



REGULAR PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 25, 2021

Prior to Planning Commission Meeting:
Planning Workshop 6:00 p.m.

Planning Administrative Assistant Charlotte Squires, explained with the Chair and Vice Chair absent from the meeting the board will need to elect an Acting Chair for tonight's meeting.

Commissioner Pettinger moved to **ELECT** Commissioner Villasenor to be acting Chair for the meeting. *Commissioner Rogers* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth

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

Acting Chair Villasenor led the Planning Commission and audience in the Pledge of Allegiance.

MEMBERS PRESENT AT ROLL CALL

Rogers, Steffen, Roberts, Villasenor, Pettinger and Damuth

Commissioner Pettinger moved to **Elect** Commissioner Villasenor to be acting Chair for the meeting. *Commissioner Rogers* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth

Damuth will be a voting member for the meeting

Commissioner Pettinger moved to **EXCUSE** Chair Marantino and Vice- Chair Caldwell from the May meeting 25, 2021 meeting; *Commissioner Roberts* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth

OTHERS PRESENT

Planning Director Patrick Waller, Administrative Assistant Charlotte Squires, City Attorney Richard Peterson-Cremer, Salvador Tovar Guzman, Trudy Lowery, Mark Sills, Ashta Taylor, Roberto Salomi Gonzalez, Mike Gert, Jonathan Fitzpatrick, Kat Kelly, Jim & Vickie Herrera, Mark Stiebes, John Kuersten, Michael Maxfield and via zoom Scott Surely, Kelly Moline.

APPROVAL OF MINUTES

Commissioner Rogers moved to **APPROVE** minutes for March 30, 2021 Regular Planning and Zoning Meeting and The Board of Adjustment Meeting, with the change to page 1 under Excuse Commissioner Pettinger; Pettinger did not vote. *Commissioner Damuth* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Roberts, Villasenor, and Damuth

Abstained: Pettinger

2021-014 CONDITIONAL USE PERMIT 2185 10TH STREET S.

Acting Chair Villasenor called the Applicant(s) Mark Sills and Ashton Taylor

Confirmed Public Notice was met

Commissioner Steffen recused himself from this agenda item.

PURPOSE

The applicant requests approval of a Conditional Use Permit for a Medical and Retail Marijuana Cultivation (MC) Operation.

STAFF REPORT

Planning Director Patrick Waller went through the Staff Report explaining some of the criteria and sharing that Staff did not see any issues with the applicant's request.

Staff recommends that Planning Commission APPROVE Conditional Use Permit 2021-14 subject to the following conditions:

1. The Conditional Use Permit shall only be valid in conjunction with a Marijuana Cultivation Operation license awarded by the City Clerk and City Manager.
2. The Conditional Use Permit shall only be valid in conjunction with a Marijuana Cultivation Operation license awarded by the City Clerk and City Manager.
3. No improvements for this facility or operation of the facility shall occur within the building until a license is granted by the City Manager. If a license is not awarded within 1-year of approval by the P&Z, the permit shall become null and void.
4. The Conditional Use Permit shall become null and void if the grow operation is discontinued or not started for 12 consecutive months.
5. Failure to comply with any and all licenses required by the City of Rifle and/or the State of Colorado for the purpose of growing marijuana shall result in this Conditional Use Permit becoming null and void upon revocation of said licenses.
6. The project conflicts with the previous Conditional Use Permit approval of the building as a hand sanitizer production facility. Prior to operation of the grow facility the applicant shall supply a letter indicating that they no longer will pursue the hand sanitizer conditional use permit.
7. Any future expansion of the grow facility shall require a new Conditional Use Permit approval.

APPLICANT PRESENTATION

Mr. Sills explained they are in an area where there are two (2) grows next to them, one behind and one to the side. Last time they were here they were trying to do a hand sanitizer business that did not happen due to fire protection delays that became 6 months instead of a couple of months and the need for hand sanitizer went away. They will submit the letter to relinquish the hand sanitizer permit. Under recommendation number three (3) it says no improvements to this facility or operation shall accrue until the building until a license is granted by the City Manager. We are hoping you will take out the no improvements there is some electrical and upgrades that needs to be done.

Mr. Taylor explained upgrades are electrical fixtures, trays, tables and went on to explain he has been at numerous facilities throughout the state and is now trying to open his own with Commission's approval. Some of these things will be like moving furniture into a house, there are a few tables, try fixtures, but no actual remodel will be done.

Mr. Sills explained there is already an open electrical permit; the main thing being improved is the light system and setting up security cameras. No plants would be put into the building until a City License had been approved from the State and City of Rifle.

Acting Chair Villasenor asked if these updates need to be made in order to get the license.

Mr. Taylor replied yes some would such as the security system, order litigation, and stuff is requirement of submittal for the next phase of licensing, that will all need to be in place.

Acting Chair Villasenor asked Staff if number three (3) is a standard requirement.

Planning Director Waller replied it's a stock condition; we want to have all the approvals lined up and squared away before you move forward with a building permit. This is a condition that has shown up in just about all of the grow facility operations; certainly we don't want to put them in sort of backward way where they can't move forward with State and City permit.

COMMISSION QUESTIONS AND COMMENTS: No Comments

PUBLIC COMMENT:

Acting Chair Villasenor Opened the public hearing, seeing no one in the audience and on zoom the public hearing was closed.

COMMISSION DISCUSSION: No Comments

Acting Chair Villasenor entertained a motion

MOTION MADE:

*Commissioner Roberts moved to **APPROVE** 2021-014 Conditional Use Permit 2185 10th Street S. with all of Staff's Recommendations and the changes to recommendation three (3) to read as "No improvements for this facility or operation of the facility shall occur within the building except as required to obtain a state or local license, until a license is granted by the City Manager. If a license is not awarded within 1-year of approval by the P&Z, the permit shall become null and void". Commissioner Rogers seconded the motion. The motion **CARRIED** with the following vote:*

ROLL CALL: Yes: Rogers, Pettinger, Roberts, Villasenor, and Damuth

Commissioner Steffen rejoined the meeting.

2021-016 Conditional Use Permit 101 W. 26th Street

Acting Chair Villasenor called the Applicant(s) Michael Maxfield

Confirmed Public Notice was met

PURPOSE:

The applicant requests approval of an approximately 280 square foot Storage Shed to be used with the existing auto detailing business on the property.

STAFF REPORT:

Planning Director Patrick Waller went through the Staff Report explaining some of the criteria and sharing that Staff did not see any issues with the applicant's request.

Staff recommends that the following conditions be included with an approval of Conditional Use Permit 2021-016:

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by the Planning Commission.
2. Prior to the issuance of the Building Permit for the accessory storage shed, the applicant shall remove temporary signs that are not compliant with the Rifle Municipal Code.
3. This conditional use permit is limited to approval of the storage shed on the property.

4. The Conditional Use Permit shall become null and void if the shed is not constructed within 12 months.

APPLICANT PRESENTATION:

Mr. Maxfield explained he is changing the property from what it used to be. It was a green house and now he is changing the use and wants to make sure the place stays cleaned up. The shed will go on the concrete pad on the far northwest corner because there is already a hundred (100) amp service in that area. This way he can get an electrical permit to add some power to the shed. The shed will be for storage and other business they have going on the property such as auto detailing. The use will also be approved by the Fire Marshal regarding the floors and storage for safety. The shed will be pre-built from Mor Storage in Grand Junction and will be anchored down and will be painted to match the modular just west of the shed.

Acting Chair Villasenor asked if the conditional use permit (CUP) is for the size, if they have too many sheds or what.

Planning Director Waller replied any commercial storage shed needs to go through CUP, per the code change around two (2) years ago.

COMMISSION QUESTIONS AND COMMENTS:

Commissioner Steffen asked the applicant if he was good with all the conditions in the staff report including removing all the inadequate signs.

Mr. Maxfield replied the signs have been removed.

PUBLIC COMMENT:

Acting Chair Villasenor Opened the public hearing, seeing no one in the audience and on zoom the public hearing was closed.

COMMISSION DISCUSSION: No further discussion.

Acting Chair Villasenor entertained a motion

MOTION MADE:

Commissioner Rogers moved **APPROVE** Conditional Use Permit 2021-016 at 101 W. 26th Street with all Staff's Recommendations. *Commissioner Steffen* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth

2021-015 CONDITIONAL USE PERMIT 2515 W. CENTENNIAL PARKWAY

The Acting Chair Villasenor called the Applicant(s) John Fitzpatrick

Confirmed Public Notice was met

PURPOSE:

The applicant requests approval of a Conditional Use Permit to install a 2-MW Community Solar Garden on City owned property located at 2515 West Centennial Parkway.

STAFF REPORT:

Planning Director Patrick Waller went through the Staff Report explaining some of the criteria and sharing there is already a solar farm on the same site just north of this project. The applicant will be working with the Department of Energy and the Colorado Department of Public Health and Environment to get that permitted. The project will be located in the energy center which is part of the comprehensive plan and area plan that was approved previous and is in a location identified as a solar facility.

Staff recommends that the following conditions be included with an approval of Conditional Use Permit 2021-015

1. The operation of the Solar Facility shall be done in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility.
2. The Conditional Use Permit shall become null and void if the operation is discontinued for 12 consecutive months.
3. The fence surrounding the project shall be limited to 7 feet in height and wildlife friendly per CPW requirements.
4. Prior to issuance of a Building Permit for the facility, the applicant shall submit required approvals and permits from the Department of Energy and the Colorado Department of Public Health and Environment.
5. The applicant shall address Colorado River Fire Rescue comments as part of the site plan/building permit submittal.
6. The applicant shall supply additional details on the access road for review and approval by Colorado River Fire Rescue and City of Rifle Public Works as part of the site plan/building permit submittal.

APPLICANT PRESENTATION:

Mr. Fitzpatrick explained he had a power point presentation to share. The project will be 2 MW direct current solar facility on about 11 acres surrounded by CPW recommended game fence at 7 feet high. The access will be from W. Centennial Pkwy/US6. The construction will take around 12 to 18 weeks starting around July/August 2021 and hopefully the project will be operational by the end of the year. The project will be Operational for 20 to 40 years, 20 years is the contract with Xcel Energy and can be extended per the terms of their lease. The facility will look just like the current solar arrays on the property currently. The project will be located on UMTRA site and there will be ongoing coordination with the CDPHE and DOE regarding the BMPs for working on contaminated site. This is part of Xcel Solar Rewards Community Program and residents will be able to subscribe to the CSG and receive credits on their bill.

COMMISSION QUESTIONS AND COMMENTS:

Commissioner Rogers asked what the distance from the solar panels to the CDOT ROW was.

Mr. Fitzpatrick replied approximately 128 feet, from the southernmost location of the fence not the equipment.

PUBLIC COMMENT:

Acting Chair Villasenor Opened the public hearing, seeing no one in the audience and on zoom the public hearing was closed.

COMMISSION DISCUSSION: no further discussion.

Acting Chair Villasenor entertained a motion

MOTION MADE:

Commissioner Damuth moved to **APPOVE** Conditional Use Permit 2021-015 at 2515 W CENTENNIAL PARKWAY with all Staff's Recommendations. *Commissioner Pettinger* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: **Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth**

2021-005 SKETCH PLAN LAST CHANCE COMMONS

Acting Chair Villasenor called the Applicant(s) Brian Stillwell

Confirmed Public Notice was met

PURPOSE:

The applicant requests approval of a Sketch Plan for pocket neighborhood Planned Unit Development (PUD) consisting of twelve (12) units on 1.911-acres, currently zoned Community Service (CS)

STAFF REPORT:

Planning Director Patrick Waller went through the Staff Report explaining some of the criteria and sharing Staff comments. This project will be brought back to the commission at Preliminary Plan if the application moves forward.

Staff recommends that Planning Commission approve the Sketch Plan and Concept PUD for the Last Chance Commons with the following conditions:

1. The applicant shall incorporate referral comments into the Preliminary Plan submittal.

APPLICANT PRESENTATION:

Mr. Stillwell explained there is a need for housing in the area that was intended more for commercial development opportunity; seeing a chance to bring some of the residential as a pocket community in walking or biking distance of facilities and conveniences. I would be the building as the developer on this project. Asking for approval for twelve (12) lots with separate driveways onto Last Chance Drive and they would be built in phases of clusters of four (4) as the market allows.

COMMISSION QUESTIONS AND COMMENTS:

Acting Chair Villasenor asked Patrick to bring up the Rifle Municipal Code section 16-3-610 the intent of PUD Regulations and asked the commissioner if they had any questions.

Commissioner Rogers asked if a sketch plan deals with drainage issues, the run off from the mountain hind the property.

Planning Director Waller replied it doesn't, the drainage was reviewed by our engineer and there are some potential geo hazard issues and it also showed up on the Grand River Plaza Plat as a debris fan that's identified as well. That will be coming in at preliminary plan with more engineering.

City Attorney Richard Kramer replied the sketch plan is your chance to look at the concept, if this would be something that is a good fit in this location.

Acting Chair Villasenor asked Patrick to bring up 16-3-640 section b, it says the review criteria themes for the city benefits are project design and land use so if you know those are the If you came to us with all five (5) lots it would be a more cohesive design and could make sure it fits in the neighborhood, but not sure on how undesirable effects to the neighborhood of having these two (2) planned really dense with the twelve (12) units whereas the other ones are yet to be seen.

Mr. Stillwell replied he looked into the adjacent lot 17 and they are going to do a storage building and right across the street there are a couple of parcels with some homes facing Last Chance Drive and it looked to me there was some sort of precedent for a residential project. Regarding the density part of that with opaque fencing and architectural implements that we would use we can create a sense of separation. I don't know about the lots east of these lots, but we can create what a pocket neighborhood is its own community within itself and you have to use landscaping, fencing and other treatments to try to blend in with the something else on the other side.

Acting Chair Villasenor asked Patrick what is the normal rear yard setback

Planning Director Waller replied in Community Service (CS) the rear is 15 feet.

Acting Chair Villasenor read the Municipal Code regarding PUD setbacks, and asked the applicant under which of those items does the project fall under.

Mr. Stillwell replied greater diversity of housing types in mixed use, there is a certain open space component to this too. If you look at the area we are actually using of the available lots you know that there's a ten to twelve foot hill in the back but that sort of opens up. Nothing else will be built on that side.

Acting Chair Villasenor mentioned under another developer they had a lot of density, along with a park for the kids to play at. Going from fifteen (15) feet rear yard to five (5) feet is a pretty big loss.

Commissioner Damuth asked the applicant if they see any issues with the debris flow or the geology in that area.

Mr. Stillwell replied we will get into that with the engineering solution. He shared he built in environments that are far more intimidating and potentially difficult than this site. Whatever the mitigation requirements that are provided by the engineer we would do. He does not see that as being a major problem. There is enough setback area to deal with drainage.

PUBLIC COMMENT:

Acting Chair Villasenor Opened the public hearing.

Scott Surely (via zoom) asked if there would be any impact on property values in this area. Are these affordable, medium or higher end priced homes and how will that affect property values and businesses around the development?

Mr. Stillwell replied these will be free market units, and for property values that is not something I can address but this is a far cry from the original proposal that was presented for modular housing in a sort of quick and easy way. He is known for building a quality product and this will be a compliment to the area housing inventory.

Kelly Moline (via zoom) asked would there be a bike path, and is the open space ten (10) to twelve (12) feet wide and just trying to envision what this looks like.

Mr. Stillwell explained the project again and the open space comment may have come from the steep slope in that back of the project. There is a ten (10) to twelve (12) foot high slope in the back of the property and we had to make sure we moved away from that in terms of any of the residential structures, so there would be some space that would be private to the residential owners. This wouldn't be a community park. The bike paths and sidewalk already exist along Last Chance Drive.

Planning Director Waller replied that the City Public Works department did not see any immediate issues with plan for traffic or access to Last Chance Drive.

Acting Chair Villasenor asked if there was anyone else wanted to comment on this project. Seeing no one in the audience and on zoom the public hearing was closed.

COMMISSION DISCUSSION:

Commissioner Steffen asked about the snow removal and if that would be under an HOA.

Mr. Stillwell replied his understanding was that they would have public access and maintenance to the existing improvements and the driveways would be dedicated to the city so that the city would maintain the driveways. If that is not the case my understanding is that HOA's have a long and difficult history in Rifle.

Planning Director Waller replied that the City would likely not be interested in taking on the driveways; they will need to be done by an HOA.

Acting Chair Villasenor asked about the Colorado Fire District comment that mentioned there would need to have an urban wildland area per the wildland codes.

Mr. Stillwell replied if it is something we have to address and would want to spend some review that, I have not encountered this yet to be honest. This is a new matter and at some point that could be cost prohibited.

Planning Director Waller replied at this point it is a suggestion from Colorado River Fire Rescue it's not a requirement. This is something that is being looked at in the future.

Mr. Stillwell replied if this translates to using fire blocking materials on the outside of the structures that is not a big issue, this is done a lot.

Acting Chair Villasenor stated, to sum up her thoughts, appreciates the applicant wanting to bring quality housing to the area, but she has concerns about the density and a five (5) foot rear yard setback without having any kind of Park. Shared concern about the shared driveways, the City is not interested in calling them streets and HOA's like you said they fall apart.

Commissioner Rogers asked where are you seeing the five (5) feet, she is seeing fifteen (15).

Planning Director Waller replied the five (5) foot is those rear lots in the front, lots 6 thru 12; all of those are all five (5) foot from the property line along that middle lot line.

Acting Chair Villasenor asked if there were any other questions or comments of the commissioners.

Acting Chair Villasenor entertained a motion

MOTION MADE:

Commissioner Steffen moved to **APPOVE** 2021-005 Sketch Plan Last Chance Commons with all Staff's Recommendations. *Commissioner Rogers* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts and Damuth

No: Villasenor

Acting Chair Villasenor entertained a 5 minute break at 8:17pm to 8:24pm

2021-007 SKETCH / PRELIMINARY PLAN PIONEER MESA PH2 PUD

Acting Chair Villasenor called the Applicant(s) John Kuersten

Confirmed Public Notice was met

PURPOSE:

The applicant requests approval of a Sketch Plan/Preliminary Plan/Planned Unit Development to subdivide approximately 28.76 acres into 17 single-family estate lots.

STAFF REPORT:

Planning Director Patrick Waller explained the history of Pioneer Mesa Ph2, shared that infrastructure was put in without City Of Rifle approval and permits. The existing road access to the top is roughed in, as well as existing utilities. Some of the Key items are:

- ❖ Comprehensive Plan- this project falls into a Tier 2 area and there are some potential issues for development of that particular parcel. Identified here are the preexisting utilities and the access.
- ❖ Access- the applicant is addressing those by going to a much less dense plan and having the access road privately maintained. The comprehensive plan calls out "lower impact development pattern or non-residential uses maybe appropriate given the constraints that were identified". Just being sure this is covered by the HOA and some technical review pieces done by Public Works and Colorado Fire Rescue and those comments were attached to the staff report.
- ❖ Steep Slopes and Soils- there are some conditions of approval associated with that as well.
- ❖ Public Works Review- they were reviewing some drainage issues and identified some potential changes to the plan but were still supportive of it moving forward.

Planning Director Waller went through the Staff Report explaining some of the criteria, and went through the conditions for approval.

Staff recommends that Planning Commission approve the Pioneer Mesa Phase 2 application for a Sketch/Preliminary Plan and recommend to Rifle City Council to rezone the project to Estate Zone – PUD with the following conditions:

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by the Planning Commission.
2. All Staff and referral agency comments (including comments from Mountain Cross Engineering, City of Rifle Public Works, City of Rifle Utilities, Colorado River Fire Rescue, Xcel Energy and CDOT) shall

be incorporated into the Final Plat submittal as noted in referral comments attached to this Staff Report except as amended below:

- a. The applicant shall supply a letter from a professional engineer indicating why a berm is an effective traffic control device compared to a guardrail, on Pioneer Trail. This shall be reviewed by City Staff to determine if a guardrail or berm is appropriate.
 - b. The applicant shall provide an analysis from a professional engineer detailing whether or not the detention ponds and drainage ditches should be lined.
3. The applicant shall provide analysis from a professional engineer indicating that the proposed Building Setbacks are sufficient to protect residential development of the lots from steep slope and soils issues. Alternatively, the applicant may supply building envelopes on each of the residential lots that are approved by a professional engineer to ensure residential development is not at risk from steep slopes and soil issues.
 4. The applicant shall provide updated engineered plans that will be reviewed and accepted by referral agencies as part of the Final Plat application. The updated plans shall address comments, to the satisfaction of the referral agency, that were provided at Preliminary Plan. Additional modifications may be required as part of this review.
 5. The access road shall be privately owned and maintained. The applicant shall provide Covenants and HOA documents detailing the maintenance plan for the access road for City of Rifle review and acceptance as part of the Final Plat submittal.
 6. The applicant shall include a Plat Note that states, "An engineered foundation design and soils report shall be required as part of any Building Permit submittal."

APPLICANT PRESENTATION:

Mr. Kuersten explained he wanted to address a couple of comments on:

- ❖ Recommendation 2a- they show a traffic control berm and guardrail, we're actually not opposed to the guardrail we are just trying to soften the look from down below and not see a shiny steel guardrail. We thought an earth berm with some grass on it would be nicer to look at. We will do whatever is recommended, our engineer is good with either one. For recommendation 2b the lined detention ponds, drainage ditches we actually have a full drainage report already completed on this property with the existing soils report. We actually anticipated granular pit run type soils it was actually going to use the nonaligned retention ponds to help perpetrate some of the detention water into the ground and believe there wouldn't be any ill effects from that. Lining the pond does not create that much difference in the soils report. Again if that is what the city's engineers want to see we will gladly do that but keep in mind but we are trying to keep more water on site.
- ❖ Recommendation 3- the building envelopes we have asked for reduced setbacks for front and rear yard primarily for the long skinny lots and would prefer not to provide building envelopes on any of the lots; and leave those open to interpretation at permit on each structure, certainly engineering can address the slopes, drainage. The slopes aren't that steep and have been stable for years and feel it would be better to address on per lot basis. We are open to suggestions and this is for the main lots facing that front slope. We believe an engineered stamped sutural and soils report per lot at time of building address that concern.

COMMISSION QUESTIONS AND COMMENTS:

Acting Chair Villasenor asked if Patrick would bring up the estate zoning district up in the municipal code. The rear and front yard setback of 50' you are requesting goes down to 25' in the front yard and 15' in rear yard,

Mr. Kuersten explained due to the existing infrastructure in place, we would like to use the sewer and water line that is in place, there has been some preliminary testing done and is relatively in good shape. The lot sizes are set, this was originally designed for 72 lots and they were pretty shallow with a 25' foot setback in the residential zone district and with the unique lots and topography that's there.

Commissioner Damuth asked some questions from the Colorado River Fire Rescue (CRFR), will you be considering doing sprinkler or any other mitigation for fire.

Mr. Kuersten replied they are not, and has spoken in length with Orrin about this so the wildland interface code is relatively new and they are recommending these fire resistant types construction all that means is you would use brake block stucco cement board siding exterior a 40 year asphalt shingle actually meets the same requirements. They do ask for a wild fire wildland mitigation plan which basically says if you have brush growing along your property line you create defensible space and it's pretty basic.

Acting Chair Villasenor replied when it comes to the access road it has been an issue, is it the HOA going to maintain it or how do you see that.

Mr. Kuersten replied yes the HOA will maintain the access from the bottom of the hill all the way up through the subdivision.

Commissioner Steffen asked if it is all paved.

Mr. Kuersten replied no so actually shown right now is a profile of recycled asphalt with a rejuvenated product on it and part of that reason is we think it's easier to maintain, you can actually take a motor grader down that re-blade it re-compact a couple times a year for a very minimal cost. Once you put asphalt on there once it starts to come apart you have to saw cutting and tearing out and repaving and patches on the hill and those will start to fail.

Commissioner Steffen asked if the storm water was in place.

Mr. Kuersten replied the storm water is in place there are some repairs to some of the catch basins and reconstruct the detention facilities but all the piping appears to be in good condition. We will clean, flush and camera everything part of the testing.

PUBLIC COMMENT:

Acting Chair Villasenor Opened the public hearing.

Trudy Lowery shared she is in phase 1 of Pioneer Mesa and has concerns of the drainage coming off the hill and wanted to know exactly where the drainage will be going. We also need to know if this HOA is joining our HOA or will it be its own HOA. In past years there was a flood that was really bad and ripped out 3 lots and she is not for spun asphalt for the access road to phase 2. Also would like to know more about the mitigation on the hillside, and would like to see a more stable landscaping on the hillside to help prevent mudslides and flooding out the homes at the base of the hillside.

Acting Chair Villasenor asked are there detention ponds and would the HOA be the same or separate with phase 1. If there were an issue with flooding or drainage issues the HOA's would work that out.

Mr. Kuersten replied there will be when we are complete; they were there but are pretty filled in now. The drainage was always planned in phase 1 to accommodate phase 2, the piping is all in and the drainage structure is in place although they need to be repaired and cleaned out; it does run down the hill into the retention pond in phase one it was sized for phase two. The HOA will be its own separate HOA, and regarding any drainage, flooding issues the HOA's will work that out.

Jim Herrera shared his concern is the park, the run off from the top going into the park, and who will take care of that when it floods. We just want to make sure that is going to be taken care of we have worked real hard to get this subdivision down below into good shape.

Mr. Kuersten replied the playground was built in the retention pond.

Jim Herrera asked if they were going to allow modular homes in phase 2.

Mr. Kuersten replied they will all be stick built.

Salomi Gonzalez shared her concern that she has three (3) kids and lives right in the corner of the access road up to the new development. Will there be speed bumps or a stop light what are their plans to slow traffic down.

Mr. Kuersten replied he has not seen any comments about a stop sign at that intersection, we are not opposed to putting it in. typically it goes the flatter side not the downslope.

Planning Director Waller replied there is a comment from Public Works about a stop sign at Pioneer Way, Pioneer Trail so they're asking for one as part of their conditions.

Scott Surely (via zoom) shared he is concerned about the impact to property values and are the 17 units taking over the whole area is it just one area the 17 units will be going into.

Mr. Kuersten replied it is hard for us to forecast property values but I would like to think these larger estate zone lots will attract larger homes and would think it would help raise the property values. There are no designs for houses at this point, my partners and I plan on building the houses and with the market right now we are not sure what that time frame might look like.

Acting Chair Villasenor asked if anyone else wanted to comment on this project. Seeing no one in the audience and on zoom the public hearing was closed.

COMMISSION DISCUSSION:

Acting Chair Villasenor asked if there were any other questions or comments from the commissioners.

Planning Director Waller shared the drainage issues that were brought up at the meeting such as the draining into the detention pond, and if the Planning Commission finds it appropriate they could add a condition of approval that they are addressed as part of the final plat. The applicant discussed shared maintenance of the facility, and just wanted to make note of that for the commission.

Commissioner Damuth asked Patrick what was the wording of that condition.

Planning Director Waller shared to add another condition for clarity, condition 7 indicating that at time of final plat the applicant shall provide documentation that they have partial maintenance of the drainage facility below. The preliminary plan has a piece where you can approve and ask them to come back if you are looking for more information or you can continue as well.

Commissioner Damuth asked the applicant if he would have any issues with the suggested additional condition for shared maintenance of detention ponds.

Mr. Kuersten replied they would be fine with that.

Commissioner Steffen asked if he would come back again once you kind of finalize what you are putting down recycled asphalt or pavement.

Mr. Kuersten replied he would prefer actually it is getting late in the year if you guys had a recommendation one way or the other on the access road up the hill for pavement or recycling I prefer we could resolve that tonight if possible. We are okay with Public Works requirement.

Acting Chair Villasenor entertained a motion

MOTION MADE:

Commissioner Steffen moved to **RECOMMEND** to City Council to **APPOVE** 2021-005 Sketch Preliminary Plan Pioneer Mesa Phase 2 PUD with all Staff's conditions including **Condition 7** As part of the Final Plan submittal, the applicant shall provide documentation that the HOA for Pioneer Mesa Phase 2 will share maintenance responsibility for the lower detention area with the Pioneer Mesa Phase 1 HOA and **Condition 8** The applicant shall submit the Final Plan application to the Planning Commission for a recommendation to City Council *Commissioner Pettinger* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth

VOTE FOR CHAIR AND VICE CHAIR

Acting Chair Villasenor entertained a motion

MOTION MADE:

Commissioner Rogers moved to **RE-ELECT** Marantino as Chair and Caldwell as Vice Chair *Commissioner Roberts* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Rogers, Steffen, Pettinger, Roberts, Villasenor, and Damuth

Chair Marantino and Vice Chair Caldwell both agreed they would accept the decision of the board.

COMMENTS AND ADJOURNMENT:

Commissioner Rogers shared the New Ute Theater is holding outdoor patio concerts. The Famer’s Market will be starting up June 18th the website is riflefarmersmarket.com for applications as a vendor along with date and times and will be held at Heinz Park.

Planning Administrative Assistant Squires shared there is still a vacant position on the Planning Commission Board; if you are interested please submit your interest to the City of Rifle.

The meeting was adjourned at 7:48 p.m.

Dustin Marantino, Chairman _____
Date

Signed Copy on file

Charlotte Squires, Planning Administrative Assistant _____
Date