



CITY OF RIFLE PLANNING COMMISSION REGULAR MEETING PUBLIC HEARING

**Tuesday February 24, 2015
Rifle City Hall – Council Chambers**

- 6:00 PM Workshop~~ Pedestrian and Bicycle Planning.
- 7:00 PM Convene Regular Planning Commission Meeting
- 7:04 PM Roll Call
- 7:06 PM November 25, 2014 Planning Commission Meeting Minutes
- 7:08 PM Conditional Use Permit 2015-1 420 W. 3rd Street (Public Hearing)
To allow for an office with signage
- 7:20 PM Member Comments and Adjournment.

*The order and times of agenda items listed above are approximate and intended as a guideline for the Planning Commissioners.
Next Regular Planning Commission Meeting: March 31, 2015*



CITY OF RIFLE
202 RAILROAD AVENUE • P.O. BOX 1908 • RIFLE, CO 81650
WWW.RIFLECO.ORG



REGULAR PLANNING COMMISSION MEETING

Tuesday, November 25, 2014

Vice Chair Steven Fuller called the Regular Planning Meeting to order at 7:00 p.m.

MEMBERS PRESENT AT ROLL CALL:

ROLL CALL: Pettinger, Mead, Fuller, Marantino, Caldwell, Wood, and Strode

Excused Commissioner Rogers

Commissioner Mead moved to **EXCUSE** Commissioner Rogers from the meeting. *Commissioner Pettinger* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Pettinger, Marantino, Mead, Fuller, Caldwell, Strode, and Wood

Commissioner Strode will be a voting member.

OTHERS PRESENT:

Planning Director Nathan Lindquist, Planner Hannah Klausman, Administrative Assistant Charlotte Squires, City Television Station Michael Churchill, Citizen Jimmy Breslin.

APPROVAL OF OCTOBER 28, 2014 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Marantino moved to **APPROVE** October 28, 2014 Regular Planning Commission Meeting Minutes. *Commissioner Strode* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Pettinger, Marantino, Mead, Fuller, Wood, Strode, and Caldwell abstains.

TEXT AMENDMENT 2014-3 SIGN CODE

The Chair opened the public meeting

The Chair verified public notice requirements had been met.

Applicant I shared pictures of Columbine Ford car sales lot, pictures were added as Exhibit A

Purpose: City staff requests that Planning Commission approve Text Amendment 2014-3 an amendment to the Rifle Municipal Sign Code, Chapter 16, Article 8, replacing it with the attached text, changing the sign regulations for the City

Applicant: City Staff presented the staff report.

Staff Report: Staff recommends Planning Commission recommend for City Council to APPROVE TEXT AMENDMENT 2014-3. The changes to the code include the following:

1. Language clarifying the process for the discontinuation of non-conforming signs.
2. Changing the number of allowable wall/awning/canopy signs to reflect a maximum square footage calculation.
3. Changing maximum square footage calculations to lineal street frontage feet instead of façade measurements.
4. Allowing signs to be placed on the 2nd story of a building.
5. Allowing professional banners to be installed on private property light poles, for businesses that have an outdoor sales component.
6. Allowing temporary inflatable signs for a maximum of 5 days during the hunting season.

Public Comments: Jimmy Breslin, representing Columbine Ford, spoke in favor of the sign code changes. He presented pictures of Columbine Fords current signage to the commissioners explaining the well maintained, professional appearance of the pole banner signs. He asked the Commission to approve staff presented sign changes so that his signs would be allowed.

Commissioners Questions and Comments:

Commissioner Fuller asked if Columbine Ford would be placing the same sign.

Commissioner Strode asked about the location of new sign, and which direction it faces.

Commissioner Mead asked where in the code the new signage would be allowed.

Commissioner Wood asked about the entrance and exit of the building where the new sign is proposed.

Commissioner Mead indicates he does not like the change of inflatable signs only being allowed in the hunting season. Suggests not limiting it to hunting season only, but allowing it to be year round with the limited 5 day regulation.

Commissioner Pettinger asked staff whether this type of inflatable sign would require an applicant to come in to apply for a permit.

Staff replied that this particular sign would not require a permit.

Commissioner Marantino asked if it would be beneficial to require businesses to come into the building /planning department to indicate they are installing an inflatable sign.

Staff answered that requiring a permit for 5 day inflatable signs would be possibly time consuming. Staff will consider different language for Council recommendation.

Commissioner Marantino expressed that the hunting season limitation negatively impacts other businesses at other times of the year.

Staff indicated that the proposed code changes would allow the banners and new sign that Columbine Ford wishes to install.

Commissioner Caldwell expressed the desire verbiage for outdoor sale uses only for the private light pole banner signage.

Motion Made:

Commissioner Caldwell moved to **RECOMMEND** to City Council to **APPROVE** Text Amendment 2014-3 Sign Code. *Commissioner Marantino* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Pettinger, Marantino, Mead, Fuller, Wood, Caldwell, and Strode

MAP AMENDMENT 2014-3 STILLWELL AVENUE

The Chair opened the public meeting

The Chair verified public notice requirements had been met.

Purpose: City staff requests that Planning Commission approve Map Amendment 2014-3, a rezoning of Stillwell Avenue from Medium Density Residential Redeveloping (MDR-X) zoning to Low Density Residential (LDR) zoning. See the area outlined below in blue for the area under consideration

Applicant: City Staff presented the staff report.

Staff Report: Staff recommends Planning Commission recommend for City Council to APPROVE MAP AMENDMENT 2014-3.

The purpose of this rezoning is to discourage multi-family residential development (MDRX zoning) and to encourage the development of single family homes (LDR zoning) in vacant lots bordering Stillwell Avenue. Staff is recommending this action due to problems identified with developing high-density multi-family residential in this location. The first issue is the high groundwater level. As developers have found in past failed attempts at development, the high groundwater makes drainage expensive for a dense development pattern in this area. The second issue is the poor condition of the street, which is not appropriate for the higher traffic levels of multi-family. These subdivisions were approved in the 1950s through the 1980s with no provision for street construction by the developer, as would be required today. While the City intends to chip and seal Stillwell Avenue in 2015, this street surface is not appropriate for multi-family density.

Single-family homes should be encouraged on Stillwell Avenue vacant lots because they will function compatibly with the condition of the groundwater and the street. Approval of this rezoning, along with the City's improvement of the street in 2015, will allow single-family development in Stillwell Avenue vacant lots to proceed without creating a long-term street maintenance problem for the City

Public Comments: None

Commissioners Questions and Comments:

Commissioner Mead asked if there were subdivided lots located on the property.

Staff answered that yes there are lots that were divided in the 1950's but have never been built on.

Commissioner Marantino asked whether there has been development interest for the property.

Staff answered that there have been some calls from developers. Staff has been trying to figure out the pavement of the street and how that will be funded when and if the lots develop.

Commissioner Strode asked two questions, whether there would be any long term effects of the chip and seal nature of the road versus higher grade street design.

Staff replied that as a Single Family Home the street impact fee is approximately \$6,000. By doing the Chip and seal road, the road would require more frequent maintenance but it would still be much less expensive.

Commissioner Strode asked if the groundwater issues would impact negatively the single family homes that staff is recommending over multifamily uses.

Staff answered that the SFR use would still require geological reports to be submitted, but a SFR use is more likely to be mitigated than a multifamily use.

Commissioner Fuller asked if we would be required to put sidewalks in.

Staff answered that no, sidewalks would not be required however the neighborhood could come back later to the City to start that process if desired. City staff is currently looking at sidewalk priorities and moving forward on funding and installation.

Commissioner Fuller asked about the size of the lots, and whether the current MDR-X zone actually allowed uses on that lot size.

Staff answered that yes, the lots would be able to develop at either zone designation.

Commissioner Fuller asked about the large parcel to the West of the proposed area.

Staff answered that there was a subdivision proposed for the area called Trappers Hollow but due to cost and groundwater issues never penciled out and that the property is not part of this rezoning.

Motion Made:

Commissioner Wood moved to **RECOMMEND** to City Council to **APPROVE** Map Amendment 2014-3 *Commissioner Marantino* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Pettinger, Marantino, Mead, Fuller, Wood, Caldwell and Strode

TEXT AMENDMENT 2014-4 LANDSCAPE CODE

The Chair opened the public meeting

The Chair verified public notice requirements had been met.

Purpose: City staff requests that Planning Commission approve Text Amendment 2014-4 an amendment to the Landscape Code, Chapter 16, Article 13, of the Rifle Municipal Code, replacing it with the attached text.

Applicant: City Staff presented the staff report.

Staff Report: Staff recommends Planning Commission recommend for City Council to APPROVE TEXT AMENDMENT 2014-4, changing the Landscape Code.

Staff has developed changes to the landscaping requirements for Planning Commission's review and consideration. Planning staff has reviewed the landscape code to improve the clarity of regulations and also to promote water conservation efforts on behalf of developers and landscapers.

The text amendments propose changes on regulations that staff believes to be overly restrictive in areas of landscape coverage and types of materials used, as well as areas that need increased requirements to provide a pleasing and uniform landscape aesthetic throughout Rifle's commercial properties.

In addition, in an effort to promote water wise landscape design, xeric plant requirements have been added. Xeriscaping is landscaping and gardening that reduces or eliminates the need for supplemental water from irrigation. Xeriscapes provide for reduced water consumption, adaptive drought resistant plant types, visually interesting landscape, and less maintenance for property owners. Staff has added a new recommended xeric plant list to Appendix C.

Major changes are adding xeriscape requirements, approximately 40% of the area. Staff believes that most businesses are meeting this requirement already. There are also changes to the number of shrubs and tree requirements are calculated. Anywhere where there is a planting bed, there must be one plant per 25 square feet. There is also a new requirement for a certain percentage of flowering plants along right of ways. Parking lot perimeter landscaping requirements are altered to accommodate different buffers for different zones. This includes a requirement for foundation landscaping at the base of buildings. It is flexible to allow for different building configurations.

Staff is also proposing the dissolution of the Tree Board, and the duties be given to the Planning Commission. This would include giving advice on plantings, removals, and other tree issued brought by community members.

Public Comments: None

Commissioners Questions and Comments:

Commissioner Caldwell asked about current regulations on tree setbacks within corners and sight triangles.

Staff answered that yes, trees are prohibited within the visibility triangle which is 30 ft back from the curb.

Commissioner Strode asked about planting options and whether applicants have an option to do xeriscaping.

Staff answered that yes, the new code changes were helping to encourage low water use landscaping with a recommended plant list as well as a requirement of 40% of plantings being low water use.

Commissioner Wood asked if the changes to the landscape requirements would apply to existing businesses or just new commercial projects.

Staff replied that it only applies to new development, and commercial applicants that are renovating more than a certain percentage of their building. It also only applies to commercial and not residential. Staff also clarified that xeriscaping does not mean all rock landscaping, it does include plants.

Motion Made:

Commissioner Marantino moved to **RECOMMEND** to City Council to **APPROVE** Text Amendment 2014-Landscaping Code. *Commissioner Wood* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Pettinger, Marantino, Mead, Fuller, Wood, Caldwell and Strode

CHANGE OR CANCEL DECEMBER MEETING

Motion Made:

Commissioner Mead moved to **CANCEL December’s Planning and Zoning Commission Meeting.** *Commissioner Strode* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Pettinger, Marantino, Mead, Fuller, Wood, Caldwell and Strode

MEMBER COMMENT AND ADJOURNMENT

Welcomes were extended to new Commissioners Dana Wood and Sean Strode.

Vice Chair Fuller adjourned the meeting at 8:16 p.m.

Steve Fuller, Vice Chair

Date

Charlotte Squires, Planning Technician

Date

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



MEMORANDUM

TO: PLANNING AND ZONING COMMISSION

FROM: HANNAH KLAUSMAN, PLANNER

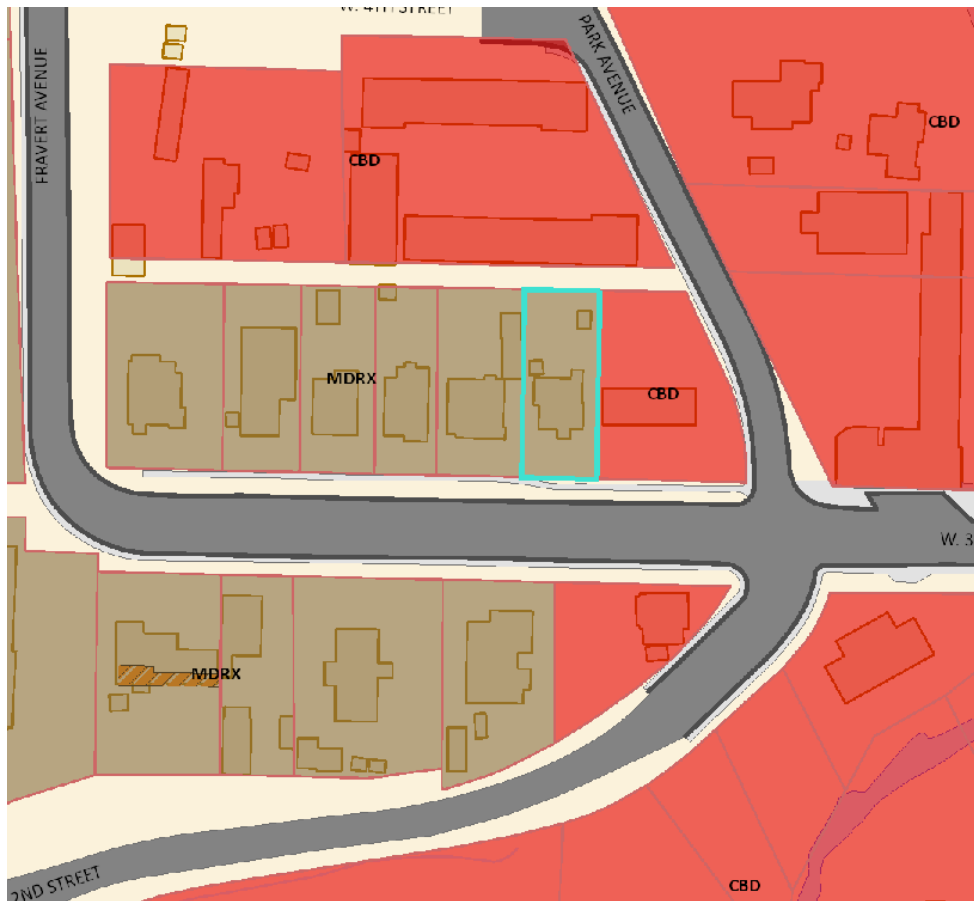
DATE: February 24, 2015

SUBJECT: CONDITIONAL USE PERMIT 2015-1
420 W. 3rd Street
PURPOSE: Office in a Residential District
APPLICANT AND PROPERTY OWNER: Gregory K. Mullenax

REQUEST:

The applicant requests approval of a Conditional Use Permit for a Business Office in a Medium Density Residential Redeveloping District (MDR-X). See the applicant's statement (Exhibit A).

The location is 420 W. 3rd street. See the highlighted property on the map below.



DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



BACKGROUND

The property is zoned Medium Density Residential Redeveloping (MDR-X). The intent of the MDR-X zoning district is to provide for medium density residential uses alongside complementary nonresidential uses. The property owner's requested use fits the land use definition of "An office for the conduct of business, provided that the residential character of the structure is maintained", which is a Conditional Use in the MDR-X district as is set forth in Rifle Municipal Code Section 16-3-320.

The area surrounding the property is composed of Central Business District (CBD) zoning to the north, and east, and MDR-X to the south and west. The proposed office is compatible with existing uses immediately adjacent in the CBD.

The applicant will be required to provide 3 parking spaces per Rifle Municipal Code in Section 16-7-10, Off Street Parking and Loading. Calculation for Office use is 1 parking space per 300 square feet of building. The building is 900 square feet.

The applicant has proposed a front yard monument sign measuring four feet by five feet (4x5) that meets sign regulations as set forth in Section 16-8-120 in Rifle Municipal Code. Code allows a Medium Density Residential Zone 1 sq. ft. for each lineal foot of building frontage OR 25 sq. ft., whichever is less, for a free standing sign.

FINDINGS

Pursuant to Section 16-5-360, the Commission shall consider the following criteria before approving a Conditional Use Permit (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;

The proposal conforms to the Rifle Municipal Code.

2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;

The proposed use is compatible with surrounding properties given that the residential character is being maintained, assuming that parking concerns can be mitigated in the manner presented by the applicant.

3. The desirability for the proposed use in the specific area of the City;

Offices are a desirable use in MDR-X zone as they are a complementary nonresidential use.

4. The potential for adverse environmental effects that might result from the proposed use;

Not applicable

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5. Compatibility of the proposed use and the site (or subdivision) plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan envisions this area as a redeveloping area with increased density and appropriate mixed-use. An office use is compatible with this vision.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

Adherence to standards should ensure that the proposed use does not affect property values in the surrounding area.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

Not applicable.

RECOMMENDATION

Staff recommends Planning Commission APPROVE CUP 2015-1 with the following conditions:

1. The applicant shall provide three (3) parking spaces with a minimum of two (2) parking spaces located in the rear yard with access from the alley. Parking shall conform to regulations in Section 16-7-20.
2. All signage for the proposed building will conform to Sign regulations set forth in Municipal Code Section 16-8-120 for a Medium Density Residential District.
3. Within one-year from the date of approval, the applicant must establish the land use or the permit shall be considered null and void.

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6491



LAND USE APPLICATION FORM

Application Type (check all that apply):

- Amended Plat
- Annexation
- Conditional Use
- Final Plat
- Floodplain Development
- Lot line dissolution
- Lot line Rearrangement
- Minor Subdivision Sketch Plan
- Outside City Water/Sewer
- Preliminary Subdivision Plan
- Sketch Subdivision Plan
- Sketch - Preliminary Subdivision Plan
- Site Plan
- Text Amendment
- Vacation - Easement / Right-of-Way
- Zoning Variance
- Zoning Map Amendment
- GIS System Integration
- Other

Brief Description of Application(s)

This property has been used as a rental for many years. By using it as my office for my business, I will clean it up and ~~clean it up~~ keep it up. My business is not a retail business so there will usually be only 2 to 3 people present, Secretaries and myself. I plan to improve the parking situation and the overall appearance of the property.

Property Information

Address: 420 W. 3rd St.

Parcel ID number: 217716209006

Legal Description (attach additional sheet if necessary): Lots 12 & 13, Block 2, West Rifle Addition - City of Rifle

Access to Property:

Instructions for Submittal

- Original applications with original signatures must be provided.
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications **will not be accepted** and will delay processing.
- Initially, one copy of each document may be submitted to the Planning Department for review. When the documents are deemed adequate, additional copies as required by the Planning Department shall be submitted.
- All documents, plans, plats, etc. shall be no larger than 8 1/2" x 14" in size or folded to that or a smaller size.
- The property owner **must** fill out the Owner Affidavit in presence of notary.

STAFF USE ONLY

Pre-app conference: _____ (date)

Application received: 2-4-15 (date)

Application complete: _____ (date)

Case Number: CUP 2015-1

Fees: \$160-

Case Name: 420 W. 3rd Street

Deposits: \$500-

Paid: _____ (date)

Referrals sent _____ (date)

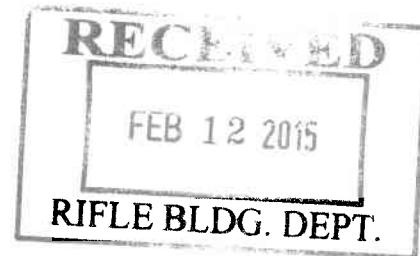
Gregory K. Mullenax
Mullenax Construction &
Roofing
-514 Will Ave.
Rifle, Co.
970-625-5154
970-379-2658
gmullenax55@msn.com

RE: 420 W. 3rd St.

I would like to install a business sign in the front yard .
This sign will be professionally done. I have been noticing other business signs in front of businesses
in Rifle. Some I have seen in from yard placements, are approximately 4 ft. x 5 ft. Micro Plastics,
Spevere, and,
Citadel Security are a few.

Thank You

Greg Mullenax



SCANNED