

REGULAR PLANNING COMMISSION MINUTES

Tuesday, August 26, 2008

Chairman Helen Rogers called the Regular Planning Meeting to order at 7:04 p.m.

MEMBERS PRESENT AT ROLL CALL:

ROLL CALL: Plum, Mead, Bascom, Bartels, Giard, and Rogers

ABSENT: Gallagher, Osier, and Burgess

Commissioner Bascom moved to **EXCUSE** Commissioner Gallagher, Commissioner Osier and Commissioner Burgess from the meeting Commissioner Mead seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Plum, Bascom, Mead, Bartels, Giard, and Rogers Abstained-

OTHERS PRESENT:

Planning Director Matt Sturgeon, Planner Nathan Lindquist, Planner Robert Mansolillo, Planning Technician Charlotte Squires, Assistant City Attorney Jim Neu, City Television Station Jim Bell and Michael Churchill, Rebecca Hale, Janell Webb, Mark Sills, Jeff Waddley, Joe Varana, Jon Isham, John Parrington, Tim Modaris, George Strong, Kristie Braaten, Glen Ault, Tim Thulson, Dave Alcott, John Taufer, Matt Flink, Hedy Asenjo, Adam Beal, Steve Bigelow, Nancy and Paco Sanchez, Cindi Brewer.

APPROVAL OF JULY 29, 2008 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Bascom moved to **APPROVE** July 29, 2008 Minutes Commissioner Plum seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Plum, Mead, Giard, Rogers, and Burgess Abstained- Bartels

2185 S. 10TH STREET (CUP 2008-7)

The Chair called up the applicant (s) Mark Sills and John Parrington

The Chair verified public notice requirements had been met.

Purpose:

The applicant seeks a Conditional Use Permit to allow seven (7) residential apartment units in a warehouse/office building at 2185 South 10th Street. This location is in a Light Industrial (LI) zoning district. According to the Rifle Municipal Code, "dwellings in the same building as a business" is a conditional use in a LI zoning district.



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Mr. Sills explained they would like build an 80 X 80 building and about 40% of it make into seven (7) residential units. Five (5) with one (1) bedroom and two (2) with two (2) bedrooms, the HOA would state no one under the age of 18 allowed, employees of the buildings on S. 10th Street would be the ones renting the units.

Staff Report:

The applicant's request for residential units in a light industrial zoning district is driven by the shortage of housing in Rifle.

Staff would highlight two issues that the Planning Commission should consider regarding this request. First, be aware that approval of this request will set a precedent. Second, Planning Commission should consider the future use of these apartment buildings if and when the oil and gas industry leaves Rifle. If the demand for housing goes down and these units are no longer needed by the company's employees, they may be left vacant or used as affordable housing. The City would not want to be left with isolated residential units in a light industrial area.

If Planning Commission is inclined to approve this conditional use permit, the apartments could be designed in a way to ensure an easy conversion back to office space if the need for apartments ends. One option would be to require that the apartments be done in a dormitory style with a common kitchen and living space but separate bedrooms. The bedrooms could easily be converted into offices, and the kitchen and living spaces used for conference areas or office amenities.

If Planning Commission grants the conditional use permit, Staff recommends that the following conditions be included:

1. No person other than employees of the company using the rest of the building shall be permitted to live or stay the night on the premises.
2. No person under the age of 18 shall be permitted to live or stay the night on the premises.
3. The applicant shall incorporate any comments made by Planning Commission or Staff into the design of the units.
4. The applicant will employ an architect to explain to the satisfaction of Planning Commission and Council how these units can be transitioned back to office uses.

Commissioners Questions and Comments:

Commissioners shared the following concerns:

- Available for any one over the age of 18, not just limited to the employees in that area.
- Look at a dormitory type.
- The location.
- Will need to meet the Building Code.
- Revisit the project in five (5) years from the date of certificate of occupancy.
- Agreed to delete suggestion one on the Staff Report.

Public Comments:

Mr. Ault shared this is a good project, but would be more appropriate to put it in a housing zone area due to the housing demands of the community.

Closing Comments:

Commissioner Bascom reminded the commission about the shortage of housing for employees coming into the area and suggested this might be a way to show support.


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Commissioner Giard explained there are a lot of businesses that have to provide employee housing. Asked with this being a conditional use permit when it changes ownership this would need to be renewed?

Attorney Neu replied no it would go with the property. It will only go away when it is stopped being used as residential for a year.

Motion Made:

Commissioner Bascom moved to **APPROVE** 2185 S. 10th Street with the following recommendations: 1) No person under the age of 18 shall be permitted to live or stay the night on the premises. 2) The applicant shall incorporate any comments made by Planning Commission or Staff into the design of the units. 3) The applicant will employ an architect to explain to the satisfaction of Planning Commission and Council how these units can be transitioned back to office uses. 4) To be reviewed in five (5) years from the time of Certificate of Occupancy. *Commissioner Giard* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Bascom, Girard, Rogers, and Mead No- Plum, and Bartels

232 W. 3rd STREET (CUP 2008-8)

The Chair called up the applicant (s) Rebecca Hale, Janell Webb and public Anna Sunhill, and Kristie Braaten

The Chair verified public notice requirements had been met.

Purpose:

To permit for a child daycare center at 232 W. 3rd St. The site is approx. 0.28 acres and has one 1,600 sq. ft. building. The property is currently not fenced but the applicant is proposing to build a 6' wooden fence in order to have a safe area for the children to play, protecting them from the road and from Rifle Creek, which runs along the west side of the property. The number of children will start at 15 and may expand to 30; also, there will be 3 employees onsite. Drop-off/pick-up and parking is provided in front of the existing building and will provide enough parking for employees and parents of the children,

Staff Report:

Staff recommends the Commission **APPROVE** the Conditional Use Permit with the following conditions:

1. The approval of the CUP does not constitute approval of a building permit. The applicant will need to adhere fully to the City's building permit process for any improvements made to the building.
2. Any new signage must adhere to the requirements of the sign code.

Staff added the area is in a flood zone and will be subject to a flood permit for the fencing of the play yard.

Ms. Hale explained just let her know what she needs to do and she will get it done.

Staff asked for applicant to get with the DDA on fencing to make sure they can work together, with the joining property.

Commissioners Questions and Comments:

- Would there be a chance to share the parking area with other business due to shortage in the downtown area?
- Will there be enough space for the play area if the fence has to be moved in?



4. Demonstrate that drainage can work with the selected design.

Staff requests the Planning Commission recommend City Council APPROVE the applicant's request for annexation.

ANNEXATION

1. The applicant shall create alternative designs to discover if sufficient density can be incorporated in a creative design, as described above in this staff report.
2. The annexation agreement shall include "performance standards" requiring Trapper Hollow to obtain building permits within a certain time period or risk losing entitlements;
3. A right-of-way of a minimum of 40 feet shall be dedicated to the City for Lynx Lane. The curb-to-curb width of the roadway shall be at a minimum of 28 feet. A right-of-way of a minimum of 40 feet shall be created for Stillwell Avenue;
4. The developer of Trapper Hollow shall be required to improve West 8th Street and West 11th Street with a 32-foot curb-to-curb width and sidewalk on one side;
5. The Preliminary Plan application shall include draft forms of HOA documents including protective covenants, conditions, and restrictions;
6. The HOA shall be responsible for maintenance of the passive park. The open space on the steep slopes of Trapper Hollow shall be deeded to the HOA;
7. The Annexation Agreement shall require the creation of Planned Unit Development Standards. A draft of said document will be included with the Preliminary Plan. Staff envisions the following sections: architecture, materials, and colors, signage, lighting, landscape, parking, energy efficiency standards and land use;
8. The Preliminary Plan shall describe project phasing and clearly call out what infrastructure will be part of a particular phase;
9. The Annexation Agreement shall require landscaping of the entire project to be put in by the developer and maintained by the HOA. Said landscaping shall comply with uniform standards, including street trees, and be planted as a condition of Occupancy;
10. The applicant shall include a 3-d representation of the project with the preliminary plan.

ZONING

Staff requests the Planning Commission recommend City Council APPROVE the applicant's request to create a MDR-X Planned Unit Development. It should be clearly stated in the Annexation Agreement that the annexation will not take affect until the City approves the Planned Unit Development standards.

SUBDIVISION

Staff requests the Planning Commission recommend City Council APPROVE the subdivision sketch plan for Trapper Hollow.

Commissioners Questions and Comments:

Agreed this is a great project and look forward to seeing it get finished.

Public Comments:


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4. Provide a common access easement on the entrance from Whiteriver Avenue to allow this access to be used by any future development on the adjacent southern property. This will prevent multiple entrances within close proximity on Whiteriver Avenue;
5. The applicant shall work with the property owner to the south to move their driveway access off of the applicant's property.
6. The 16th Street access shall be a "right-in only" access. Add what could be called an "attached pork chop" to this entrance to ensure that only east-bound traffic can enter the access.
7. The applicant shall work with the relevant agencies and departments to address all comments in a manner satisfactory to the City.
8. All representations made by the applicant in submittals or in public hearings shall be considered conditions of approval.
9. The architecture of the building shall pay particular attention to the view from the intersection of 16th Street and Whiteriver Avenue, as well as visually breaking up the building into sections. Representations by the applicant during the public hearing regarding architecture will be expected to be incorporated.
10. The applicant must develop architectural elevations, color palettes and materials lists to be approved with the Final Plan. The Final Plan architectural elevations shall be binding and carried over into the site plan. They will represent the building as it is put in the ground. To allow for flexibility, staff may approve minor changes at the administrative level, but shall reserve the right to seek Planning Commission approval for significant changes. The applicant has provided architectural guidelines in the PUD standards (see Exhibit B, page 3). The Final Plan building elevations shall fall within these standards, including changes to the guidelines recommended by staff.

Commissioners Questions and Comments:

- Agreed the new architectural drawings presented tonight were great.
- Would like to go higher with architectural detail to cover up the mechanical equipment on top of the building.

Public Comments:

Mr. & Ms. Sanchez explained they have a concern with the huge building going up in front of their home. They do understand the driveway issues; there is also an easement for the home on the back lot. To move the driveway over the garage would need to be moved.

Mr. Varana explained he is in favor of the project and the applicant has done a great job.

Mr. Isham explained this will make a presence for the Rifle Community, the architectural drawings showed tonight even helped with liking this project more.

Closing Comments: No Comments

Motion Made:

Commissioner Mead moved to **RECOMMEND** City Council **APPROVE** Whiteriver Plaza PUD Preliminary Plan with all Staff's recommendations *Commissioner Bartels* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Bascom, Plum, Giard, Rogers, Mead, and Bartels

No-


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PARK HOLLOW PUD (FINAL 2008-5)

The Chair called up the applicant (s) Steve Bigalow, Carla Reed,

The Chair verified public notice requirements had been met.

Purpose:

The applicant seeks approval for a Final Planned Unit Development and Final Plat. The subject project is located on Park Avenue. There are two existing houses on the site and the applicant proposes to construct seven more homes on the 0.84 acre site for a total of nine.

Staff Report:

There have been no major changes to the site plan since Preliminary Plan was approved. A 4-foot gravel path has been added to one side of the concrete sidewalk so that City maintenance vehicles can access the sewer manhole at the western end of the green. The Final Plat and PUD must be approved by City Council. Before that can take place all staff comments on the

Staff recommends that Planning Commission APPROVE the requested Planned Unit Development and Final Subdivision for Park Hollow with the following conditions:

1. The applicant provides a land use summary that includes accurate landscaped area numbers. An approved landscaping plan, including an irrigation plan is provided at the Final Plat Stage. This landscape plan must include the program for maintenance of the open space areas and a fencing plan. The applicant will be required to put in landscaping on the privately-owned lots as well.
2. Street Cut Permits are required for each right-of-way cut.
3. The applicant shall conform to all review agency recommendations, including comments from Public Works and Engineering and the Fire Department (see attached comments).
4. All representations of the applicant made in the application and in statements during the public hearing before the Commission and the Council are considered conditions of approval with which the applicant shall comply.
5. The applicant will ensure that the site of the dumpster is amenable to trash pickup, and that the dumpster is adequately screened.
6. The final plat shall state that the Site Plan of the PUD is binding to all development on the site.
7. The applicant shall provide a phasing plan that demonstrates how construction on the project shall proceed in an orderly fashion for the neighbors and future residents of the project.

Commissioners Questions and Comments: No Comments

Public Comments: No Comments

Closing Comments: No Comments


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Motion Made:

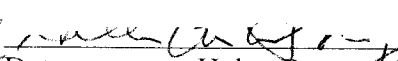
Commissioner Bascom moved to **RECOMMEND** City Council **APPROVE** Park Hollow PUD Final Plan with all Staff's recommendations Commissioner Plum seconded the motion. The motion **CARRIED** with the following vote:

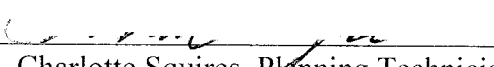
ROLL CALL: Yes- Bascom, Plum, Giard, Rogers, Mead, and Bartels

No-

MEMBER COMMENT AND ADJOURNMENT

Chairman Rogers adjourned the meeting at 10:01p.m.

10/16/08 
Date Helen Rogers/Chairman

10/6/08 
Date Charlotte Squires, Planning Technician




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