



REGULAR PLANNING COMMISSION MEETING & BOARD OF ADJUSTMENT

Tuesday, December 14, 2021

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance. Meeting commenced at 7:00 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 Denkinger, Channel 10 Michael Churchill, Barry Sheakley, Marcus Benovoa, Grady Hazelton, Shanna Huser and Matt Morgan, Israel Marioni, Jorge Marioni, Juan Solis, Jake Ezratty, Carolyn Meadowcroft, Gail Schwartz.

APPROVAL OF MINUTES

Commissioner Rogers moved to **APPROVE** October 26, 2021 Regular Planning Meeting and Board of Adjustment Minutes *Commissioner Pettinger* seconded the motion. The motion **CARRIED** with the following vote:

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

2021-052 SITE PLAN 2128 RAILROAD AVENUE

The Chair called the Applicant(s) Juan Solis

Confirmed Public Notice was met

Others sworn in Grady Hazelton, Shanna Huser,

PURPOSE

The applicant is requesting approval to convert a portion of an existing office building into 10 residential units. The applicant is proposing one three-bedroom unit and the remaining units will be one-bedroom. The applicant plans to phase the units in over time. The remainder of the structure will be available for office use.

STAFF REPORT

Planning Director Patrick Waller shared the staff report and Staff also shared Planning Commission previously denied the application and in response the applicant decreased the overall residential density and added some green space to the property. If Planning Commission deems these changes sufficient to address identified concerns, Staff has prepared suggestions for Conditions of Approval for Planning Commission's consideration.

APPLICANT PRESENTATION

Juan Solis shared he bought the building for residential and doesn't need office space.

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.

Grady Hazelton and Shanna Huser shared concerns regarding water, sewer, safety, window safety, and trash, trespassing and driving through private owned property. Also, that there is not adequate place to put up a fence or a playground on the property.

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 Steffen asked what floor is planned to be used first, will each unit have its own bathroom, and each unit will have its own electrical service.

Mr. Solis shared the upper floor, yes bathroom in each unit, already talked with Xcel and have a meter per unit.

Chair Marantino asked if Staff is aware of any requirements to upgrade the windows.

Planning Director Patrick Waller shared that would be addressed though building permit submittal and the applicant has been working with an architect to make sure it meets all building permit requirements. They will be required to meet building code.

Mr. Solis replied if something needs to be done with the windows he will do what is required.

Commissioner Rogers asked about the parking spaces.

Planning Director Waller shared because the parking and the building exists the code does allow some discretion.

Commissioner Dow asked if the water and sewer will be addressed, even if there are 6 bathrooms it doesn't seem they have been in use that much over the last few years and to add more usage is a concern.

Planning Director Waller shared that that the applicant would have to have a qualified person, which is an engineer saying that the service line for water and sewer line functions show other items that our staff has come up with will be added as conditions to building permits.

Commissioner Roberts asked if there is a code that says how many people can occupy a 1 bedroom apartment.

Planning Director Waller shared in the zoning code no, the City of Rifle does not get into that as other jurisdictions do. Per building code that will need to be asked to the building official.

Commissioner Damuth asked Mr. Soils if he plans on having any restrictions such as assigned spots. Is there any concerns meeting all the requirements per the Staff Report.

Mr. Solis replied every space will be assigned to an apartment. No concerns, to be professional everything has to work.

Commissioner Pettinger asked about addressing the safety of the kids who are going to be in that area, how are you going to protect them from the parking lot and Hwy 13 and the alley.

Mr. Solis replied he will put up a fenced yard; I will do whatever it takes to have everybody safe.

Commissioner's shared their concerns of the parking, landscaping, trash, impact on local business, along with safety for kids and pets. The residential use just is not a good fit for this area.

Motion Made:

Commissioner Pettinger moved to **DENY** 2021-052 Site Plan 2128 Railroad Avenue to allow 10 residential units, *Commissioner Steffen* seconded the motion. The motion **CARRIED** with the following vote:

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

Chair Marantino Opened the Board of Adjustment

2021-040 ZONING VARIANCE MACARRON ADDITION LOT 14-15 ~ 0 MCCARRON AVENUE

The Chair called the Applicant(s) Israel Marioni, Jorge Marioni translator

Confirmed Public Notice was met

Others sworn in Barry Sheakley,

PURPOSE

The applicant, Marcos Miramontes, is requesting a variance from the minimum lot size requirement in the Low Density Residential (LDR) zone district. The Rifle Municipal Code requires that lots in the LDR zone district are at least 6,000 square feet in area. The applicant is proposing combining three lots into two, both of which would be approximately 5,194 square feet. The applicant also originally proposed to build manufactured homes on the property, but has since decided to construct the homes onsite.

STAFF REPORT

Planning Director Patrick Waller shared the details of the Staff Report and recommends that the Board of Adjustment approve the application with conditions listed in the Staff Report.

APPLICANT PRESENTATION

Mr. Marioni shared they would like to have 2 lots instead of one lot.

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.

Mr Sheakley shared his concerns

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

COMMISSION DISCUSSION:

There was discussion between Staff, Applicant and Commissioners regarding fire truck turnaround and questions regarding the driveway and McCarron extending to the next property in the future.

Motion Made:

Commissioner Villasenor moved to **APPROVE** 2021-040 Zoning Variance McCarron Addition with all Staff's Recommendations:

1. The applicant shall submit a grading and drainage plan, prepared by a Professional Engineer at the time of Building Permit for each of the lots. This plan shall be reviewed and accepted by City of Rifle staff.
2. The applicant shall meet City of Rifle Municipal Code and Public Works Manual requirements for access to the site as required by City Staff. Prior to the issuance of a Building Permit for the property, the applicant shall provide plans for the road construction in the City right-of-way from a professional engineer for review and approval by City Staff.

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

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

2021-051 SKETCH/PRELIMINARY PLAN ~ HABITAT FOR HUMANITY 769 & 781 SMITH STREET

The Chair called the Applicant(s) Jake Ezratty, Carolyn Meadowcroft, Gail Schwartz

Confirmed Public Notice was met

PURPOSE

The applicant requests approval of a Sketch/Preliminary Plan for the development of 10 townhomes and ten multi-family units (two buildings – one with 4-units and one with 6-units) on 1.52 acres zoned Community Service (CS). The applicant previously received Sketch Plan approval for a project with two less units. With the increase of two units the applicant is now combining a new Sketch/Preliminary Plan.

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. Ezratty shared their project for lower income housing Habitat for Humanity provides with help from tenants and citizens.

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. Seeing no one else the public hearing was closed.

COMMISSION DISCUSSION:

Commissioners shared comments regarding on street parking and discussed the park area.

Motion Made:

Commissioner Caldwell moved to **APPROVE** 2021-051 Sketch/Preliminary Plan Habitat for Humanity 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 applicant shall address all referral comments, to the satisfaction of City Staff, as part of the Final Plan submittal.
3. Parallel parking spaces shall be asphalt, concrete, or an equivalent material. The Rifle Municipal Code requires that parallel parking spaces are 8' x 23'.
 - a. The garage and covered parking areas shall meet the dimensional requirements identified in the Rifle Municipal Code.
4. As part of the Final Plan submittal the applicant shall provide an accurate representation of on-street parking spots to show that 7 spots are available after the installation of accesses.
 - a. The SIA shall include provisions regarding the maintenance and enforcement responsibility for on-street parking stalls allocated to this development.
5. The applicant shall work with City Staff to finalize details on the potential Parkland dedication and submit a plan to City Council as part of the Final Plan submittal.
6. The extension of Wapiti Avenue shall meet all City of Rifle Public Works requirements.

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

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

2021-053 CONDITIONAL USE PERMIT 126 W 4TH STREET

The Chair called the Applicant(s) Katie Hays and Angela Strode

Confirmed Public Notice was met

Commissioner Villasenor and Commissioner Roberts recused their selves.

Commissioner Damuth and Commissioner Dow will be a voting member

PURPOSE

The applicant requests approval to permit a second major accessory structure on a lot in the Central Business District. The applicant is proposing a new carport that is approximately 530 square feet. There is an existing shed on the property. If the carport is approved, the applicants plan on updating the existing shed with new paint, windows and a new roof.

STAFF REPORT

Planner Hannah Popp shared the staff report and Staff recommends **approval** of the application subject with conditions in the staff report.

APPLICANT PRESENTATION

Mrs. Strode shared the scope of the project, the beautification and accessibility of the property. This is just a portion of the project that needed approval.

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. Seeing no one else the public hearing was closed.

COMMISSION DISCUSSION:

Commissioner asked about lighting, shared that the renderings really look good.

Motion Made:

Commissioner Steffen moved to **APPROVE** 2021-053 Conditional Use Permit 126 W 4th Street
Commissioner Dow seconded the motion. The motion **CARRIED** with the following vote:

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

Commissioner Villasenor and Commissioner Roberts returned

COMMENTS AND ADJOURNMENT 8:53 PM

Dustin Marantino, Chairman

Date

Signed Copy on file

Charlotte Squires Administrative Assistant

Date