioners Guram, Liske, Whaling, Mayor Willits, Mayor Pro Tem Clark, and Chairperson Petruccelli in attendance. Commissioner Landless was absent.

1. Future development of property in Trail Town, Mixed-Use Commercial Development

John Peters and Ned Bosworth informally proposed future development of the vacant land in Trail Town, a mixed-use commercial development. Mr. Peters suggested a flexible footprint that would allow a variety of unknown future tenants, while staying in compliance with building and zoning codes. The Commission understood the need of a flexible footprint. The Commission agreed detailed conceptual information should be presented at another meeting.

2. Preliminary Results of Community Survey

Town Planner, Jen Coates, presented statistics regarding preliminary results of the community survey to update the land use element of the comprehensive development plan. The data will be further summarized and cross-referenced for review at the next Commission meeting.

Mayor Willits and Commissioner Guram excused themselves from the meeting at 7:20 p.m.

3. Update on Town Council Items

Planner Coates explained a task force to study changes to temporary business signage was established by the Council as a result of a request by the Chamber of Commerce. The first meeting will be held on November 3rd.

Coates noted both recommendations from the previous Commission meeting were rescheduled to the November Council meeting.

APPROVAL OF THE MINUTES

4. Minutes from the Regular Meeting of September 29, 2009

ACTION:

Mayor Pro Tem John Clark moved with Commissioner Liske seconding the motion to approve the minutes of September 29, 2009. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Karen Christian
Deputy Clerk