



Nederland Planning Commission

MINUTES

Wednesday, March 28, 2012 ~ 7:00 pm
Nederland Community Center
750 Highway 72 North

1) Call to Order

Chairman Martin called the meeting to order at 7:09 pm.

2) Roll Call

Present: Chairman Bill Martin and Commissioners Kris Larsen, Mikki Osterloo, Roger Cornell, Steve Williams, and Denise Jackson

Also present: Town Administrator Alisha Reis and Deputy Town Clerk Michele Martin

Absent: Mayor Pro Tem Kevin Mueller

3) Approval of minutes from February 22, 2012

A motion to approve the minutes was made by Commissioner Cornell, seconded by Commissioner Larsen, and unanimously approved with Commissioner Cornell abstaining. Commissioner Jackson was absent during this part of the meeting.

4) Public Comment

There was no public comment.

5) Discussion Items

a. Comprehensive Plan Update RFP Review Process

Town Administrator Reis provided an update. Out of the 12 RFQ submissions received, staff and the Commission have been able to narrow down the choice to five firms based upon a scoring matrix which included review criteria. The RFP went out to these five firms on March 23rd. They are due back on April 16th. They will be uploaded

to the Dropbox and the Commission notified. There was a sixth firm selected, Orion, yet they pulled out once they found out the amount of the project budget. The other five firms inquired as to our budget before submitting their qualifications.

At their March 20th meeting, the Board of Trustees requested that the Planning Commission put together a Steering Committee made up of the Commission, as well as several other members of the public the Commission would like to invite to be part of the process. The timeframe for this Committee will be six-eight months. The Town has had Steering Committees before, most recently with the current Parks/Recreation Master Plan, and favors its management. Instead of submitting names to Reis, it was suggested to put together a list of names now. It would be better to personally invite people over putting a notice in the paper, and they don't necessarily have to be residents as long as they are within the three-mile influence area surrounding town. Commissioner Osterloo would like to suggest holding meetings in the evenings rather than mornings. Chairman Martin agreed that would work better for his schedule as well.

Commissioner Cornell suggested former Marshal Ken Robinson, and former Trustee and Seniors representative Betty Porter. Reis will contact Ken and Cornell will contact Betty.

Commissioner Larsen will contact resident Steve Taormina.

Chairman Martin will contact Lisa Zucker, long-time resident who has shown previous interest in being involved in the Planning Commission, and Robin Ames, former Planning Commission member.

Commissioner Osterloo will contact resident Lisa Mayhew.

Reis will contact resident and Sustainability Advisory Board chairman Dallas Masters, who was suggested due to his experience in sustainability, Donna Sue Kirkpatrick as a representative from the business community, and Paul Turnburke as a DDA representative and influence area resident. There will also be two candidates left after the election next week, who obviously have an interest in the Town. Reis will ask them as well.

Everyone is asked to confirm their invitees to Reis by the end of next week, April 6th.

RFP interviews are tentatively scheduled for late April. We will have an SRU application as well as some discussion items on that Planning Commission date. The first Steering Committee meeting can be scheduled on that date, and after the Commission has selected a firm. The interviews should take approximately 30-40 minutes per firm. It was decided to hold the interviews after April 25th – either late April/early May. Staff will check on availability and suggest a date. Time will be 6:00pm-9:30pm.

The adopted budget for the Comp Plan is \$20,000. Chairman Martin will plan to attend the May 15th BOT meeting to present the Steering Committee's recommendation.

6) Action Items

a. Draft update to the Nederland Design Standards and Guidelines to add Commercial Parking Development

Town Administrator Reis presented an update to the Design Standards and Guidelines, which includes two additional pages dedicated to Commercial Parking Development. Staff's approach was to add commercial parking development to the document to focus on the use of green infrastructure and the management of drainage as a dual design. This section can be implemented for a 20+ space parking lot, a subdivision, or any other type of lot. Historically, drainage was designed by channeling the storm water through concrete gutters, inlets and storm drains. This green infrastructure replaces that approach, takes the storm water, and slows it down by keeping the water on permeable surfaces.

This update was reviewed by Jason Morrison, Public Works Manager, from an operations and logistics point of view, and also Mark Weritz, a Civil Engineer and Hydrologist consultant we have on staff. Mark also supplied an additional memo regarding the Feasibility of Bioretention Systems in Nederland, which concurs that this can be done and examples of how it can be designed. Our SRU application provides for the hiring of an engineer, by the applicant, to review plans as needed in the future if Mark is no longer with us.

The Commission thought this was a reasonable approach, indicating they want the applicant to provide a drainage plan to the Town for review, not for the Town to design their drainage plan. If an applicant isn't sure want the Town is looking for based on the Design Standards

and Guidelines, the Town's Hydrologist will meet with them to discuss options.

Commissioner Cornell made a point that a roof can be as big of a problem with drainage as a parking lot, giving the example of the new Bike and Café building at Second and Snyder streets.

Commissioner Jackson wondered where this left the Thai Restaurant, as this was the application that preceded the update. Reis explained that the Thai Restaurant received a temporary Certificate of Occupancy to move in and set-up, knowing they would still have to design their parking lot once the Town set up some guidelines. Once the Board of Trustees amends the Standards and Guidelines to incorporate this update, then the restaurant will be required to come in for an SRU before the Planning Commission, and that will be the Commission's first chance to implement this process. The Code does not have to be updated because it references compliance with the Design Standards and Guidelines, as per Section 18-125.

A motion was made by Commissioner Larsen, seconded by Commissioner Jackson, and unanimously approved to recommend to the Board of Trustees to approve an update to the Nederland Design Standards and Guidelines to add a section on Commercial Parking Development.

b. Draft Ordinance to amend Chapter 16, Zoning, Article II, District Regulations, Section 16-32, Use Groups of the Town Municipal Code to add Bed and Breakfast to the Use Group Table

The Commission had before them a draft Ordinance to amend Section 16-32 to add a separate line item in the Use Group Table for Bed and Breakfast uses.

Commissioner Jackson wanted to note for the record her objection. In her opinion, a B&B doesn't belong in a single family residential neighborhood. Jackson also believes that by putting an "R" for a B&B in the residential districts that it could be misleading for an applicant. An applicant may pay the \$500 SRU fee with the perception that their application will be approved.

Commissioner Cornell had asked staff to prepare more research on which districts other municipalities allowed for B&Bs. The following municipalities were reviewed: Buena Vista, Lyons, Pagosa Springs,

Salida, Silverthorne, and Woodland Park. Two out of the six did not allow B&Bs in residential neighborhoods. The others allowed B&Bs with a conditional use, and some were permitted in mixed-use areas.

There was concern as to what factors or guidelines we would provide to an applicant. There should be some common criteria given for all B&Bs. Town Administrator Reis read the B&B definition in Town Code, Section 16-6:

“Bed and breakfast means a portion of a residence used for rental of five (5) or less bedrooms, access to a bathroom, and provision of limited meal service. A bed and breakfast shall provide at least one (1) additional off-street parking space for each room available to rent, shall not provide for cooking in any of the rooms rented, shall not allow guests to stay for more than seven (7) consecutive days, and the bedrooms and bathrooms used by the guests shall not occupy more than twenty-five percent (25%) of the residence in which the bed and breakfast is located.”

Reis also noted that a pre-application meeting would take place with all applicants prior to any Commission meeting. After reviewing an application against all standards, staff would be able to let an applicant know up front the likelihood of any possible approval. The Commission felt more comfortable with the definition as far as the guidelines they were looking for.

Reis also stated that there is an existing covenant that staff was just made aware of in the Sunnyside neighborhood. For instance, Jacklyn Jones, potential applicant and resident from Sunnyside who came before the Commission in February for a B&B, is covered by this covenant and is prohibited to have such a use. The only other covenants that staff is aware of will apply to the new Indian Peaks and Caribou subdivisions. Staff has also added a line item on the SRU application to specifically ask “Does this request violate any Homeowners Association Agreement or existing covenants?” Many previous requests for B&Bs have come from the Big Springs neighborhood and it does not have any existing covenants.

There was concern about any neighbors that might have an opposition to a B&B, but the neighbors will end up policing themselves because all neighbors within 300 feet will be notified prior to the SRU hearing, and have an opportunity to voice their concerns at the meeting.

A motion was made by Commissioner Larsen, seconded by Commissioner Cornell and approved to recommend to the Board of Trustees to approve the draft Ordinance which changes the Use Group Table to include Bed and Breakfast with a link to the Bed and Breakfast definition, with Commissioner Jackson voting against.

7) Other Business

- a) Bylaws - The Board of Trustees has required the Planning Commission to create Bylaws. Staff will provide a template for consideration in the next month or so.
- b) Wolftongue Mill Analysis Project – Chairman Martin has received an email back from Wright Kingdom in regards to assisting the Town in brokering a potential plan for purchase. Martin had brought this project up during the BOT/PC joint worksession meeting. Martin is also working with CU's planning department for volunteer students to assist for a two-year learning lab. Trustee and PROSAB chairman Randy Lee had an interest from the Open Space side for trail planning in this area. Town Administrator Reis had talked with Ralph Meyertons, owner of the mill, about his price for the property. Mr. Meyertons did agree to be part of the planning phase when the time came. Reis has been speaking with VISTA, which is an organization similar to AmeriCorps, where members commit to serve full-time for years at a nonprofit organization or local government agency in support of an environmental or capacity-building project. They have graduate students who are linked up with the Brownfields Foundation, who are doctoral level Environmental Scientists and provide EPA funding for analysis, clean-up and mitigation. The Town's cost would be \$21,000 over three years to participate in the program. Reis also discussed other environmental issues in town that could be combined with the program's scope.
- c) DRCOG – Chairman Martin received GIS layers from DRCOG.
- d) Zoning Map – Have last two disputed sections to work on. This will get final resolution rolled up through the Comp Plan.
- e) Non-Conforming Lot Analysis – Staff has already begun research and plans to present to the Commission at their April 25th meeting. As an example, the Big Springs neighborhood has been studied and the results show 36% of the lots conform vs. 64% that don't.

8) Adjournment

The next meeting is scheduled for April 25th.

A motion to adjourn was made by Commissioner Cornell, seconded by Commissioner Osterloo, and unanimously approved at 8:24 pm.

Approved by the Planning Commission,



Bill Martin, Chairman, Planning Commission

ATTEST:



Michele Martin, Deputy Town Clerk