



**TOWN OF NEDERLAND
PLANNING COMMISSION
REGULAR BUSINESS MEETING**

**NEDERLAND COMMUNITY CENTER
750 Hwy 72 Nederland, CO 80466**

November 20, 2013, 7:00 P.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES FROM October 23, 2013

D. PUBLIC COMMENT

E. INFORMATION ITEMS

1. There are no information items.

F. ACTION ITEMS

1. Public Hearing: Consideration by the NDDA of approval of the NedPeds Project, and forwarding their recommendation to the Nederland Planning Commission for consideration.
2. Public Hearing: Consideration by the Planning Commission of approval of the NedPeds Project and forwarding their recommendation to the Board of Trustees for consideration.

G. DISCUSSION ITEMS

There are no discussion items.

1. OTHER BUSINESS

2. ADJOURNMENT



Nederland Planning Commission

MINUTES

Wednesday, October 23, 2013 ~ 7:00 pm
Nederland Community Center
750 Highway 72 North

1) Call to Order

Chairman Larsen called the meeting to order at 7:05 p.m.

2) Roll Call

Present: Chairman Kris Larsen, Vice Chairman Roger Cornell and Commissioners Lisa Mayhew, Mikki Osterloo, Steve Williams, Betty Porter, and Trustee Liaison Kevin Mueller.

Also present: Town Administrator Alisha Reis and Deputy Town Clerk Cynthia Bakke.

3) Approval of minutes from September 25, 2013

A motion to approve the minutes as read was made by Commissioner Cornell, seconded by Commissioner Mayhew, 4 in Favor, with Commissioners Porter and Williams, and Trustee Liaison Mueller abstaining from the vote due to absences at the last meeting.

4) Public Comment

There was no public comment.

5) Information Items

Update on Club Use Ordinance 722 Concerning Zoning District Use Groups. Reis provided information regarding the Club Use addition to definitions and Use Group table, as well as conveyed the Board of Trustees recommendations for the Planning Commission to review Town zoning districts generally, and specifically along the highway.

Reis informed the Planning Commission that the Club Use Ordinance was approved by Board of Trustees with some wording changes. The Board of Trustees approved the establishment of two different types of club usage, to make a distinction between non-profit, social-oriented clubs from those operating for profit. Clubs operated for-profit will only be allowed in commercial districts, as an allowed use via special review.

In regards to zoning along highway, the Board of Trustees have requested review of the Neighborhood Commercial district, which encompasses disparate uses, such as very residential blocks (between Snyder and East Streets), as well as more commercially oriented areas along Highway 72. The Board of Trustees and Zoning Administrator Reis have asked the Planning Commission to review these zones for congruency, as the Comprehensive Plan is incorporated into town-wide zoning.

Cornell inquired about the future land use map, as past regulatory adoptions were not in effect. Reis responded that this revised zoning map is considered the baseline, but asked that the Planning Commission consider changes that will need to be made to implement the Comprehensive Plan over time. Cornell mentioned the need for higher density infill, as well as affordable housing, which was reflected within the Comprehensive Plan. Reis noted the herculean task of incorporating the goals of the Comprehensive Plan as the Code is being reviewed; however, any 'low-hanging fruit' will be identified for easy implementation.

Williams inquired if the Board of Trustees had any other questions regarding the Comprehensive Plan adoption. Mueller clarified the aforementioned incongruity within the Neighborhood Commercial district, which was cited for specific review. He noted that this district has divergent uses, as the same use in commercial portions may not be appropriate within the more residential areas. Mueller said he referred to language in Chapter 16 of the Nederland Municipal code, which seeks to support compatible uses within zoning districts. Mueller said he thinks the Planning Commission does a great job reviewing these applications.

6) Action Items

1. Public Hearing: 2013 Comprehensive Plan Update

Chairman Larsen opened the Public Hearing for testimony. There was no one in attendance from the public for this hearing, therefore the hearing was closed. Reis mentioned that despite considerable public comment earlier throughout the process, there was less at the end, despite the public hearing notice.

Porter highlighted the accuracy of a comment sent by Atashnaa Medicine Shield (Mayor's Task Force on Housing and Human Services), regarding the importance of the grocery store as a more prominent focal point in the town versus the Community Center for connection to housing. The Planning Commission discussed and approved this amendment to the Housing Policies section.

Cornell commended Comprehensive Plan Steering Committee members not present at this meeting: Steve Taormina, Bill Martin and Paul Turnburke for their significant contributions.

Cornell moved to adopt Resolution PC 2013-01, adopting the 2013 Comprehensive Master Plan Update, Mayhew seconded, 6 in favor, with abstention by Mueller. Reis offered a hearty thank you to the Steering Committee and Planning Commission for all their effort throughout the Comprehensive Plan process.

2. Public Hearing: Zoning Map Update

Reis reported that although changes have been made to the zoning map in the past, the last time the formal zoning map was adopted by ordinance was in 1981. The revised map includes all annexations, subdivisions, and any zoning changes that had been adopted via ordinance within the last 32 years. She recommended the zoning map be reviewed and updated every 2-4 years. She noted that record-keeping for properties has improved over the past 10 years.

Reis credited the prodigious efforts of Planning Commission members Bill Martin (former chairman) and Vice Chairman Roger Cornell in assisting staff to research old ordinances and other records for this updated version. Cornell acknowledged the lack of explanation as to why it hadn't been done since the last formal adoption, but noted that there weren't too many district changes throughout this time. He specified that it wasn't necessarily a question of districts, but more often, one parcel at a time, when and where property lines came into question, that changes were made.

Larsen inquired if Planning Commission members had any changes, concerns or feedback before deciding to adopt this revised edition. Williams mentioned that the map will be reviewed more frequently moving forward, in case there is anything absent at this time. Reis labeled this the base reference map, and any changes will be an amendment to this ordinance to maintain legality throughout the process. Future town planners will thankfully have an easy reference to review.

Mayhew inquired about the difference between local open space and open space/forestry. Reis responded that "local open space" is open space located within Nederland. By and large, Nederland is surrounded by open space and forest, and therefore essential to concentrate infill within the Town. Williams inquired about obtaining larger copies of maps for easier review. Reis said that maps will be made for the Planning Commission and a larger wall map for the Town

Hall. Planning Commission members will also receive a copy of the finalized Comprehensive Plan for the duration of their appointments upon the Commission.

Mayhew moved to recommend approval of an ordinance to approve the updated zoning map, Williams seconded, 6 in favor, with Mueller abstaining from the vote.

The ordinance will move forward to the Board of Trustees on November 5, with consideration for final approval at the Board's November 19, 2013 meeting.

Reis reminded the Planning Commission to attend, if possible, the November 5 Board of Trustees meeting, in case any questions should arise regarding the Comprehensive Plan and zoning map updates.

7) Discussion Items

There are no discussion items.

8) Other Business

A joint meeting between the Planning Commission and Nederland Downtown Development Authority is tentatively scheduled for November 20, 2013. This date is the regular meeting date for the Downtown Development Authority, however as the regular Planning Commission meeting falls just prior to the Thanksgiving holiday, it was suggested to reschedule to ensure quorum. This earlier date will allow final review of the NedPeds Project concurrently with the Downtown Development Authority. A Public Hearing will be conducted, as well as a vote from both advisory boards.

Reis informed the Planning Commission that they will be reviewing aspects of code for congruency, as well as updating with the adoption of the Comprehensive Master Plan. Any "low-hanging fruit" will be targeted for easier review and implementation, similar to how the Town addressed the nonconforming structures and uses code.

Reis forewarned the Commission to be prepared for upcoming reviews and code changes regarding recreational marijuana uses, as applications for retail marijuana will be accepted as of January 2014. This will be on the radar for the Planning Commission as Special Review Use applications will be accepted as of October 1, 2014.

Reis reminded members that the annual joint Planning Commission/Board of Trustees work session has been tentatively scheduled for January 14, 2013.

9) Adjournment

A motion to adjourn was made by Commissioner Cornell, seconded by Commissioner Porter, and was unanimously approved at 7:40 p.m.

Approved by the Planning Commission,

Kris Larsen, Chairman, Planning Commission

ATTEST:

Cynthia Bakke, Deputy Town Clerk



AGENDA INFORMATION MEMORANDUM NEDERLAND PLANNING COMMISSION

Meeting Date: November 20, 2013

Prepared By: Alisha Reis
Dept: Administration/Zoning
Information _____ Action Discussion _____

AGENDA ITEM:

Approval of the NedPeds Plans for Construction

SUMMARY:

The Huitt-Zollars design team and C2 Sustainability will be making a presentation of the Plans presented to CDOT during the Field Office Review for the NedPeds project. The Plan as drawn and explained will be modified slightly to comply with CDOT requirements, but presently, all of the essential elements are designed and the project would like approval to go before the Board of Trustees for their final approval to go to bid. The project will be reviewed in detail with special attention paid to the design and effects of the plan on the community. Once the Nederland Downtown Development Authority (NDDA) approves the plan, the Planning Commission (PC) will be asked to do the same, either as represented or with any desired modifications to then be sent to the Board of Trustees, per the decision made.

HISTORY AND PREVIOUS COMMISSION ACTION:

The NedPeds Project began as the Phase 2 Sidewalks project, to connect the RTD bus lot to the Post Office with 8 foot-wide multi-modal pathways. This original project was re-presented by Mayor Joe Gierlach to DRCOG in April 2012 with stormwater-management considerations added. At this time the project was renamed to the Nederland Pedestrian Enhancement and Stormwater Management Project or NedPeds, as the concept was enhanced to account for needed stormwater management along 2nd Street. The Design Advisory Team (DAT) was established, to include the Mayor, the Mayor Pro-Tem, Town Administrator, Chairman, Vice Chairman, and Executive Director of the DDA, and as many stakeholders along the route who wished to participate. At the first meeting in June 2012, the DAT suggested the route chosen, with public consideration, and was approved by the NDDA.

The 30% engineering plans were presented to the PROSAB and the PC in November 2012. The 60% engineering plans were presented to the Planning Commission in April 2013. The NDDA, at the behest of Board member and citizen concerns, chose to take the time to redesign the drainage elements to increase the design's sustainability. At a joint work session of the Board of Trustees and the Downtown Development Authority on Aug. 27, 2013, Trustees decided to take the 90% engineered plans back to the advisory boards for review prior to moving the plans to final format. The 90% plans were presented to Planning Commission as of September 24, 2013, with recommendations by the PC given regarding the materials chosen, as well reviewing given cost-cutting options.

The NedPeds Project as presented doesn't fit with the project budget. There were three options for cost cutting as the project estimate has gone over budget. The Planning Commission discussed the cost-cutting options, as well as the two alternatives, which have added costs, but are not essential to the project. The Planning Commission prioritized areas of importance as follows: 1.) Section 404 which runs from 2nd Street to the Post Office; 2.) Section 409 running from the bus stop to the Post Office on the east side of East Street; and 3.) Section 213 which runs along Snyder Street from 2nd Street to the bus stop on 3rd Street.

The final signoff for the NedPeds project will come before the Planning Commission on November 20, 2013 in a joint meeting with the DDA.

RECOMMENDATIONS:

The NDDA is asking that the Planning Commission vote on the approval of the final plan for the NedPeds project.

ALTERNATIVES:

By state statute, the Planning Commission may take 30 days to forward comments to the Board of Trustees.

ATTACHMENTS:

FOR Plan
Engineer's Cost Estimate

FINANCIAL CONSIDERATIONS:

The project as designed is approximately \$44,000 over budget in the engineer's cost opinion. The intent is to put the project out to bid and see if contractors will agree to that fee, and if not revisit the design and/or the bidding process.