

PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
AUGUST 30, 2016

CALL TO ORDER

Mayor Clark called the meeting to order at 5:35 p.m. with Commissioners Emilson, Liske, Nelson, Councilor Hunter and Mayor Clark in attendance. Commissioner Wasser and Chairperson Canright were absent.

INFORMAL REVIEW

1. Review of property development of 1.606 acres at 316 North Lena, situated east of Blocks 31 and 32, north of Hartwell Park/Charles Street, Lena Street, Otto Street, and west of Library District property and Town of Ridgway property at North Railroad Street

Conceptual Site Plan A 1.1 from the applicant dated August 24, 2016.

Sundra Hines, representing applicant Tate Rogers, explained the applicant is considering purchasing 1.606 acres at 316 North Lena Street with the “goal to fill the need of housing and economic development.” She referenced the Town 2011 Land Use plan, stating it projects “infill with mixed use development” and “compact growth from the core,” which is included in the applicant’s goals. He would also like to “offer diverse housing levels to different economic groups.” From north to south, the conceptual site plan included office or studio space, then 1500 to 1600 square feet townhouses, then 800 to 1000 square feet townhouses, and then a live/work or retail space.

There was discussion between the Commission and Ms. Hines.

Ned Bosworth spoke in favor of the plan, noting it is a “representation of a need that should be filled” regarding high density, and stated he has no opinion regarding the location and impact.

Tom McKenney stated he is in favor of higher density in the location proposed, but is concerned about the aesthetics.

Larry Falk spoke in favor of the location, noting it is in the center of Town and close to the library.

Mary Beth Hollenbeck suggested including a courtyard.

There was discussion between the Commission, Ms. Hines and the audience.

The consensus of the Commission was to encourage the applicant to move forward with the design.

## PUBLIC HEARINGS

2. Application for Conditional Use Permit; Location: Block 38, Lots 22, 23, 24; Address: 276 South Lena Street; Zone: Historic Business (HB); Applicant: James R. Scoggins and Voncile Scoggins; Owner: James R. Scoggins and Voncile Scoggins

Notice of Public Hearing dated August 20, 2016 from the Town Manager/Planner; Planning and Zoning Permit Application from the applicant; Staff Report dated August 25, 2016 from the Town Manager.

Town Manager Jen Coates explained the conditional use request is to build a 2600 square foot prefabricated storage structure on the property at the northwest corner of Hyde Street and South Railroad Street.

Applicant James Scoggins stated the color of the storage building will be brown to match the existing structure, noting there will be no electricity or plumbing. The idea is to protect "materials that can be damaged by the elements," he noted. Additionally, it will allow the ability to drive a vehicle inside the building to unload supplies.

There was discussion between the Commission and the applicant.

Mayor Clark opened the public hearing.

Bob Kelly spoke in favor of the conditional use permit.

Mayor Clark closed the public hearing.

### ACTION:

It was moved by Councilmember Hunter to approve the conditional use permit for a storage building with the staff recommendations listed in Staff Report dated August 25, 2016: the existing outside storage will need to be organized and actively managed to mitigate the impact on the adjoining properties and decrease any opportunity to create a nuisance; no manufacturing and industrial activities; provide building elevations and integrate the Commercial Design Guidelines to comport with the intent of the Historic Business Zone and performance criteria for the district, specifically architectural design elements and landscaping; noxious weed management; approval by the Building Inspector of all structural and mechanical requirements as needed for the proposed uses and applications. Commissioner Liske seconded the motion, and it passed unanimously.

Councilmember Hunter amended the motion to include the Commercial Design Guidelines regarding curb cuts, landscaping, and screening of the structure. Commissioner Liske seconded the amendment which carried unanimously.

3. Application for Conditional Use Permit for residential use; Location: Parcel B, River Ranch I, Resubdivision Lot 1 of Weihart Subdivision; Address: 218 Sherman Street; Zone: General Commercial; Applicant: Jack Petruccelli; Owner: River Ranch I, LLC

Notice of Public Hearing dated August 19, 2016 from the Town Manager; Planning and Zoning Permit Application from the applicant; Shared Parking Agreement, Reception #200727 recorded May 20, 2009; Residential floor plan dated March 17, 2016 from the applicant; Boundary and improvement survey dated August 8, 2008 from the applicant; Staff Report dated August 25, 2016 from the Town Manager.

Town Manager Coates presented the application, stating the applicant is requesting to convert the lower level of the building from commercial to residential space. She explained the current layout of the three level building: upper level is residential use, middle level is business use, and the lower level is office/retail space.

Clint Estes, representing applicant Jack Petruccelli, explained a "large portion of the lower level has been unrented office space and may be better suited as residential."

There was discussion between the Commission and Mr. Estes.

Mayor Clark opened the public hearing.

Charles Mueller commented on the application.

Ned Bosworth spoke in favor of the conditional use permit, stating there is "no street presence" for a business on the lower level and it will work better as residential.

Mayor Clark closed the public hearing.

**ACTION:**

Councilor Hunter moved to approve the Conditional Use Permit with the condition that the applicant work with staff to ensure that potential conversions meet the building regulations. Commissioner Nelson seconded the motion, and it passed unanimously.

4. Application for Conditional Use Permit for residential use; Location: Lot 24A of the Hollenbeck Lot Split; Address: 400 Palomino Trail; Zone: General Commercial; Applicant: Mary Beth Hollenbeck; Owner: Mary Beth Hollenbeck

Notice of Public Hearing dated August 19, 2016 from the Town Manager; Planning and Zoning Permit Application from the applicant; Letter dated August 18, 2016 from the applicant; Staff Report dated August 25, 2016 from the Town Manager.

The Town Manager presented the application, stating it is a request to convert the lower level from commercial to residential use. She explained the building is a two story structure with one unit on the upper level, and a second unit on the lower level. She noted the property owner has a conditional use permit for the upper level to be a residence, making it a duplex. The lower level has previously been used as an antiques store and a short term rental.

Bob Kelly, representing applicant Mary Beth Hollenbeck, stated the intent is to have the lower level as residential use from November 1<sup>st</sup> to May 1<sup>st</sup> and use the unit for short term rental the remaining months. He noted the applicant created an

advertisement for a six month rental, which had several responses. He further noted it is a way for people to “transition to Ridgway.”

There was discussion between the Commission and staff.

Commissioner Wasser entered the meeting at 8:00 p.m.

There was no one from the audience wishing to speak.

The applicant requested the conditional use permit be effective for a three year trial period.

There was discussion among the Commission.

**ACTION:**

Councilor Hunter moved to approve the conditional use permit with the following conditions: permit to be in effect for duration of November 1, 2016 to October 31, 2018; long term rentals greater than 31 days will only be allowed November 1<sup>st</sup> to April 30<sup>th</sup>; no rentals longer than six months. Commissioner Liske seconded the motion, which passed unanimously. Commissioner Wasser abstained due to late entry.

The Commission took a recess at 8:15 p.m. and reconvened at 8:20 p.m.

5. Application for Amended Plat; Location: My An Yours Condos, Lot 16, Solar Ranches PUD Filing 2A; Address: 825 Chipeta Drive; Zone: Residential; Applicant: Julie Mehrer; Owner: Julie Mehrer and Karen Hawkins

Commissioner Nelson recused herself, stating she resides at the residence.

Notice of Public Hearing dated August 19, 2016 from the Town Manager/Planner; Planning and Zoning Application from the applicant; Staff Report dated August 28, 2016 from the Town Manager; Proposed amended plat from the applicant.

Town Manager Coates presented the amended plat request to convert an area of 9 feet by 19 feet from General Common Element to a Limited Common Element for the purpose of building an outdoor patio.

Applicant Julie Mehrer stated Karen Hawkins, the other condominium owner, has agreed to the request.

There was no public comment.

**ACTION:**

Councilmember Hunter moved to approve the amended plat request to convert a 9 feet by 19 feet area to Limited Common Element for a patio, with changes to the plat map. Commissioner Wasser seconded the motion, and it passed unanimously.

Commissioner Nelson returned to sit with the Commission.

6. Application for Variance to Parking Requirements in the Historic Business District; Location: .382 acres, north of Town Hall, southwest corner of Charles and Railroad Street; Address: 251 Railroad Street; Zone: Historic Business; Applicant: Ridgway Fire Protection District; Owner: Ridgway Fire Protection District

Notice of Public Hearing dated August 20, 2016 from the Town Manager; Planning and Zoning Permit Application from the applicant; Staff Report dated August 28, 2016 from the Town Manager.

Manager Coates explained the applicant is adding a residential space to the property to accommodate the needs of the Emergency Medical Systems (EMS) team. She noted due to the new construction, the Municipal Code for Historic Business District requires six designated parking spaces for the property, of which there are currently three. She stated the request is to waive the remaining three parking spaces required and the corresponding \$9000 fee. She explained the criteria that must be met for the variance to be approved.

Fire Protection District Chairperson Charles Mueller, the applicant representative, stated the district is a nonprofit entity and “has been saving for 15 years for the construction project.” He explained the space being added is for the EMS member to sleep while working on call, and “will not be living there.” He noted “there are 36 parking spaces being created” between the library and the fire department, and they are “not expecting any more demands for parking” than they currently have.

There was discussion among the Commission regarding the residential nature of the use for the EMS sleeping quarters, noting it is not a typical residential use where there would potentially be more cars.

There was discussion between the Commission, staff and the applicant.

#### ACTION:

Commissioner Liske moved to grant the request for a variance to the Historic Business parking requirements, and to waive the resulting fee of \$9000 for the .382 acres at the southwest corner of Charles Street and Railroad Street, stating the applicant has met the criteria for variances in the Municipal Code Section 7-3-16 regarding practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Off-Street Parking Requirements. Commissioner Emilson seconded the motion, which carried unanimously.

#### POLICY MATTERS

7. Continued discussion regarding creating new zoning districts

Continued from the meeting of July 29, 2016.

Draft summaries for two new zoning districts, high density residential and mixed use business/ residential, dated August 29, 2016 from the Town Manager.

The Town Manager stated the intent of high density residential is to build on the current density of historic residential in the core of Town, and to accommodate a

variety of housing types. The intent of the mixed use district is to expand on the mixed use opportunities provided in the historic business district, and to accommodate the growing demand for affordable work/live space.

Chris Hawkins, with Alpine Planning, made several suggestions regarding the zone district draft summaries.

Heather Bussey Patterson commented on the proposed prohibited use of outside storage in the mixed use district, stating screening equipment is a challenge for businesses, and noting several businesses lease their property which makes it difficult to build a storage building.

There was discussion between the Commission, staff and the audience, including clarification to the audience of the first draft of zoning regulation summaries; potential changes to the types of buildings that are allowed by uses by right and conditional uses; allowable building heights; maximum square footage; and setbacks.

Commission asked staff to research additional examples from other communities of higher density districts with buildings up to 45 feet high, and building size of 20,000 to 25,000 square feet, to determine potential impacts.

Manager Coates stated the uses by right and conditional uses need to be carefully considered to decide what is appropriate, and the potential zones need to be compared to the 2011 Land Use Map.

8. Proposed municipal code amendment for public art illumination

Planning Intern Lauren Hauger reported the Town Council is considering illumination of the new 15 foot tall sculpture on the corner of Highway 62 and Lena Street. This item was presented to the Town Council, and staff was directed to research how other Dark Skies Association communities regulate illumination of public art. A representative of the Dark Skies Association recommended adding 40 LED lights at 10 lumens apiece.

The Town Manager noted illumination would be considered with conditions, including timers and wattage restrictions.

There was discussion between the Commission and staff.

Consensus of the Commission was to recommend to the Town Council regulations pertaining to illuminating public art to the Municipal Code lighting section by requiring a timer to turn the lighting off at 10 p.m., and the use of warm Kelvin lights.

9. Space to Create update

Ms. Hauger reported the Town has been awarded the Space to Create project, and in the upcoming months, a feasibility study and arts market survey will be conducted to framework needs for the project. Manager Coates stated on September 29<sup>th</sup>, Artspace will be in Town to do stakeholder interviews, meetings, and begin to work on the regional feasibility study. There will also be a public meeting.

10. Approval of Minutes from the meeting of June 28<sup>th</sup> and August 24<sup>th</sup>

ACTION:

Councilor Hunter moved to approve the minutes from June 28<sup>th</sup>, which was seconded by Commissioner Liske, and carried unanimously.

ACTION:

Commissioner Liske moved to approve the minutes from August 24<sup>th</sup>. Councilor Hunter seconded the motion, and it passed with Commissioners Emilson, Nelson, and Mayor Clark abstaining due to being absent from the meeting.

ADJOURNMENT

The meeting adjourned at 10:50 p.m.

Respectfully Submitted,

Jess Nunn  
Administrative Clerk