

**TOWN OF YAMPA
PLANNING COMMISSION MEETING
OCTOBER 20, 2021
YAMPA TOWN HALL – 10 MAIN STREET
CROSSAN BUILDING – 2ND FLOOR**

CALL TO ORDER & ROLL CALL:

Commissioner Jeffrey Drust called the regular meeting to order at 7:00 p.m., Wednesday, October 20, 2021 at Town Hall.

Other Commissioners present at roll call were: Mike Lewis, Stacey Geilert, Crystal McLaughlin, Michael Geanious and Gene Sanders.

Others in attendance: Mike & Patty Redmond; Marcus & Sherrie Orr; Janet Ray; Steve Whittall & Laura Olive, 30 Moffat LLC; Richard Palmer; Kenneth Montgomery; Mary Alice Page-Allen, Page-Allen Associates LLC. Brittany Milway and Heather Noyes participated virtually.

Those in attendance recited the Pledge of Allegiance.

SEPTEMBER 15, 2021 MINUTES

Commissioner Lewis made a motion to approve the minutes of September 15, 2021 as written. Commission McLaughlin seconded the motion; passed unanimously.

YAMPA VISTA PUD & SUBDIVISION

Ms. Page-Allen, Page-Allen Associates LLC, contract planner for the Town, reviewed the information contained in the Commission's packet and the process that is being under taken based on the application for a Preliminary Planned Unit Development (PUD) and combined Sketch Plan/Preliminary Plat. She stated that the current proposal under consideration is to develop the 4.56 acres into four (4) building lots for single-family residential uses including allowing the lots to have Accessory Dwelling Units (ADU) of up to maximum size of 800 sq. ft. and cottage industries, to develop the existing driveway to meet road and drainage standards, add a common driveway to access the west lots, improve, widen and surface W 1st Street as well as upgrade water and sewer mains to serve the development, allow the existing 3,000 sq. ft. home on Lot 4 to be used for a bed breakfast, lodging and short-term rental, and formalizing the use by the Town of the road bisecting the site and the sledding hill site by the public. She added that the issues surrounding this development can be considered of major concern, e.g. roads/access/emergency responses standards, avoiding/protecting slopes that exceed 30% within the site, physiographic issues related to the topography and geohazards, water and sewer services; and of minor concerns, e.g. wildfire mitigation, rural/agricultural transition, perfecting right-of-way access across the Palmer property, sled hill/snowplowing/trail/open space protections, expanded uses including ADUs/cottage industry/bed and breakfast/short-term rental, and a PUD rezone/approval that relates to the underlying R-1A zoning. Mary Alice referred to the advisory report prepared for the meeting and noted that the recommendation beginning on page 27 states that the project can be brought into compliance with the subdivision and zoning codes by the Findings of Fact and a number of conditions. She added that the next steps for the project, if these preliminary applications are approved, would be for the Applicant in coordination with his engineer to document technical compliance as outlined in the conditions as part of the Final PUD and Final Plat applications.

Commissioner Drust asked if there were any comments from the public in attendance concerning the proposal.

Sherrie Orr, 112 Clifton Avenue, Yampa, stated her concerns were regarding the additional traffic and ditch impacts that would be generated by the project, that would also have safety impacts to kids using the sled hill. Marcus Orr, 112 Clifton Avenue, Yampa, asked where and how the widening of W 1st Street would occur noting that a small portion of his home located on the north side of the street encroaches into the platted street right-of-way so the proposed improvements could have related impacts.

Mary Alice reviewed the mapping that indicates the widening would be to the south of the existing vehicle travel path. Mr. Whittall added that there are existing ditches on both sides of the road, and drainage improvements would articulate to the south where the water goes already.

Mr. Orr noted that the existing roadway is minimally maintained, he could not recall the last time it was even bladed, and questioned when the property under consideration was annexed into the Town municipal limits. He also asked how a project like this could come through when an expansion to the hotel property was not allowed due to the wastewater treatment plant limits. Mary Alice stated that what is typical in many jurisdictions is that when roads are developed to meet a certain standard that they are then accepted and included in a jurisdictions' road maintenance operations at that level. She noted that both County and State mapping show the property to be located within the Town limits so she did not question such, and would research if needed. She referred to information contained in the two (2) letters from the Town's engineer that stated that while the wastewater treatment plant is reaching design limits, they are not exceeded. Mary Alice noted that the Town is underway in their efforts to design and implement wastewater treatment plant improvements in accordance with the requirements of the Colorado Department of Health and Environment (CDPHE).

Ms. Orr asked where the alley way that is referred to is located. Mary Alice stated the alley is platted west of her property, but is not improved. Mr. Whittall commented that there is a sewer manhole located within this alley right-of-way but that they intend to stay on the south side of W 1st Street with the sewer line extension.

Mr. Whittall commented that, in the absence of Walter Magill, Four Points Surveying & Engineering, speaking on his behalf, he would do so. He noted that the 4.56 acres is zoned residentially, represents 3% of the total Town of Yampa land area, that the property is bounded by the Palmer's on the south, US Forest Service on the west, and the 60-foot-wide W 1st Street on the north and that its current use as part of the Redmond's yard will be honored. He stated that the previous proposal was overly ambitious, but this project has four (4) lots of approximately 1-acre each vs. the 6,000 sq. ft. lots permitted in the R-1A zone district and preserves significant open space. He added that he perceives the project as a simple split of the existing two (2) lots into four (4), minimal widening of roads to 22 feet, and maintaining adequate buffers. He stated that they want to be proud of the project when it's completed and build their own home. Mr. Whittall added that they are adding only three (3) water and sewer taps, noting that the property has had two (2) RV sites with water and sewer access in the past.

Heather Noyes stated that she and Billy Gregg own the vacant property at 113 Clifton Avenue, Yampa. She asked how height of any proposed structure would be measured. Mary Alice stated that the Yampa Zoning Code calls for an average of the four (4) corners of a structure generally at cardinal points. She added that such measurement would be taken from existing grade. Ms. Noyes commented that she understands the topography of the site, and that houses constructed on the site will be seen from Town. She noted that, while she originally thought an ADU would only be allowed on Lot 4 such is not the case, and that allowing them on all lots would equate to a total of eight (8)

houses being allowed on only three (3) taps. She also spoke to the need for setbacks, particularly along W 1st Street, and that use of the road bisecting the property as countable open space is wacky given that the Town will also be plowing it.

Patty Redmond commented that the additional traffic related to the development will create a safety hazard between kids and their use of the sled hill. There was some discussion regarding how to mitigate this safety issue including signage, closure of this portion of W 1st Street during the winter or its one-way only use.

Brittany Milway asked if the project is approved is there an opportunity to make changes. Mary Alice explained that under the PUD code requirements that only uses that were approved could occur on the property, and any changes would have to come through the Planning Commission and Town Board processes again.

Commissioner Geilert asked when the existing driveway was developed. Mr. Whittall replied that it was in place in its current configuration when they purchased the property. Commissioner Geilert noted that in the winter the driveway is very steep and slippery.

There were no additional comments from the public.

Mary Alice summarized the issues that have been identified including allowing ADUs on all lots, the need to maintain R-1A setbacks, meeting the open space requirements using the road as a trail, and winter safety related to traffic and users of the property. She recommended that the Planning Commission members make comments in a roundtable manner on these or any other concerns they have.

Commissioner Sanders commented that he would not be in favor of any approval until the neighbors' concerns are satisfied, that he is in favor of maintaining R-1A setbacks, that he is concerned with the impacts of the driveway's turning radius off the hill on the Orr's home as it sits lower than the road, and that any temporary closure of W 1st Street would be difficult to enforce. He noted that he had researched with the County if the property was inside the Town municipal limits and is certain it is.

Commissioner Lewis stated he had nothing to add.

Commissioner Geanious commented that he agrees with Commissioner Sanders that the neighbors are a big consideration, and stated that Ms. Noyes has a point that the impacts of the ADUs on each lot is a big change.

Commissioner Drust commented that allowing ADUs are of major concern. He has seen what is happening in Steamboat and the impacts of short-term rentals on neighborhoods and would not like to see that happen in Yampa.

Commissioner McLaughlin stated she agrees with Commissioner Sanders' concerns, and in particular on the impacts on existing homes in the area and the interaction of traffic and children.

Commissioner Geilert agreed that the ADUs are concerning, the visual impacts of development of the property particularly when coming up Moffat Avenue and at Christmas time with the lights up on the hill. She stated that as things become more modern it is important to remember the neighbors, that she is concerned about safety at the sled hill, and the other concerns that have been noted.

Mary Alice noted that the Planning Commission has three (3) options: move to approve the applications pursuant to the recommendation contained in the advisory report with identifying any needed changes to the findings and conditions, table consideration to allow the Applicant and his engineer to respond to the concerns that have been expressed, or move to deny the applications. She suggested that if the action is to table the matter, that such be done to a date certain.

MOTION

Commissioner Geilert made a motion to table further consideration of the applications to November 17, 2021. Commissioner McLaughlin seconded the motion; passed unanimously.


ORDINANCE 2021-06 & RESOLUTION 2021-08 – SUBDIVISION & ZONING FEES

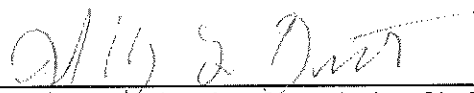
Mary Alice reviewed proposed Ordinance 2021-06 and Resolution 2021-08 related to modifying the Subdivision and Zoning Codes to create a modernized fee schedule in follow-up to the direction provided at the September work session. She added that the fee amounts are typical of the costs to the Town for the various reviews. She requested feedback from the Commission members, noting that the Town Board will hold a public hearing on November 3, 2021 on the proposed ordinance and associated resolution and the fee schedule, if approved, would be effective on January 1, 2022.

The consensus of the Planning Commission was the proposed ordinance and resolution were ready to move forward as written.

ADJOURNMENT

At 8:33 p.m. Commissioner Lewis made a motion to adjourn the meeting. Commissioner McLaughlin seconded the motion; passed unanimously.


Sheila Symons
Town Clerk/Treasurer



Jeffrey Drust, Planning Commission Chair

Date 10/20/21