

RECORD OF PROCEEDINGS

Regular Meeting of the Estes Valley Planning Commission

July 21, 2009, 6:00 p.m.

Board Room, Estes Park Town Hall

Commission: Chair Doug Klink; Commissioners Alan Fraundorf, John Tucker, Betty Hull, Steve Lane, Ron Norris, and Rex Poggenpohl

Attending: Chair Doug Klink, Commissioners Alan Fraundorf, John Tucker, Betty Hull, Ron Norris, Steve Lane, and Rex Poggenpohl

Also Attending: Director Joseph, Town Attorney White, Planner Shirk, Planner Chilcott, Town Board Liaison Homeier, and Recording Secretary Thompson

Absent: None

The following minutes reflect the order of the agenda and not necessarily the chronological sequence.

Chair Klink called the meeting to order at 6:00 p.m.

1. PUBLIC COMMENT

Commissioner Hull stated as a result of last month's agenda item on The Neighborhood, she spoke with the Non-Profit Resource Center about the trash issue on their property. Noticeable cleanup has begun, and the efforts are appreciated.

2. BYLAW AMENDMENT REPORT

The bylaws are being amended such that the study sessions will begin approximately two hours prior to the meetings, and the meeting time will be set by an adopted motion of the Commission.

It was moved and seconded (Norris/Fraundorf) to APPROVE the amendment to the bylaws changing the study session and meeting times. The motion passed unanimously.

3. CONSENT AGENDA

Estes Valley Planning Commission minutes dated June 16, 2009

It was moved and seconded (Lane/Fraundorf) that the minutes be accepted as corrected, and the motion passed unanimously.

4. PRELIMINARY CONDOMINIUM MAP – Lot 4A, Mary's Meadow Replat, north of Kiowa Drive between Mary's Lake Road and Kiowa Trail. Owner: Mary's Meadow Development; Applicant: CMS Planning & Development

Planner Shirk reviewed the staff report. He stated Mary's Meadow Development Plan was approved by the Planning Commission in April, 2006, and the preliminary condominium map was approved by the Town Board in May, 2006. Preliminary plats require submittal of a final map within one year of approval or they automatically become null and void; the property owner did not submit the required final map within that time frame, therefore the preliminary approval has expired. This proposal is for a new preliminary condominium map, which will go to the Town Board following Planning Commission's recommendation. The final condominium map will go to the Town Board at the same meeting.

The property owner filed an amended development plan this past winter (February 2009), which was approved by Staff. The development plan of record includes the same number of units originally approved (35), though they are in a slightly different configuration (two four-plexes were amended to four duplexes). The original development plan approval contemplated this type of change, thus the development plan was reviewed and approved by Staff.

Estes Valley Planning Commission
July 21, 2009

Planner Shirk recommends conditional approval of the proposal.

Public Comment: None

It was moved and seconded (Norris/Tucker) to recommend APPROVAL to the Town Board for The Meadow Preliminary Condominium Map, Lot 4A, Mary's Meadow Replat, north of Kiowa Drive between Mary's Lake Road and Kiowa Trail with the following conditions.

CONDITION:

Compliance with Development Plan 06-01 "Mary's Meadow"

The motion passed unanimously.

5. AMENDED PLAT – LOT 10, NORTH END RANCHES & TRACT 2 OF DIVISION OF LOT 20, 2112 McGraw Ranch Road. Owner/Applicant: Sonya K. Binns; Request: Amended Plat

Planner Shirk reviewed the staff report, and stated this is a request to adjust the interior property line between two lots of record. The parcels are zoned RE-1 Rural Estate, which has a minimum lot size of 10 acres. The owner/applicant wishes to absorb the lower 1/3 meadow area of the northern lot into the southern lot prior to the sale of the northern lot. This lot line adjustment will not create any non-conforming setbacks or lot sizes and will not affect density. The properties are under a conservation easement administered by the Estes Valley Land Trust, who has been notified of this proposal. The current plat shows a building envelope, which is going to be removed prior to presentment to the County Commissioners next month.

This is a Planning Commission recommendation to the Board of County Commissioners. Staff recommends approval.

Public and Commissioner Comment:

Commissioner Norris commended the engineering firm for the clarity of the drawings. He also appreciated the letter of support from the neighborhood association.

It was moved and seconded (Lane/Hull) to recommend APPROVAL to the County Commissioners of the Amended Plat of Lot 10, North End Ranches and Tract 2 of the Division of Lot 20 located at 2112 McGraw Ranch Road. The motion passed unanimously.

6. PRELIMINARY CONDOMINIUM MAP – LOT 3, STONE BRIDGE ESTATES CONDOMINIUMS Owner: Stone Bridge, LLC; Applicant: Rock Castle Development Company; request to condominiumize 14 units previously approved with the Stone Bridge Estates Development Plan.

Planner Shirk reviewed the staff report. He stated the Stone Bridge Estates Development Plan was approved by Planning Commission in August, 2007. Planner Shirk noted Stone Bridge Estates Development Plan includes two lots, and this proposal would provide for airspace ownership for the southern lot only. Planner Shirk stated a modification was granted by the County to allow Stone Bridge to maintain the existing 60-foot right-of-way width, requiring the applicant to build curb and gutter to accommodate stormwater flow. All utilities are in place and road improvements will continue this summer.

This proposal complies with the applicable standards of the EVDC. No significant issues or concerns were expressed by staff and reviewing agencies relative to code compliance or the provision of public services. The proposal today is a recommendation for approval to the Town Board.

Public and Commissioner Comment: Amy Plummer/Van Horn Engineering asked for clarification on condition #3. Planner Shirk understands she is working with the county to get the construction plans approved.

Closed public comment

It was moved and seconded (Fraundorf/Hull) to recommend APPROVAL to the Town Board of the Preliminary Condominium Map for Stone Bridge Estates Condominiums with the following conditions:

CONDITIONS:

1. Compliance with Development Plan 07-09 "Stone Bridge Estates;"
2. Compliance with memo from Greg White to Community Development dated June 24, 2009;
3. Compliance with memo from Public Works to Dave Shirk (et al) dated June 26, 2009.

The motion passed unanimously.

7. STAFF LEVEL REVIEWS

205 Park Lane – Planner Shirk notified the Commissioners of a pre-application meeting for an amended plat at this address.

Lemke Small Group Living Facility Development Plan 09-04, Lot 1, Pine View Subdivision – Planner Chilcott reported on the approval of the Lemke Small Group Living Facility Development Plan 09-04 located at 857 Moraine Avenue. She stated this development plan met the criteria to be approved at staff level. The applicant desires to build a two-story, 3,436-square-foot small group living facility for the elderly on a CO–Commercial Outlying zoned lot. The proposal includes a facility to house up to eight elderly individuals, excluding resident and non-resident caregivers, along with plans to provide sleeping quarters on the second story in the future for an on-site caregiver. There were several comments by reviewing agencies, and none from adjacent property owners. The applicant will be using as much of the existing building as possible. Planner Chilcott noted there are some sewer issues involving the Public Works Department and has allowed the applicants 60 days to satisfy the conditions of approval rather than the standard 30 days to allow time for the conditions of approval to be resolved. The complete staff report listing conditions of approval can be view on the Town website.

Safeway Fueling Station Development Plan 09-05, Lot 1, Silver Lane Stables Addition – Planner Chilcott stated this was a development plan that met the criteria to be approved at staff level. The request is to construct a fueling station and car wash at the current Silver Lane Stables. Staff has received strong comment on both ends of the spectrum. The Estes Valley Board of Adjustment approved a variance to allow the fueling station to be built within 100 feet of a residentially zoned lot. The conditions of approval include but are not limited to drainage, traffic, landscaping and lighting. The complete staff report and conditions of approval can be viewed on the Town website.

Stanley Park Grandstands – Planner Chilcott stated this proposal should be on the agenda for the August Planning Commission meeting.

Staff stated the following applications were approved by Town Board: Sundance Supplemental Condominium Map #7, Overlook Supplemental Condominium Map #3, and an Amendment to the Amended Condominium Map for East Riverwalk Center Condominiums.

There being no further business, Chair Klink adjourned the meeting at 6:30 p.m.

Doug Klink, Chair

Karen Thompson, Recording Secretary