



## REGULAR PLANNING COMMISSION MEETING AND BOARD OF ADJUSTMENT

Tuesday November 28, 2017

Chair Fuller called the Regular Planning Meeting and Board of Adjustment to order at 7:05 p.m.

### **MEMBERS PRESENT AT ROLL CALL**

**Fuller, Pettinger, Caldwell, Marantino, Rogers, Roberts, Garcia-Hernandez, Steffen and Villasenor**

### **OTHERS PRESENT**

Planning Director Nathan Lindquist, Administrative Assistant Charlotte Squires, Administrative Assistant Misty Williams, City Attorney Jeff Conklin, Ch. 10 Salvador Tovar-Guzman, Cindy King, Steve Ball, Randy Ford, Ron Liston, Chris Manera and Jeb Savage

### **APPROVAL OF MINUTES**

Commissioner Rogers moved to **APPROVE** minutes from the October 30, 2017 meeting; Commissioner Steffen seconded the motion. The motion **CARRIED** with the following vote:  
**ROLL CALL: Yes- Fuller, Pettinger, Caldwell, Marantino, Rogers, Steffen and Villasenor**

### **PUBLIC HEARING OPENED: 7:12 P.M. ZONING VARIANCE 2017-2 1011 MUNRO AVENUE**

Applicant Steve Ball and Project Manager Randy Ford were sworn in.  
Confirmed Public Notice was met.

### **PURPOSE**

Applicant requests allowance of carport structure in the front yard setback

### **STAFF REPORT**

*Planning Director Nathan Lindquist* began this session by explaining the specifics of 1011 Munro Avenue, including why a zoning variance is needed to build a carport structure at this location. Current codes require a 20-foot front yard setback for carports; the applicant requests a 7-foot setback. Staff recommends the Board of Adjustment approve Variance 2017-2 to allow a carport to extend within 7 feet of the front property line on Munro Avenue.

### **APPLICANT PRESENTATION**

*Mr. Ball and Mr. Ford* presented drawings of the proposed structure, and described what materials would be used in the construction of the carport. They also explained why the owner of the property (Cindy King) needed the structure; the garage (built in 1946) is not big enough to accommodate Ms. King's truck, therefore a carport is necessary. They pointed out that the sides of the structure would remain open, so as not to block the view for traffic and pedestrians.

**PUBLIC COMMENT OPENED: 7:14 P.M.**

No comments.

**PUBLIC COMMENT CLOSED: 7:15 P.M.**

**COMMISSION DISCUSSION**

No discussion was had.

**Motion Made:**

*Commissioner Rogers* moved to **APPROVE** Zoning Variance 2017-2 with staff recommendations; *Commissioner Steffen* seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes-Fuller, Pettinger, Caldwell, Marantino, Rogers, Steffen and Villasenor**

**PUBLIC HEARING OPENED: 7:20 P.M. ZONING TEXT AMENDMENT 2017-2**

Applicant – Planning Director Nathan Lindquist on behalf of the City of Rifle

Confirmed Public Notice was met.

**PURPOSE**

This is a proposal made by the City of Rifle to investigate making multiple changes to the zoning standards of the Rifle Municipal Code.

**STAFF REPORT**

*Planning Director Lindquist* explained that the Municipal Code requires changes and updates, based on items that were brought up throughout the year. The first item was allowing re-establishment of residential use in single family homes in the downtown. Current code recognizes that after a 12-month period of abandonment, a single family home located in the downtown district could not be used for residential use. Because of the lack of commercial uses to fill the empty homes, and the greater demand for residential use, changes to the zoning code would be desirable. Changes to the code would be simply to remove Item D (Abandonment), under Section 16-18-1130 (Nonconforming Uses; Residential Uses).

The second item addressed was preventing heavy industrial operations near residential areas. Recent interest of a fracking chemical storage facility looking for a location in which operate, and the lack of a buffer zone between Light Industrial zoned areas and residential developments, suggested that verbiage be added to the code under Section 16-3-430. - General requirements for commercial and industrial districts. This would require operations that handle hazardous materials to do so at a distance of more than 700 feet from any residential zoned district.

The third item addressed was updating residential zoning standards, regarding setbacks and lot sizes. The proposed changes would be noticed to the setbacks in the MDR and MDR-X zoning districts, allowing for smaller family homes and patio-style homes to be developed in these areas.

**PUBLIC COMMENT OPENED 7:52 P.M.**

No comments.

**PUBLIC COMMENT CLOSED: 7:54 P.M.**

**COMMISSIONER COMMENTS**

*Commissioner Fuller* questioned the origin of the distance specified in the second item (heavy industrial operations near residential), as well as the broad interpretation of “similar heavy industrial activity”. *Commissioners Rogers, Marantino and Garcia-Hernandez* voiced concerns over the enforcement of the trailer parking rules. Questions were also raised about the zoning rules that would come into play for the new patio home developments.

**STAFF COMMENTS**

*Planning Director Lindquist* answered the Commissioners’ questions, clarifying the distance amount choice, and assuring that the wording of the Text Amendment would allow for some individual case interpretation as well.

**Motion Made:**

*Commissioner Caldwell* moved to **APPROVE** Zoning Text Amendment 2017-2 as presented; seconded by *Commissioner Pettinger*. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes-Fuller, Pettinger, Caldwell, Marantino, Rogers, Steffen and Villasenor**

**PUBLIC HEARING OPENED: 8:00 P.M. NORTH PASTURE FILING 4, MINOR 2017-2**

Applicant is Savage Limited Partnership 1. Jeb Savage was sworn in.  
Confirmed Public Notice was met.

**PURPOSE**

Applicant requests that Lot 4 located at North Pasture Filing 4 be changed from one large lot (approx. 9,000 sq. ft) to two smaller lots, one approx. 3,000 sq. ft, and the other approx. 6,000 sq. ft.

**STAFF REPORT**

*Planning Director Nathan Lindquist* indicated the applicant’s desire to divide this large lot into two parcels, one of which a patio-style home could be built, and the other large lot for a more standard-size single family home. The area is currently zoned MDR (Medium Density Residential), but under the changes suggested in the Zoning Text Amendment 2017-2, would change to MUNC (Mixed Use Neighborhood Commercial), allowing for lot sizes less than 6,000 sq. ft., as well as a mix of residential and commercial use. Staff recommends that Planning Commission **APPROVE** Minor Subdivision 2017-2 with the following condition:

1. Text Amendment 2017-2 shall be approved by Planning Commission and City Council before the Final Plat of this subdivision may receive approval.

## **APPLICANT PRESENTATION**

*Mr. Savage* explained that the lot was originally platted for a tri-plex, as part of an affordable housing plan back in 2007-08, but as a builder/developer he has seen an increased need for homes in different price points, allowing for more options for first-time home buyers. He indicated that he had considered two ideas for the size of the lots; either the 3,000/6,000 split or a more even split (4,500/4,500). He presented a concept elevation for a 3 bedroom, 2 bath home with approximately 1,500 sq. ft, which would be representative of the homes he was hoping to build on these two lots. The price of these homes would be under the \$300,000 mark, to encourage first-time home buyers. The applicant requests the possibility of a 5 foot (+/-) variable for the lot line placement, depending on what type of home is built on the corner.

## **PUBLIC COMMENT OPENED 8:07 P.M.**

No comments.

## **PUBLIC COMMENT CLOSED: 8:12 P.M.**

## **COMMISSIONER COMMENTS**

*Commissioner Fuller* clarified with *Planning Director Lindquist* the lot line flexibility, and the size of the lots being requested in this particular case.

## **STAFF COMMENTS**

Comments were heard from *Planning Director Lindquist* and *City Attorney Jeff Conklin* regarding when the lot lines placement would need to be finalized.

## **Motion Made:**

*Commissioner Caldwell* moved to **APPROVE** North Pasture Filing 4, Minor 2017-2 with staff conditions; seconded by *Commissioner Steffen*. The motion **CARRIED** with the following vote:  
**ROLL CALL: Yes-Fuller, Pettinger, Caldwell, Marantino, Rogers, Steffen and Villasenor**

## **PUBLIC HEARING OPENED: 8:15 P.M. NORTH PASTURES FILING 6, SK-PRELIM 2017-1**

Applicant is Savage Limited Partnership. Representatives Jeb Savage, Ron Liston and Chris Manera were sworn in.

Confirmed Public Notice was met.

## **PURPOSE**

Applicant requests approval of a Sketch/Preliminary Plan for a Major Subdivision. The subdivision would consist of 18 lots, between 6,000 and 9,000 sq. ft. in size. Single-family homes are the current focus of the builder, though a duplex is a possibility as well.

## **STAFF REPORT**

*Planning Director Nathan Lindquist* explained the varied processes that creating a major subdivision follow. This particular subdivision is in the sketch/preliminary phase, because the applicant has already done the majority of the work involved with platting and design of the homes intended to go in the

subdivision. Staff recommends that Planning Commission recommend APPROVAL of Major Subdivision 2017-1 with the following conditions:

1. Submit a rezoning application for the CS area along with the Final Plat.
2. Investigate the possibility of a ROW encroachment area along 16<sup>th</sup> Street.
3. Resolve all Public Works, Fire District, Utilities, and other agency comments to the satisfaction of the City before Final Plat approval.

### **APPLICANT PRESENTATION**

*Mr. Liston* indicated that the proposed subdivision is a straight-forward plan, with only a small zoning modification needed on Lot 17, due to a lot line that runs through that parcel, and splits the commercial from the residential. The applicant's desire is to move that lot line to the bottom edge of Lot 18, thereby designating commercial space along 16<sup>th</sup> Street.

### **PUBLIC COMMENT OPENED 8:30 P.M.**

No comments.

### **PUBLIC COMMENT CLOSED: 8:35 P.M.**

### **COMMISSIONER COMMENTS**

*Commissioner Villasenor* requested clarification to the zoning in the commercial area (Lot 18). *Commissioner Fuller* inquired about the necessity for a park. *Commissioner Steffen* asked about the drainage pattern of the retention ponds.

### **STAFF COMMENTS**

There was discussion between *Planning Director Lindquist* and the *Applicants* about the large section of right-of-way on the street side of the 16<sup>th</sup> Street parcels, and what it could be utilized for, since it is not technically part of the actual individual lots. They also discussed the maintenance provisions regarding the retention ponds on the property, and what the road layout would be for the new construction (i.e. a back access to the commercial/duplex properties on 16<sup>th</sup> Street.

### **Motion Made:**

*Commissioner Rogers* moved to **APPROVE** North Pasture Filing 6, SK-PRELIM 2017-1 with staff recommendations; seconded by *Commissioner Pettinger*. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes-Fuller, Pettinger, Caldwell, Marantino, Rogers, Steffen and Villasenor**

### **DISCUSSION OF DECEMBER MEETING SCHEDULE**

*Planning Director Lindquist* indicated that there was nothing on the docket for December, so there was no need for a meeting to be held.

### **Motion Made:**

*Commissioner Pettinger* moved to **APPROVE** the cancelation of the December meeting; seconded by *Commissioner Caldwell*. The motion **CARRIED** with a unanimous vote from the Commission.

**STAFF COMMENTS**

New Planning Commission members Edith Garcia-Hernandez and Karen Roberts introduced themselves, and Planning Director Lindquist gave an update on the new Rifle City Manager.

**REGULAR MEETING ADJOURNMENT**

The meeting was adjourned at 8:45 p.m.

\_\_\_\_\_  
Steven Fuller, Acting Chairman

\_\_\_\_\_  
Date

**SIGNATURE ON FILE**

\_\_\_\_\_  
Charlotte Squires, Planning Administrative Assistant

\_\_\_\_\_  
Date