



360 Main St • Delta, Colorado 81416 • Phone (970) 874-7903 • Fax (970) 874-6931 • Website: www.cityofdelta.net

A G E N D A

**Planning Commission
Regular Meeting**

**July 10, 2017
6:30 p.m.**

A. Welcome to new Planning Commission Member – Jay Stooksberry

B. Changes to the Agenda

C. Minutes of the May 1, 2017 Planning Commission meeting.

D. Citizen Comments

Citizens who have comments on items that do not appear on the agenda are asked to make their comments at this time. Comments on an agenda item will be taken at the time that item is under discussion.

E. Jurca Subdivision Sketch

- **Staff Report and Recommendations**
- **Applicant Presentation**
- **Public Comment**
- **Planning Commission Recommendation**

F. Replat of Outlot B Pad 6 The Shoppes @ Delta Planned Unit Development Sketch

- **Staff Report and Recommendations**
- **Applicant Presentation**
- **Public Comment**
- **Planning Commission Decision**

G. Commissioner Comments

H. Staff Comments



A regular meeting of the City of Delta Planning Commission was held on Monday, May 1, 2017 at 6:30 p.m. in the City Council Chambers of City Hall at 360 Main Street, Delta, Colorado. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Lynn Williams, Chairman; Carl Jahn, Commissioner; Ginni Selby, Commissioner; Richard Simmons, Commissioner; Virginia Alexander, Commissioner; Mary Cooper, Commissioner; Glen Black, Director of Community Development; Sharleen Walker, Planning Technician.

ABSENT: Mark Lee, Vice-Chairman.

GUESTS: Luis Cansigno

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES

A motion was made by Richard Simmons, seconded by Carl Jahn to approve the minutes of the Planning Commission held on Monday, March 6, 2107 as written. All voted yes. Motion passed.

CITIZEN COMMENTS

None.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

A motion was made by Richard Simmons, seconded by Carl Jahn to elect Lynn Williams as Chairman of the Planning Commission. All voted yes. Motion passed.

A motion was made by Richard Simmons, seconded by Virginia Alexander to elect Mary Cooper as Vice-Chairman of the Planning Commission. All voted yes. Motion passed.

PUBLIC HEARING VARIANCE 959 GRAND AVENUE

Chairman Williams opened the public hearing. Glen Black, Community Development Director, reviewed the staff report with the Planning Commission. Mr. Black stated that this lot is located where 10th Street was originally platted to go through, but was later platted into a narrow lot. The lot is approximately 44' 5" wide and the Municipal Code requires lots to be 50' wide.

Luis Cansigno, applicant, stated that he wants to build a new house on the property, because the current house is old and too small for his family.

Chairman Williams closed the public hearing.



The Planning Commission stated that the new house is a good step forward and would improve the neighborhood.

A motion was made by Mary Cooper, seconded by Richard Simmons to approve the applicant's request for a variance to the 50' lot frontage requirement per Delta Municipal Code 16.04.070.E.3. All voted yes. Motion passed.

PUBLIC HEARING CHANGE IN NON-CONFORMING USE 959 GRAND AVENUE

Chairman Williams opened the public hearing. Glen Black, Community Development Director, reviewed the staff report with the Planning Commission. Mr. Black stated that the house is currently a legally non-conforming use and that any change to the use of the building requires Planning Commission approval. Mr. Black pointed out that several buildings along the alley near 959 Grand Avenue are located at or near the rear setback. Staff's main concern is that the house will not be used as a residence after the new house is completed. Staff recommends that the water and sewer be disconnected from the old house and stated that the applicant has indicated that they will disconnect all utilities to the old house when it becomes a storage shed.

Luis Cansigno, applicant, stated that all of the utilities will be cut off.

The Planning Commission and staff discussed setbacks and storage sheds.

Chairman Williams closed the public hearing.

A motion was made by Richard Simmons, seconded by Carl Jahn to approve the request for a change in non-conforming use by changing the use from a dwelling unit to a storage shed located directly on the rear property line with the condition that only one dwelling unit be located on the property and that the water and sewer be terminated to the storage building. All voted yes. Motion passed.

CHAZCO SUBDIVISION OF CHAZCO MINOR SUBDIVISION LOTS 2 AND 3 PRELIMINARY PLAT

Glen Black, Community Development Director, stated that the applicant is requesting that the two large lots be subdivided into four lots. Mr. Black stated that the preliminary plat substantially meets the requirements for preliminary plat and that all preliminary plats expire two years after the date of approval. Additionally, all improvements must either be installed or secured. The access to the lots from Stafford was discussed and it was stated that the access will be directly across from the access to Walmart. The sidewalk will be extended along Stafford Lane and Crawford Avenue. A section of pavement will be completed.

Ted Didas, McNeil Engineering, representative for the applicant, reviewed the subdivision with the Planning Commission. Mr. Didas stated that they will widen Stafford Lane 20' and will widen Crawford Avenue, install utilities to all of the lots and construct a stormwater retention pond. Mr. Didas stated that other improvements will be site specific at building permit time. Additionally, Mr. Didas stated that they are ready to get going on the project.



A motion was made by Richard Simmons, seconded by Mary Cooper to recommend approval of the Chazco Subdivision of Chazco Minor Subdivision Lots 2 and 3 to the City Council with the recommendations as presented in the staff report.

Staff discussed the memo from the City Attorney, stating that the recommendations will be addressed at final plat. Staff stated that the final plat will go directly to Council, unless there are substantial changes to the plat.

All voted yes. Motion passed.

COMMISSIONER COMMENTS

The Planning Commission stated that it is good to see development start happening.

STAFF COMMENTS

Glen Black, Community Development Director, informed the Planning Commission that Stone Mountain Filing No. 3 is under contract and the perspective owner has been doing due diligence regarding the purchase.

Additionally, Mr. Black reviewed the DURA (Delta Urban Renewal Authority) project with the City Council. The DURA project area includes some of the downtown area, a few properties in other areas of the City but mainly the large properties along the south side of the river, east of the highway.

ADJOURNMENT

A motion was made by Mary Cooper, seconded by Richard Simmons to adjourn the regular Planning Commission meeting. All voted yes. Motion passed. The meeting was adjourned at 7:09 p.m. with no further action taken.

Sharleen R. Walker, Planning Technician



JURCA SUBDIVISION

Sketch Plan

Staff Report

| | | | |
|---------------------------------|-----------------|-----------------|-----------------|
| Community Development Director: | Glen L. Black | Date: | 07/10/2017 |
| Owner: | Helen Jurca | Representative: | Helen Jurca |
| Location: | 1405 Pioneer Rd | Parcel #: | 3455-194-33-013 |
| Zone District: | A-1 | Property Size: | 17.31 acres |

Request

The applicant is requesting that Planning Commission recommend approval of the Jurca Subdivision Sketch Plan, which proposes to subdivide approximately 17.31 acres into 2 parcels.

The property is currently zoned A-1 which "is intended to provide a district with a rural atmosphere for residential uses and agriculturally related uses. There is currently one residence on the property.

Required Improvements, Dedications, and Minimum Design Standards

The following requirements for sketch plan have been met:

1. Application, deed, fees and plat have been received
2. Conforms with the Comprehensive Plan and zoning regulations
3. Type and layout of all utilities
4. Utility easements
5. Road dedications
6. Parks Improvement Fee has been paid
7. Plat includes the vicinity map, boundaries, name of the subdivision, drawings of the lots and dimensions, total acreage, existing zoning, proposed easements, drainage, existing utilities. There are some minor issues with easements that can be addressed at final plat.

For Planning Commission information the following will need to be addressed at final plat: (Preliminary Plat stage can be waived if there will not be any significant changes between sketch plan and final plat and no infrastructure will need to be installed)

1. Water tapping fee must be paid before final plat.
2. The utility and irrigation easement located on the west property line should be increased to 30' to accommodate the irrigation ditch.
3. The development must comply with all City of Delta requirements and other regulatory/permitting agency requirements.
4. Sketch plan expires one year from date of approval if no preliminary plat or final plat has been submitted.



Staff Recommendations

Staff review has found the plat to substantially comply with the sketch plan requirements of 16.04.050.C

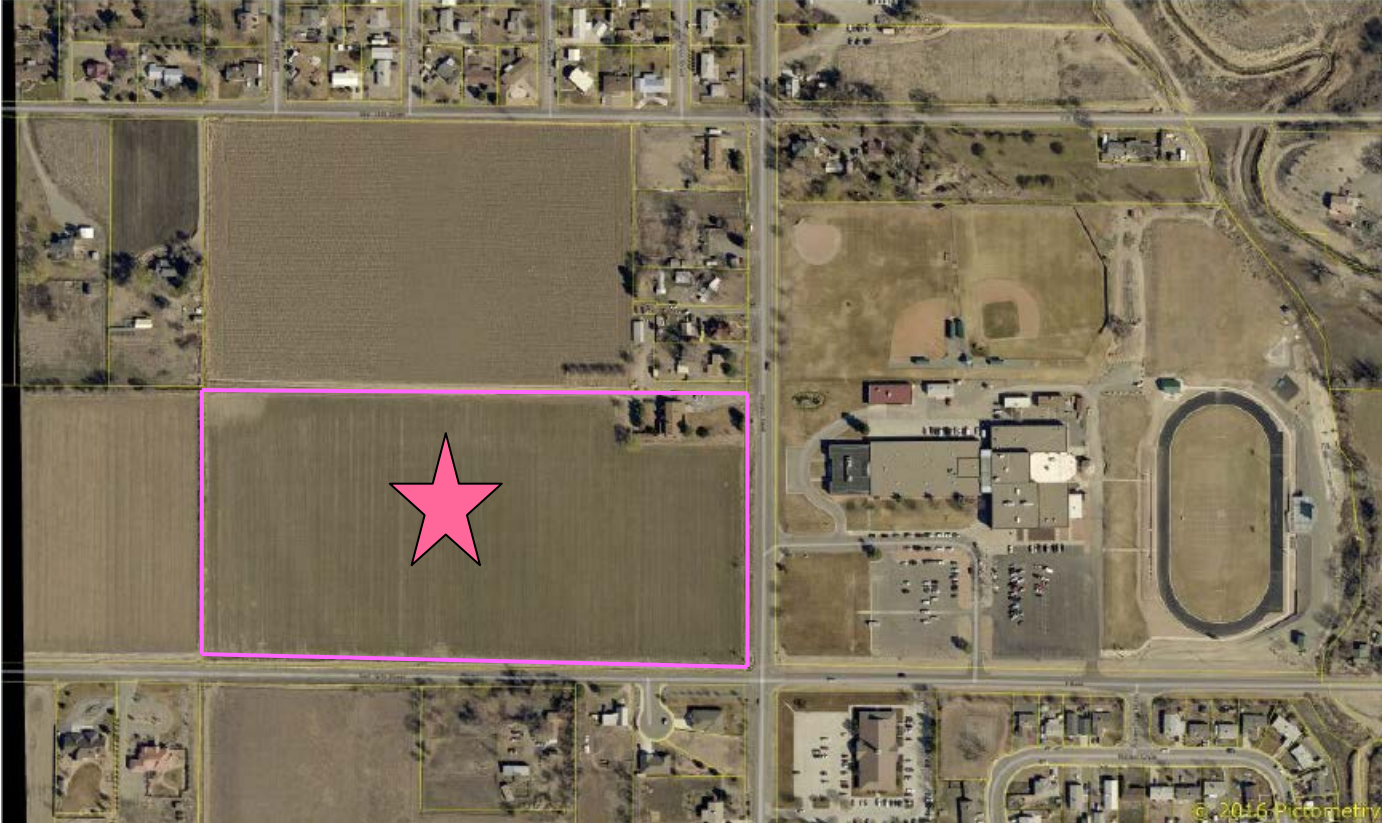
Staff recommends **approval** of the Jurca Subdivision sketch plan to the City Council.

Staff recommends that Preliminary Plat stage be waived.

Example Motion: I move that Planning Commission recommends **approval/disapproval** of the Jurca Subdivision sketch plan to the City Council and waive the preliminary plat requirement with the following conditions.....



Aerial Photo





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Community Development

Phone (970) 874-7903 • Fax (970) 874-6931

JURCA SUBDIVISION

SECTION 19, T 15 S, R 95 W, 6TH P.M.

(Note: This text is partially obscured and difficult to read due to image quality and orientation. It appears to contain standard subdivision legal descriptions and a recitation of facts.)

LEGEND:

- WITHIN CONCRETE VERTICAL CURVES OR INTERSECTIONS
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- ◓ POINTS OF BEGINNING OF CONCRETE VERTICAL CURVES OR INTERSECTIONS
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SUBJECT'S CERTIFICATE:

I, ROSE J. WESCHNER, hereby certify that this plat accurately represents a survey performed under my supervision and based on my knowledge, information and belief, in accordance with the laws of the State of Colorado, and that the same are correct and true. I am a duly Licensed Surveyor in the State of Colorado, and my license number is 1302. My office is located at 360 Main Street, Delta, Colorado. I am not providing this certificate as a warranty or guarantee of any kind, and I am not liable for any damages or claims arising out of this survey or plat.

ROSE J. WESCHNER P.L.S. 1007

NEIGHBOR'S CERTIFICATE:

I, _____, hereby certify that I am the owner of the property shown in the above plat, and that the plat accurately represents the same. I have read the plat and agree to its contents. I hereby certify that the plat is true and correct, and that the same are correct and true. I am not providing this certificate as a warranty or guarantee of any kind, and I am not liable for any damages or claims arising out of this survey or plat.

REMARKS:

1. THE TOTAL AREA OF THIS SUBDIVISION IS 1.777 ACRES, AS SHOWN ON THE PLAT.

2. THE TOTAL AREA OF LOT 1 IS 0.483 ACRES, AS SHOWN ON THE PLAT.

3. THE TOTAL AREA OF LOT 2 IS 0.679 ACRES, AS SHOWN ON THE PLAT.

4. THE TOTAL AREA OF THE REMAINDER OF THIS SECTION IS 0.615 ACRES, AS SHOWN ON THE PLAT.

5. THE TOTAL AREA OF THE REMAINDER OF THIS SECTION IS 0.615 ACRES, AS SHOWN ON THE PLAT.

NOTICE TO THE CITY:

THE CITY OF DELTA HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE SUBDIVISION ACT AND THE CITY OF DELTA SUBDIVISION ORDINANCES. THE CITY OF DELTA HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE SUBDIVISION ACT AND THE CITY OF DELTA SUBDIVISION ORDINANCES. THE CITY OF DELTA HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE SUBDIVISION ACT AND THE CITY OF DELTA SUBDIVISION ORDINANCES.



THE SHOPPES AT DELTA PUD – OUTLOT B, PAD 6 PUD CHANGE

Sketch Plan

Staff Report

| | | | |
|---------------------------------|-------------------|-----------------|-----------------|
| Community Development Director: | Glen L. Black | Date: | 07/10/2017 |
| Owner: | Delta Investments | Representative: | Lucinda Stanley |
| Location: | 200 Stafford Lane | Parcel #: | 3455-181-17-010 |
| Zone District: | B-2 | Property Size: | .615 acres |

Request

The applicant is requesting that Planning Commission recommend approval of The Shoppes At Delta Planned Unit Development – Outlot B, Pad 6 PUD Change Subdivision Sketch Plan, which proposes to change the configuration of Pad 6 in the PUD. Pad 6 is approximately .615 acres.

The property is currently zoned B-2 which is intended “for a large variety of uses to conveniently serve customers.”

Required Improvements, Dedications, and Minimum Design Standards

The following requirements for sketch plan have been met:

1. Application, fees and plat have been received
2. Conforms with the Comprehensive Plan and zoning regulations
3. Type and layout of all utilities
4. Utility easements
5. Plat is in sketch form and will be updated at preliminary plat.
6. Water tapping fee has been paid for 1.5 inch tap.

For Planning Commission information the following will need to be addressed at preliminary plat:

1. Engineering of infrastructure, including Tract D Storm water pond.
2. Parking – the original plan showed 42 spaces for Pad 6. The new configuration with adding two drive thru’s proposes only 25 spaces. Staff analysis of the code requirements indicates a need of 37 spaces. The recorded PUD had proposed 25 excess parking spots be constructed. If Planning Commission approves this proposal, 12 of those spaces will be used. Four other Lots/Pads remain to be constructed.
3. The development must comply with all City of Delta requirements and other regulatory/permitting agency requirements.
4. Sketch plan expires one year from date of approval if no preliminary plat or final plat has been submitted.

Staff Recommendations

Staff review has found the plat to substantially comply with the sketch plan requirements of 16.04.050.C
Staff recommends **approval** of The Shoppes At Delta Planned Unit Development Change of Pad 6 sketch plan.

Example Motion: I move that Planning Commission **approve/disapprove** of The Shoppes at Delta Planned Unit Development Change of Pad 6 sketch plan with the following conditions.....

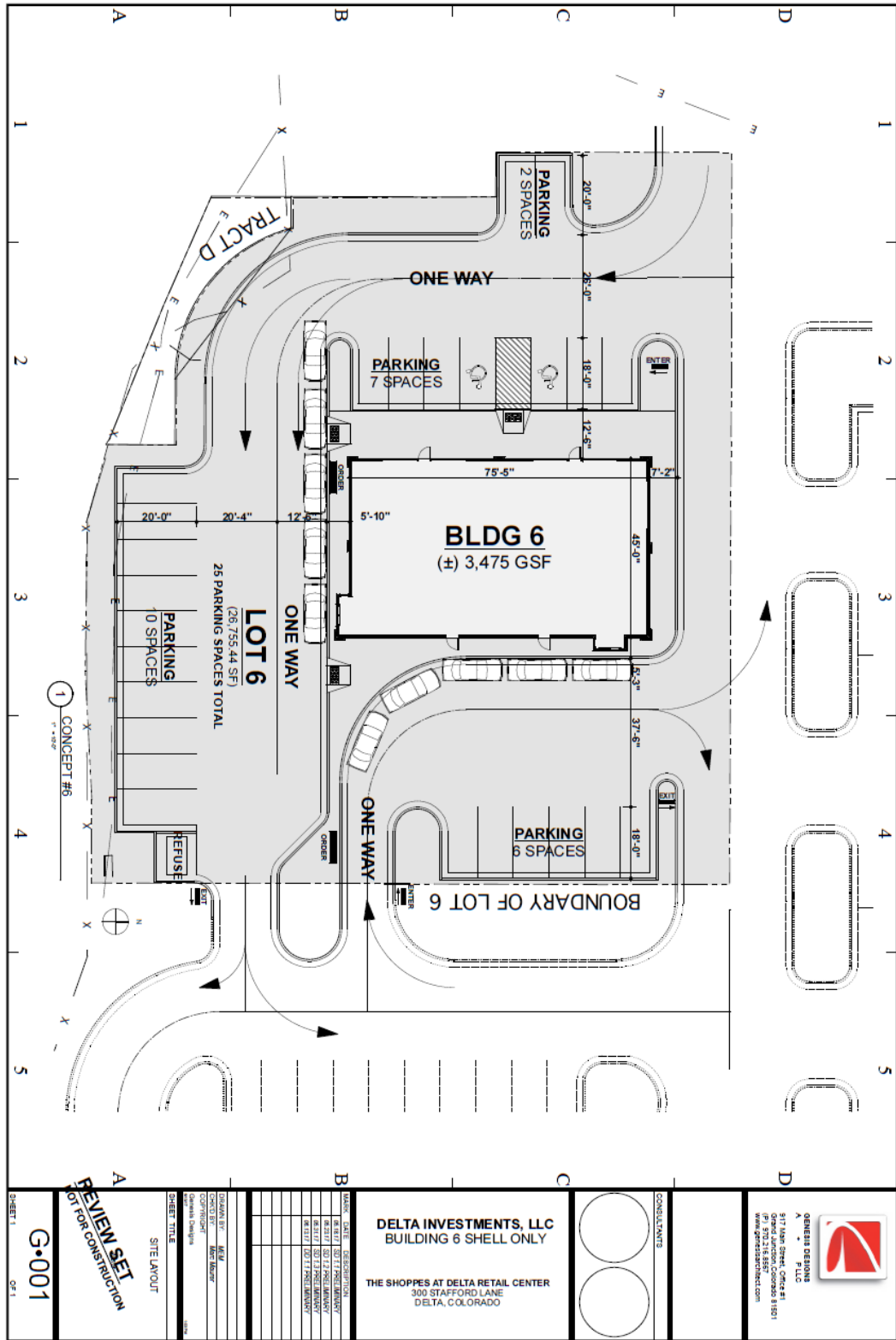


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Aerial Photo







CURRENT LOT CONFIGURATION

