

### **CALL TO ORDER**

Chairman Jeff Skoloda called the meeting to order at 4:00 p.m.

### **ROLL CALL**

Planning Commissioners present for roll call were Chairman Jeff Skoloda, Commissioner Tamara Gulde, Commissioner J. Gary Dunn, Commissioner Tom Tyler and Commissioner Ann Morgenthaler.

Present on behalf of the City of Ouray staff were City Administrator Katie Sickles, Community Development Coordinator Chris Hawkins and Deputy Clerk/Treasurer Beverly Martensen. City Councilmember Bette Maurer was present in place of Mayor Pro Tem Glenn Boyd as Council liaison. Also present were thirty-four (34) citizens.

### **APPROVAL OF MINUTES**

Commissioner Gulde approved and Commissioner Dunn seconded the motion to approve the minutes of the January 9<sup>th</sup> Regular Planning Commission meeting as written. A vote was taken and passed unanimously.

### **CITIZENS COMMUNICATIONS**

There were no citizen communications.

### **STAFF UPDATE**

Hawkins advised the Commission to amend the agenda if they want to nominate a Vice-Chair to the Planning Commission.

Commissioner Tyler made a motion and Commissioner Dunn seconded the motion to amend the agenda to include nomination of a Vice-Chair to the Planning Commission. A vote was taken and passed unanimously.

Chairman Skoloda moved and Commissioner Morgenthaler seconded the motion to nominate Commissioner Gulde as Vice-Chair of the Planning Commission. A vote was taken and passed unanimously.

### **ACTION ITEMS**

Consideration of an amendment to Chapter 7 of the Municipal Code concerning shipping containers as a conditional use and/or permitted use in certain zone districts in the City.

The Planning Commission had directed Staff to prepare draft code language regarding the use of intermodal shipping containers within the City.

The Planning Commission reviewed the draft code language presented in the Staff memo. Commissioners discussed that bonding of \$750 in §7-5-J-10(a)(ii) should specify "per container"; that under §7-5-J-10(a) it should be specified that Intermodal shipping containers are allowed in all zoning districts for construction storage with permitted construction provided; that under §7-5-J-10(b) clarify that use in the C-2 Zone District as a conditional use for storage; that in C-2 Zone District a Primary Use must have been established before applying for a conditional use permit for a storage container; and that under §7-5-J-10(b)(ii) language be added requiring that all advertising be removed from shipping container. Commissioner Tyler moved and Commissioner Dunn second the motion to recommend Council approve an amendment to the Ouray Land Use Code as set forth in the memo

dated February 8, 2018, with conditions as written in the Staff memo and changes as discussed among Planning Commission.

Recommendation to the City Council on the appointment of two Planning Commission members to the Community Plan Update Steering Committee

Hawkins explained the City Council has embraced a process with members of each committee and two Planning Commissioner members to the Community Plan Update Steering Committee. Chairman Skoloda moved and Commissioner Tyler seconded the motion to recommend Commissioner Morgenthaler and Commissioner Gulde to City Council to serve on the Community Plan Update Steering Committee.

Bette Maurer left the meeting.

**PUBLIC HEARING**

**1. Project Name:** Twin Peaks PUD

**Applicant:** Hinkson Hein Holdings, LLC

**Property Legal Description:** Blk. 2, Lots 1-24 and the West ½ of Blk. 3 (Lots 1A-6A), City of Ouray

**Address:** 125 Third Ave and TBD 1<sup>st</sup> Street

**Summary of Development Application(s):** Sketch PUD for the development and redevelopment of the Property, including but not limited to variations for building size, building height, parking area buffering, and setbacks.

Chris Hawkins informed those in attendance there is no noticing requirement for the Sketch PUD phase but stated applicants are being encouraged to mail notices to surrounding properties at every step of the processes. Hawkins also reviewed Public Hearing procedures for all in attendance and presented definitions in the PUD process.

Applicant presented design drawings, vision and explanations for the Twin Peaks PUD, with three phases taking potentially a total of 7-12 years. First phase includes construction of new lodging on north side of 4<sup>th</sup> Ave, then subsequent renovation to existing lodging on south side of 4<sup>th</sup> Ave.

Public Hearing opened for public comment - 5:30 p.m.

Eric Jacobson, Business at 303 Oak St, Home at 400 Oak St. – Spoke of this being outside the National Historic District. Expressed concerns about historic tree removal for the project, calling for a tree plan. Concerns about mitigation for employee housing; how this will affect the economy of other hotels in town; the impact of this development on traffic; parking; sidewalks; need for paving in increased traffic. Spoke of concerns regarding the possibility of condominiumization. Feels cost for improvements in SID should be appropriate to use impact. Concerned that there are no storm water retention ponds listed on plans. Expressed concerns about level of water use and its effect on Ice Park. Concerns about 20% in hotel units' impact on infrastructure, water rights and possible geothermal water use. Believes water usage has been greatly underestimated.

Greg Nelson, 219 4<sup>th</sup> Ave – Expressed concerns about increased traffic as dust and speeding traffic are already a problem, not just from guest traffic but hotel employees. Concerns about large vehicle parking, which is already a problem. Most traffic on 4<sup>th</sup>

Avenue is from Twin Peaks. Mentioned need for paving on 4<sup>th</sup> Ave. Feels there should be a geothermal study.

John Wood, 431 4<sup>th</sup> St – Stated one of the first criteria for a PUD is a Community Plan, which the City is just beginning to update. Expressed support of future development that will come to the City of Ouray, which is part of our health and welfare. Expressed concerns about the City's infrastructure, pointing out that increased development also brings in more revenue to deal with infrastructure. Stated opinion that City require each phase be fully funded before beginning. Wood is in support of new development, but wants to be certain due diligence is given to Community Plan for long term.

Dan Preston, 100 4<sup>th</sup> Ave (Pastor of Baptist Church) – Expressed concerns about the trees being cut and utilized in construction and on geothermal resources.

Brad Lundberg, 832 2<sup>nd</sup> St. – Expressed concerns about effect of water usage on the Ouray Hot Springs.

Closed to public comment – 5:50 p.m.

Applicant responded to water stating final Twin Peaks development will not use more water than is currently used. Paving will be utilizing pavers to allow water to enter soil. Stated as many trees as possible have been kept and north building site was shifted to save existing trees. Also many more trees will be planted as part of the project. Stated that stormwater is being looked at by designers DHM engineers.

Chris Hawkins stated that City engineers are also looking at stormwater issues.

#### Planning Commission Discussion

The Planning Commission thanked the applicant for a thorough presentation and indicated they are looking forward to site visit. Commission discussed Twin Peaks development plan and possible impacts on traffic, water, infrastructure, economy impact on other hotels. More information is being gathered regarding these issues. Hawkins stated active conversations are currently addressing water usage.

Commissioner Gulde moved and Chairman Skoloda seconded the motion to continue the Sketch PUD for the Twin Peaks PUD to the March 13, 2018 Planning Commission to be held at the San Juan Room – Ouray Community Center – 320 6<sup>th</sup> Ave at 4:00 p.m. or as soon as practicable thereafter and the following condition that the Planning Commission will conduct a site visit to the Twin Peaks Property starting at 3:00 p.m. on March 13<sup>th</sup> at the hotel office. A vote was taken and passed unanimously.

The Planning Commission took a break from the meeting for dinner at 6:00 p.m.

The Planning Commission meeting resumed at 6:32 p.m.

#### **PUBLIC HEARING**

- 2. Project Name:** Citizens State Bank PUD  
**Applicant:** Doug Macfarlane Architect, LLC

**Property Legal Description:** Block 10, Lots 23 & 24, City of Ouray

**Address:** 600 Main Street

**Summary of Development Application(s):** Sketch PUD to increase the height for a roof top access for stair roof and elevator from 42.5 feet (existing height of the parapet wall) to 51'-11".

Chris Hawkins presented that applicant is offering public benefits as part of the PUD, including public restrooms, architectural rehabilitation and addition of public space.

Applicant presented project designs and drawings, citing the height request includes public restrooms, adding elevator and exterior stair to accommodate access to public spaces, employee housing, the roof top special event space, as well as solving egress challenges to both the Citizens Bank building and the Gator Emporium building adjoining. Applicant has applied for both State and Federal grants for historic renovation. Applicant is also asking for relief from on-site parking requirements as this building is already built to property lines.

There was no public comment.

The Planning Commission discussed the Commission's support of historic renovation of this building as well as acknowledging the public benefit of public restrooms, and what that agreement with Citizens Bank might look like. The Planning Commission discussed its historic reticence for granting height variances. The Commission also discussed that the height variance request does not address any kind of hardship.

Commissioner Gulde moved and Commissioner Morgenthaler seconded the motion to recommend the City Council approve the Sketch PUD for the Citizens State Bank PUD as presented, with the details to be provided with the Preliminary PUD on variations and the public benefits of historic rehabilitation, public restrooms, employee housing and the rooftop special event space. Morgenthaler proposed an amendment that the motion include the following conditions:

1. That the applicant provide more information on the agreement with the City regarding the public restrooms,
2. That the applicant provide more information on the proposed PUD agreement restriction on the public restrooms, in terms of how long they will be in place,
3. That the applicant explore option to reduce the height of the elevator, whether it is relocating the elevator toward lower portion of roof, or any other means to reduce the height.
4. That applicant provide more information on set length of time agreed to keep employee dwelling units, tied in with keeping parking free and available.

Commissioner Gulde seconded the motion on the amendment. A vote was taken and passed unanimously.

#### **DISCUSSION ITEMS**

None.

#### **ADJOURNMENT**

At 7:45 p.m. Commissioner Gulde moved and Commissioner Dunn seconded the motion to adjourn. The motion was unanimously approved.