



REGULAR PLANNING COMMISSION MEETING MINUTES

Tuesday, January 29, 2013

Chair Ned Bascom called the Regular Planning Meeting to order at 7:00 p.m.

MEMBERS PRESENT AT ROLL CALL:

ROLL CALL: Bascom, Rogers, Plum, Pettinger, Elliott, Clifton, Rossilli, Mead and Caldwell

OTHERS PRESENT:

Assistant City Manager Matt Sturgeon, Planner Nathan Lindquist, Assistant City Attorney Jeff Conklin, Administrative Assistant Charlotte Squires, City Television Station Michael Churchill, Mark Sills, Jim & Jean Snyder, Kevin Whelan, Ron Roesener, Mike McKibbin, Doug Williams.

APPROVAL OF NOVEMBER 27, 2012 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Pettenger moved to APPROVE November 27, 2012 Planning Commission Meeting & Board of Adjustment Minutes with some spelling correction. Commissioner Plum seconded the motion. The motion CARRIED with the following vote:

ROLL CALL: YES- Bascom, Rogers, Pettinger, Plum, Rossilli and Elliott Abstain- Mead

MAP AMENDMENT 2013-1 McLEARNS ORCHARDS LOTS 4 & 5

The Chair called up the applicant(s) Mark Sills,

The Chair verified public notice requirements had been met.

Purpose: The applicant request that Planning Commission approve Map Amendment 2013-1 – a rezoning of McLearns Orchards Lot 4 and 5 from Developing Resources (DR) zoning to Light Industrial (LI) zoning.

Staff Report: Staff recommends that Planning Commission APPROVE Map Amendment 2013-1 with the following conditions:

1. The applicant shall, within 6 months of the date of Council approval of this Map Amendment, address the issues listed below in a manner satisfactory to the Rifle Municipal Code and Staff.
2. The approval of this Map Amendment shall expire 6 months from the date of Council approval UNLESS all issues listed below are addressed in that time. Staff shall withhold recording of this Map Amendment until all issues are resolved.
3. The applicant shall record a Plat Amendment(s) that accomplishes the following:
 - a. Shows the Right-of-Way dedicated to the City for future South 10th Street extension.
 - b. Demonstrate easements have been obtained to access both Lots 4 and 5.
 - c. Creates a lot line adjustment so that the boundary between Lot 4 and 5 is centered on the private access easement.
4. The applicant shall obtain approval from the Fire District on road design and turnaround.
5. The applicant shall obtain approval from the Last Chance Ditch Company on access easement crossing over the ditch.

6. The applicant shall obtain a Development Agreement with City that describes road design for extension of access to Lots 4 and 5.
7. The applicant shall address the issue of electrical easements on the property and what use can occur within them.
8. The applicant shall address any other issues that arise as required by Rifle Municipal Code and Staff.
9. The property owner of Lot 4 and 5 shall participate in any Special Improvement District formed for the construction of South 10th Street.

Public Comments: No Comments

Commissioners Questions and Comments:

Commissioners asked if applicant had any problems with Staff recommendations

Mr. Sills replied no he had no problems with Staff recommendations

Closing Comments: No Comments

Motion Made:

Commissioner Rogers moved to **RECOMMEND** to City Council to **APPROVE** Map Amendment 2013-1 McLeans Orchards Lots 4 & 5, with Staff's recommendation. *Commissioner Plum* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES- Bascom, Rogers, Pettinger, Plum, Rossilli, Elliott and Mead

CONDITIONAL USE PERMIT 2013-1 McLEARN'S ORCHARDS LOTS 4 & 5

The Chair called up the applicant(s) Mark Sills,

The Chair verified public notice requirements had been met.

Purpose: The applicant requests that Planning Commission approve Conditional Use Permit 2013-1 – a heavy equipment storage yard within the Light Industrial zoning district.

Staff Report: Staff recommends that Planning Commission APPROVE Conditional Use Permit 2013-1 with the following conditions:

1. The temporary frac tank storage yard and the future contractors yard shall be graveled and make use of dust suppression methods. The City will make semi-annual inspections for dust repression and adequate surfacing to avoid mud on city streets. The City reserves the right to revoke this Conditional Use Permit due to a failed inspection.
2. No frac-ing fluid will be stored in conjunction with the temporary frac tank storage yard.
3. This Conditional Use Permit shall become null and void UNLESS Map Amendment 2013-1 is recorded and all conditions met.
4. The applicant shall obtain all necessary permits including a Site Plan and state Stormwater Management permit.
5. All truck traffic associated with this use shall avoid the Exit 90 interchange and instead use the Exit 94 Mamm Creek interchange.

Public Comments: No Comments

Commissioners Questions and Comments:

Commissioner Mead asked for clarification on the findings number 7; is that suppose to be part of the conditional use permit also?

Staff replied no, it is not part of the conditional use permit and to cross it off.

Commissioner Rogers asked are we going to put a time restraint on this conditional use permit like on the other conditional use permit that was issued similar to this one.

Staff replied when you make a motion you can add a time frame. Conditional Use Permit 2011-2 recommendation was the subdivision shall be approved by the City by such and such date; failure to do so will render the Conditional Use Permit null and void.

Commissioner Caldwell asked if all the utilities would be in place at time of site plan

Staff replied yes, this will be done at site plan stage.

Closing Comments: No Comments

Motion Made:

Commissioner Rogers moved to **APPROVE** Conditional Use Permit 2012- 7 Lot 7 McLearns Orchards, with Staff's recommendation and Site Plan must be submitted within a year; (January 29, 2014); failure to do so will render this Conditional Use Permit null and void. *Commissioner Mead* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES- Bascom, Rogers, Pettinger, Plum, Rossilli, Elliott and Mead

MAP AMENDMENT 2013-2 WINCHESTER WEST SUBDIVISON LOT 3

The Chair called up the applicant(s)

The Chair verified public notice requirements had been met.

Staff explained due to unforeseen events the applicant asked for continuance until February 26, 2013 meeting.

Motion Made:

Commissioner Plum moved to **CONTINUE** Map Amendment 2013-2 Winchester West Subdivision Lot 7, until February 29, 2013 Planning and Zoning Meeting. *Commissioner Mead* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES- Bascom, Rogers, Pettinger, Plum, Rossilli, Elliott and Mead

CONDITIONAL USE PERMIT 2013-2 WINCHESTER WEST SUBDIVISON LOT 3

The Chair called up the applicant(s)

The Chair verified public notice requirements had been met.

Staff explained due to unforeseen events the applicant asked for continuance until February 26, 2013 meeting.

Motion Made:

Commissioner Pettenger moved to **CONTINUE** Conditional Use Permit 2013-2 Winchester W Subdivision Lot 7, until February 29, 2013 Planning and Zoning Meeting Commissioner Elliott seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES- Bascom, Rogers, Pettinger, Plum, Rossilli, Elliott and Mead

OTHER 2013-1 HISTORICAL LANDMARKS DEDICATION 421 RAILROAD AVE

The Chair called up the applicant(s) Ron Roesener and Doug Williams

The Chair verified public notice requirements had been met.

Purpose: the applicant request a Historic Landmark Designation of the Masonic Lodge located at 421 Railroad Avenue.

Staff Report: Staff recommends that the Historic Preservation Board recommend approval to City Council of the Masonic Lodge as a Local Historic Landmark.

Public Comments: No Comments

Commissioners Questions and Comments: No Comments

Closing Comments: No Comments

Motion Made:

Commissioner Elliott moved to **RECOMMEND** to City Council to **APPROVE** Other 2013-1 Historical Land marks Dedication 421 Railroad Avenue with Staff’s recommendation. Commissioner Pettenger seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: YES- Bascom, Rogers, Pettinger, Plum, Rossilli, Elliott and Mead

MEMBER COMMENT AND ADJOURNMENT

Chair Bascom adjourned the meeting at 8:15 p.m.

Ned Bascom, Chairman

Date

SIGNED COPY ON FILE

Charlotte Squires, Planning Technician

Date