



REGULAR PLANNING COMMISSION MEETING & BOARD OF ADJUSTMENT

Tuesday, October 26, 2021

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance. Meeting commenced at 7:04 p.m.

MEMBERS PRESENT AT ROLL CALL

Marantino, Caldwell, Pettinger, Rogers, Steffen, Roberts, Villasenor, Damuth and Dow

OTHERS PRESENT

Planning Director Patrick Waller, Planner Hannah Popp, Administrative Assistant Charlotte Squires, City Attorney Jim Neu and Joely Denking, Chanel 10 Michael Churchill, John Savage, Jeb Savage, Karen Magink, Kathy Snyder, Thad Snyder, Larry & Marry Dion, Nathan Bell, Doug Pratte, Jim Muir, Chad Lee, Misty Briscoe- Garcia, David Farrow.

APPROVAL OF MINUTES

Commissioner Caldwell moved to **APPROVE** September 28, 2021 Regular Planning Meeting and Board of Adjustment Minutes *Commissioner Rogers* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Marantino, Caldwell, Pettinger, Rogers, Steffen, Roberts and Villasenor

2021-045 SKETCH PRELIMINARY AND 2021-046 REZONING NORTH PASTURES F-7

The Chair called the Applicant(s) John Savage and Jeb Savage

Confirmed Public Notice was met

PURPOSE

The applicant requests approval of a Sketch/Preliminary Plan to subdivide two parcels into 25 lots and a rezoning of one of the parcels from Community Service Business District (CS) to Medium Density Residential (MDR). The proposed subdivision is known as North Pastures Filing 7.

STAFF REPORT

Planning Director Patrick Waller shared the staff report and Staff recommendation that Planning Commission recommend APPROVAL of the Sketch/Preliminary application 2021-045 for North Pastures 7 and the Rezone application 2021-046 of lot CS-2A as per the Final Plat (Reception No. 922045) to Medium Density Residential (MDR), with conditions in the staff report.

APPLICANT PRESENTATION

Mr. Savage gave a presentation

PUBLIC COMMENT:

Chair Marantino opened the public hearing and asked if there was anyone in the audience that wished to comment on the agenda item before them.

Chair Marantino asked if anyone else in the audience want to address this issue. Seeing no one else the public hearing was closed.

COMMISSION QUESTIONS AND COMMENTS

Commissioner Villasenor asked about the park to the north. shared a lot of homes have been added to the area and adding 25 more without any open space or parks for the residences and with the final piece it seems there's been a lot of additions recently. Not to have the park materialize; the new people and the people that have been living there would appreciate it.

Mr. Savage replied he created it and that was the end of his involvement, *Planning Director Waller* replied he believes there is money in the budget looking at preliminary planning next year.

Attorney Jim Neu replied that City Council is aware of this and the final plat will have to go before City Council and appreciate the heads up and staff will need to talk to Parks as it will come up again.

There was discussion of one way street and parking.

Motion Made:

Commissioner Steffen moved to **RECOMMEND** to City Council to **APPOVE** 2021-045 Sketch Preliminary Plan North Pastures F-7 to create 25 new single family lots with all Staff's Recommendations:

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. The applicant shall resolve referral comments as part of the Final Plat submittal to the satisfaction of the City of Rifle.
3. The applicant shall include suggested plat notes on the Final Plat submittal.
4. Walnut Loop shall be a two-way road. The applicant shall provide updated road cross sections that document this change to Walnut Loop as part of the Final Plat submittal.
5. No on-street parking shall be permitted in the alley right-of-way.
6. The applicant shall provide GIS information before the final plat is recorded.

Commissioner Pettinger seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Marantino, Caldwell, Pettinger, Rogers, Steffen, Roberts and Villasenor
No:

Commissioner Rogers moved to **APPOVE** 2021-046 Rezoning North Pastures F-7 *Commissioner Caldwell* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Marantino, Caldwell, Pettinger, Rogers, Steffen, Roberts and Villasenor
No:

2021-041 SKETCH PLAN MARIONI SUBDIVISION

The Chair called the Applicant(s) Nathan Bell

Confirmed Public Notice was met

PURPOSE

The applicant is requesting approval of a Minor Subdivision Sketch Plan application that will result in the creation of one new lot, adjust lot lines, and move the right-of-way for Last Chance Drive.

STAFF REPORT

Planning Director Patrick Waller shared you are looking at sketch plan and then moves to City Council for a preliminary final review at that time and explained the property is zoned developing resources (DR) which is a holding zone until the property is moving forward for development and gets rezoned at that time. Planning Director Waller went through the staff report and recommendations and findings. Staff recommends that Planning Commission **approve** the Sketch Plan with the conditions.

APPLICANT PRESENTATION

Mr. Bell gave a presentation

PUBLIC COMMENT:

Chair Marantino opened the public hearing and asked if there was anyone in the audience that wished to comment on the agenda item before them.

Chair Marantino asked if anyone else in the audience want to address this issue. Seeing no one else the public hearing was closed.

COMMISSION DISCUSSION:

There was discussion between Staff, Applicant and Commissioners regarding drainage, the ROW for a street to continue through.

Commissioner Villasenor shared concerns of the traffic on Last Chance Drive.

There was some discussion of the history of the parcel and a land donated to the city for a park/recreation area.

Motion Made:

Commissioner Caldwell moved to **APPOVE** 2021-041 Sketch Plan Marioni Subdivision with all Staff's Recommendations:

1. The applicant shall work with City Staff to finalize an agreement for Road and Utility extensions to the lot as part of the Final Plat Application.
2. The Final Plat shall include a Plat Note indicating that there is floodplain on the property and that any development will need to meet City of Rifle and FEMA requirements.
3. The applicant shall be required to submit ownership information and provide additional surveying for the proposed ROW exchange. The approval of the Sketch Plan application does not guarantee approval of the proposed ROW exchange, which requires a separate application process. The applicant should also be aware that the historic usage and ownership of the Last Chance ditch and potential impact that this could have on the ROW exchange.
4. Approval of this Sketch Plan does not change the zoning on the property. The property is currently zoned Developing Resources.

Commissioner Steffen seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes: Marantino, Caldwell, Pettinger, Rogers, Steffen, Roberts and Villasenor
No:**

2021-048 CONDITIONAL USE PERMIT 1560 E. 17TH STREET

The Chair called the Applicant(s) Jim Muir, David Farrow and Doug Pratte

Others Larry Dion, was not sworn in
Confirmed Public Notice was met

PURPOSE

The applicant is requesting approval for the installation of an approximately 43’ tall internet satellite tower, a small shelter to house equipment, and a back-up generator. If the Conditional Use Permit is approved, the applicant is also moving forward with an Amended Final Plat application to adjust the lot lines for the parcel. That application can be reviewed administratively.

STAFF REPORT

Planning Director Patrick Waller shared the staff report and Staff recommends **approval** of the application subject with conditions in the staff report.

APPLICANT PRESENTATION

Mr. Pratt, Mr. Muir and Mr. Farrow gave a presentation

PUBLIC COMMENT:

Chair Marantino opened the public hearing and asked if there was anyone in the audience that wished to comment on the agenda item before them.

Larry Dion shared concerns he had,

John Savage shared he was in support of the project.

Chair Marantino asked if anyone else in the audience want to address this issue. Seeing no one else the public hearing was closed.

COMMISSION DISCUSSION:

Commissioner

Motion Made:

*Commissioner Steffen moved to **APPROVE** 2021-048 Conditional Use Permit 1560 E. 17th Street with all Staffs 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. The operation of the facility shall be done in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility. Prior to operation of the facility, the applicant shall supply City Staff with the required FCC License for the site.
3. Any expansion of the use is not covered by this Conditional Use Permit and may require additional City of Rifle permitting.
4. The applicant shall address referral comments to the satisfaction of City Staff prior to the issuance of a Building Permit for the property.
5. The applicant shall provide an updated landscaping plan that shows additional screening for the house located to the southwest prior to the issuance of a Building Permit for the property.
 - a. The landscaping shall be installed as shown on the updated landscaping plan prior to operation of the use on the site. The applicant shall also provide irrigation water for the trees to be used for screening.

6. The Conditional Use Permit shall become null and void if the operation is discontinued for 12 consecutive months.

Planning Commission added the following conditions:

7. The applicant may relocate the driveway in order to incorporate additional screening for the residence to the west of the proposed facility. Additional trees shall be provided along the western property line for screening.
8. Once the facility is no longer in use the facility shall be removed and the property reclaimed.

Commissioner Caldwell seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Marantino, Caldwell, Steffen and Roberts
No: Pettinger, Rogers and Villasenor

COMBINE NOVEMBER AND DECEMBER MEETING

The Chair asked if this would work for everyone and asked for a motion

Motion Made:

Commissioner Steffen moved to **APPOVE** combining November and December Meeting to December 14, 2021. *Commissioner Caldwell* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes: Marantino, Caldwell, Pettinger, Rogers, Steffen, Roberts and Villasenor
No:

COMMENTS AND ADJOURNMENT 9:03PM

Dustin Marantino, Chairman

Date

Signed Copy on file

Charlotte Squires Administrative Assistant

Date